



Reserve Forces Act 1996

1996 CHAPTER 14

PART V

EMPLOYEE AGREEMENTS

Call out for permanent service under Part V

45 Release from service of special members

- (1) A special member who has been accepted into permanent service shall remain in that service until released under subsection (2).
- (2) A special member who is in permanent service shall be released from that service with all convenient speed in such manner as may be prescribed when he is no longer required by Her Majesty to be in that service or (if not released sooner) when he is entitled to be released under subsection (3).
- (3) A special member is entitled to be released from permanent service—
 - (a) subject to paragraph (b), at the expiry of the period of 9 months beginning with the day on which he was accepted into service or of such shorter period as may be specified in the agreement concerned;
 - (b) if he extends (or further extends) his service under subsection (6), at the expiry of the period for which his service is extended;
 - (c) when, on an application under section 78, it is determined that he is entitled to be released.
- (4) Orders or regulations under section 4 may make provision enabling or requiring a special member who has been accepted into permanent service to be treated—
 - (a) if the circumstances of his call out or acceptance into service are of a prescribed description, and
 - (b) for the purpose of calculating when he is entitled to be released by virtue of subsection (3)(a),

Status: This is the original version (as it was originally enacted).

as having been accepted into service on an earlier day than that on which he was actually accepted.

- (5) Provision made for the purposes of subsection (4) shall secure—
- (a) that any earlier day applicable for the purpose of calculating when a person is entitled to be released from service is to be notified to him as soon as is practicable after the day on which he was actually accepted into service; and
 - (b) that the period beginning with the earlier day is reckoned as part of his relevant service for the purposes of sections 53(13), 55(13), 57(11) and 69(8).
- (6) A special member who is in permanent service may, with the written consent of the employer whose consent was required for his entering into the agreement in such form as may be prescribed, extend his period of service beyond the day on which he would (apart from that extension) be entitled to be released.