



Reserve Forces Act 1996

1996 CHAPTER 14

PART VI

CALL OUT FOR PERMANENT SERVICE

Powers to authorise call out

57 Maximum duration of service on call out under section 56

- (1) This section applies for the purpose of determining when members of a reserve force (“the force”) who are in service under a call-out order made under section 56 (“the order”) are, if not released sooner, entitled to be released from that service.
- (2) A man is entitled to be released on the expiry of his current term as a member of the force.
- (3) The Defence Council or any authorised officer may, before a man who is in service under the order becomes entitled to be released by virtue of this section, postpone his entitlement to be released by virtue of subsection (2).
- (4) A man’s entitlement to be released by virtue of subsection (2) may be postponed under subsection (3) more than once, but may not be postponed beyond the end of the period of 9 months beginning with the day on which (disregarding any postponement) that entitlement arises.
- (5) A postponement of a man’s entitlement to be released by virtue of subsection (2) shall not prevent him becoming entitled to be released by virtue of subsection (6) or, as the case may be, subsection (10).
- (6) Any member of the force is entitled to be released when his current service under the order, or his current service under the order and any relevant service in aggregate, exceeds 9 months.
- (7) A person may enter into a written agreement consenting to the extension of his period of service under the order beyond—

Status: This is the original version (as it was originally enacted).

- (a) the day on which he is entitled to be released by virtue of subsection (6), or
 - (b) the day on which, by virtue of a subsisting agreement under this subsection, he is entitled to be released by virtue of subsection (10),
- until the end of such period, not exceeding 6 months, as may be specified in the agreement.
- (8) An agreement under subsection (7) may not be entered into at any time—
 - (a) when the person concerned is not in service under the order;
 - (b) when he could not be served with a call-out notice on the authority of the order or any other call-out order under section 56; or
 - (c) more than 3 months before the day on which (disregarding the agreement) he is entitled to be released by virtue of subsection (6) or, as the case may be, subsection (10).
 - (9) An extension by an agreement under subsection (7) shall prevent the person concerned becoming entitled to be released on the day on which, apart from the agreement, he would be entitled to be released under subsection (6) or, as the case may be, subsection (10); but such an agreement shall not prevent a man becoming entitled to be released by virtue of subsection (2).
 - (10) A person who has entered into an agreement under subsection (7) is entitled to be released at the end of the period specified in the agreement as the period for which his permanent service is being extended.
 - (11) In this section “relevant service”, in relation to a person in service under the order, means any permanent service under this Part, or Part IV, V or VII, in the 27 months immediately preceding the first day of his current service under the order.