

1970 No. 539

DEFENCE

The Royal Navy Terms of Service (Amendment) Regulations 1970

<i>Made</i>	- - -	<i>3rd April 1970</i>
<i>Laid before Parliament</i>		<i>9th April 1970</i>
<i>Coming into Operation</i>		<i>10th April 1970</i>

The Defence Council, in exercise of the powers conferred upon them by section 2 of the Armed Forces Act 1966^(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Royal Navy Terms of Service (Amendment) Regulations 1970 and shall come into operation on 10th April 1970.

(2) The Interpretation Act 1889^(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The Royal Navy Terms of Service Regulations 1967^(c) shall have effect as though in Regulation 5—

(1) for paragraph (4)(b) there were substituted the following paragraph:—

“(b) he may, subject to paragraph (6) of this Regulation, claim his discharge at the expiration of the period of six months or, if continued or further continued (at any time) in naval service in pursuance of a notice under paragraph (1) or (2) of this Regulation given before the 10th April 1970, at the expiration of the period of three months, beginning (in each case) with the date on which he gives his commanding officer notice of his wish to be discharged.”; and

(2) at the end there were added the following paragraphs:—

“(6) A person who, in consideration of—

(a) being permitted to undergo a course of instruction of a duration of not less than 8 weeks, or

(b) receiving any other benefit or advantage,

consents in writing to be restricted in the exercise of the right conferred by paragraph (4)(b) of this Regulation shall not exercise such right before the expiration of the appropriate period which shall be specified in such consent and shall begin with the date on which he completes such course of instruction or such other date as is mentioned in such consent.

(a) 1966 c. 45.

(b) 1889 c. 63.

(c) S.I. 1967/1821 (1967 III, p. 4855).

(7) 'The appropriate period' shall be—

- (a) in relation to permission to undergo a course of instruction, a period of not more than 2 years, and
- (b) in relation to the receipt of any other benefit or advantage, a period of not more than 5 years.”.

On behalf of the Defence Council.

*M. Le Fanu,
Roy Hattersley,*

Members of the Defence Council.

3rd April 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Royal Navy Terms of Service Regulations 1967 by extending from 3 months to 6 months the period of notice required to be given by persons continued in naval service before they can claim their discharge. The extended period does not apply to persons who have given their notice before 10th April 1970. Restrictions on the right to claim discharge will apply in certain cases where the person concerned has given his consent.

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