
S T A T U T O R Y I N S T R U M E N T S

1972 No. 517

DEFENCE

The Army Terms of Service (Amendment) Regulations 1972

<i>Made - - - -</i>	<i>22nd March 1972</i>
<i>Laid before Parliament</i>	<i>7th April 1972</i>
<i>Coming into Operation</i>	<i>1st May 1972</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:—

Citation, Commencement and Interpretation

1.—(1) These Regulations may be cited as the Army Terms of Service (Amendment) Regulations 1972 and shall come into operation on 1st May 1972.

(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.

(3) In these Regulations “the Principal Regulations” means the Army Terms of Service Regulations 1967^(c), as amended ^(d).

Amendments to the Principal Regulations

2.—(1) The following Regulation shall be substituted for Regulations 4 and 4A of the Principal Regulations:—

“4.—(1) Subject to Regulations 7, 10(2) and 11(5), a man, but not a woman, who enlists in the regular army for a term of more than 12 years army service shall have the right exercisable in accordance with Regulation 6—

(a) to be transferred to the reserve at the end of the period of 3 years beginning with the relevant date or, if he enlists under the age of 17 years 6 months, the date of his attaining the age of 18 years or the date of the expiration of his period of training, whichever is the later, or at any time thereafter and

(b) to determine his service at the end of the period of 12 years beginning with the relevant date or at any time thereafter.

^(a) 1966 c. 45.

^(b) 1889 c. 63.

^(c) S.I. 1967/1018 (1967 II, p. 3066).

^(d) The relevant amending instrument is S.I. 1971/502 (1971 I, p. 1496).

(2) Subject to Regulations 4(3), 7, 10(2) and 11(5), a woman who enlists in the regular army for a term of more than 12 years army service shall have the right to determine her service in accordance with Regulation 6 at the end of the period of 3 years beginning with the date of her attestation or, if she enlists under the age of 17 years 6 months and revokes any consent given under Regulation 7 pursuant to paragraph (4) thereof, the date of her attaining the age of 18 years or the date of the expiration of her period of training, whichever is the later, or at any time thereafter.

(3) A woman may, after the commencement of these Regulations, be enlisted in army service with the right to determine her service, subject to Regulations 7, 10(2) and 11(5) and in accordance with the provisions of Regulation 6, at the end of the period of 4 years beginning with the date of her attestation, or at any time thereafter and a woman so enlisted shall not have the right conferred by Regulation 4(2)."

(2) The following Regulation shall be substituted for Regulations 6 and 6A of the Principal Regulations:—

"6. A right to determine army service and a right to be transferred to the reserve conferred by Regulation 4 shall be exercised by notice in writing given by the person in question to his commanding officer not less than 18 months before the expiration of the period at the end of which his service is to be determined or, as the case may be, he is to be transferred to the reserve."

(3) Regulation 7 of the Principal Regulations shall have effect as though at the end there were added the following paragraph:—

"(4) Any consent under this Regulation given by a person who has not attained the age of 17 years 6 months may be revoked by notice in writing given by the person in question to his commanding officer not more than 28 days after the attaining by that person of the age of 18 years."

(4) The following Regulation shall be substituted for Regulations 8 and 8A of the Principal Regulations:—

"8.—(1) A man transferred to the reserve in consequence of the exercise of the right conferred by Regulation 4(1)(a) shall serve in the reserve until the expiration of 7 years from the relevant date, unless he has, at the date of his being transferred, completed 6 years army service, when he shall serve in the reserve until the expiration of 12 years from the relevant date.

(2) A man transferred to the reserve under Regulation 5 with the approval of the competent military authority shall serve in the reserve until the expiration of 12 years from the relevant date."

(5) The Principal Regulations shall have effect as though:—

(a) Regulations 3(3) and 10(2) were omitted and the subsequent paragraphs of those Regulations were numbered respectively (3) and (2) and

(b) In Schedule 2 the words "Regulation 6(2)" in Column 1 and all the words opposite thereto in columns 2 and 3 were omitted.

Saving

3. The amendments effected by these Regulations shall not affect the term of service (either as respects duration, or as respects liability to army service or any liability to serve in the reserve) for which any person who is in army service immediately before the commencement of these Regulations is serving immediately before such commencement.

On behalf of the Defence Council,

G. Johnson Smith,
Michael Carver,
Members of the Defence Council.

Dated 22nd March 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Army Terms of Service Regulations by conferring on all persons enlisting for more than 12 years in the regular army after the 1st May 1972 a right to be transferred to the reserve (or in the case of women, to determine service) at any time after 3 years and to determine service at any time after 12 years, provided at least 18 months prior notice has been given to their commanding officer. Provision is made for women on special enlistment to determine their service on similar notice at any time after 4 years. In the case of those under the age of 17½ any consent to be restricted in the exercise of the right to give notice may be revoked within 28 days of reaching the age of 18. Consequential amendments are made to the periods to be served in the reserve and the requirements that persons under the age of 17½ years may not be enlisted or extend their service for a term longer than 12 years are removed.

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