

2003 No. 786

DEFENCE

**Air Force Act 1955 (Part 1) Regulations 2001 (Amendment)
Regulations 2003**

<i>Made</i> - - - -	<i>19th March 2003</i>
<i>Laid before Parliament</i>	<i>21st March 2003</i>
<i>Coming into force</i> - -	<i>14th April 2003</i>

The Defence Council, in exercise of the powers conferred upon them by sections 22 and 23 of the Air Force Act 1955(a) hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Air Force Act 1955 (Part 1) Regulations 2001 (Amendment) Regulations 2003 and shall come into force on 14th April 2003.

Amendment to Regulations

2.—(1) The Air Force Act 1955 (Part 1) Regulations 2001(b) (“the principal Regulations”) shall be amended as follows.

(2) For the Table in Part 2 of Schedule 1 (competent air force authorities for the purposes of section 9 of the Air Force Act 1955), substitute the Table in the Schedule to these Regulations.

On behalf of the Defence Council

*Peter Squire
Adam Ingram*

19th March 2003

Members of the Defence Council

(a) 1955 c.19; the power to make regulations under section 22 was vested in the Defence Council by virtue of an amendment to section 22 by S.I. 1964/488. Section 22(2) (which provides for such regulations to be made by statutory instrument) was inserted by the Armed Forces Act 1996 (1996 c.46), section 4(1), and came into force on 1st May 2001.
(b) These Regulations were made by the Defence Council on 28th March 2001 and came into force on 1st April 2001.

SCHEDULE

Regulation 2(2)

Table to be substituted in Part 2 of Schedule 1 to the principal Regulations

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Provisions of section 9 of the Act of 1955</i>	<i>Purpose</i>	<i>Competent Air Force Authority</i>
Section 9(1A) ¹	For the purpose of giving an order as to the period for which an airman to whom this subsection applies may be retained in air force service	The Air Secretary
Section 9(3) ²	For the purpose of giving an order as to the period for which an airman to whom this subsection applies may be retained in air force service	The Air Secretary
Section 9(4) ²	For the purpose of giving an order as to the period for which an airman to whom this subsection applies may be retained in air force service	The Air Secretary
Section 9(5)	For the purpose of deciding whether the services of an airman to whom this subsection applies can be dispensed with	The Air Secretary
Section 9(6)	For the purpose of approving the agreement of an airman to whom this subsection applies to continue in air force service while a state of war exists	The Air Secretary

¹ Section 9(1A) was inserted by section 126 of, and paragraph 5 of Schedule 7 to, the Reserve Forces Act 1996. It applies to airmen (principally those enlisting on or after 1st April 1997) to whom section 9(3) and 9(4) does not apply.

² Section 9(3) and 9(4) continues to apply by virtue of section 126 of, and paragraph 6 of Schedule 7 to, the Reserve Forces Act 1996 to the category of airmen defined in paragraph 6, principally those who were in service immediately before 1st April 1997.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Air Force Act 1955 (Part I) Regulations 2001 (“the principal Regulations”) which make provision in respect of enlistment of recruits and generally for the carrying into effect of Part 1 of the Air Force Act 1955. Copies of the principal Regulations are available on request in writing to the Air Member for Personnel Secretariat (Legislation), Headquarters Personnel and Training Command, RAF Innsworth, Gloucester, GL3 1AL.

Regulation 2(2) substitutes a new table for that in Part 2 of Schedule 1 to the principal Regulations. The new table prescribes the Air Secretary as a competent air force authority (in addition to the Defence Council) for the purposes of sections 9(1A), (3), (4), (5) and (6) of the Air Force Act 1955. Section 9(1A) was inserted by the Reserve Forces Act 1996 and applies to a category of airmen (principally those who joined on or after 1 April 1997) other than airmen to whom sections 9(3) and (4) continue to apply. Sections 9(3) and (4) remain in force and apply to a category of airmen defined in the Reserve Forces Act 1996, principally those in service immediately before 1 April 1997. The Air Secretary is the director of personnel management for members of the Royal Air Force.

STATUTORY INSTRUMENTS

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