

**EXPLANATORY MEMORANDUM TO**  
**THE ARMY ACT 1955 (PART 1) (REGULAR ARMY) REGULATIONS 1992**  
**(AMENDMENT) REGULATIONS 2007**  
**2007 No. 3383**

1. This explanatory memorandum has been prepared by the Ministry of Defence and is laid before Parliament by Command of Her Majesty.

2. **Description**

These Regulations prescribe a new form of notice paper to be given to recruits offering to enlist in the Army pursuant to section 2 of the Army Act 1955. The new form of notice paper is needed because of the introduction of a new type of engagement (the “Versatile engagement”) for recruits enlisting in the Army with effect from 1<sup>st</sup> January 2008 under the Army Terms of Service Regulations 2007 (S.I. 2007/3382).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None.

4. **Legislative Background**

4.1 Section 2 of the Army Act 1955 (“the 1955 Act”) provides that a person offering to enlist in the regular forces shall be given a notice in the prescribed form setting out the questions to be answered on attestation and stating the general conditions of the engagement to be entered into by him. “Prescribed” means prescribed by regulations. Under section 22(1) of the 1955 Act the Defence Council has power to make “such regulations as appear to them necessary or expedient for the purposes of, or in connection with, the enlistment of recruits for the regular forces”.

4.2 The current form of notice paper given to recruits offering to enlist for full-time service in the Regular Army was prescribed by the Defence Council in the Army Act 1955 (Part 1) (Regular Army) (Amendment) Regulations 1995. With effect from 1<sup>st</sup> August 1995, when the 1995 Regulations came into force, the notice paper in Schedule B to the 1995 Regulations replaced the notice paper (Form 1A) in Schedule 2 to the Army Act 1955 (Part 1) (Regular Army) Regulations 1992. The other forms of notice paper prescribed in Schedule 2 to the 1992 Regulations apply to different types of service which either no longer exist or no longer require a separate form of notice paper. Accordingly, the single form of notice paper in the Schedule to these Regulations replaces all of the forms (1A, 1B, 1C and 1D) prescribed in the 1992 Regulations as amended. The 1992 and 1995 Regulations were made administratively without any Parliamentary involvement, as was the procedure until section 22(2) of the 1955 Act, inserted by section 4(1) of the Armed Forces Act 1996 came into force on 1<sup>st</sup> May 2001.

**5. Extent**

The Regulations apply to all of the United Kingdom.

**6. European Convention on Human Rights**

As the instruments are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

**7. Policy background**

The introduction of the Versatile engagement for recruits enlisting in the Army with effect from 1<sup>st</sup> January 2008 is the culmination of a wide-ranging review of soldier career structures. All Arms and Services Directorates of the Army were consulted as part of the detailed study into possible career structures. In March 2006 the Executive Committee of the Army Board gave approval in principle to the proposal to introduce more flexible career structures for other ranks. The Army Policy and Resources Committee endorsed the detail of the Versatile engagement in May 2007. The new form of notice paper prescribed in these Regulations is a necessary incidental part of the reinvigoration of the engagement system for other ranks.

**8. Impact**

A Regulatory Impact Assessment has not been prepared for these instruments as they have no impact on business, charities or voluntary bodies.

**9. Contact**

**Mrs S J McIntosh** at the Ministry of Defence Tel: 0207 218 0564 can answer any queries regarding these instruments.