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STATUTORY INSTRUMENTS

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**2018 No. 1166**

**The Armed Forces (Terms of Service) (Amendments  
Relating to Flexible Working) Regulations 2018**

**The Army Regulations**

**10.** In regulation 2 (application and interpretation)—

(a) in paragraph (3)(1), insert in the appropriate places in the alphabetical order the following definitions—

““duty station” means a PSF’s duty station set out in the terms of a PSF’s flexible service arrangement;

“flexible service arrangement” means a flexible service arrangement under which a PSF may serve—

- (a) on a part-time basis;
- (b) on a restricted separation basis; or
- (c) on both of those bases;

“part-time basis” means service which is subject to restrictions on the times at which the PSF can be required to perform the duties the PSF would, or could, be required to perform if the PSF were serving on a full-time basis and “part-time day” is to be construed accordingly;

“PSF” means a person serving in accordance with a flexible service arrangement;

“residence” means a PSF’s residence set out in the terms of a PSF’s flexible service arrangement;

“restricted separation basis” means service on the basis that, on each day that the PSF is required to perform duties—

- (a) the PSF spends at least part of the day at the PSF’s duty station or the PSF’s residence; or
- (b) the day is one of a maximum number of separation days in a restricted separation year;

“restricted separation year” means the period of 12 months beginning with the date on which the PSF begins service on a restricted separation basis or, where appropriate, the anniversary of that date;

“separation day” is a day on which a PSF serving on a restricted separation basis does not spend at least part of the day at the PSF’s duty station or the PSF’s residence.”;

(b) after paragraph (3), insert—

“(3A) The local service day limit in the case of a person enlisted for local service is to be calculated by applying the following formula (rounding the result down to the nearest day)—

$$\left(\frac{A}{B}\right) \times 30$$

Where—

A is the number of days in any year (beginning on 1st January) or in any part of a year when the person's term of service has effect and which are not part-time days;

B is the number of days in the year or part of the year.

(3B) The maximum number of separation days in a restricted separation year is calculated by applying the following formula (rounding the result down to the nearest day)

$$\left(\frac{A}{B}\right) \times 35$$

Where—

A is the number of days in the restricted separation year when the PSF is serving on a restricted separation basis and which are not—

- (i) part-time days, or
- (ii) days in respect of which the flexible service arrangement has been suspended under regulation 8D;

B is the number of days in the restricted separation year.

(3C) A PSF serving on a restricted separation basis may, notwithstanding the PSF's flexible service arrangement, volunteer to serve away from the PSF's duty station and the PSF's residence.

(3D) Where a PSF volunteers as referred to in paragraph (3C), any day of service away from the PSF's duty station and the PSF's residence does not count towards the PSF's maximum number of separation days."