



Reserve Forces Act 1996

1996 CHAPTER 14

PART VII

RECALL FOR SERVICE OF OFFICERS AND FORMER SERVICEMEN

Liability to be recalled for service

65 Liability of officers and former servicemen to be recalled

- (1) Persons to whom section 66 applies are liable, in accordance with this Part, to be recalled for service when any recall order which authorises their recall is in force.
- (2) A person who is recalled for service as a man of any of the regular services shall, while in service under the recall order concerned, be deemed to be enlisted in the regular service concerned.
- (3) A person who has been released or discharged from a period of service under a recall order may, subject to the provisions of this Act, be recalled again on the authority of the same or any other recall order.
- (4) Any question whether a person may be recalled on the authority of a recall order shall be determined by reference to the circumstances at the time he is served with a recall notice or, if he is accepted into service under section 71(5), when he is accepted into service.
- (5) The numbers of persons who are recalled for service under a recall order shall not be reckoned in any numbers for the time being authorised by Parliament for any of the regular services.

66 Persons who may be recalled under Part VII

- (1) This section applies to any person not serving in the regular services or the reserve forces who—
 - (a) holds a commission as an officer; or

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- (b) has served as a man in the regular services and has not become an officer since being discharged or transferred to the reserve from the regular services, unless he is excluded (whether permanently or temporarily) by any provision of this section.
- (2) This section does not apply to any person falling within subsection (1)(b)—
- (a) after he has attained the age of 55;
 - (b) in the case of a person who was discharged or transferred to the reserve from the regular army or the regular air force, after the end of the period of 18 years beginning with the day on which he was so discharged or transferred; or
 - (c) in the case of a person who was discharged or transferred to the reserve from the Royal Navy or the Royal Marines, after the end of the period of 6 years beginning with the day on which he was so discharged or transferred.
- (3) The re-enlistment of a person falling within subsection (1)(b) in the regular services shall prevent or, as the case may be, shall terminate any application of this section to him by reference to an earlier discharge or transfer to the reserve.
- (4) References to discharge or transfer to the reserve in subsections (1) and (2)—
- (a) do not include discharge from a period of permanent service under a recall order; and
 - (b) in relation to a man who has been discharged or transferred to the reserve more than once, refer to his most recent discharge or transfer.
- (5) This section does not apply to any person who is permanently exempted, or to any person while he is temporarily exempted, from all liability to be recalled under this Part—
- (a) by regulations made by virtue of section 73; or
 - (b) by an exemption granted on an application made under regulations under section 79.
- (6) Subject to any election made under subsection (7), this section does not apply to any person who—
- (a) became an officer before the day on which this Part comes into force, or
 - (b) enlisted in the regular services before that day and has not re-enlisted, re-engaged or extended his service in the regular services, or become an officer, on or after that day.
- (7) A person falling within paragraph (a) or (b) of subsection (6) may, with the consent of an authorised officer, irrevocably elect in such manner as may be prescribed not to be excluded from the operation of this section by virtue of that subsection.
- (8) An election under subsection (7) may be made by a person who is serving in the regular forces or the reserve forces as well as a person who is not so serving; and any election is without prejudice to the subsequent operation of subsections (1) to (5) in relation to the person concerned.

67 Geographical extent of liability to service on recall

- (1) A person who is recalled shall, subject to the following provisions of this section, be liable to serve anywhere in the world.

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- (2) A person who, when he was last discharged or transferred to the reserve from the regular services, was liable only for service within the United Kingdom or any area of the United Kingdom, shall not be liable to serve outside the United Kingdom or, as the case may be, that area on being recalled.
- (3) A person whose liability for service on recall is restricted as mentioned in subsection (2) may elect irrevocably in such manner as may be prescribed to be liable for worldwide service—
 - (a) whenever he is recalled for service;
 - (b) during any period of service (including a current period of service) under a recall order specified in the election.
- (4) Subsection (2) shall not apply—
 - (a) to any person who makes an election under subsection (3)(a), or
 - (b) in relation to a period of service covered by the election, to a person who makes an election under subsection (3)(b).
- (5) A person who is serving in the regular services or the reserve forces may make an election under subsection (3) before that service ceases.