



# Reserve Forces Act 1996

## CHAPTER 14

### RESERVE FORCES ACT 1996

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#### *Conditions for enlistment*

- 1 (1) An enlisting officer shall not enlist any person as...
- 2 (1) An enlisting officer shall not enlist a person under...

#### *Procedure on attestation*

- 3 (1) The procedure for enlisting a person (in this paragraph...

#### *Validity of attestation and enlistment*

- 4 (1) This paragraph applies where a person has signed the...

#### *False answers in attestation papers*

- 5 (1) Any person appearing before an enlisting officer for the...

#### *Evidence as to attestation papers*

- 6 (1) With respect to evidence in proceedings under Part X,...

...

- 7 In this Schedule “ appropriate minimum age ” means the...

### SCHEDULE 2 — Deserters and absentees without leave

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### *Preliminary*

- 1 (1) This Schedule applies in relation to anyone who is,...

### *Arrest*

- 2 (1) Where a constable has reasonable grounds for suspecting that...

### *Proceedings before a civil court where persons suspected of illegal absence*

- 3 (1) Paragraphs 4 and 5 apply in the case of...  
4 (1) This paragraph applies where the accused admits that he...  
5 (1) This paragraph applies where— (a) the accused does not...

### *Surrender to police*

- 6 (1) Where a person surrenders himself to a constable as...

### *Certificates of arrest or surrender*

- 7 (1) Where a person is delivered into military, air-force or...  
8 (1) Where a person is delivered into military, air-force or...  
9 (1) In proceedings for an offence under section 96 a...

### *Duties of governors of prisons and others to receive deserters and absentees*

- 10 (1) It shall be the duty of the governor of...

## SCHEDULE 3 — Evidence

### *General provisions as to evidence*

- 1 This Schedule has effect with respect to evidence in proceedings...  
2 A letter, return or other document stating that any person—...  
3 (1) A record made in any service book or other...  
4 A document purporting to be issued by order of the...  
5 A certificate purporting to be issued by or on behalf...  
6 A certificate purporting to be signed by a person's commanding...  
7 Where, in relation to one reserve force, any document would...

### *Proceedings for offences under section 95*

- 8 Where a man of any reserve force is required by...

### *Proof of outcome of civil trial*

- 9 (1) Where a person subject to service law has been...

## SCHEDULE 4 — Provisions of schemes for the constitution of associations

- 1 (1) A scheme for the constitution of an association (“a...  
2 A scheme for an association in England and Wales or...  
3 A scheme for an association in Scotland shall provide—  
4 A scheme for an association established for an area including...  
5 A scheme may provide— (a) for the appointment as members...  
6 A scheme shall provide that of the chairman and the...  
7 A scheme may contain any consequential, supplemental or transitory provisions...

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- 8 (1) A scheme for an association established for an area...  
 9 (1) The Governor of the Isle of Wight shall ex-officio...  
 10 In this Schedule— “air force member” means one who is...

SCHEDULE 5 — Charitable property on disbanding of units  
 Part I — PRELIMINARY

*Designation of successor to disbanded unit*

- 1 (1) A warrant of Her Majesty may designate, for the...

*General interpretation*

- 2 In this Schedule— “disbanded unit” means a unit for which...

Part II — SUCCESSION TO CHARITABLE PROPERTY: ENGLAND AND WALES

*Effect of designation of successor to disbanded unit*

- 3 (1) On and after the day on which a warrant...

*Exclusion of charitable property from paragraph 3*

- 4 (1) If Charity Commission considers that paragraph 3(1) should not...  
 5 (1) If a charity affected by a warrant or any...

*Application of property otherwise than under paragraph 3*

- 6 In any case where— (a) the Secretary of State requests...

*Validity of certain acts by trustees*

- 7 Neither a warrant nor any order under paragraph 4 or...

*Saving for interests in property contingent on disbandment of unit*

- 8 Nothing in this Part of this Schedule applies to any...

Part III — SUCCESSION TO CHARITABLE PROPERTY: SCOTLAND

*Effect of designation of successor to disbanded unit*

- 9 (1) On and after the day on which a warrant...

*Exclusion of charitable property from paragraph 9*

- 10 (1) If the Lord Advocate considers that paragraph 9 should...  
 11 (1) If a recognised body affected by a warrant or...

*Power of Lord Advocate to apply to Court of Session*

- 12 (1) Where a body of a reserve force has been...

*Validity of certain acts*

- 13 None of the following, that is to say, a warrant,...

*Saving for interests in property contingent on disbandment of unit*

- 14 Nothing in this Part of this Schedule applies to any...

Part IV — SUCCESSION TO CHARITABLE PROPERTY: NORTHERN IRELAND



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*Effect of designation of successor to disbanded unit*

15 (1) On and after the day on which a warrant...

*Exclusion of charitable property from paragraph 15*

16 (1) If the Department of Health and Social Services for...

17 (1) If a charity affected by a warrant or any...

*Application of property otherwise than under paragraph 15*

18 In any case where— (a) the Secretary of State requests...

*Validity of certain acts by trustees*

19 Neither a warrant nor any order under paragraph 16 or...

*Saving for interests in property contingent on disbandment of unit*

20 Nothing in this Part of this Schedule applies to any...

SCHEDULE 6 —

1  
2  
3  
4  
5

SCHEDULE 7 — Postponement of transfer to the reserve or discharge from the regular services

*The Army*

1 (1) Sections 9 (postponement of transfer to the reserve or...

2 The Army Act 1955 shall continue to apply without the...

*The Royal Marines*

3 (1) Paragraphs 4A (postponement of transfer to Royal Fleet Reserve...

4 The Army Act 1955 shall continue to apply without the...

*The Royal Air Force*

5 (1) Sections 9 (postponement of transfer to the reserve or...

6 The Air Force Act 1955 shall continue to apply without...

*The Royal Navy*

7 (1) Sections 4 (postponement of transfer to Royal Fleet Reserve...

8 The Armed Forces Act 1966 shall continue to apply without...

SCHEDULE 8 — Transitory and transitional provisions

*Existing members of the reserve forces*

1 (1) Nothing in section 2 shall prevent a person who,...

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### *Royal Fleet Reserve*

- 2 (1) The Royal Fleet Reserve shall cease to be maintained...  
3 Any reference in any enactment or other instrument to the...

### *The special class of the Royal Fleet Reserve*

- 4 (1) The special class of the Royal Fleet Reserve existing...  
5 If it appears to the Secretary of State that—

### *Home Service Force*

- 6 Section 6 of the Reserve Forces Act 1980 shall cease...

### *Royal Air Force Volunteer Reserve*

- 7 (1) Her Majesty may continue to maintain a force known...

### *Reserves of Officers*

- 8 (1) On a day appointed by the Secretary of State...  
9 On a day appointed by the Secretary of State by...

### *Training of existing members of the Royal Auxiliary Air Force*

- 10 Section 41(1) of the Reserve Forces Act 1980 shall apply,...

### *Effect of transfers under this Schedule*

- 11 (1) Any officers transferred to a reserve force under paragraph...

### *Parliamentary control*

- 12 A determination by Parliament of the permitted numbers of officers...

## SCHEDULE 9 — Application of Act to members of transitional classes

### Part I — THE ORIGINAL TRANSITIONAL CLASS OF MEMBERS OF THE RESERVE FORCES

- 1 (1) The original transitional class consists of persons who—  
2 A person who, immediately before the appointed day, was an...  
3 An officer or man who becomes a member of a...  
4 (1) A person who is a transitional member of a...  
5 (1) In this Part of this Schedule “man”, in relation...

### Part II — APPLICATION OF ACT TO MEMBERS OF THE ORIGINAL TRANSITIONAL CLASS

- 6 The provisions of this Act (other than section 129 and...  
7 (1) Any reference in this Act to a reserve force, ...  
8 (1) In the application of section 17(1) to a transitional...  
9 (1) In the application of sections 18, 20 and 21...  
10 Section 22 does not apply to transitional members of a...  
11 In the application of section 24 to a transitional member...  
12 (1) Transitional members may (subject to the provisions of this...  
12A In the application of section 28(3)(a) to a special agreement...  
13 In the application of section 31(1) to a special agreement...  
14 In the application of section 34(5) to transitional members, the...  
15 In the application of section 40(5) to a transitional special...  
16 An order may be made under section 41(6) suspending the...

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- 17 In the application of section 45(5) to transitional members, the...  
18 Part VI does not apply to transitional members.  
19 Regulations under section 78, 83, 84 or 84A may make...  
20 In the application of section 96(1) to a transitional member—...  
21 In the application of section 97(2) to a transitional member, ...  
22 .....  
23 .....  
24 In the application of section 125 to a transitional member, ...  
    Part 3 — THE SECOND TRANSITIONAL CLASS OF MEMBERS OF THE  
        RESERVE FORCES  
25 (1) The second transitional class consists of persons who—  
26 A person who, immediately before the appointed day, was a...  
27 A person who becomes a member of a reserve force...  
28 (1) A person who is a member of the second...  
    Part 4 — APPLICATION OF ACT TO MEMBERS OF THE SECOND  
        TRANSITIONAL CLASS  
29 Parts 4 and 6 of this Act apply in relation...  
30 Section 28(3)(a) (special agreements: maximum period of service)  
    applies in...  
31 (1) Section 56 (call out for certain purposes) applies in...  
32 Section 57 (maximum duration of service for call out under...  
33 Section 57A(3) (agreement to alter limits in section 57) applies...

#### SCHEDULE 10 — Minor and consequential amendments

##### *Army Act 1955 (c.18)*

- 1 (1) .....  
2 At the end of section 205 of that Act there...  
3 (1) Section 210(2) (application of section 205 to Royal Marines)...  
4 In section 210(3) of that Act, for the words “the...  
5 In section 210(4) of that Act, for the word “or”...  
6 After subsection (5) of section 210 of that Act there...  
7 (1) Section 211 (application of Act to reserve forces) of...  
8 In paragraph 22 of Schedule 7 (provisions as to Royal...

##### *Air Force Act 1955 (c.19)*

- 9 (1) Section 205(1) (persons subject to air-force law) of the...  
10 For subsection (3) of section 205 of that Act there...  
11 (1) Section 210 (application of Act to reserve forces) of...

##### *Naval Discipline Act 1957 (c.53)*

- 12 (1) Section 111 (application of Act to naval forces etc.)...  
13 In section 132 (definitions of Her Majesty’s forces, etc.) of...

##### *Reserve Forces Act 1966 (c.30): old references to RMFVR*

- 14 Any reference to the Royal Marine Forces Volunteer Reserve in...

##### *House of Commons Disqualification Act 1975 (c.24)*

- 15 In section 3 (certain reserve officers and persons liable to...

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*Northern Ireland Assembly Disqualification Act 1975 (c.25)*

16 In section 2 (certain reserve officers and persons liable to...

*Employment Protection (Consolidation) Act 1978 (c.44)*

17 .....

*Magistrates' Courts Act 1980 (c.43)*

18 .....

*Reserve Forces Act 1982 (c.14): old references to TAVR*

19 Any reference to the Territorial and Army Volunteer Reserve in...

*Wages Act 1986 (c.48)*

20 In section 9(4) (exclusion of service as a member of...

*Wages (Northern Ireland) Order 1988 (S.I. 1988/796 (N.I.7))*

21 In Article 11(3) (exclusion of service as a member of...

*Official Secrets Act 1989 (c.6)*

22 In section 12(1) (meaning of "Crown servant") of the Official...

*Army Act 1992 (c.39)*

23 In section 2(3) of the Army Act 1992 (application of...

*Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)*

24 In section 274 (armed forces) of the Trade Union and...

*Tribunals and Inquiries Act 1992 (c.53)*

25 In Schedule 1 to the Tribunals and Inquiries Act 1992...

*Judicial Pensions and Retirement Act 1993 (c.8)*

26 In Schedule 5 to the Judicial Pensions and Retirement Act...

*Industrial Relations (Northern Ireland) Order 1993 (S.I. 1993/2668 (N.I.11))*

27 In Article 9 (application of industrial relations legislation to the...

SCHEDULE 11 — Repeals

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**Changes and effects yet to be applied to :**

- Pt. 4-7 modified by [S.I. 2009/832 reg. 8\(8\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). This S.I. is revoked (31.10.2009) by [S.I. 2009/1091](#), art. 16)
- s. 75(5) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 82(1) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 87(1) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 99 words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- Sch. 1 para. 5(2) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- Sch. 1 para. 5(3) words substituted by [2003 c. 44 Sch. 32 para. 162](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(2A) inserted by [2003 c. 44 Sch. 3 para. 65](#)