

Changes to legislation: Reserve Forces Act 1996, Part 3 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9

APPLICATION OF ACT TO ^[F1]MEMBERS OF TRANSITIONAL CLASSES]

Textual Amendments

- F1** Words in Sch. 9 heading substituted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\)](#), s. 50(1), [Sch. 6 para. 5](#) (with s. 49(4), [Sch. 7 para. 12\(3\)](#)); S.I. 2014/2370, art. 4(b)

^[F1]PART 3

THE SECOND TRANSITIONAL CLASS OF MEMBERS OF THE RESERVE FORCES

Textual Amendments

- F1** Sch. 9 Pts. 3, 4 inserted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\)](#), s. 50(1), [Sch. 6 para. 4\(7\)](#) (with s. 49(4), [Sch. 7 para. 12\(3\)](#)); S.I. 2014/2370, art. 4(b)

- 25 (1) The second transitional class consists of persons who—
- are members of a reserve force,
 - are not, and have not been, members of the original transitional class,
 - for the time being fall within paragraph 26 or 27, and
 - have not made an election under paragraph 28.
- (2) In this Part of this Schedule “the appointed day” means the day on which paragraph 4(7) of Schedule 6 to the Defence Reform Act 2014 (which inserts this Part of this Schedule) comes into force.
- 26 A person who, immediately before the appointed day, was a member of a reserve force falls within this paragraph if—
- the person has remained a member of that force without interruption since that time, and
 - the person has not extended his or her service in, or become an officer of, that force since that time.
- 27 A person who becomes a member of a reserve force on or after the appointed day, on transfer to the reserve from the regular services, falls within this paragraph if—
- the person joined the regular services before the appointed day and did not re-enlist, re-engage or extend his or her service, or become an officer, in the regular services on or after that day,
 - the person has remained a member of the reserve force concerned without interruption since being transferred from the regular services, and

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- (c) the person has not extended his or her service in, or become an officer of, that force since being so transferred.
- 28 (1) A person who is a member of the second transitional class may elect to cease to be a member of that class.
- (2) A person serving in the regular services who—
 - (a) joined those services before the appointed day, and
 - (b) has not re-enlisted, re-engaged or extended his or her service, or become an officer, on or after that day,may at any time elect not to become a member of the second transitional class on transfer to the reserve.
- (3) An election under this paragraph must be made in the prescribed manner.
- (4) A person who has made an election under sub-paragraph (1) ceases to be a member of the second transitional class.
- (5) A person who has made an election under sub-paragraph (2) does not become a member of the second transitional class.
- (6) An election under this paragraph is irrevocable.]

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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](#)