



Reserve Forces Act 1996

1996 CHAPTER 14

PART VIII

SCHEMES FOR EXEMPTION AND FINANCIAL ASSISTANCE

Individual exemptions etc. from call out or recall

78 Individual exemptions etc. from call out

- (1) The Secretary of State may by regulations make provision enabling a person liable to be called out, or any employer of such a person, to apply for any deferral, revocation, entitlement to release or exemption which, under the regulations, may be granted to the person by or in respect of whom such an application is made.
- (2) The regulations may provide for applications to be made by or in respect of a person—
 - (a) after the service on him of a call-out notice (“the original notice”) but before he is accepted into service;
 - (b) after he has been accepted into service.
- (3) The regulations may provide, in relation to an application made before a person is accepted into service, for the following to be available—
 - (a) the deferral of his obligation to present himself for service in pursuance of the original notice;
 - (b) the revocation of the original notice;
 - (c) if the original notice was served under Part IV, an exemption from liability to be called out under that Part or Part VI;
 - (d) if the original notice was served under Part V, an exemption from liability to be called out under that Part;
 - (e) if the original notice was served under Part VI, an exemption from liability to be called out on the authority of—
 - (i) the call-out order specified in that notice,
 - (ii) any other call-out order made under the provision of Part VI so specified,

Status: This is the original version (as it was originally enacted).

- (iii) any call-out order made under any provision of Part VI;
 - (f) if the original notice was served under Part VI and the person concerned has entered into a special agreement, an exemption from liability to be called out under Part IV.
- (4) The regulations may provide, in relation to an application made after a person has been accepted into service, for the following to be available—
 - (a) a determination that he is entitled to be released from his current period of service;
 - (b) if he is serving under Part IV, an exemption from liability to be called out under that Part or Part VI;
 - (c) if he is serving under Part V, an exemption from liability to be called out under that Part;
 - (d) if he is serving under Part VI, an exemption from any liability to be called out on the authority of—
 - (i) the call-out order under which he is currently serving,
 - (ii) any other call-out order made under the same provision of Part VI as the order under which he is currently serving,
 - (iii) any call-out order made under any provision of Part VI; or
 - (e) if a determination is given that he is entitled to be released from service under Part VI and provision such as is mentioned in section 80(2)(f) applies in his case, an exemption from liability to be called out under Part IV.