

SCHEDULE

POSTPONEMENT OF DISCHARGE OR TRANSFER TO RESERVE: TRANSITIONAL CASES

QARNNS

5.—(1) Sub-paragraph (2) applies in relation to any rating of Queen Alexandra's Royal Naval Nursing Service who is in service immediately before 1st January 1999 unless—

- (a) he re-enters, re-engages or extends his service in Queen Alexandra's Royal Naval Nursing Service after that day, or
- (b) he elects irrevocably in such manner as may be prescribed by orders or regulations under section 4 of the Reserve Forces Act 1996 to be a person to whom regulation 8(1) shall apply.

(2) For paragraph 12 of Schedule 3 to the Armed Forces Act 1981 (which applies section 4 of the Armed Forces Act 1966 with modifications in relation to ratings of Queen Alexandra's Royal Naval Nursing Service) there shall be substituted—

“12. Section 4 of the Armed Forces Act 1966 (postponement of discharge or transfer to the reserve) shall have effect in relation to ratings of Queen Alexandra's Royal Naval Nursing Service as if it provided—

Postponement of discharge—QARNNS.

4.—(1) Where at the time at which apart from this section a rating would be entitled to be discharged—

- (a) a state of war exists between Her Majesty and any foreign power, or
- (b) warlike operations are in preparation or in progress, or
- (c) men of the reserve are called out on permanent service,

he may be retained in service in Queen Alexandra's Royal Naval Nursing Service for such period as is hereinafter mentioned, and his service may be prolonged accordingly.

An exercise, by virtue of paragraph (b) above, of the power conferred by this subsection shall be reported to Parliament forthwith.

(2) No person shall be retained in service in Queen Alexandra's Royal Naval Nursing Service by virtue of this section later than the end of twelve months after the date on which, apart from this section, he would be entitled to be discharged.

(3) Subject to subsection (2) above, any person who, apart from this section, would be entitled to be discharged may be retained in service in Queen Alexandra's Royal Naval Nursing Service for such period as the competent authority may order.

(4) If, while a person is being retained in service in Queen Alexandra's Royal Naval Nursing Service by virtue of this section it appears to the competent authority that his service can be dispensed with, he shall be entitled to be discharged.

(5) Where, at the time at which under subsections (1) to (4) above a person is entitled to be discharged, a state of war exists between Her Majesty and any foreign power—

- (a) he may, by declaration made before his commanding officer in a form prescribed by regulations of the Defence Council, agree to continue in service in Queen Alexandra's Royal Naval Nursing Service while such a state of war exists, and

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- (b) if the competent authority approve, he may continue accordingly as if the period for which his term of service could be prolonged under subsections (1) to (4) above were a period continuing so long as a state of war exists;

but this is subject to subsection (6) below.

(6) If it is so specified in the declaration, he shall be entitled to be discharged at the end of three months' notice given by him to his commanding officer.

(7) The reference in subsection (1) above to men of the reserve being called out on permanent service is a reference to their being called out under an order made under section 52 of the Reserve Forces Act 1996 (call out in the event of a national emergency, great danger or an actual or apprehended attack on the United Kingdom, the Channel Islands or the Isle of Man).”.