



Reserve Forces Act 1980

1980 CHAPTER 9

PART II

CALL OUT AND RECALL

Call-out notices under certain enactments

26 Call-out notices under s. 10(1) and other enactments

(1) In any case where—

- (a) an order is in force under section 10(1) above authorising the calling out of a reserve force within the meaning of that section, or
- (b) persons are liable to be called into service by virtue of any of the enactments mentioned below,

any person who is a member of that force or any person so liable may be called into service by the Secretary of State by notice in writing.

The enactments referred to in paragraph (b) above are—

- (i) section 10(1);
- (ii) section 11(1) above ;
- (iii) section 16(1) above ;
- (iv) section 18(1) above ;
- (v) section 20(1) above ;
- (vi) section 22 above ;
- (vii) section 24 above ;
- (viii) section 30 below ;
- (ix) paragraph 15(1) of Schedule 8 to this Act; and
- (x) sub-paragraphs (1) to (6) of paragraph 16 of that Schedule.

(2) A call-out notice under subsection (1) above shall—

- (a) specify the time and place at which the person is to present himself for service, and

Status: This is the original version (as it was originally enacted).

- (b) specify under which of the enactments mentioned in subsection (1) the person is called into service,
and a call-out notice shall be deemed to be served on the person if it is delivered to him personally or sent by registered post or the recorded delivery service to him at his latest address known to the appropriate service authorities.
- (3) A call-out notice under subsection (1) may be revoked or varied by the Secretary of State by a subsequent notice in writing, and subsection (2) above applies to the service of such a notice as it applies to the service of a call-out notice under subsection (1).
- (4) Subject to section 28 below, a person shall be deemed to be called into service by virtue of the enactment specified in a call-out notice served on him in pursuance of this section during the period—
- (a) beginning with the time so specified, and
 - (b) ending with—
 - (i) the date on which he is released from service in pursuance of section 29 below ; or
 - (ii) any earlier date on which his service is terminated by the appropriate service authorities.

27 Call-out notices deemed on personal attendance

Where a person who is liable to be called into service by a call-out notice under section 26(1) above—

- (a) attends in person at such place as may be prescribed, and
- (b) presents himself for service to such authority as may be prescribed, and
- (c) is informed by that authority that by virtue of this section he is accepted for service,

he shall be deemed to have been served with a call-out notice specifying as the time, place and enactment mentioned in section 26(2)—

- (i) the time at which he is informed and the place at which he attends, and
- (ii) such of the enactments mentioned in section 26(1) as is determined in the prescribed manner,

and any call-out notice under section 26(1) previously issued for him shall cease to have effect, without prejudice to any liability arising from his failure to comply with the notice before he attends as described above.

28 Differing service liabilities of those called out

- (1) Where a person—
- (a) is in service in pursuance of a notice under section 14(1) above or in pursuance of a call-out notice under section 26(1) above specifying an enactment mentioned in section 26(1), and
 - (b) if he were not in service he would be liable to be called into service by a call-out notice under section 26(1) or, as the case may be, by such a call-out notice specifying a different enactment so mentioned,

the Secretary of State may direct that, on the date of the direction or a later date specified in the direction, that person shall be deemed to be called into service by a call-out notice under section 26(1) specifying such of those enactments applicable to him as is specified in the direction.

- (2) Where a person is deemed in pursuance of subsection (1) above to be called into service by virtue of an enactment specified in a direction under that subsection, his service under any other enactment by virtue of which he was previously serving shall cease.
- (3) The power to give a direction under this section includes power—
 - (a) to make provision for persons of such descriptions as are specified in the direction or in respect of an individual; and
 - (b) to make different provision for different circumstances.

29 End of service under call-out notices

- (1) In any case where—
 - (a) the services of a person called into service by a call-out notice under section 26(1) above are no longer required, or
 - (b) a person is in service in pursuance of such a call-out notice at the expiry of the period of his liability for service in pursuance of the enactment specified by the notice,he shall be entitled to be released from whole-time service in the prescribed manner with all convenient speed.
- (2) The reference in paragraph (b) of subsection (1) above to a period of liability for service in pursuance of a particular enactment includes a reference to such a period as extended under any other enactment.