



# Reserve Forces Act 1996

## 1996 CHAPTER 14

### PART XII

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **127 Interpretation.**

(1) In this Act—

“additional duties commitment” means a commitment under section 25;

“call-out order” has the meaning given by section 64;

“the ex-regular reserve forces” has the meaning given by section 2(2);

“full-time service commitment” means a commitment under section 24;

“man” (except in Part VII) has the meaning given by section 2(4);

<sup>F1</sup> . . .

“prescribed” means (except in Part VII) prescribed by orders or regulations under section 4;

“recall” and “recall order” have the meanings given by section 77;

[<sup>F2</sup>“regular air force” has the same meaning as in the Air Force Act 1955;]

[<sup>F3</sup>“regular army” means the regular forces within the meaning of the Army Act 1955 (but does not include the Royal Marines);]

[<sup>F3</sup>“the regular army” has the meaning given by section 374 of the Armed Forces Act 2006;]

“regular services” means the Royal Navy, the Royal Marines, the regular army or the [<sup>F4</sup>regular air force][<sup>F4</sup>Royal Air Force];

*Status: Point in time view as at 28/03/2009.*

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“the reserve forces”, “the reserve naval and marine forces”, “the reserve land forces” and “the reserve air forces” have the meaning given by section 1(2);

“reserve marine force” means the Royal Marines Reserve;

[<sup>F5</sup>“service law” means military law, air-force law or the <sup>M1</sup>Naval Discipline Act 1957 (as the case may require);]

[<sup>F5</sup>“service offence” has the meaning given by section 50 of the Armed Forces Act 2006;]

“special member” means a member of a reserve force who is, by virtue of Part V, a special member of that force;

“term of compulsory service” has the meaning given by section 13(7);

“the volunteer reserve forces” has the meaning given by section 2(3).

(2) Any reference in this Act to a member of a reserve force or a member of the reserve forces is to an officer in, or a man of, that force or any of those forces, as the case may be.

[<sup>F6</sup>(3) The officer who is the “commanding officer” of a person for the purposes of any provision of this Act shall be determined by or under regulations made by the Defence Council under this subsection.

(4) Section 164(2) and (3) of the Armed Forces Act 2006 apply in relation to section 95(2) (a) of, and paragraph 5(3) of Schedule 1 to, this Act.]

#### Textual Amendments

- F1** S. 127(1): definition of "permanent service" omitted (1.1.1999) by virtue of S.I. 1998/3086, **reg. 10(5)**
- F2** Words in s. 127(1) repealed (28.3.2009 for specified purposes) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 14 para. 53(2)(a)**, **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F3** Words in s. 127(1) substituted (28.3.2009 for specified purposes) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 14 para. 53(2)(b)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F4** Words in s. 127(1) substituted (28.3.2009 for specified purposes) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 14 para. 53(2)(c)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F5** Words in s. 127(1) substituted (28.3.2009 for specified purposes) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 14 para. 53(2)(d)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F6** S. 127(3)(4) added (28.3.2009 for specified purposes) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 14 para. 53(3)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

#### Marginal Citations

- M1** 1957 c. 53.

## 128 Transitory provisions.

Schedule 8 (transitory and transitional provisions relating to the organisation of the reserve forces as maintained under the <sup>M2</sup>Reserve Forces Act 1980) shall have effect.

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#### **Marginal Citations**

M2 1980 c. 9.

### **129 Application of Act to persons currently serving in the reserve forces or regular services.**

- (1) Schedule 9 shall have effect with respect to the application of this Act in relation to members of the reserve forces who are members of the transitional class.
- (2) Nothing in the Reserve Forces Act 1980 shall apply to a member of a reserve force who is not a member of the transitional class or, in the case of a person who is to be transferred to the reserve from the regular services, is not capable of becoming a member of the transitional class.
- (3) In this Act “the transitional class”, in relation to members of the reserve forces, shall be construed in accordance with Part I of Schedule 9.

### **130 Power to make transitional, consequential etc. provisions.**

- (1) The Secretary of State may by regulations make such transitional and consequential provisions and such savings as he considers necessary or expedient in preparation for, in connection with, or in consequence of—
  - (a) the coming into force of any provision of this Act; or
  - (b) the operation of any enactment repealed or amended by a provision of this Act during any period when the repeal or amendment is not wholly in force.
- (2) Regulations under this section—
  - (a) may make modifications of any enactment contained in this or in any other Act;
  - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### **131 Consequential amendments and repeals.**

- (1) Schedule 10 (consequential amendments) shall have effect.
- (2) The enactments specified in Schedule 11 (which include some that are spent) are repealed to the extent specified.

### **132 Short title, extent and commencement.**

- (1) This Act may be cited as the Reserve Forces Act 1996.
- (2) This Act extends to Northern Ireland.
- (3) Her Majesty may by Order in Council direct that any of the provisions of this Act shall extend, with such exceptions and modifications as appear to Her Majesty to be appropriate, to the Channel Islands and the Isle of Man.
- (4) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint; and different days may be appointed for different purposes.

**Status:**

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**Changes to legislation:**

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