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## SCHEDULES

### SCHEDULE 14

#### AMENDMENTS RELATING TO RESERVE FORCES

##### *Reserve Forces Act 1980 (c. 9)*

- 1 In section 10 of the Reserve Forces Act 1980 (call out for national danger) omit subsection (5).

##### **Commencement Information**

- I1** Sch. 14 para. 1 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 2 In section 11(2)(a) of that Act (call out for warlike operations), for “regular air force” substitute “Royal Air Force”.

##### **Commencement Information**

- I2** Sch. 14 para. 2 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 3 In section 18(2) of that Act (permanent service call out of Army Reserve) omit paragraph (b).

##### **Commencement Information**

- I3** Sch. 14 para. 3 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 4 In section 19 of that Act (duration of Army Reserve permanent service)—  
(a) omit subsection (4);  
(b) in subsection (5) for “subsections (3) and (4) above” substitute “subsection (3)”.

##### **Commencement Information**

- I4** Sch. 14 para. 4 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 5 In section 19A of that Act (postponement of discharge of members of Army Reserve during call out), for subsection (7) substitute—  
“(7) In subsections (3) to (5)—

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“the competent military authority” means the Defence Council or any officer of a description prescribed by regulations of the Defence Council;

“prescribed” means prescribed by regulations of the Defence Council.”

**Commencement Information**

**I5** Sch. 14 para. 5 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 6 In section 21 of that Act (duration of Air Force Reserve permanent service)—
- (a) omit subsection (4);
  - (b) in subsection (5) for “subsections (3) and (4) above” substitute “subsection (3)”.

**Commencement Information**

**I6** Sch. 14 para. 6 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 7 In section 21A of that Act (postponement of discharge of members of Royal Air Force Reserve during call out), for subsection (7) substitute—
- “(7) In subsections (3) to (5)—
- “the competent air force authority” means the Defence Council or any officer of a description prescribed by regulations of the Defence Council;
- “prescribed” means prescribed by regulations of the Defence Council.”

**Commencement Information**

**I7** Sch. 14 para. 7 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 8 Omit section 24 of that Act (permanent service call out of Ulster Defence Regiment).

**Commencement Information**

**I8** Sch. 14 para. 8 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 9 Omit section 25 of that Act (emergency service call out of Ulster Defence Regiment).

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#### Commencement Information

**I9** Sch. 14 para. 9 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

10 In section 26(2) of that Act (call out notices), omit paragraph (g).

#### Commencement Information

**I10** Sch. 14 para. 10 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

11 In section 30(2) of that Act (liability of naval and marine pensioners to recall), for “The enactments concerning” substitute “ Provision made under section 331 of the Armed Forces Act 2006 that applies in relation to ”.

#### Commencement Information

**I11** Sch. 14 para. 11 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

12 (1) Section 31 of that Act (liability of army and air force pensioners to recall) is amended as follows.

(2) In subsection (6)—

(a) in the definition of “service pension”—

(i) for “regular forces” substitute “ regular army ”;

(ii) for “regular air force” substitute “ Royal Air Force ”;

(b) for the words from “and other expressions” to the end substitute—

““soldier” and “airman” include a warrant officer and a non-commissioned officer.”

(3) In subsection (7) for “those sections” substitute “ this section and section 32 ”.

#### Commencement Information

**I12** Sch. 14 para. 12 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

13 (1) Section 32 of that Act (occasion for and period of recall under section 31) is amended as follows.

(2) In subsection (3)—

(a) in paragraph (a) for “regular forces or the regular air force” substitute “ regular army or the Royal Air Force ”;

(b) in paragraph (b) for the words from “section 2 of the Army” to “require” substitute “ regulations under section 328 of the Armed Forces Act 2006 ”.

(3) In subsection (4)(a) for “as from which a person is recalled for” substitute “ the person is accepted (by virtue of section 36) into ”.

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(4) For subsection (5) substitute—

“(5) No regulation under section 329 of the Armed Forces Act 2006 as to the term for which a person may be enlisted affects the operation of subsections (3) and (4) of this section.”

**Commencement Information**

**I13** Sch. 14 para. 13 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 14 In section 34(3) of that Act (liability of certain former soldiers to recall)—
- (a) for “regular forces within the meaning of the Army Act 1955” substitute “regular army”;
  - (b) in paragraph (a) for “specified in the notice” substitute “he is accepted into service”.

**Commencement Information**

**I14** Sch. 14 para. 14 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 15 In section 39(1)(a) of that Act (application of section 38) for “regular air force” substitute “Royal Air Force”.

**Commencement Information**

**I15** Sch. 14 para. 15 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 16 Omit section 44 of that Act (requirement as to training of Ulster Defence Regiment).

**Commencement Information**

**I16** Sch. 14 para. 16 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 17 In section 48 of that Act (void enlistment in the regular forces)—
- (a) in the sidenote, for “regular forces” substitute “Royal Marines or regular army”;
  - (b) for “Her Majesty's regular forces” substitute “the Royal Marines or the regular army”.

**Commencement Information**

**I17** Sch. 14 para. 17 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

- 18 Omit section 139 of that Act (enrolment etc of members of Ulster Defence Regiment).

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**118** Sch. 14 para. 18 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

19 In section 140 of that Act (orders and regulations as to service in Ulster Defence Regiment)—

(a) in the sidenote, for “acceptance and service” substitute “pensions and other grants”;

(b) for subsections (1) and (2) substitute—

“(1) The conditions as to pensions and other grants in respect of death or disablement arising out of service in the Ulster Defence Regiment shall be such as may be prescribed by orders or regulations.

(1A) The reference in subsection (1) to service in the Ulster Defence Regiment includes service in the regular army by a relevant person during the relevant period.

(1B) In subsection (1A)—

“regular army” has the meaning given by section 374 of the Armed Forces Act 2006;

“relevant person” means a person who, immediately before 1 July 1992, was a member of the Ulster Defence Regiment;

“relevant period”, in relation to a relevant person, means the period beginning with 1 July 1992 and ending at the end of his term of service which was current on that date.”;

(c) in subsection (3)—

(i) for “Part of this Act” substitute “section”;

(ii) in the words after paragraph (b) for “Part” substitute “section”.

#### Commencement Information

**119** Sch. 14 para. 19 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

20 Omit sections 141 to 144 of that Act (provisions relating to Ulster Defence Regiment).

#### Commencement Information

**120** Sch. 14 para. 20 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

21 In section 145 of that Act (reinstatement in civil employment) omit subsection (2).

#### Commencement Information

**121** Sch. 14 para. 21 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

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22 In section 146 of that Act (protection of other civil interests) omit subsection (2).

**Commencement Information**

**I22** Sch. 14 para. 22 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

23 (1) Section 156 (interpretation) is amended as follows.

(2) In subsection (1)—

- (a) in the definition of “prescribed” after “ “prescribed”” insert “ (except in subsections (3) to (5) and (7) of sections 19A and 21A and in section 140) ”;
- (b) omit the definition of “regular air force”;
- (c) for the definition of “regular army” substitute—

““the regular army” has the meaning given by section 374 of the Armed Forces Act 2006.”

(3) Omit subsection (2).

**Commencement Information**

**I23** Sch. 14 para. 23 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

24 (1) Schedule 8 to that Act (saving and transitional provisions) is amended as follows.

(2) Omit paragraph 5(3).

(3) Omit paragraph 10.

(4) In paragraph 16—

- (a) omit sub-paragraph (2);
- (b) omit sub-paragraph (5);
- (c) in sub-paragraph (9) for “regular forces or for the regular air force” substitute “ regular army or for the Royal Air Force ”.

(5) Omit paragraph 19.

**Commencement Information**

**I24** Sch. 14 para. 24 in force at 28.3.2009 for specified purposes by S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

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