
STATUTORY INSTRUMENTS

1996 No. 2973

DEFENCE

The Army Terms of Service (Amendment) Regulations 1996

Made - - - - 25th November 1996
Laid before Parliament 27th November 1996
Coming into force - - 1st January 1997

The Defence Council, in exercise of the powers conferred on them by section 2 of the Armed Forces Act 1966(1), hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Army Terms of Service (Amendment) Regulations 1996 and shall come into force on 1st January 1997.

Amendments to Regulations

2.—(1) The Army Terms of Service Regulations 1992(2) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3 (terms of enlistment)—

- (a) in paragraph (2), for the words “regulation 4” there shall be substituted the words “regulations 4 and 4B”; and
- (b) in paragraph (3), for the words “regulation 4” there shall be substituted the words “regulations 4 and 4A”.

(3) After regulation 4 there shall be inserted the following regulations—

“Local service engagement

4A.—(1) A person who has attained the age of 18 years may be enlisted for local service.

(2) For the purposes of these Regulations, “local service” means full-time service in the regular army where, subject to paragraph (5), the person enlisted restricts his service to a particular area in the United Kingdom (referred to in this regulation as his “area of service”).

(1) 1966 c. 45; section 2 was amended by section 2 of the Armed Forces Act 1976 (c. 52), section 2 of the Army Act 1992 (c. 39) and section 2 of the Armed Forces Act 1996 (c. 46).
(2) S.I.1992/1365.

(3) Before being enlisted for local service, a person shall be required to give the recruiting officer enlisting him notice in writing specifying the area in the United Kingdom to which his service is to be restricted.

(4) Subject to paragraph (7), the area of service of any person enlisted for local service shall be the area specified in the notice given in accordance with paragraph (3).

(5) A person enlisted for local service may volunteer to serve outside his area of service; otherwise, he may only be required to serve outside his area of service in the United Kingdom for a total of no more than 30 days in any year or in any part of a year during which his term of service has effect.

(6) A person enlisted for local service may apply by notice in writing to the competent military authority to alter his area of service, specifying in the notice the area in the United Kingdom to which his service would be restricted if his application were to be approved.

(7) If the competent military authority signify their approval in writing to an application made under paragraph (6), the person's area of service shall be, from such date as may be specified in the notice of approval, the area specified in the notice given by him under that paragraph.

(8) Save for regulation 8(3) and (4), regulations 5 to 9, 14 and 15 shall not apply to a person enlisted for local service.

(9) In this regulation—

“recruiting officer” shall be construed in accordance with section 1 of the Army Act 1955; and

“year” shall mean the period of 12 months beginning on 1st January.

4B.—(1) The length of the term of a person enlisted for local service shall be 3 years beginning with the date of his attestation.

(2) Subject to paragraph (3), a person enlisted for local service may apply to the competent military authority to extend his term—

(a) by a period of 3 years, or

(b) if he will attain the age of 55 years before the expiry of such a period, until the date on which he attains that age, and, if the competent military authority signify their approval in writing, he shall be treated as if he had enlisted for such an extended term.

(3) A person may apply to extend his term under paragraph (2) whether or not it has already been extended under that paragraph.”

(4) After regulation 10 there shall be inserted the following regulation—

“Right of local service personnel to determine service

10A.—(1) Subject to the following provisions of this regulation and regulation 11, a person enlisted for local service shall have the right to determine his service by giving notice in writing to his commanding officer that he wishes to do so on a date specified in the notice, and his service shall be determined on that date accordingly.

(2) Subject to paragraphs (3) and (4), the period of notice to be given by a person under paragraph (1) shall be not less than 90 days ending on the date specified in the notice as the date on which he wishes to determine his service.

(3) Where a person on being enlisted for local service is required to undertake a course of initial military training lasting for a period of not less than 10 weeks, the period of notice referred to in paragraph (2) shall not end on a date earlier than 2 years after the date of attestation.

(4) In any case other than one falling within paragraph (3), the period of notice referred to in paragraph (2) shall not end on a date earlier than 1 year after the date of attestation.”.

(5) In regulation 11(1) (restriction on exercise of rights conferred by regulations 5(1), 10(1) and 15(6)) after the words “regulation 10(1)” there shall be inserted the words “, regulation 10A(1)”.

(6) In the Schedule (competent military authorities) —

(a) after the entry relating to regulation 4(6) there shall be inserted the following entries —

“Regulation 4A(6) and (7)	For the purpose of approving an application to change the area of service of a person enlisted for local service	The Director General Army Personnel Centre
Regulation 4B(2)	For the purpose of approving the extension of the term of a person enlisted for local service	The Director General Army Personnel Centre”; and

(b) the words “Director General Army Personnel Centre” shall be substituted—

(i) for the words “Officer in Charge of Records of the Corps in which the person is serving” wherever they appear; and

(ii) in the entry relating to regulation 13, for the words “Officer in Charge of Records of the Corps in which the applicant was serving immediately before he was transferred to the reserve”.

On behalf of the Defence Council.

25th November 1996

Nicholas Soames
Charles Guthrie
Members of the Defence Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Army Terms of Service Regulations 1992 to enable a person to be enlisted in the regular army on a local service engagement.

The amended Regulations provide for a local service engagement to be three years in length, with the power to extend the engagement for further periods of the same length (regulation 4B). A person enlisted on a local service engagement may determine his service before the expiry of the term of his engagement by giving 90 days notice in writing (regulation 10A). This power is subject to the restriction that a person must serve for a minimum of two years, if he is required on enlistment to undergo a course of initial military training lasting not less than 10 weeks, or one year in any other case.