



Reserve Forces Act 1980

1980 CHAPTER 9

PART II

CALL OUT AND RECALL

Call-out notices under certain enactments

28 Differing service liabilities of those called out.

(1) Where a person—

- [^{F1}(a) is in service in pursuance of a call-out notice under section 58 of the Reserve Forces Act 1996 specifying an enactment mentioned in section 26(2) above;]
- (b) if he were not in service he would be liable to be called into service by a call-out notice under [^{F2}section 58 of the Reserve Forces Act 1996] 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 [^{F2}section 58 of the Reserve Forces Act 1996] 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.

Changes to legislation: Reserve Forces Act 1980, Section 28 is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** S. 28(1)(a) substituted (1.4.1997) by [S.I. 1997/306, art. 12\(1\)\(a\)](#)
- F2** Words substituted (1.4.1997) by [S.I. 1997/306, art. 12\(1\)\(b\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act excluded (prosp.) by [1996 c. 14 s. 129\(2\)](#)
- Act modified (prosp.) by [1996 c. 14 s. 128Sch. 8 para. 4\(5\)](#)
- Act repealed (except s.048, 55, 130-138,140,151,156,157, 158) (prosp.) by [1996 c. 14 s. 131\(2\)Sch. 11](#)