



Reserve Forces (Safeguard of Employment) Act 1985

1985 CHAPTER 17

Reinstatement in civil employment after whole-time service

6 Waivers.

- (1) The provisions of this Act requiring a person who has entered upon a period of whole-time service, as a condition of obtaining his rights under this Act—
 - (a) to make and renew an application to his former employer to be taken into employment, and
 - (b) to notify a date on which he will be available for employment,are for the protection of the former employer, and accordingly can be waived or dispensed with by the former employer, either in whole or in part and either expressly or by conduct, subject to subsection (2).
- (2) Except where the applicant has in fact been taken into the employment of his former employer since the end of his whole-time service, any requirement that anything should be done in writing shall not be deemed to be capable of being waived or dispensed with by the former employer otherwise than in writing.
- (3) Where—
 - (a) a person who has entered upon a period of whole-time service has made an application under section 1 to be taken into the employment of his former employer and is so taken into employment before that application has expired, or
 - (b) a person who has entered upon such service is taken into the employment of his former employer under such circumstances that the application has been waived or dispensed with,and in either case the employment is not such as is specified in section 1(2), the rights of that person against his former employer shall not be less than they would have been if the employment into which he is taken were such employment.

Changes to legislation:

There are currently no known outstanding effects for the Reserve Forces (Safeguard of Employment) Act 1985, Section 6.