



Reserve Forces Act 1996

1996 CHAPTER 14

PART IV

SPECIAL AGREEMENTS FOR CALL OUT

Special agreements

30 New employer's consent to continuation of agreements

- (1) Where a person who has entered into a special agreement begins a new qualifying employment he shall, within 7 days of beginning that employment, submit a declaration to an authorised person in the prescribed form stating that he has begun a new qualifying employment and giving the name of his employer and such other particulars as may be prescribed.
- (2) Subject to subsections (3) and (4), where a person has begun a new qualifying employment with an employer and submitted the declaration required by subsection (1), he is not liable to be called out under this Part or required to fulfil any training obligations specified in his special agreement unless and until—
 - (a) the employer gives his written consent in the prescribed form to the continuation in force of the agreement; and
 - (b) an authorised person certifies under subsection (5) that the employer has given that consent.
- (3) Subsection (2) does not apply if the declaration is submitted by a person who is in service under this Part.
- (4) If the declaration is submitted after the person concerned has been served with a call-out notice under section 32 but before the notice has ceased to have effect, the person concerned shall remain liable to be accepted into service until the notice ceases to have effect.
- (5) Where, after a declaration under subsection (1) has been submitted, an authorised person is satisfied that the person concerned has begun a new qualifying employment

Status: This is the original version (as it was originally enacted).

and that his employer has given the requisite consent, he shall certify that fact in the prescribed form.

- (6) For the purposes of subsection (2)(a), such a certificate shall be conclusive evidence that the employer has consented to the continuation in force of the special agreement in question.
- (7) For the purposes of this section a person begins a new qualifying employment when, at any time after entering into a special agreement—
- (a) he begins a qualifying employment with a person who was not already his employer; or
 - (b) where the hours for which he is employed, by a person who has not previously been required to give consent under this section or section 29, change so as to cause his employment by that person to become qualifying employment.