



Reserve Forces Act 1996

1996 CHAPTER 14

PART VII

RECALL FOR SERVICE OF OFFICERS AND FORMER SERVICEMEN

Power to authorise recall

69 Maximum duration of service on recall

- (1) This section applies for the purpose of determining when persons in service under a recall order (“the recall order”) are entitled to be released from service (in the case of officers) or discharged (in the case of men).
- (2) A person is (if not released or discharged sooner) entitled to be released from service or discharged when his current service under the recall order, or his current service and any relevant service in aggregate, exceeds 3 years.
- (3) A person in service under the recall order may enter into a written agreement consenting to the extension of his period of service—
 - (a) beyond the day on which he is entitled to be released or discharged by virtue of subsection (2); or
 - (b) beyond the day on which, by virtue of a subsisting agreement under this subsection, he is entitled to be released or discharged by virtue of subsection (5),until the end of such period, not exceeding 12 months, as may be specified in the agreement.
- (4) An agreement under subsection (3) may not be entered into at any time—
 - (a) when the person concerned could not be served with a recall notice on the authority of the order or any other recall order; or
 - (b) more than 12 months before the day on which (apart from the agreement) he is entitled to be released or discharged by virtue of subsection (2) or subsection (5).

Status: This is the original version (as it was originally enacted).

- (5) A person who has entered into an agreement under subsection (3)—
- (a) shall no longer be entitled to be released or discharged on the day on which, apart from the agreement, he is so entitled by virtue of subsection (2) or, as the case may be, paragraph (b) of this subsection; and
 - (b) is entitled to be released from service or discharged at the end of the period specified in the agreement as the period for which his service is being extended.
- (6) Her Majesty may by order signified under the hand of the Secretary of State provide that, in the case of such descriptions of person as may be specified in the order, subsection (2) shall apply as if for the words “3 years” there were substituted “5 years”.
- (7) The making of an order under subsection (6) shall be reported forthwith to each House of Parliament.
- (8) In this section “relevant service” means any service under this Part, or under Part IV, V or VI, within the 6 years immediately preceding the day on which a person’s current service under the recall order began.