



Reserve Forces Act 1996

1996 CHAPTER 14

PART X

GENERAL OFFENCES

Desertion and absence without leave from service, duty or training

96 Failure to attend for service on call out or recall

- (1) A member of a reserve force served with a call-out notice under any provision of this Act who, without leave lawfully granted or reasonable excuse—
- (a) fails to present himself for service at the time and place specified in the call-out notice under section 32(3)(b), 43(4)(b) or 58(3)(c) (as the case may be);
 - (b) having so presented himself, fails to remain there until accepted into service or informed that he is not to be accepted into service in pursuance of that notice; or
 - (c) where he has for any reason failed to present himself at the time and place so specified or to remain there, fails —
 - (i) to present himself to a person specified in the call-out notice or to any other authorised officer; or
 - (ii) having so presented himself, to remain until accepted into service or informed that he is not to be accepted into service in pursuance of that notice,
- is guilty, according to the circumstances, of desertion or absence without leave.
- (2) Subsection (1) applies to a person liable to recall as it applies to a member of a reserve force—
- (a) with the substitution for references to a call-out notice of references to a recall notice; and
 - (b) as if paragraph (a) of that subsection referred to the time and place specified in the recall notice under section 70(3)(c).
- (3) An offence under this section is triable by court-martial or summarily by a civil court.