



# Air Force Act 1955 (repealed)

1955 CHAPTER 19 3 and 4 Eliz 2

## PART I

### ENLISTMENT AND TERMS OF SERVICE

#### *Extension of service*

8 .....<sup>F1</sup>

#### **Textual Amendments**

**F1** Ss. 4–8 repealed by [Army and Air Force Act 1961 \(c. 52\), s. 14\(1\)](#)

#### **9 Postponement in certain cases of discharge or transfer to the reserve.**

- (1) Where at the time at which apart from this section an airman of the regular air force would be entitled to be discharged, or would fall to be transferred to the reserve, a state of war exists between Her Majesty and any foreign power, or men of the reserve are called out on permanent service, or he is serving outside the United Kingdom, he may be retained in air-force service for such period as is hereinafter mentioned and his service may be prolonged accordingly.
- (2) No person shall be retained in air-force service by virtue of this section later than the expiration of twelve months after the date on which apart from this section he would be entitled to be discharged.
- (3) Subject to the provisions of the last foregoing subsection, a person who apart from this section would be entitled to be discharged may be retained in air-force service for such period as the competent air-force authority may order.
- (4) Subject as aforesaid, a person who apart from this section would fall to be transferred to the reserve may be retained in air-force service for such period, ending not later

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Air Force Act 1955 (repealed), Cross Heading: Extension of service. (See end of Document for details)*

than twelve months after the date on which apart from this section he would fall to be transferred to the reserve, as the competent air-force authority may order or for any period or further period during which men of the reserve continue called out on permanent service.

- (5) If while an airman is being retained in air-force service by virtue of this section it appears to the competent air-force authority that his services can be dispensed with, he shall be entitled to be discharged or transferred to the reserve as the case may require.
- (6) Where, at the time at which under the foregoing provisions of this section an airman is entitled to be discharged or transferred to the reserve, a state of war exists between Her Majesty and any foreign power, he may, by declaration made in the prescribed form before his commanding officer, agree to continue in air-force service while such a state of war exists; and if the competent air-force authority approve he may continue accordingly as if the period for which his term of service could be prolonged under the foregoing provisions of this section were a period continuing so long as a state of war exists:

Provided that if it is so specified in the declaration he shall be entitled to be discharged or transferred to the reserve, as the case may require, at the expiration of three months' notice given by him to his commanding officer.

- (7) In relation to airmen serving outside the United Kingdom, references in this section to being entitled to be transferred to the reserve shall be construed as references to being entitled to be sent to the United Kingdom with all convenient speed for the purpose of being transferred to the reserve.

**Modifications etc. (not altering text)**

**C1** S. 9 modified by [Reserve Forces Act 1980 \(c. 9\)](#), s. **83(1)(b)(2)**

**[<sup>F2</sup>10 Continuation of air-force service in imminent national danger.**

- (1) If it appears to Her Majesty that national danger is imminent or that a great emergency has arisen, She may by order, signified under the hand of the Secretary of State, provide that airmen who would otherwise fall to be transferred to the reserve shall continue in air force service; and thereupon the last foregoing section shall apply to such airmen as it applies while men of the reserve are called out on permanent service.
- (2) Where an order has been made under subsection (1) above, the occasion thereof shall forthwith be communicated to Parliament.
- (3) An order in force under subsection (1) above may be revoked by order of Her Majesty signified as therein mentioned.]

**Textual Amendments**

**F2** S. 10 substituted by [Armed Forces Act 1966 \(c. 45\)](#), s. **12(2)**

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