

SCHEDULES

FIRST SCHEDULE

TRANSITIONAL PROVISIONS AND SAVINGS

- 7 (1) A person enlisted in pursuance of the old Act, or of the enactments relating to the Royal Marines repealed by this Act, whose term of enlistment is current at the appointed day shall be deemed to have been enlisted under the corresponding provisions of the new Act.
- (2) Anything done under the provisions of the old Act or the said enactments and relating to the varying of a person's terms of enlistment shall, if the doing thereof would have been authorised by any provisions of the new Act if they had been in force when it was done, be deemed to have been done under the last-mentioned provisions.
- (3) Where a person is in army service in consequence of having enlisted before the first day of May, nineteen hundred and fifty-two, then—
- (a) if he was re-engaged in pursuance of section eighty-four of the Army Act as in force before the said date, his re-engagement shall remain effective notwithstanding anything in this Act, and section six of the new Act shall not apply to him;
 - (b) if he was not so re-engaged the said section six shall apply to him subject to the provisions of the next following sub-paragraph, and if, immediately before the appointed day, he fell to be treated by virtue of section eleven of the Army and Air Force (Annual) Act, 1952, as having enlisted for a term of twenty-two years, his notice and the approval of the competent military authority under that section shall be deemed to be a notice and consent given under the said section six.
- (4) Where the said section six applies to a person who enlisted before the first day of May, nineteen hundred and fifty-two, then if his enlistment took place at the end of a period of relevant service it shall be treated for the purposes of that section as having taken place at the beginning of that period or on the date of his attaining the age of eighteen years, whichever is the later:
- Provided that if his notice under the said section six so requires, his enlistment shall not be so treated but in that case he shall not exercise the right conferred by subsection (1) of section five of the new Act.
- (5) In the last foregoing sub-paragraph the expression " period of relevant service " means continuous service of any one or more of the following descriptions, that is to say, army service, whole-time service in the Territorial Army or whole-time service in the Auxiliary Territorial Service.
- (6) Where a person's enlistment took place at the end of a period of whole-time service in the Auxiliary Territorial Service that service shall be deemed to 'be included in the references to service in section eight of the new Act.

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

- (7) Where a person to whom the proviso to sub-paragraph (4) of this paragraph applies deserts after completing the service comprised in the term which, if he had not given a notice under section six of the new Act, would have been his term of enlistment, no part of that service shall be included in any direction given in respect of the desertion under subsection (3) of section thirty-seven or subsection (2) of section eighty-one of that Act.