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STATUTORY INSTRUMENTS

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**1992 No. 1365**

**The Army Terms of Service Regulations 1992**

**Right of recruit to determine service**

8.—(1) A recruit who at the date of his attestation had attained the age of 17 years 6 months but had not attained the age of 17 years 9 months shall have the right, at any time after the expiration of 28 days excluding leave and before the expiration of 6 months from the date he first reported for duty following his enlistment, to determine his service on payment of a sum equivalent to 7 days' gross pay, and having made such payment his service shall determine on the completion of the appropriate discharge procedures.

(2) A recruit who at the date of his attestation had attained the age of 17 years 9 months but had not attained the age of 18 shall have the right, at any time after the expiration of 28 days excluding leave from the date that he first reported for duty following his enlistment and before he attains the age of 18 years 3 months, to determine his service on payment of a sum equivalent to 7 days' gross pay, and having made such payment his service shall determine on the completion of the appropriate discharge procedures.

(3) A recruit who at the date of his attestation had attained the age of 18 years shall have the right, at any time after the expiration of 8 weeks and before the expiration of 3 months from the date he first reported for duty following his enlistment, to determine his service on payment of a sum equivalent to 7 days' gross pay, and having made such payment his service shall determine on the completion of the appropriate discharge procedures.

(4) If a recruit seeks to exercise a right conferred by this regulation at a time when soldiers are required by an order under section 10 of the 1955 Act (continuation of army service in imminent national danger) to continue in army service, that recruit's service shall not determine for so long as that order remains in force.

(5) This regulation shall not apply to a recruit enlisted—

- (a) in the Brigade of Gurkhas;
- (b) for local service outside the United Kingdom.