



Reserve Forces Act 1996

1996 CHAPTER 14

PART IV

SPECIAL AGREEMENTS FOR CALL OUT

Call out for permanent service under Part IV

32 Call out of persons who have entered into special agreements.

- (1) The Secretary of State may, if he considers it appropriate to do so, call out for service any person who has entered into a special agreement by serving a notice on him requiring him—
 - (a) to present himself for service at a specified time and place; and
 - (b) to remain at that place until he is either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (2) A call-out notice shall also require the person concerned, if he fails to comply with the requirements mentioned in subsection (1)—
 - (a) to present himself for service to any person specified in the notice or to any other authorised officer; and
 - (b) having so presented himself, to remain until he is either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (3) A call-out notice shall specify—
 - (a) the person to whom the notice applies and the special agreement concerned; and
 - (b) the time and place at which he is to present himself for service;and it may also specify places and times at which and persons to whom the person may present himself for service if he fails to present himself at the time and place specified under paragraph (b) of this subsection.
- (4) A call-out notice shall (without affecting any liability arising from a failure to comply with the notice) cease to have effect, if not revoked sooner, when—

Changes to legislation: Reserve Forces Act 1996, Cross Heading: Call out for permanent service under Part IV is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the special agreement specified in the notice terminates under section 31(1); or
 - (b) the person concerned is either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (5) A call-out notice served on a person may—
- (a) be varied by the Secretary of State by serving a variation notice on him;
 - (b) be revoked by the Secretary of State by serving a revocation notice or a subsequent call-out notice on him.
- (6) A notice under this section may be served on a person by delivering it to him or by leaving it at, or sending it by post to, his last known address; and any call-out or variation notice delivered to that address by registered post or recorded delivery shall be deemed to have been served on him.
- (7) No steps may be taken against a person in respect of failure to comply with a call-out notice under this section unless the notice or, as the case may be, any variation notice was received by him or is deemed to have been served on him by virtue of subsection (6).

33 Acceptance into service under Part IV.

- (1) A person served with a call-out notice who—
- (a) presents himself for service to an authorised officer at the time and place specified in the notice under section 32(3)(b);
 - (b) presents himself for service to an authorised officer at any other time or place; or
 - (c) is brought before an authorised officer after the time so specified,
- may be accepted into service by that officer.
- (2) Where such a person is accepted into service, he shall be informed by the authorised officer in the prescribed manner that he has been accepted into service by virtue of subsection (1).
- (3) If an authorised officer decides that such a person should not be accepted into service, he shall inform that person in the prescribed manner that he is not to be accepted into service in pursuance of the call-out notice concerned.
- (4) Any liability of such a person arising from a failure to comply with a call-out notice is not affected by his acceptance into service or by a decision not to accept him into service.
- (5) A person liable to be called out under this Part who—
- (a) is of a description for the time being specified in directions of the Secretary of State;
 - (b) has not been served with a call-out notice; and
 - (c) presents himself for service to an authorised officer,
- may be accepted into service by that officer.
- (6) Where a person is accepted into service by virtue of subsection (5)—
- (a) the authorised officer shall inform him in the prescribed manner that he has been accepted into service by virtue of that subsection; and
 - (b) he shall be deemed to have been called out under this Part.

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34 Release from service under Part IV.

- (1) A person who has been accepted into service under this Part shall remain in that service until released under subsection (2).
- (2) A person who is in service under this Part shall be released from that service with all convenient speed in such manner as may be prescribed when he is no longer required by Her Majesty to be in that service or (if not released sooner) when he is entitled to be released under subsection (3).
- (3) A person is entitled to be released from service under this Part—
 - (a) at the end of the period specified under section 28(3)(a); or
 - (b) when, on an application under section 78, it is determined that he is entitled to be released.
- (4) Orders or regulations under section 4 may make provision enabling or requiring a person who has been accepted into service under this Part to be treated—
 - (a) if the circumstances of his call out or acceptance into service are of a prescribed description, and
 - (b) for the purpose of calculating when he is entitled to be released by virtue of subsection (3)(a),as having been accepted into service on an earlier day than that on which he was actually accepted.
- (5) Provision made for the purposes of subsection (4) shall secure—
 - (a) that any earlier day applicable for the purpose of calculating when a person is entitled to be released from service is to be notified to him as soon as is practicable after the day on which he was actually accepted into service; and
 - (b) that the period beginning with the earlier day is reckoned as part of his relevant service for the purposes of sections 53(13), 55(13), 57(11) and 69(8).

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(2A) inserted by [2003 c. 44 Sch. 3 para. 65](#)