STATUTORY INSTRUMENTS

2001 No. 542

DEFENCE

The Royal Air Force Terms of Service (Amendment) Regulations 2001

Made - - - -	*23rd February 2001*
Laid before Parliament	*27th February 2001*
Coming into force	*1st April 2001*

The Defence Council, in exercise of the powers conferred on them by section 2 of the Armed Forces Act 1966**(a)**, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Royal Air Force Terms of Service (Amendment) Regulations 2001 and shall come into force on 1st April 2001.

Amendments to Regulations

2.—(1) The Royal Air Force Terms of Service Regulations 1985**(b)** shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 5(1) (engagement with right to transfer to the reserve on notice) there shall be omitted the words ": (a) the date he attains the age of 21 years, or (b)" and "whichever is the later,".

(3) Regulation 6 (acquisition of right to be transferred to the reserve on notice) shall be omitted.

(4) In regulation 8(1) (right of recruits to determine service) there shall be omitted the words "who at the date of his attestation had not attained the age of 17 years 6 months".

(5) Regulation 9 (which also makes provision with respect to the right of recruits to determine service) shall be omitted.

(6) In regulation 11 (exercise of certain rights), for the words "Regulations 5, 6, 7 or 7A" there shall be substituted the words "regulations 5, 7 or 7A".

(7) In regulation 12 (restrictions on the exercise of rights conferred by regulations 5, 6, 7 and 15(2)), for the words "Regulations 5, 6, 7, 7A and 15(2)", wherever they appear, there shall be substituted the words "regulations 5, 7, 7A and 15(2)"; and in the heading to regulation 12, for the words "Regulations 5, 6, 7 and 15(2)" there shall be substituted the words "Regulations 5, 7, 7A and 15(2)".

(a) 1966 c. 45; section 2(1)(f) was amended by section 2 of the Armed Forces Act 1976 (c. 52). Other amendments have been made to section 2 which are not relevant to these Regulations.

(b) S.I. 1985/1820, amended by S.I. 1989/994, 1990/2374 and 1997/231.

(8) In regulation 13 (service in the reserve), for the words "Regulations 5, 6, 7 and 7A" there shall be substituted the words "regulations 5, 7 and 7A".

(9) In Schedule 1 (competent air force authorities)—

(a) for the words "Director of Personnel Management (Airmen) and Controller of Reserve Forces (RAF)", wherever they appear, there shall be substituted the words "Director of Personnel Management Agency (Ground Trades) (RAF)"; and

(b) for the words "Director of Personnel (Officers and Airmen Aircrew) (RAF)", wherever they appear, there shall be substituted the words "Director of Personnel Management Agency (Officers and Airmen Aircrew) (RAF)".

(10) In Schedule 2 (transitional provisions)—

(a) in paragraph 1(a), for the words "Regulations 5, 6 and 7" there shall be substituted the words "regulations 5 and 7"; and

(b) paragraphs 2 and 3 shall be omitted.

Savings

3. The Royal Air Force Terms of Service Regulations 1985 shall continue to apply without the amendments made by regulation 2(3) to (8) and (10)(a) in relation to any person who enlisted in the regular air force before 1st April 2001.

On behalf of the Defence Council

Peter Squire
John F. Spellar
Members of the Defence Council

23rd February 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Royal Air Force Terms of Service Regulations 1985.

Regulation 2(2) removes the requirement for persons engaged with the right to transfer to the reserve on notice to attain the age of 21 years before exercising their right to be transferred to the reserve under regulation 5 of the 1985 Regulations.

Regulation 2(3) removes the provision under which persons who at the date of their attestation had not attained the age of 17 years 6 months and who enlisted for a term of service expiring after they would attain the age of 21 years can acquire the right to be transferred to the reserve on notice.

Regulation 2(4) and (5) amends the provisions regarding the right of recruits to determine service. As a result all recruits have the right to determine service by giving 14 days notice in accordance with regulation 8 of the 1985 Regulations. Recruits aged 17 years and 6 months or over at the date of their attestation are no longer required to pay a sum of money to determine service.

The Regulations also amend Schedule 1 to update the titles of the office holders who are competent air force authorities for the purposes of the 1985 Regulations and remove the transitional provisions in Schedule 2 which no longer have any effect.

STATUTORY INSTRUMENTS

2001 No. 542

DEFENCE

The Royal Air Force Terms of Service (Amendment) Regulations 2001

£1.75

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament

E 0261 03/01 ON (MFK)