STATUTORY INSTRUMENTS

1971 No. 517

DEFENCE

The Royal Navy Terms of Service (Amendment) Regulations 1971

Made - - -	*25th March* 1971
Laid before Parliament	*30th March* 1971
Coming into Operation	*1st April* 1971

The Defence Council, in exercise of the powers conferred upon them by section 2 of the Armed Forces Act 1966(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation, Commencement and Interpretation

1.—(1) These Regulations may be cited as the Royal Navy Terms of Service (Amendment) Regulations 1971 and shall come into operation on 1st April 1971.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) In these Regulations unless the context otherwise requires "the Principal Regulations" means the Royal Navy Terms of Service Regulations 1967(c), as amended.

Amendments to the Principal Regulations

2. There shall be inserted in the Principal Regulations the following Regulations:—

"*Rights to transfer to the reserve*

3A. Without prejudice to the generality of the preceding Regulation a person who has attained the appropriate minimum age may be entered in the Royal Navy for a term of not less than 9 years naval service from the relevant date together with the right, exercisable in accordance with Regulation 3C, to be transferred to the reserve at the end of the period of 4 years beginning with the relevant date.

3B. A person in naval service entered under the appropriate minimum age for a term of naval service expiring on a date falling later than 3 years after the date of his attaining the age of 18 years shall have the right, exercisable in accordance with Regulation 3D, to be transferred to the reserve at the end of the period of 3 years after the date of attaining such age or the date of the expiration of his initial period of training, whichever is the later.

(a) 1966 c. 45. (b) 1889 c. 63. (c) S.I. 1967/1821 (1967 III, p. 4855).

Exercise of rights conferred by Regulations 3A and 3B

3C.—(1) A right to be transferred to the reserve conferred by Regulation 3A shall be exercised by notice in writing given by the person in question to his commanding officer not less than 6 months nor more than 12 months before the expiration of the period at the end of which he is to be transferred to the reserve.

(2) A person may, in consideration of receiving any benefit or advantage, consent in writing to be restricted from exercising the right conferred by Regulation 3A at any time after the expiration of 3 months from the relevant date or, if he had not attained the age of 17 years and 9 months on the date of his engagement to serve in the Royal Navy, at any time after the expiration of the period of 6 months beginning with that date.

3D.—(1) A right to be transferred to the reserve conferred by Regulation 3B shall be exercised by notice in writing given by the person in question to his commanding officer not more than 28 days after the attaining by that person of the age of 18 years.

(2) Notice given by a person under paragraph (1) of this Regulation may be withdrawn by notice in writing given by him to his commanding officer at any time before the expiration of the period mentioned in that paragraph.

Service in the reserve

3E. A person transferred to the reserve in consequence of the exercise of a right conferred by Regulation 3A or Regulation 3B shall serve in the reserve for a period of 3 years from the date of his being transferred thereto."

On behalf of the Defence Council.

Peter Kirk,

M. P. Pollock,

Members of the Defence Council.

Dated 25th March 1971.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, which amend the Royal Navy Terms of Service Regulations 1967, provide that persons of the age of 17½ years and over may be entered for 9 years or more naval service with a right to be transferred to the reserve after 4 years which the person concerned may, after certain periods, consent to waive. They also confer on persons entered under the age of 17½ years a right to be transferred to the reserve on reaching the age of 21 years or 3 years after the end of the initial training period, whichever is the later. The Regulations set out the length of the notice required to be given to exercise the rights and, in particular, provide that the right available to those under the age of 17½ years must be exercised by notice given within 28 days after reaching the age of 18. A period of 3 years must be served in the reserve in each case.