STATUTORY INSTRUMENTS

1976 No. 729

DEFENCE

The Royal Navy Terms of Service (Amendment) Regulations 1976

Made - - - -	*7th May* 1976
Laid before Parliament	*25th May* 1976
Coming into Operation	*1st October* 1976

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 1976 and shall come into operation on the 1st October 1976.

(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 "the Principal Regulations" means the Royal Navy Terms of Service Regulations 1967**(c)** as amended**(d)**.

Amendments to the Principal Regulations

2.—(1) There shall be inserted in the Principal Regulations the following Regulation:—

> "3BB. A person, entered for a term of not less than 3 years' naval service from the relevant date, may, at any time during the term for which he is entered, give to the competent naval authority notice of his desire to be treated in all respects as if he had entered for a term of naval service with the right to be transferred to the reserve conferred by paragraph (1) of the Regulation 3B; and, if the competent naval authority approve, he shall from the date specified in such approval, be treated as aforesaid".

(2) There shall be substituted for paragraph (4)(*b*) of Regulation 5 of the Principal Regulations the following paragraph:—

> "(*b*) He may, subject to paragraph (6) of this Regulation, claim his discharge at the expiration of the period of eighteen months beginning with the date on which he gives his commanding officer notice of his wish to be discharged; save that the period of notice required under this paragraph shall be 6 months in the case of a person continued or further continued in naval service in pursuance of a notice under paragraph (1)

(a) 1966 c. 45. **(b)** 1889 c. 63. **(c)** S.I. 1967/1821 (1967 III, p. 4855).
(d) The relevant amending instruments are S.I. 1970/539, 1972 558, 1973/916 (1970 I, p. 1746; 1972 I, p. 1888; 1973 II, p. 2793).

or (2) of this Regulation given on or after the 10th April 1970 and before the 1st October 1976, and 3 months in the case of a person continued or further continued in naval service in pursuance of a notice under paragraph (1) or (2) of this Regulation given before the 10th April 1970".

(3) In the Schedule to the Principal Regulations there shall be inserted under the appropriate columns the following:—

"Regulation 3BB.	For the purpose of approving an application by a person in naval service to be treated as if he had entered with the right to be transferred to the reserve conferred by Regulation 3B(1)."	Commanding Officers of HM Ships and Establishments.

On behalf of the Defence Council.

E. B. Ashmore,
A. E. P. Duffy,
Members of the Defence Council.

Dated 7th May 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Royal Navy Terms of Service Regulations 1967 by enabling persons in naval service for a term of not less than 3 years from the relevant date to be treated, with the approval of the competent naval authority, as if they had entered with the right to be transferred to the reserve in accordance with the provisions of Regulation 3B(1).

The period of notice required to be given by persons continued in naval service before they can claim their discharge is extended from 6 months to 18 months. The extended period does not apply to persons continued in service pursuant to a notice given before the commencement of these Regulations.

Commanding Officers of HM Ships and Establishments are specified in the Schedule as competent naval authorities, for the purposes of the new Regulation.

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