

The Reserves are an essential component of our national security, our Armed Forces and success on operations. To help revitalise our Reserve Forces we have introduced five changes through the Defence Reform Act that come into effect from 1 October 2014.

1. Renaming of the TA

- The TA is being renamed the 'Army Reserve' to better reflect their future role, integration with Army 2020 and the Whole Force Concept.
- The Army's ex-regular Reserve Force (currently called the Army Reserve) will be renamed the 'Regular Reserve'.



2. Payments to Employers and Business Partners

- This power enables the Secretary of State to provide for the making of additional payments to:
 - (1) employers of Reservists, and
 - (2) persons carrying on business in partnership with Reservists.
- Payments will be up to £500 per month per Reservist employee or partner called-up.
- Payments will only be made to micro, small and medium sized enterprises with fewer than 250 employees and an annual turnover of less than £25.9 million.
- Charities and partnerships that meet the SME qualifying criteria will also be eligible to receive this payment.
- This will be paid pro-rata for those that are part-time, have more than one employer or are called-up part way through a month.

3. Employment Protection

- The standard two-year qualifying period for bringing claims for unfair dismissal from civilian employment will be removed where the reason, or primary reason, for dismissal is connected with the employee's membership of the Reserve forces.

- This is additional protection to that provided by the Reserve Forces (Safeguard of Employment) Act 1985.
- Legislation governing employment protection in Northern Ireland is separate and as a result this change will not be applicable there. However, in Northern Ireland the statutory requirement is that only one year's continuous employment is needed before a case of unfair dismissal can be raised.
- If you feel you have been disadvantaged in your civilian employment as a result of your Reserve service, then we want to hear from you:

<https://surveys.mod.uk/reserve-employer-issues>

4. Call-out Powers

- The Defence Reform Act 2014 replaces the two call-out powers in Section 56 of the Reserve Forces Act 1996 with a new, broader power to make a call-out order where it is necessary or desirable to use Reserves for any purpose for which regular forces may be used.
- Reservists called out under the new call-out power in Section 56 may be required to serve for up to 12 months.
- This change also allows for the mobilisation of a Reservist for up to 12 months.



5. Report on Volunteer Reserve Forces

- An annual report will be provided to the Secretary of State for Defence by an independent scrutiny group on the condition of the volunteer Reserve Forces



- Serving Reservists who attested before 1 October 2014 will have to elect to be subject to the new call-out powers. More information can be provided through Reserve unit's chain of command.
- Those who attested after 1 October 2014 will automatically be subject to the new call-up powers.
- Serving Reservists who choose not to do this will continue to be subject to their current call-out powers,
- The change provides Reservists with the opportunity to take part in the full range of defence related activities and to do so with the benefits and protections that mobilisation brings e.g. civilian job protection, pay and allowances.
- The policy of intelligent mobilisation – short of war or national emergency, using those who are willing and able, or who have a particular skill-set that is urgently required – will continue.

Further Information

For more information on the legislative changes occurring and what they will mean for you please have look at: 2014DIN01-104

http://defenceintranet.diif.r.mil.uk/Reference/DI_NsJSPs/Pages/DINsIndex2014.aspx

The entire DRA can be found at:

<http://www.legislation.gov.uk/>

More detail on the employer incentive payments can be found at:

<http://www.legislation.gov.uk/uksi/2014/2410/contents/made>.

For more general information go to:

<http://www.sabre.mod.uk/>



Ministry
of Defence

Legislative Changes Affecting the Reserve Forces

