

**RAF Personnel Secretariat**



**HEADQUARTERS AIR COMMAND**

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13 June 2011

Dear Mr Whittaker,

Thank you for your email to the Ministry of Defence on 15 May, requesting information concerning regulations regarding transfer between the Services. This has been considered a request for information under the Freedom of Information Act 2000 and I have been asked to reply. Specifically, you asked:

"If a man transfers from one service to another will he be discharged from the former to enable enlistment to the latter in which case how will he re-enlist in the former if he fails his course and what is to stop a man just leaving HM Service at this point, or will he be on transfer until completion of training and then enlisted into the latter. Please advise MOD regulation number and policy on this matter as there are many men who transfer between services and would like to know the legal position on this matter."

The information requested in respect of the RN is located in the Navy's BR3 manual, available on the Internet on the RN Community website and accessible via the following link:

[www.rncom.mod.uk/](http://www.rncom.mod.uk/)

or by searching on "RN Community".

The manual can be found via the "Reference Library" section of the contents list on the left hand side of the RN Community site home page. The relevant sections are:

BR3, Part 4, Chapter 12, Section 11 - "TRANSFER FROM THE RN/RM/ARMY/RAF" and  
BR3, Part 7, Chapter 48, Section 3 - "ENTRY FROM OTHER SERVICES".

The information is thus exempt from release under s21 of FOIA as reasonably accessible by other means.

At Annex A to this letter, I have listed extracts from the following Army publications:

Queens Regulations for the Army  
Army Commissioning Regulations 2009

At Annex B I have listed extracts from the following RAF Air Publications:

AP 3391	- Manual of Recruiting and Selection
AP 3392 Vol 2	- Personnel Management
AP 3393	- Officers Commissioning and Terms of Service

These extracts should provide you with information to answer your question with the proviso that personnel who, following transfer to another Service subsequently fail their training, also have the option to apply to re-enter their original Service as a re-entrant, however, this would not be automatic.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Head of Corporate Information, 2nd Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIOFOI-IR@mod.uk](mailto:CIOFOI-IR@mod.uk) ).

Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end. If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely

RAF Personnel Secretariat

Annexes:

- A. Army Regulation Extracts.
- B. RAF Air Publication Extracts.

## **ARMY REGULATION EXTRACTS**

### **Extract from Queens Regulations for the Army – Chapter 9**

#### **TRANSFERS TO OTHER SERVICES**

9.246. A regular soldier will not normally be permitted to transfer to the RN, RM or RAF but, subject to the overriding manning situation at the time, he may apply to join one of these Services either in the ranks or as an officer. Each case will be considered on its merits, particularly if the applicant has strong family associations with that Service.

9.247. Applications to serve in the ranks will be submitted through the APC to the Deputy Military Secretary (DMS) on AF B 241 suitably amended. In no circumstances will an application, either from an individual or from a commanding officer, be referred direct to the Navy or Air Force Departments or to Headquarters Royal Marines. If approved it will be effected by the soldier being entered or enlisted into the other Service. Termination from the Army will then be authorized under para 9.408 from the day immediately preceding such entry or enlistment.

9.248. Applications for appointment to a commission are to be submitted as in para 9.247 clearly annotated 'CANDIDATE FOR COMMISSION'. Deputy Military Secretary (DMS), APC will process the application as requested by the Service concerned. A soldier accepted for training as an officer in the RN, RM or RAF will remain in Army service during such training. If appointed to a commission, termination from the Army will then be authorized under para 9.407 from the day immediately preceding date of commission. If not appointed to a commission, the soldier is to be returned to his regiment or corps to continue his service on his current engagement.

### **Extract from Army Commissioning Regulations 2009 – Part 19**

#### **TRANSFERS FROM OTHER SERVICES**

##### **Introduction**

5.051. Applications for a commission in the Regular Army by serving officers of the RN, RM and RAF can be considered whilst they are still serving in that Service but appointments cannot be made until they formally relinquish their existing commission. They are then treated as former officers for the purpose of the grant of a commission in the Regular Army.

5.052. Subject to the needs of the Service, former officers or officers having a reserve commitment may be appointed where vacancies exist in the Arm or Service of their choice.

5.053. Applicants who have been called upon to retire or resign their commission or have been dismissed from their Service are not eligible for consideration.

## Eligibility

5.054. Educational Qualifications. Applicants must hold the academic, technical or professional qualifications required for the type of commission they seek in the Arm or Service of their choice, as specified in Annex I (Part 26 for the AGC(ETS)).

5.055. Service Requirements. Normally applicants for all types of commission should have completed at least 2 years full-time service.

5.056. Short Service Commission (SSC). Those officers granted a commission in their former Service on or after 1 Apr 89, regardless of the financial terms under which they were serving, will be appointed to an SSC on pension earning terms. Such combined service reckonable under The Army Pensions Warrant 1977 will earn a preserved pension and terminal benefits, payable at age 60 and, under JSP 764 at age 65, or an immediate pension if the aggregated qualifying service is more than 16 years on the date of retirement on the Armed Forces Pension Scheme 1975 (AFPS 75) and more than 18 years and over 40 years old on AFPS 05.

5.057. The Intermediate Regular Commission (IRC). Those applying for an IRC must be able to complete a minimum of 10 years further service and, together with previous service, be able to achieve at least 16 years reckonable service for officers retired pay for applicants on AFPS 75 and 18 years and over 40 years old for applicants on AFPS 05, before reaching the normal retirement age for the Arm or Service of their choice.

5.058. The Regular Commission (Reg C). Applicants for a Reg C must have service reckonable under The Pay Warrant 1964 which will ensure reasonable career prospects. They must also be able to complete a minimum of 10 years further service before reaching the normal retirement age for the Arm or Service of their choice.

5.059. Special Cases. Special cases which arise will be treated individually based on the advice from DM(A).

## Application Procedure

5.060. Prior to application, an officer wishing to transfer into the Army should, in the first instance, approach the appropriate MS officers branch, who will ascertain the availability of vacancies from DM(A). The application is to be prepared and documented in accordance with Part 4. It is to be forwarded to the MS branch concerned together with a copy of the applicant's birth certificate and documentary evidence of any academic, technical or professional qualifications claimed.

5.061. The MS branch is then to obtain verification of past service from the MOD department responsible for administration of officers of the other Services. The appropriate policy staff of the losing Service will arrange the early release of the necessary service, medical and annual reports (ARs) to the appropriate MS branch. This approach however is not to be made until serving applicants have made their CO aware of their intention and confirmed this to the MS branch. The MS branch is then responsible for obtaining the relevant ARs from the losing Service on the proviso that only the MS branch concerned, the Arms Selection Board (ASB) and the Army Commissions Board (ACB) have access to these reports.

5.062. For former officers, the name and address of their current and, where applicable, past employers must be recorded in the AFCO Form 4. The current employer should not be approached until after the MS branch has provisionally accepted candidates.

5.063. Candidates are to provide the names of 2 or more officers, not below the rank of Lt Col or equivalent, under whom they have served and who know them well. Where candidates are members of the reserve forces, the name of the CO of their unit, if meeting the criteria, may be put forward as one of the officers. The units in which the nominated officers were serving, with dates, are to be

shown to assist the MS branch to identify such officers in cases of doubt. It is the responsibility of the MS branch to ask the officers nominated, or any other officers under whom candidates have served, to forward references.

#### Acceptance of Applications

5.064. Candidates, who from their record of service and reports by recommending officers appear suitable, will be accepted for further consideration. The MS branch will notify them. At the same time, a report from their employer will be requested and they should not take any action to terminate their employment or commission until they have been accepted and the date of joining for duty finally agreed. The MS branch will also notify applicants who are not accepted.

5.065. The MS branch is responsible for obtaining acceptance of applications, including the approval of a senior officer of the Arm or Service concerned, usually via an ASB. In the case of applicants for the Infantry, the Inf MS Branch is responsible for obtaining Regimental and Divisional acceptance and arranging an interview if required. The RAC MS Branch will act similarly in respect of applicants for the RAC.

#### Attendance at AOSB

5.066. Applicants are normally referred to an AOSB Transfer Board in accordance with the provisions of Annex C (also see para 5.072 below). This board will determine what parts of the selection and training process the applicant is exempt.

#### Follow Up

5.067. When the transfer is agreed, the normal Single Service rules governing voluntary retirement of the losing Service will apply and no preferential consideration will be given to the fact that the application to retire is to allow an inter-Service transfer. Any outstanding training return of service (Trg RoS) obligation to the individual's present Service will be taken into consideration in reaching a decision, particularly as to the effective date of transfer, and initial training in the present branch may have to be amortized (complete Trg RoS) before transfer can be effected. This may delay the transfer beyond the voluntary retirement notice period.

5.068. If the transfer is acceptable to both Services, a mutually convenient date for the transfer will be agreed. Rank, seniority and other terms and conditions of service would be confirmed by the ACB and promulgated by the MS branch as soon as practicable. Detailed terms of service will be formally notified to the transferee with a copy to the present Service. Because there is no actual break in service there will be no effect on prospective entitlement to retired pay and terminal benefits, and reckonable service accrued with the previous Service will be aggregated with the period of employment with the Army, in accordance with The Pensions Warrant 1977.

#### Medical Procedure

5.069. Candidates accepted for further consideration will be required to attend and pass a full medical board, which is to be arranged by the MS branch.

5.070. Officers accepted for the grant of a commission are to have their medical standard confirmed by a Service medical officer on first reporting for duty. A certificate confirming medical fitness is to be forwarded to the MS branch concerned as soon as possible as the commission cannot be gazetted until received. If on reporting for duty an officer is found to be unfit the MS branch is to be informed immediately and a further medical board arranged as soon as possible. Such officers who are referred for a second board will be considered to be on probation. Should the second board find the condition permanent and is unable to foresee any improvement in the officer's fitness to enable his commission to be confirmed then the commission is to be terminated and the officer will have no claim upon the MOD.

## Terms and Conditions of Service

5.071. General. Where necessary, MS branches should consult with the following branches in order to give applicants authoritative advice on their officer training requirements or terms of service:

- a. DITrg(A) concerning training requirement (eg JOLP/JOTAC/MK1 or the MK2/MA package).
- b. DPS(A) for financial aspects and conditions of service including pensions and other terminal benefits.
- c. DM(A) concerning terms of service not covered in this Part.

5.072. Approving Authority. Final approval for the acceptance of applicants for commissioning in the Regular Army rests with the ACB.

5.073. Probation.

- a. A probationary period designed principally to establish suitability is normally required by the ACB. The usual period is for 12 months and will include any necessary Special to Arm training, followed by a period of not less than 3 months in a unit of the Arm or Service chosen.
- b. The commissions of officers found to be unsuitable at any time during the probationary period will be terminated in accordance with the procedure set out in Part 17. The commission of officers found suitable will be confirmed and promulgated automatically by MS Occurrences.

5.074. Rank.

- a. Officers should normally be transferred across in their equivalent substantive rank.
- b. There will be no eligibility for substantive promotion during the probationary period. At the successful completion of such periods officers may be promoted in accordance with the instructions laid down in AGAI Chapter 35.

5.075. Repayment of Gratuities. When candidates first apply for a commission, MS branches are to acquaint them with the options available, regarding the repayment of any grant or gratuities. The consent (or otherwise) of applicants to repay any gratuities is to be recorded before the approving authority makes its decision. Applicants are also to be informed that, once appointed, premature voluntary retirement is not normally permitted for 3 years. Where there is any doubt candidates should write to MS Occurrences for clarification.

5.076. Joining for Duty and Appointment.

- a. Candidates are to be instructed to join for duty as soon as possible after selection. If they are no longer serving officers, they are to be warned that on no account are they to terminate any civilian employment until they are actually ordered to join for duty and an assignment order has been issued. Where candidates are required to give long notice to terminate civilian employment and request a deferred joining date for this purpose, the MS branch will give sympathetic consideration.
- b. Units to which officers first report are to submit a joining certificate to the MS branch concerned confirming the date of reporting and enclosing the medical certificate (see para 5.070 above). The MS branch is then to inform SO1 MS Occurrences who will make arrangements for gazetting.
- c. Officers from other Services are not to report for duty whilst holding a commission in their original Service.

## **Extract from Army Commissioning Regulations 2009 – Part 21**

### **TRANSFER OF ARMY OFFICERS TO OTHER SERVICES**

5.121. Prior to application, officers wishing to transfer out of the Army should approach the Service to which they wish to transfer to ascertain the availability of vacancies in the branch of their choice.

5.122. If the gaining Service has vacancies, the officer should submit a request for transfer through his/her chain of command, to his/her MS branch, with a copy direct to the appropriate branch of the gaining Service. The relevant MS branch will arrange the early release of the necessary service, medical and annual reports to the potential gaining Service.

5.123. Officers are to be interviewed by their COs, who are to discuss the request with the individual before forwarding the application, together with their recommendation via the chain of command to the appropriate MS branch. At the interview it is to be made clear to the officer that there is no automatic right to transfer between Services and that the needs of the individual's present Service are paramount.

5.124. When the transfer is agreed, the normal single Service rules governing voluntary retirement in accordance with AGAs Part 38 will apply and no preferential consideration will be given to the fact that the application to retire is to allow an inter-Service transfer. Any outstanding training return of service (Trg RoS) obligation to the Army will be taken into consideration in reaching a decision, particularly as to the effective date of transfer, and initial training in the present Arm/Service may have to be amortized before transfer could be affected. This may delay the transfer beyond the voluntary retirement notice period.

5.125. If the transfer is acceptable to both Services, a mutually convenient date for the transfer will be agreed. The gaining Service will confirm rank, seniority and other terms and conditions of service as soon as practicable. Detailed terms of service will be formally notified to the transferee with a copy to the MS branch. Because there is no actual break in service there will be no effect on prospective entitlement to retired pay and terminal benefits, and reckonable service accrued with the present service will be aggregated with the period of employment with the gaining Service.

5.126. The MS branch will issue an official letter to the officer (copied to the gaining Service), explaining that the individual's existing commission will be terminated on the day before his/her appointment to a commission in the gaining Service. He/she will not be placed on the retired list of the Army, nor be able to claim the rank or wear Army uniform. This letter should also contain an indication of rank and seniority to be conferred on entry. The London Gazette will be annotated "Commission terminated (date) on transfer to ....".

5.127. If the transfer request is not supported by the gaining Service, the officer will remain in the Army and the MS branch will be responsible for providing official notification to the individual (copied to the proposed gaining Service).

**RAF AIR PUBLICATION EXTRACTS**

**AP3391 Vol 1 Extract**

**Leaflet 15 - Serving Members Of HM Forces**

2. Personnel currently serving in the RN, RM or Army may apply to transfer to the RAF. Any such candidates, who make initial enquiries at the AFCO, are to be provided with any relevant publications and informed that they must make an application to transfer through their own Commanding Officer. It should be noted that the selection process is the same as civilian entrants; however, the recruitment processes are different. After being handed off from the Virtual AFCO, the AFCO are to contact the candidate, who should be in possession of a 'Voluntary Transfer' letter issued by ACOS Manning; candidates should not be processed unless they are in possession of this letter. The candidate will then be required to complete the full selection process. An offer of service is to be requested from the Trade Reselection Centre (Manning) as soon as an enlistment date has been received. Candidates who transfer from another Service to join the non-commissioned ranks may be entitled to mark time pay for up to 2 years. Guidance on entitlement is contained within JSP 754, Chapter 3, Section 10. Commissioned officers is at JSP 754, Chapter 5, Section 3.

**AP 3392 Vol 2 Extract**

**Leaflet 707 Transfer to the Royal Navy, Royal Marines or the Army**

1. This leaflet gives details of the arrangements under which personnel may apply for permanent transfer to the Royal Navy, Royal Marines or the Army. The transfer of an individual between one service and another is to be implemented on JPA iaw the SPVA Business Process Guide (BPG).
2. Applications, which are to be submitted in duplicate in the format contained in Annex A, will be considered on their merits by Manning in the light of manning requirements in the Royal Air Force, but no guarantee of approval or acceptance by the other Services can be given. Individuals in the following categories, however, will not normally be permitted to transfer:
  - a. Individuals who have completed less than 3 years continuous service (4 years continuous service for PMRAFNS), calculated from the completion date of basic trade training.
  - b. Individuals who have served less than 3 years since the successful completion of a further or conversion training course, or, in certain circumstances, of a long post-graduate training course.
  - c. In the case of transfers to the Army, individuals with less than 6 months to serve before discharge or transfer to the Reserve. Individuals in this category should make their own enquiries privately to the nearest Armed Forces Careers Office.
3. Individuals who have received a language award and who wish to transfer to the Royal Navy, Royal Marines or the Army may be required to refund the award, either in full or in such less sum as may be determined by Manning before the transfer is effected (see JSP 754).
4. Conditions of transfer will vary according to the branch or trade for which the individual is selected. Information about these conditions will be made available to each candidate on interview by the appropriate authority and transfer will be subject to acceptance of the conditions by the candidate. Pay will be at the rates current in the Service to which the individual transfers and they will not retain any higher rate to which they may have been entitled in the Royal Air Force. Final acceptance for transfer will also be conditional on the candidate completing satisfactorily a short period of attachment with the appropriate Service of up to 5 working days. Under no circumstances



are personnel to undergo lengthy training courses with the Service to which they wish to transfer prior to transfer. Such courses can only be undertaken once transfer is complete.

5. Manning will issue the authority for the transfer and detailed instructions concerning it. The individual will normally be transferred from the Royal Air Force on the day before his/her enlistment in the Royal Navy, Royal Marines or the Army. However, if transfer to another Service is being affected on acceptance for training leading to a commission, transfer will be effected immediately prior to appointment to a commission. In the event of withdrawal from commissioning training the individual will be retained in the RAF on their current engagement in their existing rank and trade. Individuals will be paid up to and including the last day in the RAF and no advance of pay is to be issued. Any balance remaining on the RAF pay account will be transferred to the Naval or Regimental Paymaster concerned by SPVA(G) JPAC. Railway warrants will be issued for free travel, within the United Kingdom, to the place of interview and enlistment.

6. Personnel abroad whose applications are accepted by Manning will, on repatriation, be posted to RAF High Wycombe for arrangement of interview and to await the outcome of their application.

## **AP 3393 Chap 5 Extract**

### **Section 1- Professional (Phase 2) Training**

5110. After successful completion of IOT, all newly commissioned officers are required to undertake such professional training as may be necessary. Whilst under training, officers are deemed to be non-productive and their continued employment is dependent on the satisfactory completion of the professional training required for their branch / specialisation. Commissions are not confirmed until Officers have entered productive service. Officers enter productive service on successful completion of professional (Phase 2) training and on appointment to an established post. Failure to complete professional training successfully normally leads to the termination of the commission, although officers may be given the option to transfer to another branch for which they may be suited, or for service as Non-commissioned Aircrew. Officers suspended from flying training, or professional ground training, normally appear before the Air or Ground Reselection Board at the OASC for a decision to be made on their future employment.

5111. The rules governing the disposal of officers who are suspended from flying duties or training before entering productive service, and of officers who qualify for the flying badge, are set out in Section 3.

5112. On transfer to another branch, officers are required to undertake such professional training as deemed necessary. Officers who fail to complete such training satisfactorily are liable to have their commission terminated unless they are considered suitable for return to their original branch; refer to Chapter 7 Section 1 for further details.

### **Section 3 - Officers Suspended from Professional (Phase 2) Training**

5301. Officers suspended from training will be dealt with in one of the ways listed below at subparagraphs a – g. Suspension from training can occur as a result of a recommendation by the Service or by the Voluntary Withdrawal of the Officer. A request to branch change during Phase 2 or pre-productive training will also result in referral to the OASC Reselection Board. The final recommendation of the Reselection Board will be dependent upon the suitability of the officer concerned and the existence of vacancies in the gaining Branch/Category/Trade Group, but the board will make an effort to take into consideration the wishes of the officer concerned:

- a. Further training in existing aircrew category e.g. from fast jet to rotary training.
- b. Training in another aircrew category, e.g. from pilot failure to WSO.

- c. Reversion to former branch.
- d. Training for a commission in another branch / specialisation.
- e. Termination of commission and enlistment for training and regular service as non-commissioned aircrew.
- f. Termination of commission and re-enlistment in original NCA Category or Trade Group.
- g. Termination of commission and return to civil life.

### **Section 3 - Post Phase 2 Training**

Officers may be required to undertake further training at any time during their Service careers. Officers who fail to successfully complete any training courses required to qualify them for continued productive service in their branch / specialisation are liable to have their commission terminated.