

§ 41.5 Effective date and implementation.

(a) This part applies only to administrative separation proceedings initiated on or after October 1, 1982.

(b) Part 41, effective December 29, 1976 shall continue to be used for administrative separation proceedings initiated on or before September 30, 1982.

§ 41.6 Definitions.

(a) *Member.* An enlisted member of a Military Service.

(b) *Discharge.* Complete severance from all military status gained by the enlistment or induction concerned.

(c) *Release from active duty.* Termination of active duty status and transfer or reversion to a reserve component not on active duty, including transfer to the Individual Ready Reserve (IRR).

(d) *Separation.* A general term which includes discharge, release from active duty, release from custody and control of the armed forces, transfer to the IRR, and similar changes in active or reserve status.

(e) *Military record.* An individual's overall performance while a member of a Military Service, including personal conduct and performance of duty.

(f) *Separation Authority.* An official authorized by the Secretary concerned to take final action with respect to a specified type of separation.

(g) *Convening Authority.* (1) The Separation Authority or (2) a commanding officer who has been authorized by the Secretary concerned to process the case except for final action and who otherwise has the qualifications to act as a Separation Authority.

(h) *Respondent.* A member of a Military Service who has been notified that action has been initiated to separate the member.

(i) *Entry level status.* The first 180 days of continuous active military service. For members of a reserve component who have not completed 180 days of continuous active military service and who are not on active duty, entry level status begins upon enlistment in a reserve component (including a period of assignment to a delayed entry program) and terminates 180 days after beginning an initial period of entry level active duty training. For

purposes of characterization of service or description of separation, the member's status is determined by the date of notification as to the initiation of separation proceedings.

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