STATUTORY RULES OF NORTHERN IRELAND

1998 No. 386

Working Time Regulations (Northern Ireland) 1998

Part V

Special Classes of Person

Armed forces

37.—(1) Regulation 36 applies–

(a) subject to paragraph (2), to service as a member of the armed forces, and

(b) to employment by an association established for the purposes of Part XI of the Reserve Forces Act 1996(**1**).

(2) No complaint concerning the service of any person as a member of the armed forces may be presented to an industrial tribunal under regulation 30 unless–

(a) that person has made a complaint in respect of the same matter to an officer under the service redress procedures, and

(b) that complaint has not been withdrawn.

(3) For the purposes of paragraph (2)(*b*), a person shall be treated as having withdrawn his complaint if, having made a complaint to an officer under the service redress procedures, he fails to submit the complaint to the Defence Council under those procedures.

(4) Where a complaint of the kind referred to in paragraph (2) is presented to an industrial tribunal, the service redress procedures may continue after the complaint is presented.

(5) In this regulation, "the service redress procedures" means the procedures, excluding those which relate to the making of a report on a complaint to Her Majesty, referred to in section 180 of the Army Act 1955(**2**), section 180 of the Air Force Act 1955(**3**) and section 130 of the Naval Discipline Act 1957(**4**)(**5**).

(**1**) 1996 c. 14
(**2**) 1955 c. 18
(**3**) 1955 c. 19
(**4**) 1957 c. 53
(**5**) Each of the sections referred to in paragraph (5) was substituted by section 20 of the Armed Forces Act 1996 (c. 46)