



Armed Forces Act 2006

2006 CHAPTER 52

[^{F1}PART 14A

REDRESS OF SERVICE COMPLAINTS

[^{F1}Investigation, delegation and time limits

Textual Amendments

- F1** Pt. 14A inserted (1.1.2016) by [Armed Forces \(Service Complaints and Financial Assistance\) Act 2015 \(c. 19\)](#), ss. **2(1)**, 7(1); S.I. 2015/1957, reg. 2 (with savings and transitional provisions in S.I. 2015/1969)

340F Investigation of complaints and delegation of Defence Council functions

- (1) The Defence Council may authorise a person to investigate a particular service complaint—
 - (a) on the Council's behalf, or
 - (b) on behalf of a person or panel of persons appointed to deal with a service complaint or to determine an appeal relating to a service complaint.
- (2) Service complaints regulations may authorise the Defence Council to delegate to any person, to such extent and subject to such conditions as the Council consider appropriate, any of the Council's functions under the preceding provisions of this Part.
- (3) Subsection (2) does not apply to—
 - (a) the Defence Council's function of making service complaints regulations,
 - (b) the Council's function of dealing with a service complaint or determining an appeal, or
 - (c) any function of the Council by virtue of section 340C(3)(b) or 340D(4)(b) in connection with authorising a person to make decisions or determinations and to grant redress.

Status: Point in time view as at 01/01/2016.

Changes to legislation: Armed Forces Act 2006, Cross Heading: Investigation, delegation and time limits is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Subsection (2) does not affect the application of section 1(5) or (7) of the Defence (Transfer of Functions) Act 1964 (discharge by Service Boards of Defence Council functions) in relation to the Defence Council's functions under the preceding provisions of this Part.

340G Service complaints: other time limits

- (1) Service complaints regulations may—
- (a) impose time limits for taking any step (in addition to any time limit for which this Part provides);
 - (b) specify circumstances in which a time limit does not apply;
 - (c) make provision about the consequences of not taking a step within a time limit.
- (2) The provision that may be made by virtue of subsection (1)(c) in relation to a particular time limit includes provision authorising a person specified in the regulations to decide that a service complaint, or an appeal against a decision on a service complaint, cannot be proceeded with because of a failure to take a step within that time limit.
- (3) Where service complaints regulations make provision referred to in subsection (2), the regulations may also make provision—
- (a) for the Service Complaints Ombudsman, on an application by the complainant, to review a decision that a service complaint or an appeal cannot be proceeded with because of the failure to take the step within the time limit;
 - (b) for securing that the Ombudsman's decision on such a review is binding on the complainant and the person who made the decision to which the review relates.]

Status:

Point in time view as at 01/01/2016.

Changes to legislation:

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