
STATUTORY INSTRUMENTS

2015 No. 1969

**The Armed Forces (Service Complaints and
Financial Assistance) Act 2015 (Transitional
and Savings Provisions) Regulations 2015**

PART 3

Pre-commencement complaints: application of the new complaints provisions

Part 3 complaint where a first substantive decision has been notified but no application for referral has been made

10.—(1) Paragraph (4) applies in relation to a Part 3 complaint if, immediately before the commencement date, condition A or B is satisfied.

(2) Condition A is that—

- (a) the prescribed officer has made a first substantive decision;
- (b) he or she has notified the complainant of that decision; and
- (c) the complainant has not applied under old regulation 21(a) for the complaint to be referred to a superior authority.

(3) Condition B is that—

- (a) the superior officer has made a first substantive decision;
- (b) he or she has notified the complainant of that decision; and
- (c) the complainant has not applied under old regulation 25(a) for the complaint to be referred to the Defence Council.

(4) The decision of the prescribed or superior officer is to be treated as if it were a decision of a person or panel of persons under new regulation 9(2), notified to the complainant under new regulation 9(3).