
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 approved at the initial stage but a first substantive decision has not been notified

9.—(1) Paragraph (2) applies if, before the commencement date, a Part 3 complaint has been approved at the initial stage but the first substantive decision has not been notified to the complainant.

(2) The complaint is to be treated as if it had been referred under new regulation 5(3) to the Defence Council.

(3) For the purposes of this regulation, a Part 3 complaint has been approved at the initial stage if decision 1 and decision 2, as described in paragraphs (4) and (5) respectively, have both been made.

(4) Decision 1 is an initial decision on subject matter that all or some of the matters contained in a statement of complaint are matters about which a service complaint may be made where the approval (and consequently a reference in this regulation to the complaint having been approved) refers only to those matters about which a service complaint may be made.

(5) Decision 2 is an initial decision on timeliness that—

- (a) the statement of complaint was delivered within the period provided for in old regulations 15 to 17; or
- (b) the service complaint may be made after the end of that period by virtue of old regulation 18.