
DRAFT STATUTORY INSTRUMENTS

2008 No.

**The Armed Forces (Service Complaints)
(Consequential Amendments) Order 2008**

Amendment of Regulations

2.—(1) Regulation 38 of the Working Time Regulations 1998⁽¹⁾ shall be amended as follows.

(2) For paragraph (3) substitute—

“(3) For the purpose of paragraph (2)(b), a person shall be treated as having withdrawn his complaint if, having made a complaint to an officer under the service redress procedures—

(a) where the service redress procedures are those referred to in section 334 of the Armed Forces Act 2006, neither that officer nor a superior officer has decided to refer the complaint to the Defence Council, and the person who made the complaint fails to apply for such a reference to be made;

(b) in any other case, the person who made the complaint fails to submit the complaint to the Defence Council under the service redress procedures.”

(3) In paragraph (5) for the words “and section 130 of the Naval Discipline Act 1957” substitute “, section 130 of the Naval Discipline Act 1957 or section 334 of the Armed Forces Act 2006”.

⁽¹⁾ S.I. 1998/1833, to which there are amendments not relevant to this Order.