

*Status: Point in time view as at 01/01/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces (Service Complaints and Financial Assistance) Act 2015, Cross Heading: Equality Act 2010 (c. 15). (See end of Document for details)*

## SCHEDULE

### SERVICE COMPLAINTS: CONSEQUENTIAL AMENDMENTS

#### *Equality Act 2010 (c. 15)*

12 Part 9 of the Equality Act 2010 (enforcement) is amended as follows.

#### **Commencement Information**

**II** [Sch. para. 12](#) in force at 1.1.2016 by [S.I. 2015/1957](#), [reg. 2](#) (with savings and transitional provisions in [S.I. 2015/1969](#))

13 (1) Section 121 (armed forces cases in relation to which employment tribunal has jurisdiction) is amended as follows.

(2) For subsection (2) substitute—

“(2) Where the complaint is dealt with by a person or panel appointed by the Defence Council by virtue of section 340C(1)(a) of the 2006 Act, it is to be treated for the purposes of subsection (1)(b) as withdrawn if—

(a) the period allowed in accordance with service complaints regulations for bringing an appeal against the person's or panel's decision expires, and

(b) either—

(i) the complainant does not apply to the Service Complaints Ombudsman for a review by virtue of section 340D(6) of the 2006 Act (review of decision that appeal brought out of time cannot proceed), or

(ii) the complainant does apply for such a review and the Ombudsman decides that an appeal against the person's or panel's decision cannot be proceeded with.”

(3) Omit subsections (3) and (4).

(4) In subsection (5), for the words from “the service” to the end substitute “ the procedures set out in service complaints regulations. ”

(5) After subsection (5) insert—

“(6) In this section—

“the 2006 Act” means the Armed Forces Act 2006;

“service complaints regulations” means regulations made under section 340B(1) of the 2006 Act.”

#### **Commencement Information**

**I2** [Sch. para. 13](#) in force at 1.1.2016 by [S.I. 2015/1957](#), [reg. 2](#) (with savings and transitional provisions in [S.I. 2015/1969](#))

14 In section 127 (jurisdiction), in subsection (7), for “Subsections (2) to (5)” substitute “ Subsections (2) to (6) ”.

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**Commencement Information**

- I3** [Sch. para. 14](#) in force at 1.1.2016 by [S.I. 2015/1957](#), **reg. 2** (with savings and transitional provisions in [S.I. 2015/1969](#))

15 In section 141 (interpretation), for subsection (8) substitute—

“(8) Service complaint” means a complaint made under section 340A(1) or (2) of the Armed Forces Act 2006.”

**Commencement Information**

- I4** [Sch. para. 15](#) in force at 1.1.2016 by [S.I. 2015/1957](#), **reg. 2** (with savings and transitional provisions in [S.I. 2015/1969](#))

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