
Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SERVICE COMPLAINTS APPEALS

Working Time Regulations 1998

- 4 In regulation 38 of the [Working Time Regulations 1998 \(S.I. 1998/1833\)](#) (armed forces)—
- (a) in paragraph (2), for sub-paragraph (a) substitute—
 - “(a) that person (“the complainant”) has made a service complaint in respect of the same matter, and”;
 - (b) for paragraph (3) substitute—
 - “(3) Where the service complaint is dealt with by a person or panel appointed by the Defence Council by virtue of section 340C(1)(a) of the Armed Forces Act 2006, it is to be treated for the purposes of paragraph (2)(b) as withdrawn if—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,
 - (b) there are grounds (of which the complainant is aware) on which the complainant is entitled to bring such an appeal, and
 - (c) either—
 - (i) the complainant does not apply to the Service Complaints Ombudsman for a review by virtue of section 340D(6)(a) of the Armed Forces Act 2006 (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.”;
 - (c) in paragraph (4), for “service redress procedures” substitute “procedures set out in service complaints regulations”;
 - (d) for paragraph (5) substitute—
 - “(5) In this regulation—
 - “service complaint” means a complaint under section 340A of the Armed Forces Act 2006;
 - “service complaints regulations” means regulations made under section 340B(1) of that Act.”

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 4. (See end of Document for details)

.....

Commencement Information

- I1** Sch. 3 para. 4 not in force at Royal Assent, see [s. 24\(1\)](#)
- I2** [Sch. 3 para. 4](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(d\)](#)
- I3** [Sch. 3 para. 4](#) in force at 15.6.2022 in so far as not already in force by [S.I. 2022/625](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 4.