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STATUTORY INSTRUMENTS

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**2015 No. 1955**

**The Armed Forces (Service Complaints) Regulations 2015**

**Period for making a service complaint and power to stay**

6.—(1) Subject to paragraphs (4) and (5), a person may not make a service complaint after three months beginning with the relevant day.

(2) Except in a case within paragraph (3), the “relevant day” means the day on which the matter the person wishes to complain about occurred or (if it occurred over a period of time) the last day on which it occurred.

(3) Where it appears to the specified officer that, before a service complaint about a matter is or would be considered, the person is or was expected or required to comply with another formal system for the consideration of that matter, the “relevant day” means the day on which it appears to the specified officer that the person exhausts or exhausted the process provided for under that other formal system.

(4) If a matter is or has been capable of being pursued as a claim under Chapter 3 of Part 9 of the Equality Act 2010<sup>(1)</sup>, a service complaint may not be made about the matter after six months beginning with the day on which the matter complained about occurred or, where the matter occurred over a period of time, the final day of that period.

(5) If a matter is or has been capable of being pursued as a claim under Chapter 4 of Part 9 of the Equality Act 2010, a service complaint may not be made about the matter after the end of the qualifying period for a claim as determined in accordance with section 129 of that Act.

(6) A person may make a service complaint after the end of the period in whichever of paragraphs (1) and (4) applies to the complaint if, in all the circumstances, the specified officer considers it is just and equitable to allow this.

(7) Where a person makes a service complaint about a matter, and it appears to the specified officer that the person is expected or required to comply with another formal system for consideration of that matter, the specified officer may stay consideration of part or all of the complaint until the person has exhausted the process provided for under that other formal system.

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(1) 2010 c. 15; Part 9 was amended by paragraphs 12 to 15 of the Schedule to the Armed Forces (Service Complaints and Financial Assistance) Act 2015 c. 19.