

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Under section 340A(1) and (2) of the Armed Forces Act 2006 a person subject to service law, or who has ceased to be subject to service law, who thinks himself or herself wronged in any matter relating to his or her service, may make a service complaint about the matter.

Regulation 3 of, and the Schedule to, these Regulations specify the matters about which a person may not make a service complaint.

Regulation 4(1) excludes any person who is the subject of the complaint or is alleged to be implicated in any matter in the statement of complaint from being appointed to decide a service complaint, determine an appeal on the complaint or reconsider a service complaint. Service chaplains are also excluded from such appointments. Regulation 4(2) also excludes a person who was appointed to decide a complaint or was involved in its investigation from being appointed to determine an appeal on that complaint.

Regulation 5 specifies the circumstances which require the Defence Council to appoint an independent person or a panel including at least one independent member on an appeal or reconsideration of a service complaint.

Regulation 6 states the events of which the appropriate officer must notify the Service Complaints Ombudsman. It also provides that the officer must do so within 3 weeks of the event occurring.