

Changes to legislation: There are currently no known outstanding effects for the Armed Forces (Service Complaints and Financial Assistance) Act 2015, Paragraph 8. (See end of Document for details)

SCHEDULE

SERVICE COMPLAINTS: CONSEQUENTIAL AMENDMENTS

Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))

- 8 (1) Article 71 of the Race Relations (Northern Ireland) Order 1997 (application to Crown etc) is amended as follows.
- (2) In paragraph (8), for sub-paragraph (b) substitute—
“(b) the complaint has not been withdrawn.”
- (3) After paragraph (8) insert—
“(8A) 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virtue of section 340C(1)(a) of the Armed Forces Act 2006, it is to be treated for the purposes of paragraph (8)(b) as withdrawn if—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 that 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.”
- (4) Omit paragraph (9).
- (5) For paragraph (10) substitute—
“(10) The presentation of a complaint to an industrial tribunal in reliance on paragraph (8) does not affect the continuation of the procedures set out in service complaints regulations.”
- (6) Omit paragraph (11).
- (7) In paragraph (12)—
(a) in the definition of “service complaint”, for “section 334” substitute “section 340A”,
(b) after that definition, insert—
““service complaints regulations” means regulations made under section 340B(1) of that Act;”, and
(c) omit the definition “the service complaint procedures”.

Commencement Information

- II** Sch. para. 8 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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