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STATUTORY INSTRUMENTS

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**1997 No. 2164 (C. 85)**

**DEFENCE**

**The Armed Forces Act 1996 (Commencement  
No. 3 and Transitional Provisions) Order 1997**

*Made - - - - 29th August 1997*

The Secretary of State, in exercise of the powers conferred on him by section 36(2) and (5) of the Armed Forces Act 1996<sup>(1)</sup>, hereby makes the following Order:—

1. This Order may be cited as the Armed Forces Act 1996 (Commencement No. 3 and Transitional Provisions) Order 1997.
2. Sections 20 to 27 of the Armed Forces Act 1996 shall come into force on 1st October 1997.
3. The transitional provisions contained in the Schedule to this Order shall have effect.

29th August 1997

*John Reid*  
Minister of State, Ministry of Defence

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 3

### TRANSITIONAL PROVISIONS

#### Sex discrimination

1. The amendments made by—
  - (a) section 21(4) of the Armed Forces Act 1996 (“the 1996 Act”) to section 85 of the Sex Discrimination Act 1975(2) (“the 1975 Act”), and
  - (b) section 22(4) of the 1996 Act to Article 82 of the Sex Discrimination (Northern Ireland) Order 1976(3),

shall not have effect in relation to any complaint of discrimination contrary to Part II or IV of the 1975 Act, or (as the case may be) Part II or IV of that Order, where the act complained of was done before 1st October 1997.

#### Racial discrimination

2. The amendments made by section 23 of the 1996 Act to section 75 of the Race Relations Act 1976(4) shall not have effect in relation to any complaint of discrimination contrary to Part II or IV of that Act where the act complained of was done before 1st October 1997.

#### Equal treatment

3.—(1) Section 7A(5) of the Equal Pay Act 1970(5) (as inserted by section 24(2) of the 1996 Act) shall not have effect in relation to any complaint in respect of a claim falling within section 7A(3) of that Act, if the period of service during which the claim arose ended before 1st October 1997.

(2) Section 6A(5) of the Equal Pay Act (Northern Ireland) 1970(6) (as inserted by section 25(2) of the 1996 Act) shall not have effect in relation to any complaint in respect of a claim falling within section 6A(3) of that Act, if the period of service during which the claim arose ended before 1st October 1997.

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### EXPLANATORY NOTE

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

This Order brings into force on 1st October 1997 sections 20 to 27 of the Armed Forces Act 1996 (which relate to applications for redress of complaints and complaints to industrial tribunals). The amendments made by sections 21 to 25 are subject to the transitional provisions specified in the Schedule to the Order.

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(2) 1975 c. 65; section 85(4) was amended by S.I. 1994/3276.  
(3) S.I. 1976/1042 (N.I.15); Article 82(5) was amended by S.R. (N.I.) 1995 No. 318.  
(4) 1976 c. 74.  
(5) 1970 c. 41.  
(6) 1970 c. 32 (N.I.).

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## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
ss. 2, 6 and 7, 11 to 14 and Sch 4, 18 and 19, 30 to 33, 35 (partially), Sch 6 (partially) and Sch 7 (partially)	1st October 1996	<a href="#">S.I. 1996/2474</a>
ss. 5, 9, 10, 15 to 17, 28, 29, 35 (partially), Sch 6 (so far as not already in force) and Sch 7 (partially)	1st April 1997	<a href="#">S.I. 1997/304</a>