
STATUTORY INSTRUMENTS

2015 No. 1969

**The Armed Forces (Service Complaints and
Financial Assistance) Act 2015 (Transitional
and Savings Provisions) Regulations 2015**

PART 4

Additional transitional and savings provisions

Allegations under section 338 to be treated as allegations under section 340N

15.—(1) Where, immediately before the commencement date, the Service Complaints Commissioner has under consideration the question of whether to refer an allegation to the relevant officer under section 338(2), the Service Complaints Ombudsman is to consider whether to refer the allegation to the appropriate officer under section 340N(1).

(2) Paragraph (3) applies where immediately before the commencement date—

- (a) the Commissioner has referred an allegation to the relevant officer under section 338(2); but
- (b) the officer has not ascertained whether the person named in the communication in which the allegation is contained wishes to make a service complaint.

(3) The allegation is to be treated as an allegation referred by the Ombudsman to the appropriate officer under section 340N(1).

(4) In relation to an allegation to which paragraph (3) applies, the requirements in section 340N(3) (a) and (b) (steps to be taken by the appropriate officer following the referral of an allegation) are to be treated as having been complied with to the extent that the relevant officer complied with the equivalent provisions in section 338(3)(a) and (b) before the commencement date.