STATUTORY INSTRUMENTS

2026 No. 1068

DEFENCE

The Armed Forces (Service Complaints) (Amendment) (No. 2) Regulations 2026

Made - - - -	*5th October 2026*
Laid before Parliament	*12th October 2026*
Coming into force - -	*3rd November 2026*

The Defence Council makes these Regulations in exercise of the powers conferred by sections 340B(1), (2) and (4) and 373(5) of the Armed Forces Act 2006(**a**).

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Armed Forces (Service Complaints) (Amendment) (No. 2) Regulations 2026 and come into force on 3rd November 2026.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland, the Isle of Man and the British Overseas Territories except Gibraltar.

(3) In these Regulations, "the 2015 Regulations" means the Armed Forces (Service Complaints) Regulations 2015(**b**).

Amendment of the 2015 Regulations

2.—(1) The 2015 Regulations are amended as follows.

(2) In regulation 2(1) (interpretation), for "officer", in both places it occurs, substitute "person".

(3) In regulation 3 (specified officer)—

(a) in the heading, for "specified officer" substitute "specified person";

(b) in paragraph (1), for "specified officer is an officer" substitute "specified person is a person";

(c) in paragraph 2—

(i) for "the officer" substitute "the person";

(ii) for "specified officer", in both places it occurs, substitute "specified person";

(iii) for "an officer" substitute "a person".

(**a**) 2006 c. 52; section 340B was inserted by section 2(1) of the Armed Forces (Service Complaints and Financial Assistance) Act 2015 (c. 19) and amended by section 3 of, and paragraphs 10(a) and 12(a) to Schedule 2 to, the Armed Forces Commissioner Act (c. 23). The Defence Council is treated as if it were a Minister of the Crown for the purposes of the Statutory Instruments Act 1946 (c. 36) by virtue of section 373(2) of the Armed Forces Act 2006.

(**b**) S.I. 2015/1955, amended by S.I. 2022/494, S.I. 2026/21.

(4) In regulation 4(1) (procedure for making a service complaint), for "officer" substitute "person".

(5) In regulation 5 (action on receipt of a service complaint and admissibility), for "officer", in each place it occurs, substitute "person".

(6) In regulation 6 (period for making a service complaint and power to stay)—

(a) in paragraphs (3) and (7), for "person", in each place it occurs, substitute "complainant";

(b) in paragraphs (3), (6) and (7) for "specified officer", in each place it occurs, substitute "specified person".

(7) In regulation 7 (Commissioner's review of admissibility)—

(a) for "officer's", in both places it occurs, substitute "person's";

(b) for "officer", in both places it occurs, substitute "person".

(8) In regulation 8 (application of these regulations where further matters raised by way of complaint), for "officer" substitute "person".

(9) In regulation 9(1) (decisions on a service complaint), for "officer" substitute "person".

Transitional Provisions

3.—(1) For the purposes of regulation 5 of the 2015 Regulations, where a statement of complaint was received by the specified officer before 3rd November 2026, it is to be treated as having been received by the specified person.

(2) For the purposes of regulation 7 of the 2015 Regulations, any decision made by the specified officer before 3rd November 2026 that a service complaint is not admissible is to be treated as a decision made by the specified person.

(3) In this regulation, "specified officer" has the meaning given in regulation 2 of the 2015 Regulations as they had effect immediately before the date on which these regulations come into force.

On behalf of the Defence Council

Calvin Bailey
Richard Knighton
Members of the Defence Council
Ministry of Defence

5th October 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Armed Forces (Service Complaints) Regulations 2015 (S.I. 2015/1955) ("the 2015 Regulations").

The Regulations substitute references to a "specified officer" in the 2015 Regulations with references to a "specified person". This reflects changes to the service complaints system, made by the Armed Forces Commissioner Act 2025 (c. 23), which allow functions previously exercisable only by an officer to be exercised by any person appointed by the Defence Council.

Regulation 3 makes transitional provision for service complaints submitted, and admissibility decisions made, before 3rd November 2026. A complaint received by the specified officer before that date is to be treated from that date as if it had been received by the specified person under the amended regime. Where the specified officer decided before 3rd November that a service complaint was not admissible, that decision is treated for the purposes of regulation 7 of the 2015 Regulations as a decision of the specified person.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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ISBN 978-0-34-828752-3

£6.40

http://www.legislation.gov.uk/id/uksi/2026/1068

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