

2025 No. XXXX

**The Armed Forces (Armed Forces Commissioner) Regulations
2025**

Made - - - -

Laid before Parliament

Coming into force

The Secretary of State makes these Regulations in exercise of the powers conferred by section 340IA(8) of the Armed Forces Act 2006(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Armed Forces (Armed Forces Commissioner) Regulations 2025.

(2) These Regulations come into force on ***.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Relevant family members

2.—(1) A person is a “relevant family member” for the purposes of section 365AA and section 340IA of the Armed Forces Act 2006 where, in relation to a person subject to service law (A), the person is any of the following—

- (a) A’s spouse or civil partner;
- (b) a child of A or of A’s spouse or civil partner;
- (c) a person whose child is A;
- (d) a brother or sister, or step-brother or step-sister of A;
- (e) a relative of A or of A’s spouse or civil partner where the relative is one of the following—
 - (i) a member of A’s household,
 - (ii) wholly or mainly financially dependent on A or A’s spouse or civil partner, or
 - (iii) someone for whom A or A’s spouse or civil partner has assumed regular and substantial caring responsibilities;
- (f) where A is deceased, anyone who was a relevant family member of A under sub-paragraphs (a) to (e) immediately before A’s death.

(2) In this regulation—

(a) 2006. c. 52. Sections 365AA and 340IA were inserted by sections 1 and 4 of the Armed Forces Commissioner Act (c. ***).

“child” means a person (C) who meets one or more of the following conditions in relation to another person (P)—

- (a) P is the parent or step-parent of the child;
- (b) P has or had parental responsibility for C within the meaning of section 3 of the Children Act 1989(a);
- (c) C, while under the age of 18 years, is or was—
 - (i) wholly or mainly financially dependent on P, or
 - (ii) someone for whom P has or had assumed regular and substantial caring responsibilities.

“relative” in relation to A or A’s spouse or civil partner, means any of the following—

- (a) a parent or step-parent of A’s spouse or civil partner;
- (b) a grandparent, step-grandparent, great-grandparent, step-great-grandparent, grandchild, step-grandchild, great-grandchild or step-great-grandchild of A or of A’s spouse or civil partner;
- (c) the brother or sister, or step-brother or step-sister of A’s spouse or civil partner;
- (d) the uncle, great-uncle, aunt, great-aunt, niece, great-niece, nephew, great-nephew or first cousin (including by marriage or civil partnership) of A or of A’s spouse or civil partner.

(3) For the purposes of this regulation, references to A’s spouse or civil partner includes—

- (a) a person whose relationship with A is akin to a relationship between spouses or civil partners;
- (b) a former spouse or civil partner or a person whose relationship with A was formerly akin to a relationship between spouses or civil partners.

(4) For the purposes of paragraph (1)(e), references to a person being a member of A’s household includes references to a person who would be living in the same household as A but for the fact that A is temporarily living at another address for service reasons.

Minister for the Armed Forces
Ministry of Defence

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision under the Armed Forces Act 2006 (“the Act”) in relation to the Armed Forces Commissioner.

Regulation 2 specifies those persons who are relevant family members of persons subject to service law for the purposes of section 365AA and section 340IA of the Act.

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.

(a) 1989 c. 41.