



Pensions Act 1995

1995 CHAPTER 26

PART IV

MISCELLANEOUS AND GENERAL

War Pensions

169 Extensions of Pensions Appeal Tribunals Act 1943

- (1) The Pensions Appeal Tribunals Act 1943 is amended as follows.
- (2) In section 1 (appeals against rejection of war pension claims made in respect of members of armed forces)—
 - (a) in subsection (1), after “administered by the Minister” there is inserted “or under a scheme made under section 1 of the Polish Resettlement Act 1947”, and
 - (b) in subsections (3) and (3A), for “or Order of His Majesty” there is substituted “, Order of Her Majesty or scheme”.
- (3) In section 7 (application of Act to past decisions and assessments)—
 - (a) in subsection (2), at the beginning there is inserted “Subject to subsection (2A) of this section,”, and
 - (b) after that subsection, there is inserted—

“(2A) Subsection (2) of this section shall not apply in relation to any decision given by the Minister before the passing of this Act which corresponds, apart from any difference of the kind referred to in that subsection, with such a decision as is referred to in section 1 of this Act in respect of claims made under the scheme referred to in that section.”
- (4) In section 10 (power to modify sections 1 to 4 by Order in Council), in subsections (1) and (2), for “or Order of His Majesty” there is substituted “, Order of Her Majesty or scheme”.

Status: This is the original version (as it was originally enacted).

- (5) In section 12 (interpretation), in the definition of “relevant service”—
- (a) for “or Order of His Majesty” there is substituted “, Order of Her Majesty or scheme”, and
 - (b) for “or Order” there is substituted “, Order or scheme”.
- (6) In the Schedule (constitution, jurisdiction and procedure of Pensions Appeal Tribunals), in paragraph 3(2), after paragraph (b) there is inserted—
- “(ba) if the claim was made under the scheme referred to in section 1 of this Act in respect of a person who is treated under the scheme as an officer, shall be a retired or demobilised officer of Her Majesty’s naval, military or air forces;
 - (bb) if the claim was made under the aforesaid scheme in respect of a person who is treated under the scheme as a soldier, shall be a discharged or demobilised member of any of the said forces who was not at the time of his discharge or demobilisation an officer;”.