

*Status: Point in time view as at 21/07/2008.*

*Changes to legislation: There are currently no known outstanding effects for the War Pensions (Administrative Provisions) Act 1919. (See end of Document for details)*

## SCHEDULE

Section 8.

### CONSTITUTION, JURISDICTION, AND PROCEDURE OF PENSIONS APPEAL TRIBUNALS

- 1 Pensions appeal tribunals shall be constituted for such parts of, or places in, the United Kingdom as the Lord Chancellor, after consultation with the Minister of Pensions, may determine.
- 2 The members of each tribunal shall be appointed by the Lord Chancellor, and shall consist of—
  - (i) one legal representative, . . . <sup>F1</sup>; and
  - <sup>F2</sup>(ii) a person who has served in Her Majesty’s Forces]
  - (iii) a duly qualified medical practitioner.

#### Textual Amendments

- F1** Words repealed by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), [Sch. 10 para. 2\(1\)](#), [Sch. 20](#)
- F2** [Para. 2\(ii\)](#) substituted by [Administration of Justice Act 1965 \(c. 2\)](#), [s. 29](#)

- <sup>F3</sup>2A For the purposes of paragraph 2(i) the legal representative shall be—
- <sup>F4</sup>(a) a person who satisfies the judicial-appointment eligibility condition on a 5-year basis;]
  - (b) an advocate or solicitor in Scotland of at least <sup>F5</sup> years’ standing; or
  - (c) a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least <sup>F6</sup> years’ standing.]

#### Textual Amendments

- F3** [Sch. para. 2A](#) inserted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), [Sch. 10 para. 2\(2\)](#)
- F4** [Sch. para. 2A\(a\)](#) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 1\(2\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)
- F5** Word in [Sch. para. 2A\(b\)](#) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 1\(3\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)
- F6** Word in [Sch. para. 2A\(c\)](#) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 1\(3\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)

- 3 In the case of a casual vacancy on a pensions appeal tribunal the Lord Chancellor may appoint a similarly qualified person to fill the vacancy.
- 4 The legal representative shall be the chairman of each tribunal.
- 5 The number of members of a tribunal to hear any particular case shall be three. Where the claim is that of an officer the second member shall be an officer, and where the claim to be heard is that of a man, the second member shall be a man.
- 6 There shall be paid to the members of pensions appeal tribunals such remuneration as the Treasury may determine, and any such remuneration and any expenses which may be incurred by a tribunal up to such amount as is sanctioned by the Treasury shall be paid out of moneys provided by Parliament.

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- 7 No court fees shall be charged on the hearing of any case before a pensions appeal tribunal.
- 8 Subject as aforesaid, the Lord Chancellor may make regulations with respect to the procedure of pensions appeal tribunals, and may by such regulations provide for . . .  
<sup>F7</sup>the summoning of expert and other witnesses, the representation of the claimants and the Ministry at the hearing of any appeal, the arrangements for the sittings of the tribunals (including the sitting of more than one tribunal in the same area) the particular cases which any tribunal shall hear, and such other matters as may be required for the due and speedy determination of appeals.

#### Textual Amendments

**F7** Words repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. III](#)

- 9 “Lord Chancellor” shall mean, in the application of this schedule to Scotland, the Lord President of the Court of Session, and in its application to Ireland, the Lord Chancellor of Ireland.

#### Modifications etc. (not altering text)

**C1** Office of Lord Chancellor of Ireland abolished by [Irish Free State \(Consequential Provisions\) Act 1922 \(Session 2.\) \(c. 2\)](#), s. 2, [Sch. 2 Pt. II](#) and this Act in its application to Northern Ireland amended with the substitution for references in [Sch.](#) to Lord Chancellor of Ireland of references to Secretary of State by [S.R. & O. 1923/359 \(Rev. XVII, p. 666: 1923, p. 764\)](#)

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