



Pensions Appeal Tribunals Act 1943

1943 CHAPTER 39 6 and 7 Geo 6

3 Appeals against rejection of war pension claims made in respect of civil defence volunteers and other civilians.

- (1) Where any claim in respect of the incapacity for work, disablement or death of any person made under any scheme made under section one of the ^{M1}Personal Injuries (Emergency Provisions) Act 1939 is rejected by the Minister on the ground that the incapacity for work or the disablement was not caused by, or the death was not the direct result of, a war injury, or, in the case of a civil defence volunteer, a war service injury, the Minister shall notify the claimant of his decision, specifying that it is made on that ground, and thereupon an appeal shall lie to the [^{F1}appropriate tribunal] on the issue whether the claim was rightly rejected on that ground.
- (2) Where an appeal is brought under the last foregoing subsection in any case where the Minister has refused to certify an injury sustained by a civil defence volunteer as a war service injury or has revoked such a certificate, the [^{F1}appropriate tribunal] shall consider whether it is a physical injury (as defined by section five of the ^{M2}Pensions (Mercantile Marine) Act 1942) which arose out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time when the injury was sustained, and (except in the case of a war injury), did not arise out of and in the course of his employment in any other capacity, and if they decide that question in the affirmative, the injury shall be deemed for the purposes of the Personal Injuries (Emergency Provisions) Act 1939 and any scheme made thereunder to have been certified by the Minister as a war service injury.

Textual Amendments

F1 Words in s. 3(1)(2) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), [Sch. 3 para. 7](#)

Modifications etc. (not altering text)

C1 Ss. 2–3 amended by [S.I. 1980/1082](#), [arts. 3, 5](#)

Marginal Citations

M1 1939 c. 82.

Changes to legislation: *There are currently no known outstanding effects for the Pensions Appeal Tribunals Act 1943, Section 3. (See end of Document for details)*

M2 1942 c. 26.

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