
STATUTORY INSTRUMENTS

1983 No. 686

The Personal Injuries (Civilians) Scheme 1983

PART VI

GENERAL PROVISIONS

Injuries sustained outside the United Kingdom

60.—(1) Except in so far as the Secretary of State may otherwise direct with respect to any particular case or class of case and subject to the provisions of paragraph (3) of this Article, an award under this Scheme shall not be made in respect of a qualifying injury sustained in the Isle of Man.

(2) Subject to the following provisions of this Article, an award under this Scheme shall not be made in respect of a qualifying injury sustained outside the United Kingdom by—

- (a) a person ordinarily resident outside the United Kingdom; or
- (b) a person ordinarily resident in the United Kingdom while absent from the United Kingdom for personal, domestic or pleasure purposes.

(3) Nothing in the foregoing provisions of this Article shall preclude the making of an award under this Scheme in respect of—

- (a) a war service injury sustained by a civil defence volunteer;
- (b) a war injury sustained by a person ordinarily resident in the United Kingdom while travelling by sea or by air from or to any place in the United Kingdom to or from any other place in the United Kingdom or any place in the Irish Republic or in the Isle of Man;
- (c) a war injury sustained outside the United Kingdom and the Isle of Man by an overseas volunteer—
 - (i) in the course of a journey which he made for the purpose of undertaking a war occupation; or
 - (ii) in the course of a journey which he made for the purpose of leaving any place to which he had made any such journey as aforesaid or for the purpose of leaving any country in which he had carried on a war occupation, being a journey made at the expense of public funds;
- (d) a war injury sustained by an overseas volunteer ordinarily resident in the Irish Republic in the course of a journey which he made from or to the said Republic to or from the United Kingdom if he made the journey while he was on leave or holiday from a war occupation in which he was engaged or the journey was the first journey to the said Republic which he had made since he was last engaged in a war occupation;
- (e) a war injury sustained in enemy territory or in territory which was, at the material date, occupied by the enemy—
 - (i) by a British subject who was born in the United Kingdom or by the wife of such a British subject or by a woman who was born in the United Kingdom and would have been a British subject but for her marriage to a person not of British nationality;

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- (ii) by a person whose death has occurred as the direct result of the injury if the claimant is either his widow who was born in the United Kingdom and is a British subject or but for her marriage to the deceased person would be a British subject, or, where that widow has also died, is his dependent child:

Provided that an award which can be made only by virtue of this sub-paragraph shall be at the discretion of the Secretary of State and shall not be made unless the person to whom or for whose benefit it may be made is residing in the United Kingdom.

(4) In this Article—

- (a) “overseas volunteer” means a person ordinarily resident outside the United Kingdom who had, in accordance with arrangements made by or on behalf of His Majesty's Government in the United Kingdom, volunteered or been required to undertake a war occupation; and
- (b) “war occupation”, in relation to an overseas volunteer, means service as a member of the armed forces of the Crown raised or established in the United Kingdom, work which might be selected for that volunteer by or on behalf of His Majesty's Government in the United Kingdom, or any other work which the Secretary of State considers it was in the national interest for the volunteer to perform during the period of the emergency.