



# Pensions Appeal Tribunals Act 1949

## 1949 CHAPTER 12

An Act to amend the Pensions Appeal Tribunals Act, 1945. [9th March 1949]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

### **1 Extension of Act to claims arising otherwise than out of war service.**

- (1) For the words " war service " wherever those words occur in section one of the Pensions Appeal Tribunals Act, 1943, as in force at the date of the passing of this Act, there shall be substituted the words " any relevant service ", and for the definition in section twelve of that Act of the expression "war service " there shall be substituted the following definition—

“ relevant service ' in relation to any claim made under any such Royal Warrant, Order in Council or Order of His Majesty as is referred to in section one of this Act means any service which, under that Royal Warrant, Order in Council or Order, is relevant for the purposes of that claim.”

- (2) No appeal shall lie under the said section one from the rejection of a claim in connection with service before the third day of September, nineteen hundred and thirty-nine, and references in that Act to the claims referred to in the said section one shall not be deemed to include references to any such claim.

### **2 Appeals arising out of ex gratia awards.**

Where, before the passing of this Act, any claim in respect of the disablement of any person has been made under any such Royal Warrant, Order in Council or Order of His Majesty as is referred to in section one of the Pensions Appeal Tribunals Act, 1943, or has been made under any such scheme as is referred to in section two or section three of that Act and that claim was rejected and that rejection was confirmed on appeal under that Act and, whether before or after the passing of this Act, an ex gratia award is made by the Minister with the consent of the Treasury in respect of that disablement,

section five of that Act (which relates to the assessment of the extent of disablement) and, where the claim was made under any such Royal Warrant, Order in Council or Order as aforesaid, the said section one, so far as it relates to the rejection of a claim on the ground that the injury on which it is based no longer remains aggravated by any relevant service, shall apply in relation to that ex gratia award as if it had been an award duly made under the Royal Warrant, Order in Council, Order or scheme on the original claim.

### **3 Expenses.**

Any increase resulting from any of the provisions of this Act in the expenses which, under paragraph 8 of the Schedule to the Pensions Appeal Tribunals Act, 1943, are to be defrayed out of moneys provided by Parliament shall be defrayed out of moneys so provided.

### **4 Short title, construction, citation and extent.**

- (1) This Act may be cited as the Pensions Appeal Tribunals Act, 1949, and shall be construed as one with the Pensions Appeal Tribunals Act, 1943, and that Act and this Act may be cited together as the Pensions Appeal Tribunals Acts, 1943 and 1949.
- (2) It is hereby declared that this Act extends to Northern Ireland.