



Personal Injuries (Emergency Provisions) Act 1939

1939 CHAPTER 82 2 and 3 Geo 6

8 Interpretation.

(1) In this Act, unless the context otherwise requires,—

“civil defence organisation” means any organisation established for civil defence purposes which is declared by a scheme to be a civil defence organisation for the purpose of this Act and the scheme;

“civil defence volunteer,” in relation to an injury, means a person certified by a responsible officer of a civil defence organisation to have been a member of that organisation at the time when the injury was sustained;

^{F1}
...

“gainfully occupied person” means a person who is engaged in any trade, business, profession, office, employment or vocation and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally so engaged and dependent;

“the Minister” means [^{F2}the Secretary of State];

“period of the present emergency” means the period beginning with the commencement of this Act, and ending with such date as His Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end;

“scheme” means a scheme made under this Act;

“war injuries” means physical injuries—

(a) caused by—

- (i) the discharge of any missile (including liquids and gas); or
- (ii) the use of any weapon, explosive or other noxious thing; or
- (iii) the doing of any other injurious act;

either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(b) caused by the impact on any person or property of any enemy aircraft, or any aircraft belonging to, or held by any person on behalf of or for the benefit of,

Changes to legislation: There are currently no known outstanding effects for the Personal Injuries (Emergency Provisions) Act 1939, Section 8. (See end of Document for details)

His Majesty or any allied power, or any part of, or anything dropped from, any such aircraft;

“war service injury” in relation to a civil defence volunteer, means any physical injury which the Minister certifies to have been shown to his satisfaction to have arisen 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) not to have arisen out of and in the course of his employment in any other capacity.

- (2) No certificate shall be given by the Minister in relation to the definition of “war service injury” in the foregoing subsection, unless he has been furnished with a report about the injury in question by a responsible officer of the civil defence organisation of which the volunteer concerned was a member at the time when the injury was sustained and any such certificate may be revoked by the Minister at any time on new facts being brought to his notice.

Textual Amendments

- F1** Words in s. 8(1) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 11](#)
F2 Words substituted by virtue of [S.I. 1953/1198 \(1953 I, p. 1228\)](#), arts. 2(c), 5(4), [Ministry of Social Security Act 1966 \(c. 20\), s. 2](#) and [S.I. 1968/1699, arts. 2, 5\(4\)\(a\)](#)

Modifications etc. (not altering text)

- C1** Definitions of “war injuries” and “war service injury” explained by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), s. 5](#)

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