



War Pensions (Administrative Provisions) Act 1919

1919 CHAPTER 53 9 and 10 Geo 5

8 Appeals ^{F1}...

(1) ^{F2}where the claim of the widow or [^{F3}surviving civil partner or the orphan,][^{F4}parent or dependant] of an officer or man under any such Royal Warrant or Order in Council is rejected on the ground

- (i) that the death of the officer or man was not due to, or that the disease from which he died was not attributable to or aggravated by, such service, nor, in the case of a man, contracted or commenced while he was on active service, or
- (ii) that the death of the officer or man was due to his serious negligence or misconduct,

an appeal shall lie to [^{F5}the appropriate tribunal, whose decision shall be final (subject, in the case of a decision of the First-Tier Tribunal, to provision made by or under Chapter 2 of Part 1 of the Tribunals, Courts and Enforcement Act 2007).]

[^{F6}(1A) For the purposes of subsection (1) above “the appropriate tribunal” means—

- (a) in relation to England and Wales, the First-tier Tribunal;
- (b) in relation to Scotland, a Pensions Appeal Tribunal for Scotland established under this section; and
- (c) in relation to Northern Ireland, a Pensions Appeal Tribunal for Northern Ireland established under this section.]

(2) Pensions Appeal Tribunals shall be established for [^{F7}Scotland and Northern Ireland], in accordance with the provisions of the Schedule to this Act. The provisions of that Schedule shall have effect in relation to the constitution, jurisdiction and procedure [^{F8}of those tribunals].

(3) ^{F9}

(4) ^{F10}

Changes to legislation: There are currently no known outstanding effects for the War Pensions (Administrative Provisions) Act 1919, Section 8. (See end of Document for details)

Textual Amendments

- F1** Words in s. 8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 2(a)**
- F2** Words repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. III**
- F3** Words in s. 8(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(a), **Sch. 26 para. 10**; S.I. 2005/3175, art. 2(1), Sch. 1
- F4** Words inserted by [War Pensions Act 1920 \(c. 23\)](#), s. 8(2)
- F5** Words in s. 8(1) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 2(b)**
- F6** S. 8(1A) inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 2(c)**
- F7** Words in s. 8(2) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 2(d)(i)**
- F8** Words in s. 8(2) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 2(d)(ii)**
- F9** S. 8(3) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. III**
- F10** Ss. 1(2), 4—6, 8(4) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

- C1** S. 8 amended by [War Pensions Act 1921 \(c. 49\)](#), s. 6
- C2** S. 8(2) transfer of functions (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), arts. 1(1), 3(1), 4, 5, **Sch. 1** Table 1 (with Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the War Pensions (Administrative Provisions) Act 1919, Section 8.