



Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939

1939 CHAPTER 83

3 Awards to mariners in respect of war injuries and detention

- (1) The Minister may with the consent of the Treasury make a scheme for—
 - (a) applying the provisions of any Naval War Pensions Order to mariners in cases where their death or disablement is directly attributable to war injuries sustained by reason of their service in British ships, or to detention caused by reason of such service; and
 - (b) the payment of allowances to or for the benefit of mariners detained as aforesaid, or to or for the benefit of the dependants of mariners so detained.
- (2) For the purpose of this section a mariner shall be deemed to have sustained a war injury, or to have been detained, by reason of his service in a British ship, if he sustained the injury, or if the capture in consequence of which the detention occurs is effected—
 - (a) while he is in the service of a British ship; or
 - (b) while he is proceeding by sea, or by land or air outside the British Islands, to a British ship for the purpose of being in the service thereof; or
 - (c) while he is returning by sea, or by land or air outside the British Islands, to the British Islands or to the country to which he belongs from a British ship after being in the service thereof; or
 - (d) while he is outside the British Islands on leave from a British ship which for the time being is in a port outside the British Islands.
- (3) If it appears to the Minister that the awards that could be authorised by the provisions of a scheme made by virtue of paragraph (a) of subsection (1) of this section would, in the case of mariners of any particular class, be inappropriate to the conditions of their employment or engagement, he may, with the consent of the Treasury, in lieu of making provision for the application in their case of a Naval War Pensions Order, make a scheme authorising in their case awards on account of the like matters as if the scheme were made under those provisions, but of such amount and character as may be specified in the scheme.