



# Pensions Appeal Tribunals Act 1943

1943 CHAPTER 39 6 and 7 Geo 6

## 12 Interpretation.

(1) In this Act the following expressions have the meanings hereby respectively assigned to them:—

[<sup>F1</sup>“the appropriate tribunal” means the First-tier Tribunal or a Pensions Appeal Tribunal for Scotland or Northern Ireland (and see paragraphs 6 to 6B of the Schedule for determining which of those tribunals hears an appeal under this Act);]

“detention” and “war injuries” have the same meanings as in the <sup>M1</sup>Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, as amended by the <sup>M2</sup>Pensions (Mercantile Marine) Act 1942;

<sup>F2</sup> .....

“civil defence organisation” means any organisation established for civil defence purposes which is declared by a scheme made under the <sup>M3</sup>Personal Injuries (Emergency Provisions) Act 1939, to be a civil defence organisation for the purpose of the said Act and the scheme;

“civil defence volunteer” and “war service injury” have the same meanings as in the <sup>M4</sup>Personal Injuries (Emergency Provisions) Act 1939, as amended by the <sup>M5</sup>Pensions (Mercantile Marine) Act 1942;

<sup>F3</sup> .....

<sup>F4</sup> .....

“His Majesty’s naval, military or air forces” include . . . <sup>F5</sup>any . . . <sup>F5</sup>auxiliary service of any of His Majesty’s said forces;

“injury”, in relation to any such claim as is referred to in section one of this Act, includes wound or disease;

[<sup>F6</sup>“Northern Ireland Social Security Commissioner” means the Chief Social Security Commissioner or any other Social Security Commissioner appointed under the Social Security Administration (Northern Ireland) Act 1992 [<sup>F7</sup>, and includes a tribunal of Commissioners constituted under section 6D(5) of this Act];]

[<sup>F8</sup>[<sup>F9</sup>“the Minister” means [<sup>F10</sup>(subject to subsection (1A) below)] the Secretary of State;]]

*Changes to legislation: There are currently no known outstanding effects for the Pensions Appeal Tribunals Act 1943, Section 12. (See end of Document for details)*

“war risk injury” means an injury falling within section one of the <sup>M6</sup>Pensions (Mercantile Marine) Act 1942, except that, in relation to the persons referred to in subsection (4) of section four of that Act, it means an injury falling within the said section one as amended by the said subsection (4);

[<sup>F11</sup>“relevant service” in relation to any claim made under any such Royal Warrant, Order in Council [<sup>F12</sup>, Order of Her Majesty or scheme] as is referred to in section one of this Act means any service which, under that Royal Warrant, Order in Council [<sup>F12</sup>, Order or scheme], is relevant for the purposes of that claim.]

[<sup>F13</sup>(1A) In relation to a claim under a scheme mentioned in section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004 (compensation schemes for armed and reserve forces), references in this Act to the Minister shall be read as references to the person administering the scheme.]

(2) References in this Act to the rejection of a claim or the withholding of an award shall be construed as including references to the cancellation of an award made on a claim.

#### Textual Amendments

- F1** S. 12: definition of "the appropriate tribunal" inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 20(a)**
- F2** S. 12: definition of "Chief Commissioner" omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 20(b)**
- F3** S. 12: definition of "Commissioner" omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 20(c)**
- F4** S. 12: definition of "Great Britain Social Security Commissioner" omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 20(d)**
- F5** Words repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 28(2), **Sch. 5 Pt. I**
- F6** S. 12(1): definition of 'Northern Ireland Social Security Commissioner' inserted (6.4.2005) by [Armed Forces \(Pensions and Compensation\) Act 2004 \(c. 32\)](#), ss. 5, 8, **Sch. 1 para. 7(2)(b)**; [S.I. 2005/356](#), **art. 2(2)**, Sch. 2
- F7** S. 12: words in definition of "Northern Ireland Social Security Commissioner" inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 20(e)**
- F8** Definition of “the Minister” substituted by [S.I. 1981/1541](#), **art. 2**
- F9** S. 12(1): definition of “the Minister” substituted (3.12.2001) by [S.I. 2001/3506](#), art. 5, **Sch. para. 1**
- F10** S. 12(1): words in definition of 'The Minister' inserted (6.4.2005) by [2004 c. 32](#), ss. 5, 8, **Sch. 1 para. 7(2)**; [S.I. 2005/356](#), **art. 2(2)**, Sch. 2
- F11** Definition substituted by [Pensions Appeal Tribunals Act 1949 \(c. 12\)](#), **s. 1(1)**
- F12** Words in s. 12 substituted ([E.W.S.](#))(2.10.1995) by [1995 c. 26](#), **s. 169(5)**; [S.I. 1995/2548](#), **art. 2**
- F13** S. 12(1A) inserted (6.4.2005) by [Armed Forces \(Pensions and Compensation\) Act 2004 \(c. 32\)](#), ss. 5, 8, {[Sch. 1 para. 7\(3\)](#)}; [S.I. 2005/356](#), **art. 2(2)**, Sch. 2

#### Marginal Citations

- M1** 1939 c. 83.  
**M2** 1942 c. 26.  
**M3** 1939 c. 82.  
**M4** 1939 c. 82.  
**M5** 1942 c. 26.  
**M6** 1942 c. 26.

**Changes to legislation:**

There are currently no known outstanding effects for the Pensions Appeal Tribunals Act 1943, Section 12.