

**Personal Injuries (Emergency Provisions) Act
(CHAPTER 228)**

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PERSONAL INJURIES (EMERGENCY PROVISIONS) ACT

(CHAPTER 228)

(Original Enactment: Ordinance 50 of 1941)

REVISED EDITION 1985

(30th March 1987)

An Act to make provision as respects certain personal injuries sustained during the period of the emergency extending from 8th December 1941 to 15th September 1945.

[8th December 1941]

Short title

1. This Act may be cited as the Personal Injuries (Emergency Provisions) Act.

Interpretation

- 2.—(1) In this Act unless the context otherwise requires —

“Authority” means the officer or person for the time being appointed as such under section 3;

“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;

“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;

“period of the emergency” means the period beginning with the commencement of this Act and ending on 15th September 1945*;

* Declared by G.N. No. 1202/50 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);
 - (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 during the training or exercising of
armed forces; 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 Her 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 Authority 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.

[S (NS) 179/59]

(2) No certificate shall be given by the Authority in relation to the definition of “war service injury” in subsection (1), 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 Authority at any time on new facts being brought to his notice.

Appointment of Authority

3.—(1) The President may appoint an Authority for the purposes of this Act.

[S (NS) 179/59]

(2) Such appointment may be made by name or office and, if made by office, shall relate to any officer who at the time of the appointment or thereafter is performing the duties of that office.

Allowances and pensions in respect of certain war injuries and war service injuries

4.—(1) The President may make a scheme in accordance with the provisions of this Act providing for the making of payments in respect of the following injuries sustained during the period of the emergency: