1967 No. 876

PENSIONS

The Injury Warrant 1967

Made - - -	*7th June* 1967
Laid before Parliament	14*th June* 1967
Coming into Operation	15*th June* 1967

The Treasury, in exercise of the powers conferred on them by section 18 of the Superannuation Act 1965(a), as amended by section 1 of the Superannuation (Miscellaneous Provisions) Act 1967(b), and as extended by section 6 of the Ministerial Salaries Consolidation Act 1965(c), and of all other powers enabling them in that behalf, hereby direct as follows:—

1. The Injury Warrant 1952(d), as amended(e), shall have effect as if—

(*a*) in paragraph 4 after sub-paragraph (1)(*a*) there were inserted the following:—

"(*aa*) is injured, while in an area outside the United Kingdom for the purposes of his employment, by some injury which is directly attributable to the existence in or near that area of a state of war, revolution, or serious and widespread internal disturbance, or is the direct result of deliberate acts of the local population or of sporadic political disturbances, and which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, or";

(*b*) for sub-paragraph (1)(*d*) of paragraph 5 there were substituted the following:—

"(*d*) any person employed by Her Majesty's Government in the United Kingdom who is injured otherwise than in the circumstances described in paragraph 4(1)(*aa*) of this Warrant and who, having been recruited in a place outside the United Kingdom, is employed in a place outside the United Kingdom in which the Treasury are satisfied that a satisfactory scheme of compensation for employees injured in the course of their employment is provided under local legislation, being a scheme which is applicable to, or the provisions of which will be applied to, such person.";

(*c*) in paragraph 5 after sub-paragraph (1) there were inserted the following sub-paragraph:—

"(1A) Notwithstanding anything in the last preceding paragraph, this Warrant shall not apply to any person by virtue of paragraph 4(1)(*aa*) of this Warrant, except where, in the opinion of the Treasury, there are special circumstances which justify the application of this Warrant to him, if he was not recruited in the United Kingdom.";

(a) 1965 c. 74.
(b) 1967 c. 28.
(c) 1965 c. 58.
(d) S.I. 1952/60 (1952 II, p. 2400).
(e) S.I. 1965/1024 (1965 I, p. 2496).

(*d*) for sub-paragraph (3) of paragraph 16 there were substituted the following sub-paragraph:—

"(3) For the purposes of this paragraph, no account shall be taken of so much of a disablement pension as represents an increase payable under section 15 of the National Insurance (Industrial Injuries) Act 1965(a) (increase of disablement pension where constant attendance needed) or under section 6 of the National Insurance Act 1966(b) (increase of disablement pension in cases of exceptionally severe disablement).";

(*e*) there were added to paragraph 27 the following sub-paragraph:—

"(3) For the purpose of this paragraph, where compensation is paid, under a scheme of injury compensation provided under local legislation or otherwise, in respect of an injury to, or the death of, a person injured in an area outside the United Kingdom in the circumstances described in paragraph 4(1)(*aa*) of this Warrant, the person to whom or for whose benefit the compensation is paid shall be deemed to recover damages, and the compensation paid shall be deemed to be the damages recovered."

2. Any reference in the Injury Warrant 1957(c) or the Injury Warrant 1965(d) to the provisions of the Injury Warrant 1952 shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any other Warrant, including this Warrant.

3.—(1) Any reference in this Warrant to the provisions of any enactment shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment.

(2) The Interpretation Act 1889(e) shall apply for the interpretation of this Warrant as it applies for the interpretation of an Act of Parliament.

4.—(1) This Warrant may be cited as the Injury Warrant 1967, and the Injury Warrants 1952 to 1965 and this Warrant may be cited together as the Injury Warrants 1952 to 1967.

(2) This Warrant shall come into operation on 15th June 1967.

B. K. O'Malley,
E. Alan Fitch,
Two of the Lords Commissioners
of Her Majesty's Treasury.

7th June 1967.

(a) 1965 c. 52.
(b) 1966 c. 6.
(c) S.I. 1957/1354 (1957 II, p. 1758).
(d) S.I. 1965/1024 (1965 I, p. 2496).
(e) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Warrant)

This Warrant amends the Injury Warrant 1952 which, together with the Injury Warrants 1957 and 1965, provides for the grant of allowances or gratuities to Ministers, civil servants and persons employed by the Government in a civil capacity, who are injured in the discharge of their duties, or, if the injury proves fatal, to their dependants. The Warrant permits such allowances or gratuities to be granted, in respect of injuries attributable to civil disturbances in areas abroad, sustained on or after 14th July, 1949, whether or not sustained in the actual discharge of duty.

This Warrant also amends the provisions in the Injury Warrant 1952 requiring allowances or gratuities to be reduced by the value of certain benefits payable in non-fatal cases under the National Insurance Acts 1965 and 1966, and the National Insurance (Industrial Injuries) Acts 1965 and 1966. The relevant amendment permits the Treasury to disregard, not only constant attendance allowance under section 15 of the National Insurance (Industrial Injuries) Act 1965, as hitherto permitted, but also increases of disablement benefit payable in cases of exceptionally severe disablement under section 6 of the National Insurance Act 1966.