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STATUTORY INSTRUMENTS

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**1994 No. 773**

**PENSIONS**

**The Ulster Defence Regiment (Amendment) Order 1994**

*Made* - - - - *15th March 1994*  
*Laid before Parliament* *25th March 1994*  
*Coming into force* - - *28th March 1994*

At the Court at Buckingham Palace, the 15th day of March 1994

Present,

The Queen's Most Excellent Majesty in Council

WHEREAS Her Majesty deems it expedient to amend the Order by Her Majesty of 4th January 1971<sup>(1)</sup>, concerning pensions and other grants in respect of disablement or death due to service in the Ulster Defence Regiment<sup>(2)</sup>, and to do so by Order in Council in accordance with section 12(1) and (3) of the Social Security (Miscellaneous Provisions) Act 1977<sup>(3)</sup>:

NOW, THEREFORE, Her Majesty, in exercise of the powers conferred by the said section 12(1) and (3) and of all powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation commencement and interpretation**

1.—(1) This Order may be cited as the Ulster Defence Regiment (Amendment) Order 1994 and shall come into force on 28th March 1994.

(2) In this Order the express on “the principal Order” means the Order by Her Majesty dated 4th January 1971.

**Amendment of article 1(5) of the principal Order**

2. For article 1(5) of the principal Order there shall be substituted the following article—

“(5) “injury” includes wound or disease but excludes any injury due to—

(a) the use or effects of tobacco; or

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(1) Cmnd.4567, as amended by Cmnd.5421, [S.I.1988/1843](#) and Cmnd. 5120.

(2) Members of the Ulster Defence Regiment are members of the armed forces of the Crown see section 1(2) of the Ulster Defence Regiment Act 1969 (c. 65).

(3) 1977 c. 5.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) the consumption of alcohol;
- except that paragraph (a), in so far as it relates to the use of tobacco, and paragraph (b) above shall not apply where the person suffers from a mental condition which is attributable to service if—
- (i) the degree of disablement in respect of that condition has been assessed at 50 per cent or more; and
  - (ii) he started or continued to use tobacco or to consume or continue to consume alcohol due to that condition:”.

*N. H. Nicholls*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Order by Her Majesty dated 4th January 1971 (“the principal Order”).

Article 2 amends article 1(5) of the principal Order by substituting a provision which defines “injury” so as to exclude injuries due to the use or effects of tobacco, and the consumption of alcohol.

This exclusion is subject to an exception where the use of tobacco or the consumption of alcohol is by an injured person who suffers from a mental condition attributable to service causing a degree of disablement of 50 per cent or more, provided he started or continued to use tobacco or alcohol as a result of that condition.

This Order does not impose any costs on business.