
DRAFT STATUTORY INSTRUMENTS

2001 No.

The Pensions Appeal Tribunals (Additional Rights of Appeal) Regulations 2001

Citation, commencement and interpretation

1. These Regulations may be cited as the Pensions Appeal Tribunals (Additional Rights of Appeal) Regulations 2001, and shall come into force on 9th April 2001.

2. In these Regulations—

“the Act” means the Pensions Appeal Tribunals Act 1943;

“the Civilians Scheme” means the Personal Injuries (Civilians) Scheme 1983(1);

“the commencement date” means 9th April 2001;

“the Service Pensions Order” means the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983(2);

“decision” means a decision notified by the Secretary of State on or after the commencement date;

“specified decision” means a decision specified for the purposes of section 5A of the Act; and

any reference to a numbered Schedule is a reference to the Schedule so numbered in these Regulations.

New appeal rights: the Service Pensions Order

3.—(1) Each decision—

(a) which is made in exercise of any provision of the Service Pensions Order listed in Schedule 1; and

(b) which—

(i) refuses or discontinues an award;

(ii) establishes or varies the amount of an award; or

(iii) establishes or varies the date from which an award has effect,

shall be a specified decision.

(2) Any decision as to the amount to be deducted from an award by virtue of any of the following provisions of the Service Pensions Order—

(a) article 55 (adjustment of awards in respect of other compensation);

(b) article 59 (abatement of awards in respect of social security benefits); or

(c) article 60 (payment of public claims out of pensions),

shall be a specified decision.

(1) S.I.1983/686.

(2) S.I. 1983/883.

New appeal rights: the Civilians Scheme

4.—(1) Each decision:

- (a) which is made in exercise of any provision of the Civilians Scheme listed in Schedule 2; and
- (b) which—
 - (i) refuses or discontinues an award;
 - (ii) establishes or varies the amount of an award; or
 - (iii) establishes or varies the date from which an award has effect,shall be a specified decision.

(2) Any decision as to the amount to be deducted from an award by virtue of any of the following provisions of the Civilians Scheme—

- (a) article 62 (prevention of double payments);
- (b) article 63 (adjustment of awards in respect of other compensation);
- (c) article 65 (abatement of awards in respect of social security benefits); or
- (d) article 66 (payment of public claims out of pensions),

shall be a specified decision.

Signed by authority of the Secretary of State for Social Security.

2001

Parliamentary Under-Secretary of State,
Department of Social Security