



# Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939

1939 CHAPTER 83 2 and 3 Geo 6

## 10 Interpretation.

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

“British Islands” means Great Britain, Northern Ireland, the Channel Islands and the Isle of Man;

“British ship” [<sup>F1</sup>does not include a ship forming part of [<sup>F2</sup>the Royal Navy], but includes a ship] not forming part of [<sup>F2</sup>the Royal Navy] which belongs to His Majesty or is held by any person on behalf of or for the benefit of the Crown;

“Capture” includes seizure, arrest or other restraint;

“Detention,” in relation to a mariner or other person, means detention consequent on the capture of the mariner or other person or of his ship effected by reason of the existence of a state of war;

“Mariner,” in relation to a . . . <sup>F3</sup> ship, means the master or a member of the crew of the ship, being a person employed or engaged in seagoing service [<sup>F4</sup>in that ship] and not being a member of His Majesty’s naval forces or a person to whom the provisions of section four or section five of this Act apply;

“Naval War Pensions Order” means an Order in Council whereby provision is made as respects officers and men of His Majesty’s naval forces for the award of pensions or other payments on account of death or disablement attributable to service in those forces during war;

[<sup>F5</sup>“Place” includes any point on land, in the air, or on or in the water]

[<sup>F6</sup>“Port” includes any dock, harbour, pier, quay, wharf, mooring, anchorage or other similar place]

[<sup>F5</sup>“Ship” has the same meaning as in the [<sup>F7</sup>Merchant Shipping Act 1995]]

“War injuries” means physical injuries—

(a) caused by—

- (i) the discharge of any missile (including liquids and gas); or
- (ii) the use of any weapon, explosive or other noxious thing; or

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**Changes to legislation:** There are currently no known outstanding effects for the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, Section 10. (See end of Document for details)

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- (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
- (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, His Majesty or any allied power, or any part of, or anything dropped from, any such aircraft;
- and the expression "war damage", in relation to the effects of any person, means loss of or damage to his effects caused as aforesaid or caused by or in consequence of his capture or the capture of the effects.

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**Textual Amendments**

- F1** Words substituted by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), Sch.](#)
- F2** Words substituted by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 20, Sch. 3 Pt. II para. 7](#)
- F3** Words repealed by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), Sch.](#)
- F4** Words inserted by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), Sch.](#)
- F5** Definition inserted by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), Sch.](#)
- F6** Definition substituted by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), Sch.](#)
- F7** Words in the definition of "ship" in s. 10 substituted (1.1.1996) by [1995 c. 21, ss. 314\(2\), 316\(2\), Sch. 13 para. 19\(b\)\(with s. 312\(1\)\)](#)
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**Modifications etc. (not altering text)**

- C1** [S. 10](#) explained by [Pensions \(Mercantile Marine\) Act 1942 \(c. 26\), s. 5](#)

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