

1959 No. 1289

Compensation (Occasional Use of Land for Defence Training Purposes) (War Office) Regulations, 1959

<i>Made - - - -</i>	27th July, 1959
<i>Laid before Parliament</i>	30th July, 1959
<i>Coming into Operation</i>	31st July, 1959

The Secretary of State for War, in exercise of the powers conferred upon him by Section 6 of the Land Powers (Defence) Act, 1958(a), and Section 7 of the Manoeuvres Act, 1958(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations :—

Citation and Commencement

1. These Regulations may be cited as the Compensation (Occasional Use of Land for Defence Training Purposes) (War Office) Regulations, 1959, and shall come into force on the 31st July, 1959.

Application and Interpretation

2.—(1) These Regulations shall apply in all cases where an order has been made by the Secretary of State for War under Section 6 of the Land Powers (Defence) Act, 1958, and a claim for compensation is made for any damage to person or property or interference with rights or privileges arising from putting into force the provisions of Section 6 of that Act by virtue of that order; and “claim” and “claimant” shall be interpreted accordingly.

(2) The Interpretation Act, 1889(c), shall apply for the purpose of interpreting these Regulations as it applies for the purpose of interpreting an Act of Parliament.

Procedure for Notifying and making Claims

3.—(1) A notification that a claim is to be made shall be served on the Secretary of State for War as soon as practicable after the incident giving rise to the claim.

(2) A claim shall be made by the claimant serving on the Secretary of State for War a statement of his claim containing the particulars specified in the Schedule hereto or such of them as are appropriate to the claim.

(3) The claimant shall, on a request in writing to that effect being served on him by the Secretary of State for War, supply such further particulars as the Secretary of State may reasonably require, and on such request shall produce any vouchers, receipts, books of account and other documents in his possession relating to the claim.

Time within which claims must be made

4. A claim must be made within 12 months of the incident giving rise to the claim.

Dated this 27th day of July, 1959.

Christopher Soames.

(a) 6 & 7 Eliz. 2. c. 30.

(b) 7 & 8 Eliz. 2. c. 7.

(c) 52 & 53 Vict. c. 63.

THE SCHEDULE

PARTICULARS TO BE FURNISHED BY A CLAIMANT FOR COMPENSATION

(1) *Where the claim is for compensation for Damage to the Person* the following particulars shall be furnished:—

Name and Address of Injured Person.

Nature and Extent of Injury.

Statement of cause of Injury.

Amount of compensation claimed.

(2) *Where the claim is for compensation for Damage to Property* the following particulars shall be furnished:—

Name and Address of Claimant.

Address at which damaged Property can be inspected.

Nature of Claimant's Interest.

Particulars of Damage

Amount of compensation claimed.

(3) *Where the claim is for compensation for Interference with Rights and Privileges* the following particulars shall be furnished:—

Name and Address of Claimant.

Description of Right or Privilege.

Nature of Interference.

Claimant's Title to Right or Privilege.

Amount of compensation claimed.

(4) *Where the claim is for compensation for Damage to a Highway* the following particulars shall be furnished:—

Name and Address of Claimant.

Location of damage to be stated by reference to 1" Ordnance Map.

Nature and extent of Damage.

The circumstances by reason of which the claimant is responsible for its repair.

Amount of compensation claimed.

(5) *Where the claim is for compensation for expenses reasonably incurred in protecting person, property rights and privileges* the following particulars, in addition to those specified above, shall be furnished:—

Details of all expenses claimed, the date when they were incurred and the name and address of any person to whom money has been paid.

Amount of compensation claimed.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the form and manner and the period in which claims for compensation arising out of orders made by the Secretary of State for War under Section 6 of the Land Powers (Defence) Act, 1958, shall be made.