



SOCIAL LEGISLATION IN WARTIME

The Compensation of War Victims¹

France

The question of compensation for war victims is governed in France by a number of Acts, passed since 1918, relating respectively to military pensions (Act of 31 March 1919), pensions for civilian victims (Acts of 24 June and 28 July 1921), and vocational retraining, placing, and supplementary assistance for disabled men and survivors (Act of 2 January 1918 concerning the National Office for Ex-Service Men and War Victims, Act of 26 April 1924 concerning the obligation to employ war victims, etc.

The various changes made in those measures—chiefly in order to adapt the rates of compensation to the purchasing power of the currency—have not modified to any great extent the basic principles of the original legislation, and consequently the present regulations governing compensation for disabled men, widows, orphans, and ascendants, are mainly those which were drawn up after the war of 1914-1918.

An analysis is given below of the principal provisions, including a Decree of 20 January 1940, governing medical aid and the right to a pension.

In making this survey, due account will be taken of the extensive efforts of the public authorities to supplement the statutory compensation by additional assistance, the value of which must not be underestimated.

The supplementary assistance granted, for instance, to orphans and to the children of severely disabled men (wards of the nation), although not strictly prescribed by the legislation, and therefore dependent to some extent on the discretion of the authorities, constitutes an important part of the compensation payable to war victims.

This account of the system will therefore include certain measures for the benefit of war victims which go beyond the scope of the statutory provisions concerning pensions; it will not deal with vocational retraining and placing, which will form the subject of a separate article.

COMPENSATION FOR EX-SERVICE MEN AND THEIR SURVIVORS SCOPE AND RISK COVERED.

The scope of the Act of 31 March 1919 and the risks covered are defined in Section 1, which, after giving expression to the gratitude

¹ This is the second of a series of articles analysing the provision made in certain belligerent countries for the compensation of war victims. For the first article, dealing with Germany, see *International Labour Review*, Vol. XLI, No. 1, Jan. 1940, pp. 47-63.

of the Republic to those who fought for the safety of the country, states that ex-service men suffering from infirmities brought about by the war and the survivors of those who died for their country are entitled to compensation.

Pensions are payable in respect for :

(1) Wounds the presence of which was noted before the soldier returned home, unless it is proved that they were not due to the events of the war or to accidents suffered as a result of or in connection with the soldier's service (the burden of proof resting on the State) ;

(2) Infirmities resulting from diseases caused or aggravated by the fatigue, danger, or accidents, to which the soldier was exposed as a result of or in connection with his service.

An accident is deemed to have been a result of service if it occurred at a place and time at which the soldier was subject to military authority.

An accident is deemed to be connected with service if it occurred at a place and time at which the soldier was subject to military authority, but was not caused by the performance of his service ; the term "as a result of or in connection with service" is to be interpreted in the widest sense.

Unless the State can show proof to the contrary, any disease affecting a soldier taking part in fighting operations is presumed to be attributable to his service if it is noted within a certain time limit.

The presumption that a disease is attributable to military service applies (a) during any period when the soldier or seaman is taking part in fighting operations ; (b) during the 30 days following any such period ; (c) until the soldier or seaman is discharged, provided he has taken part in fighting operations for 90 days, which need not be consecutive.

In the case of soldiers and seamen who have not been discharged before the termination of hostilities, the period defined under (c) expires when hostilities end.

A Decree of 20 January 1940 stipulates that, failing a presumption thus established, the person concerned may use any means of proving that a disease is attributable to military service. Conversely, where the presumption exists, the State may use any means of proving the contrary.

BENEFITS GUARANTEED.

The guaranteed benefits include :

(1) Medical and surgical treatment, including the supply of orthopaedic appliances and artificial limbs ;

(2) A pension, with various supplements ;

(3) Supplementary assistance in the form of relief, allowances, or loans guaranteed by the National Office for Ex-service Men and War Victims.

Medical and Surgical Treatment and the Supply of Appliances

The State must provide all soldiers, seamen, and nurses, in receipt of pensions under the Act of 31 March 1919 with such medical and surgical attention and drugs as may be required by the infirmity or disease, contracted or aggravated by their service, in respect of which their pension was granted. These benefits must be granted throughout the lifetime of the person concerned; the entire cost is borne by the State.

Persons entitled to free medical attention can choose their own doctor or surgeon, provided that the practitioner in question accepts the conditions of supervision and payment.

The free choice of a druggist may be made only from among those whose names figure on a list approved by the Ministry of Pensions. In practice, all druggists who accept the national scale of payment are approved.

If hospital treatment is considered necessary, the medical attendant must send a certificate to this effect, if possible six days in advance, to a supervisory commission, and indicate the public or private institution selected by the patient.

If a private institution is chosen, the doctor must add a declaration from that institution to the effect that it can accept the patient. Private institutions may not accept persons in receipt of free treatment unless they have been approved by the supervisory commission mentioned above.

In urgent cases, the patient may be admitted to hospital without these formalities, but the institution, whether public or private, must inform the departmental supervisory commission as soon as possible.

Hospital treatment must always be given either in the appropriate hospital nearest the patient's home or in an approved private institution of his choice—and in either case the institution must be within the area of the faculty of medicine for the patient's place of residence. The only exception to this rule is for spa treatment.

The medical expenses refunded by the State include :

(a) Payment at a fixed rate for all medical interventions and travelling expenses, the practitioner being entitled in respect of each medical intervention (consultation, visit, surgical operation, etc.) to the fees prescribed in a scale approved by the public authorities after consulting the organisations of the medical profession ;

(b) The cost of pharmaceutical products according to a scale approved by the authorities ;

(c) The cost of the pensioner's board in the public hospital in which he is treated.

If the patient is admitted to a private institution, the expenses borne by the State include the cost of any medical interventions at the special rate laid down for medical practitioners and the full cost of maintenance (food, special diet, etc.).

These expenses are refunded on the basis of the price per day charged in the civilian wards of the public hospital nearest the

patient's domicile, in which he would have been treated if he had not requested admission to a private institution.

Persons under treatment who are subsequently sent to a hospital are entitled to free transport from their place of residence to the institution in question.

Artificial Limbs and Orthopaedic Appliances.

Disabled persons are entitled, under the supervision and through the agency of the State, to the supply and maintenance of artificial limbs, orthopaedic appliances, and accessories.

A pensioner may select his appliances from among the approved types suited to his infirmity.

Two appliances are provided in the first instance, subject to the following reservations. Persons who have suffered amputation are entitled, in respect of each limb that has been amputated, to two appliances of the same type or of different types, save in certain exceptional cases.

Persons who have not suffered amputation and whose injuries are healed are entitled to two appliances of the same type or of different types in respect of each infirmity.

Persons who have not suffered amputation but whose injuries are still in course of development are only entitled to a single appliance, but this is renewed whenever its condition, or a change in the state of the injury, makes it necessary.

When a person who has suffered amputation or disarticulation cannot wear an artificial limb or can do so only with pain, he is granted a higher rate of pension, the supplement being 5 per cent. This supplement is awarded by the Minister of Pensions on the advice of the invalidity board after consulting the committee on orthopaedic appliances. As artificial limbs are of little practical use in cases of disarticulation of the shoulder or hip, persons in this category are automatically considered as being unable to wear any appliances.

The appliances are repaired free of charge by the State ; wherever possible, the repairs must be carried out by the workshops attached to the centres for the supply of appliances or by the makers.

Appliances are renewed free of charge when, in the opinion of the committee on appliances, they are worn out or beyond repair.

Pensions and Allowances

The pensions and allowances include the basic pension and various statutory supplements (children's bonuses, etc.).

In addition to this statutory compensation for an injury caused by military service, supplementary assistance is granted ; the nature of this assistance and the rules governing it will be considered later.

Invalidity Pensions.

Invalidity pensions, whether permanent or temporary, depend on the degree of invalidity.

According to French legislation, invalidity means physical incapacity ; in reality, this amounts to a prescribed average degree of incapacity laid down for different injuries in a scale ; these degrees of incapacity are binding on the authorities responsible for assessing invalidity.

The degree of invalidity corresponding to certain clearly defined lesions (a mutilation, for example) is absolutely binding : the degree of invalidity assessed in respect of the loss of a finger or a limb, or in respect of some clearly defined functional injury, must be that laid down in the scale.

When, however, the invalidity is due to affections which may vary considerably in their degree of seriousness (for example, a disease of the heart, or neuritis) the scale contains maximum and minimum figures which alone are binding, the authorities being left in many cases quite a wide margin of assessment.

There are also certain specific diseases for which a binding rate of invalidity is laid down ; pulmonary tuberculosis, for instance, when confirmed by bacteriological or clinical evidence, is always deemed to involve complete invalidity within the meaning of the Act.

The right to a pension does not exist unless the degree of invalidity is at least 10 per cent. in the case of a wound or 20 per cent. in the case of a disease or the aggravation of a pre-existing infirmity.

A pension granted on the ground of aggravation of a pre-existing infirmity is based only on the aggravation unless the total degree of invalidity due to the infirmity as aggravated is 60 per cent. or more, in which case it is based on the total degree of invalidity.

Pension claims must be presented within five years from the discovery of the infirmity and from the termination of service. Nevertheless, when the infirmity results from wounds due to acts of war or to accidents incurred through or in connection with military service, there is no time limit.

Rates of Invalidity Pensions.

The rate of the invalidity pension varies according to the military rank of the claimant, the origin of his infirmities, and the number of children maintained by him.

Military rank. The influence of the military rank, which was originally very marked (under the Act of 31 March 1919), has declined considerably since additional benefits have been paid to adapt pensions to changes in the cost of living. These benefits are calculated, irrespective of the rank of the pensioner, on the basis of the pension payable to a private ; as they represent 154 per cent. of the amount of the initial pension, the influence of rank is now of minor importance. In 1919 the pension of a battalion commander was about $2\frac{1}{2}$ times that of a private, but to-day it is only about $1\frac{1}{2}$ times.

Origin of the infirmities. At first, the origin of the infirmities did not affect the compensation, the amount of which was always the same for any given degree of invalidity, irrespective of whether it was due to a wound received on active service or to a disease aggra-

vated during home service. The situation was changed by a Legislative Decree of 16 July 1935, which reduced by about a third the cost of living supplement for non-combatants. In addition, those who were in combatant services, irrespective of whether they receive an invalidity pension or not, are entitled to an old-age pension of 500 francs a year between the ages of 50 and 55 years and 1,200 francs a year from the age of 55 years onward.

Children maintained by the pensioner. The basic pension is supplemented by a bonus in respect of children, if any. This bonus is payable for each child up to the age of 18 years, but it is continued beyond that age in the case of children suffering from an incurable infirmity which prevents them from earning their living, unless they are maintained in an institution at the expense of the State.

Pension scale. Subject to the above considerations, the rates at present in force for privates who formerly served with the combatant forces are as follows :

Degree of invalidity (per cent.)	Total amount of basic pension ¹ (francs)	Supplement for each child under 18 years (francs)
10	609.60	76.20
20	1,219.20	152.40
30	1,828.80	228.60
40	2,438.40	304.80
50	3,048.00	381.00
60	3,657.60	467.20
70	4,277.20	533.40
80	4,876.80	609.60
85	5,982.35	647.70
90	6,376.80	685.80
95	6,978.40	723.90
100	7,580.00	762.00

Supplements for certain categories of pensioners. Certain categories of pensioners receive in addition to the basic pension supplements varying according to the seriousness of their condition or the nature of their injuries. Those who have suffered amputation, for example, receive a supplement ranging from 928 francs a year (amputation of the foot) to 9,280 francs (disarticulation of the shoulder).

Seriously disabled men who have not suffered amputation, but whose degree of invalidity as a result of war injuries is 85 per cent. or over, receive a supplement ranging from 2,320 to 5,800 francs a year.

Blinded men receive a supplement of 11,368 francs a year.

Those requiring the constant attendance of another person receive a special allowance, independent of those just mentioned,

¹ When the former combatant reaches the age of 50 years, he receives in addition to this pension an allowance of 500 francs a year, which is increased to 1,200 when he reaches the age of 55 years.

which amounts to 18,424 francs a year (19,484 in the case of blinded men).

Those suffering from tuberculosis receive an allowance of 10,600 francs a year to enable them to obtain the necessary care, provided that they accept special medical supervision.

There are other supplements, such as those for persons suffering from several infirmities one of which in itself is deemed to be equivalent to complete invalidity.

Widows' and Orphans' Pensions.

Widows' and orphans' pensions, like those paid to disabled men, vary according to the military rank of the deceased, but, as was mentioned above, the influence of rank has diminished considerably since supplements have been paid to adapt pensions to the rise in the cost of living.

Widows' pensions also vary according to whether or not the marriage took place before the occurrence or the aggravation of the infirmity from which the husband suffered.

Illegitimate children are entitled to a pension only if they are recognised voluntarily or as the result of a ruling by a court of law, and only if they were conceived before the occurrence or aggravation of the infirmities in question.

Widows' and orphans' pensions also vary according to the relationship between the cause of death and the military service of the deceased.

As the combined influence of all these conditions is somewhat complex, examples will be given below of the rates of widows' pensions in the cases that arise most frequently in actual practice. Examples will then be given of how the rates apply to orphans when there is no widow or when the widow is not competent to claim her rights.

Pension when the widow does not remarry. (1) When death can be attributed to the soldier's service, and the marriage took place before the occurrence or aggravation of the injury or disease, the widow of a private receives a pension of 3,048 francs a year. The marriage is deemed to have taken place before the injury or disease if at the date of the marriage the affection caused or aggravated by military service was not sufficiently serious to justify a fatal prognosis.

(2) When death can be attributed to military service, and the marriage took place after the occurrence or aggravation of the injury or disease, the widow of a private receives a pension of 2,032 francs a year. This pension (reversionary pension) is payable only if the marriage lasted for not less than two years.

(3) When death is not attributable to military service, but the husband at the time of death was drawing a pension in respect of invalidity of 60 per cent. or over, the widow of a private receives a

pension of 2,032 francs a year.¹ This reversionary pension is payable only if the marriage took place before the occurrence or aggravation of the infirmities in respect of which the invalidity pension was granted.

An exception to the rule of prior marriage is made in the case of women who marry a disabled ex-service man whose degree of invalidity is 80 per cent. or over.

Pension when the widow remarries. A widow who marries again may, in the course of the year following her remarriage, give up her pension and receive in exchange a lump sum representing three annual instalments of her previous pension. If the widow takes advantage of this possibility and there are children who are minors, the widow's pension is transferred to the children until the last of them reaches majority. The pension is, however, reduced to the initial rate prescribed by the Act of 31 March 1919, which is 800 francs a year in the case of the widow of a private.

If the widow continues to draw her pension, the amount is also reduced to the figure just mentioned.

Bonuses for children. A supplement of 762 francs a year is payable, in addition to the widow's pension, in respect of each child under the age of 18 years. The supplement is paid beyond that age in the case of children suffering from an incurable infirmity which makes them incapable of earning their living, unless they are maintained in an institution at the expense of the State.

If the widow is not entitled to a pension, any children born of the marriage with the pensioner receive up to the age of 18 years the supplement which they received during the lifetime of their father, irrespective of the cause of his death (see the rates set out above, p. 157).

Orphans' pensions. If the mother dies or forfeits her rights or is not competent to exercise them, the basic pension for orphans who are minors is equal to the pension which would be payable to a widow who did not remarry. Orphans continue to draw this pension up to the age of 21 years.

In addition to the basic pension, a supplement of 762 francs a year per child is paid in respect of each additional orphan under the age of 18 years (no supplement being payable if there is only one orphan).

When the claim to an orphan's pension arises out of the remarriage of the mother, the rate of the pension, as was mentioned, is that fixed for a widow who remarries.

Ascendants' Pensions.

Ascendants' pensions do not depend on the military rank of the deceased; they are payable from the age of 60 years to the father and from the age of 55 years to the mother. No age condition is

¹ The rate is increased to 3,048 francs a year if the husband was in receipt of the special allowance payable to those requiring the constant attendance of another person.

required if the ascendants are infirm, or suffering from an incurable disease, or if the husband or wife of the ascendant entitled to a pension is infirm or suffers from an incurable disease.

A mother who is a widow or divorced or judicially separated or unmarried is considered as satisfying the age condition, even if she is under 55 years of age, provided that she is responsible for the maintenance of one or more children who are infirm or under 21 years of age or serving with the colours.

An ascendant's pension may be claimed by any person (stepfather, stepmother, adoptive parent, etc.) who can prove that he or she brought up and maintained the child and took the place of one or both parents until the child reached majority or was called to the colours.

The ascendants' pensions differ from widows' pensions or invalidity pensions in that they are not granted or continued unless the claimants are in necessitous circumstances.

In order to claim a pension, an ascendant must prove that he is not liable for general income tax or, if he is, that his net income does not exceed by more than 5,000 francs the maximum income which is free of tax.¹

The rate of pension is fixed at 2,032 francs a year for a single ascendant who is a widow or widower, divorced, or unmarried, and at 1,016 francs a year for an ascendant who has remarried or who married after the death of the soldier in respect of whom the claim arises. These sums are increased by 254 francs a year in respect of each son lost beyond the first.

Rules Concerning Duality of Pensions.

The rules laid down in French legislation concerning duality of pensions are intended mainly to prevent compensation from being paid twice for the same injury. For instance, the same person may not draw an accident pension and a war pension in respect of invalidity resulting from injuries received while working in a munitions factory; two supplements for family responsibilities may not be paid in respect of the same child, so that if a civil servant in receipt of a military pension is entitled to a supplement for children as part of his salary he must choose between that supplement and the one payable with his military pension; similarly, a woman may not draw more than one widow's pension.

On the other hand, subject to the reservation concerning the maximum income of ascendants, the military pensions granted to disabled men and to survivors are payable unconditionally, and may therefore be drawn simultaneously with a salary as a civil servant or with wages, or with a pension for long service, a social insurance pension, assistance allowance, etc.

¹ The maximum income free of tax in 1939 was 10,000 francs a year, so that an unmarried person without family responsibilities or a widow who has not remarried may claim the full ascendant's pension if his or her income does not exceed 15,000 francs a year. In the case of a couple of ascendants, the total income must not exceed 20,000 francs a year.

Supplementary Assistance

The supplementary assistance granted by the public authorities to war victims takes a great variety of forms, a full and detailed account of which would go beyond the scope of the present survey.

The assistance may include the payment of temporary or exceptional relief, the provision of scholarships for orphans, the grant of loans to facilitate the purchase by pensioners of small holdings, cheap houses, etc. With the exception of certain types of relief (such as that payable to a person who cohabited with a deceased soldier), the supplementary assistance is generally paid by an independent public institution, the National Office for Ex-Service Men and War Victims, working under the supervision of the public authorities.

The National Office and its departmental branches are administered by representatives of the authorities, organisations of ex-service men and war victims, and representatives of the various institutions which collaborate in placing activities, the distribution of assistance, etc. The Minister of Pensions is president of the National Office, and the prefects preside over the departmental offices. The administration of the Office is supervised by the Finance Inspection Department and the Court of Accounts.

The Office was established by an Act of 2 January 1918, and acts as a liaison body between the public authorities and the private associations for helping war victims. Its purpose is to centralise information concerning the work of these authorities and organisations, to promote and facilitate the occupational rehabilitation of war victims, to consider possible legislative measures and regulations for the benefit of ex-service men, to supervise the application of such measures, to provide various forms of assistance, and generally speaking to ensure the permanent protection and support which these men are entitled to receive from a grateful country.

In addition to its statutory duties with regard to vocational retraining and placing, the National Office may grant immediate assistance (generally small sums only) in the event of illness, death, etc.; loans of varying amounts, scholarships to wards of the nation, etc., may also be granted.

The loans granted by the Office may be intended to help retrained disabled men to set up on their own account (the maximum amount being 6,000 francs, repayable over ten years), or to develop the undertakings of ex-service men in handicrafts, trade, industry, or agriculture (up to a maximum of 15,000 francs, repayable over ten years), or to assist pensioners or ex-service men to purchase a cheap dwelling (up to a maximum of 20,000 francs, repayable over ten years).

Some details will be found below as to the rules for granting: (1) loans to facilitate the purchase of cheap houses by pensioners and ex-service men; (2) scholarships or apprenticeship allowances to wards of the nation.

Loans for the Purchase of Cheap Houses.¹

War pensioners or ex-service men who take advantage of the credit facilities provided under the legislation concerning cheap dwellings can obtain advances from the National Office for the purchase or construction of houses fulfilling the conditions specified in the legislation.

These advances are of two kinds :

(1) Loans to make up the personal contribution required of applicants ;

(2) Loans on mortgage.

Loans to make up the personal contribution. Although fully recognising the desirability of a personal effort by the borrower, the National Office considers that it is its duty to help war pensioners and ex-service men to make the personal contribution required when a house is being built or purchased.

The maximum amount of these loans has been fixed at one-eighth of the value of the building. Interest is payable at 1 per cent., and the loan must be repaid in equal instalments over a period not exceeding ten years ; the total amount of the loan may in no case exceed 15,000 francs.

The National Office is entitled to take a mortgage as security, but in such cases it is itself responsible for the cost of this operation.

Loans on mortgage. Loans on mortgage are granted in the case of applicants who have certain personal resources or can provide practically the whole of the sum required for the purchase of a cheap and healthy dwelling.

Persons in those circumstances could doubtless apply to one of the various credit institutions for cheap houses, but the formalities are somewhat numerous and lengthy, more particularly as regards insurance, so that the would-be purchaser might lose his opportunity, and it is therefore to his advantage if he can obtain a loan immediately.

The National Office therefore offers to advance the whole or a fraction of the sum still required for the purchase of the dwelling. This advance is limited to a maximum of 20,000 francs², but a supplement of 10 per cent. of the amount of the loan is permitted in order to cover the cost of the mortgage, which is about one-tenth of the actual amount of the loan.

¹ From Jean SOUQUET : *Code des anciens combattants et des victimes de la guerre* (Paris, 1936).

² Special mortgage loans of 25,000 francs bearing 1 per cent. interest and repayable over fifteen years may be granted when the pensioner is unable because of his state of health to contract the life insurance required by building credit funds as a guarantee for the repayment of the loan in the event of the death of the borrower, and is also unable to obtain the special guarantee reserved for uninsurable persons who have been disabled by war injuries. The loans granted under these conditions by the National Office take the place of the advance which an uninsurable disabled man could have received from a building credit fund if his state of health had been considered satisfactory or if his bad health could be attributed entirely to the consequences of the war.

The rate of interest is 3 per cent., and the period of repayment is fixed by agreement with the borrower in each case, subject to a maximum of ten years.

As the advances given in these circumstances are somewhat high, the National Office requires a first mortgage.

It should be noted that these advances may be granted not only when a pensioner or ex-service man purchases a cheap dwelling from a private individual, but also—and indeed more readily—when he purchases a house of his own which has been built by a building society and wishes to pay off the entire cost at once so as to become the owner of the house immediately.

Scholarships and Apprenticeship Allowances for Wards of the Nation.

The granting of scholarships and apprenticeship allowances is the chief method used by the National Office to enable wards of the nation to obtain the fullest possible general education or vocational training.

Apprenticeship allowances. In order to prevent these young persons from entering employment which gives them an immediate opportunity of earning (as minor clerks, page boys, errand boys, specialised labourers, etc.) but has no future, the Office grants apprenticeship allowances to encourage them to learn a trade.

As the remuneration paid to the apprentice is not sufficient for maintenance, the apprenticeship allowances must be reasonably high, in order to induce families to send their children as apprentices, which may involve quite a long and costly training. No fixed rate of subsidy is laid down in the regulations, for the sum granted must vary according to the situation and resources of the family in each case. In practice, different rates are applied according to whether the apprentice is a full orphan or has lost only his father or is a child of a disabled man. In any case, the assistance given by the State could not be fixed at a uniform rate for the whole duration of apprenticeship, because as a rule the apprentice's wage is practically nil at the beginning of his training and rises during the second and particularly during the third year.

Scholarships. Wards of the nation who are undergoing training in a higher elementary or secondary technical school or at a university, or those who are attending courses at higher technical colleges (public or private), may obtain a scholarship which as a rule is sufficient for their maintenance, provided that they have successfully passed an examination showing that they are likely to profit by the course of training in question.

The Office also grants subsidies to enable applicants to study for the above examination, and these may be renewed not more than twice in the event of failure to pass.

In the case of secondary education more particularly, the representatives of the Office are instructed to point out to parents that so many pupils take a course of secondary education that it cannot be considered sufficient to ensure a good situation unless the pupil

completes the full course and supplements it by further study. Various examinations are therefore held in order to keep out those whose ability is insufficient and to ensure that those who seem unlikely to obtain diplomas are not allowed to continue their studies too long, but can be guided into other careers. On the other hand, pupils belonging to families in difficult circumstances receive considerable assistance if they show great aptitude and make satisfactory progress.

The rate of the scholarship varies according to the institution attended by the student and the type of training received.

Residential scholarships are granted only to those whose families do not live in the town in which the institution is situated.

Other candidates normally receive a non-residential scholarship, possibly providing for half board. These scholarships are granted for the whole duration of the course of study, provided the pupil continues to the end.

Supplementary maintenance grants may be made to pupils living at home or receiving half board in the institution, if their family situation justifies such grants.

For higher courses of training, the amount of the scholarship and supplementary grant may not exceed 9,000 francs a year in Paris or 8,000 francs in the provinces.

In addition to the scholarships, special outfit allowances and, in exceptional circumstances, allowances for books and instruments may also be granted.

COMPENSATION FOR CIVILIAN WAR VICTIMS

The question of compensation for civilian war victims is governed by an Act of 24 June 1919, as amended by the Act of 28 July 1921.

According to these texts, any French citizen who is not covered by the Act of 31 March 1919 and who, as a result of some war action, receives an injury or contracts a disease resulting in infirmity is entitled to a pension equal to that which would have been awarded to him under that Act if he had been a soldier; the same right is granted to his dependants.

Civilian war victims are thus entitled not only to the cash compensation prescribed in the Act of 31 March 1919, but also to practically all the other advantages granted to ex-service pensioners: vocational retraining, free medical attendance, artificial limbs and appliances, allowances for severely disabled persons, supplementary assistance, etc.

There are, however, two fundamental differences between the conditions for the grant of pensions to civilian war victims and to ex-service men or their dependants.

In the case of an infirmity resulting from illness, civilian war victims are entitled to a pension only in respect of illnesses contracted (and not those aggravated) as a result of ill-treatment or brutality suffered at the hands of the enemy, while ex-service men are entitled to a pension in respect of affections aggravated by their service in much the same way as for those contracted during service.

In the second place, in the case of civilian war victims there is only a very limited presumption of causal connection between the infirmity and the war action to which that infirmity is attributed.

According to Section 2 of the Act relating to civilian victims, the presumption of causal connection is limited to wounds resulting from war operations. Wounds, whether fatal or not, are deemed to be due to war action if they are received during military operations carried on by the allied or enemy armies, or are due to acts of violence committed by the enemy.

The following are also deemed to be due to war action : injuries or death, even after the conclusion of military operations, as a result of the explosion of projectiles, the collapse of buildings, or any other acts which can be ascribed to war conditions because of the state of the premises in which the injury is received ; and death occurring or injuries received during the performance of work imposed on the individual by the enemy, either in captivity or in occupied territory.

In the case of infirmities or death resulting from a disease contracted during hostilities and due to brutality suffered at the hands of the enemy, or to ill-treatment in a fortress or prison camp, the applicant or his representatives must show adequate proof of the facts alleged and of the causal connection between those facts and the infirmities in question.

Compensation for civilian war victims is always paid at the rate applicable to privates or their dependants.

Military Service and Contracts of Employment

INTRODUCTION

In continuation of the series of articles on the contracts of employment of workers called up for military service, begun in an earlier issue of the *Review*¹, the following article explains the provisions in force in Belgium, Hungary, and Italy.

In all three countries the essential purpose of the regulations is to ensure the reinstatement of workers, but in Hungary and in Italy there are also certain rules concerning the payment of wages.

In accordance with the legal systems of these countries, the regulations—a term which includes collective agreements in the case of Italy—sometimes make distinctions between different groups of workers, and more particularly between salaried employees and manual workers.