

- 5 -

- (iii) where the amount paid by the Crown in respect of such claim is more than £20-0-0 and does not exceed £60-0-0, one-third of the amount paid by the Crown, or £10-0-0, whichever is the greater;
- (iv) where the amount paid by the Crown in respect of such claim is more than £60-0-0 and does not exceed £100-0-0, one-quarter of the amount paid by the Crown or £20-0-0, whichever is the greater;
- (v) where the amount paid by the Crown in respect of such claim is more than £100-0-0, one-fifth of the amount paid by the Crown or £25-0-0, whichever is the greater;

Provided always that the liability of such officer or servant is not to exceed the sum of £100-0-0.

- (d) If the officer or servant concerned does not within a reasonable time arrange for the payment of such amounts, action shall be taken by the appropriate Canadian Headquarters to charge such officer or servant, if a member of the Military or Air Force, under the appropriate Section of the Army Act or the Air Force Act, and if a conviction is obtained, the amount provided above shall be awarded as a stoppage of pay against the officer or servant concerned.

6. In the event that a claimant is entitled to receive compensation from an insurance company for the damages he has suffered, any claim either by the claimant or by the insurance company will be rejected, save and except that if in the case of collision insurance, the insurance contract of the claimant provides for a sum to be payable by the claimant in respect of each claim, the claim for compensation may be considered up to but not exceeding the amount so payable by the claimant as provided in his policy.

7. Should a person who claims damage or injury institute legal proceedings against an officer, soldier, or airman, or should criminal proceedings be instituted against such officer, soldier or airman as a result of his operation of a motor vehicle or aircraft, then, if the said Deputy Judge Advocate-General is of the opinion that the officer, soldier or airman concerned was acting within the scope of his duties or employment and was not guilty of negligence, and that it is proper and advisable, the appropriate Canadian Headquarters is empowered to employ counsel at the expense of the Crown to act for the officer, soldier or airman in question.

8. The Minister of National Defence may, from time to time, make such orders and issue such instructions as are necessary for the purpose of carrying out these Regulations and giving effect to the intention thereof.

9. These Regulations shall have force and effect as of and from the 29th day of September, 1940, and will apply as well to all claims pending on that date.