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TUESDAY, 5 MAY, 1936

At the Court at *Buckingham Palace*, the 30th day of *April*, 1936.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS there was this day read at the Board a Memorial from the Right Honourable the Lords Commissioners of the Admiralty, dated the 7th day of April, 1936, (P.M. 669/36), in the words following, viz.:—

“Whereas by Section 3 of the Naval and Marine Pay and Pensions Act, 1865, it is enacted, *inter alia*, that all pay, pensions, or other allowances in the nature thereof payable in respect of services in Your Majesty's Naval or Marine Force to a person being or having been an Officer, Seaman or Marine therein shall be paid in such manner and subject to such restrictions, conditions and provisions as are from time to time directed by Order in Council:

“And whereas under Clause XV (B) of Section IX (B) of Schedule V and under Clause 3 B (1) (b) of Section II (Part II) of the Schedule to Orders in Council of His late Majesty bearing dates the 22nd day of January, 1920, and the 4th day of May, 1935, respectively, a scale of service retired pay is provided for officers of the rank of Captain in the Royal Marines, if invalided under the age of 40:

“And whereas under Clause 4 of Schedule I and under Clause 3 (IV) of Section I B of the Schedule to Orders in Council of His late Majesty bearing dates the 11th day of October, 1923, and the 4th day of May, 1935, respec-

tively, an alternative scale of service retired pay, with additional retired pay according to the degree of disablement is provided for an officer of the rank of Major in the Royal Marines, who is invalided when under the age of 40 on account of a disability certified by the competent Medical Authority as attributable to the conditions of service, if such alternative scale be more to his advantage than the half pay of his rank:

“And whereas we consider it desirable further to provide that the service retired pay awarded in future to a Captain in the Royal Marines under the age of 40, invalided for any disability, or to a Major in the Royal Marines under the age of 40, invalided for an attributable disability shall not exceed the rate of service retired pay for which he would have qualified had he been 40 years of age at the date of invaliding:

“We beg leave humbly to recommend that Your Majesty may be graciously pleased by Your Order in Council to sanction the amendment of the provisions of the aforementioned Orders in Council accordingly.

“The Lords Commissioners of Your Majesty's Treasury have signified their concurrence in this proposal.”

His Majesty, having taken the said Memorial into consideration, was pleased, by and with the advice of His Privy Council, to approve of what is therein proposed.

And the Right Honourable the Lords Commissioners of the Admiralty are to give the necessary directions herein accordingly.

M. P. A. Hankey.