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FRIDAY, 26 NOVEMBER, 1937

At the Court at *Buckingham Palace*, the 23rd day of *November*, 1937.

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 18th day of October, 1937 (C.W. 10649/37), 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 by Order in Council bearing date the 13th day of August, 1920, provision is made, *inter alia*, for Surgeon Lieutenant Commanders of Your Majesty's Fleet to pass a qualifying examination as a condition for promotion to the rank of Surgeon Commander :

“And whereas Officers who fail to pass the examination at a second trial are compulsorily retired with such gratuity as we may see fit, within the limit prescribed by the aforesaid Order in Council :

“And whereas by Order in Council bearing date the 26th day of February, 1934, we are empowered to waive the qualifying examination as a condition for promotion to Surgeon Com-

mander in certain circumstances, and we are of opinion that some further relaxation should now be made in the rules laid down by Order in Council dated the 13th day of August, 1920 :

“We beg leave humbly to recommend that Your Majesty may be graciously pleased by Your Order in Council to sanction the following revised regulations for promotion to the rank of Surgeon Commander :—

“(a) The rule laid down by Order in Council of the 13th August, 1920, requiring Surgeon Lieutenant Commanders who fail to pass the examination for promotion to the rank of Surgeon Commander, to take a second trial, to be abolished, together with the consequential penalty of compulsory retirement for failure to pass at this second attempt.

“(b) Surgeon Lieutenant Commanders who fail to pass the examination for promotion to the rank of Surgeon Commander nevertheless to be so promoted, at our discretion, provided they are otherwise qualified for promotion.

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

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.