

of Service Attributable Retired Pay the rate is based on the officer's rank for retired pay purposes as defined in Clauses 12 to 16 and on the degree of disability.

Service Retired Pay

3. An officer who is permitted to cease employment on attaining the age limit fixed for service in his rank and branch or is retired compulsorily, it having been decided that further employment is not available for him, may be granted retired pay appropriate to the rates shown in Clause 2 of Schedule VIII provided that he has completed at least 16 years reckonable service as defined in Clauses 17 to 20 of this Schedule. In the event of eligibility for full pay continuing after formal retirement the award will take effect from the day following that in respect of which full pay was last payable except that, with effect from 30th November 1978, an officer whose eligibility for full pay continues after he attains the age limit for service in his rank, list, and type of commission and who is aged 55 years or over may on being formally placed on the retired list be paid the terminal grant for which his service has qualified him. An officer who is under 55 years on being formally retired may not be paid his terminal grant until he attains the age of 55 years if still serving. An officer who serves beyond both the age limit for service in his rank or branch and beyond his 55th birthday may on actual retirement have his retired pay and balance of terminal grant assessed under the provisions of Clause 2 of Section I of Schedule IV as if he were a re-employed officer with the date of formal retirement or his 55th birthday, whichever is the later, being deemed to be the date of the original award of retired pay. An officer who continues to serve beyond the age of 55 years in a lower rank may from his 55th birthday or normal age for retirement if later be awarded a portion of his accrued pay as provided for in Clause 1 of Section I of Schedule IV of this Order for a re-employed officer.

Voluntary Retirement

4. An officer with at least 16 years' reckonable service who retires at his own request before reaching the normal retirement age for his rank, list and type of commission on or after reaching the age of 40 years and before reaching the age of 50 years may be granted retired pay at the rates set out in Clause 2 of Schedule VIII abated by 7½ per cent. Retired pay will be re-assessed at the age of 60 years in accordance with Clause 14 of Schedule III. For voluntary retirement at other ages the retired pay will be as indicated in Clause 2 of Schedule VIII.

An officer who serves for less than 5 years after the grant of his permanent and pensionable commission will not be eligible for retired pay on voluntary retirement but may be awarded either a preserved pension in accordance with Schedule III or any service pension or gratuity for which he may be eligible by virtue of his service as a rating.

Retirement for marriage

5. A member of the Queen Alexandra's Royal Naval Nursing Service or an officer of the Women's Royal Naval Service who is permitted to retire on marriage or for compassionate reasons where the Secretary of State is satisfied that such reasons necessitate retirement or termination of service is to be treated as retiring compulsorily for retired pay purposes. Permanent officers who have completed at least 4 years' service as officers and are permitted to retire or are required to terminate their service on marriage or for compassionate reasons where the Secretary of State for Defence is satisfied that such reasons necessitate retirement or termination of service and who are not eligible for the award of a preserved pension may be awarded a gratuity in respect of service given up to and including 5th April 1978 at the rate shown in Clause 5 of Schedule VIII.

Service Invaliding Retired Pay

6. Officers serving on permanent and pensionable commissions who are non-attributably invalided on or after the 1st April 1980 and who have completed at least 5 years' qualifying service of which at least 2 years have been served from the age of 21 years may be awarded Service Invaliding Retired Pay at the rates shown in Clause 3 of Schedule VIII.

7. Where, however, an officer is invalided in his last year of service or where in the view of the Discretionary Awards Panel the circumstances of the case justify it, a lesser award may be made than that shown in Clause 3 of Schedule VIII.

8. Where it would be more favourable to the officer, Service Invaliding Retired Pay will be re-assessed at the age of 60 years under the terms for preserved pensions in Schedule III. In such a case a preserved terminal grant will also be awarded at the age of 60 years, the amount of which will be three times the difference between the original award of invaliding retired pay and the original rate of preserved pension, uplifted by the appropriate pensions increase measures in force before the officer's 60th birthday.

9. An officer who is non-attributably invalided with less than 5 years' qualifying service but with at least 2 years' qualifying service may be awarded a gratuity at the rates shown in Clause 6 of Schedule VIII. These rates do not apply to officers serving on short career commissions and non-pensionable commissions.

Terminable Grant in Addition to Retired Pay

10. An officer retired from the Active List and awarded Service Retired Pay or Service Invaliding Retired Pay under this Schedule may be awarded a terminal grant in addition to his retired pay, under the following conditions:

(a) The standard rate of grant will be three times the annual amount of the retired pay awarded under this Schedule.

(b) Except as provided in Clauses 2 and 7 of Schedule IV and in the cases of an invaliding award being exceeded by preserved benefits an officer can qualify only once for a grant.

(c) The grant will be free of income tax.

11. In the event of eligibility for full pay continuing after an officer has attained the age for retirement in his rank, list and type of commission, payment of terminal grant will only be made if an officer has reached the age of 55 years or the normal age for retirement if later if he is then still serving.

Rank for Retired Pay Purposes

12. Subject to the following Clauses, the rank for retired pay purposes shall be the substantive rank held by the officer on his retirement, provided that, unless the officer is invalided, the rank has been held on the Active List for the following minimum periods:

(a) Admiral; General, Royal Marines ... 1 year

(b) All other officers ... 2 years

If the substantive rank has been held for less than the period specified, the rank for retired pay purposes shall be the highest substantive rank which (with periods spent on higher substantive rank) satisfies the condition. Any period spent in higher substantive rank which is not used towards meeting the specified period of service in the lower rank may be treated as if it were acting rank and the provisions in Clause 14 applied.

13. Service as Acting Captain, Royal Navy may be reckoned towards the requirement of 6 years' service as Captain irrespective of the date of substantive promotion.

Additions to Retired Pay for Service in Paid Acting Rank

14. Subject to the general conditions in Clause 15 of this Schedule, paid acting and temporary rank held by officers of the Royal Navy, Royal Marines, and the Women's Royal Naval Service and members of Queen Alexandra's Royal Naval Nursing Service, may reckon for increase of retired pay as follows:

(a) For each complete year (subject to a maximum of 3) for which the paid acting or temporary rank was held, there may be added one-third of the difference between the retired pay for which the officer is eligible and the retired pay for which he would have been eligible had his rank for retired pay been one rank above his substantive rank.

(b) Where an officer has previous service in a higher substantive rank which does not qualify him for the retired pay of that rank such service may reckon for retired pay as if it had been acting or temporary rank.

(c) Parts of a year in acting or temporary rank will be calculated proportionately, provided the acting or temporary rank has been held for a minimum period of 1 year.

General Conditions

15.—(a) Only paid acting or temporary rank held on or after 3rd September 1939 will count.