

Regulations under the Naval Defence Act, 1913, amended.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 29th day of September, 1937.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred on him by section twenty-five of the Naval Defence Act, 1913, and of all other powers and authorities enabling him in that behalf, His Excellency the Governor-General, with the advice of the Executive Council, doth hereby amend and supplement the regulations referred to in the Schedule hereto as shown herein.

SCHEDULE.

Regulations for the Government and Payment of the New Zealand Division of the Royal Navy, 1929.

Insert new Articles 32, 33, and 34 :—

32. Warrant Officers : Promotion to higher rank.—The provisions of Articles 321 and 325 of King's Regulations will be applied in the New Zealand Division, except in so far as they may be expressly modified by New Zealand Regulations.

33. Retirement of officers, &c.—*For age:* Officers will be placed on the Retired List when they reach the ages notified from time to time for compulsory retirement in the corresponding ranks of the Royal Navy.

2. For declining appointment: Any officer under forty years of age who declines an appointment will be placed on the Retired List.

3. For other causes: An officer who, in the opinion of the Naval Board, is unfit for further employment by reason of incapacity or peculiarity of temper or other defect not amounting to misconduct, and not caused by irregular or intemperate habits of life, may be placed on the Retired List, irrespective of age and service.

An officer who, in the opinion of the Naval Board, by reason of an act or acts of misconduct or through intemperate or irregular habits of life, has become unfit for or is unworthy of further employment, may be placed on the Retired List, irrespective of age or service, whether he has been tried by Court-martial or not.

4. Cancellation of commission or warrant: Where it is recommended that the commission or warrant of an officer, who has not been brought to trial by Court-martial, shall be cancelled, the officer shall be notified of the cause and shall be called upon to answer in his defence. In the event of the answer being unsatisfactory, or of an answer not being received within a reasonable time, the officer's commission or warrant may, on the recommendation of the Naval Board, be cancelled under the provisions of the Naval Defence Act, 1913, section 6.

34. Power to place officers on half pay.—The Naval Board may place any officer serving in the New Zealand Division on half pay if they consider there is sufficient reason for not employing him on the Active List.

2. An officer belonging to the New Zealand Naval Forces who is placed on half pay under paragraph 1 of this regulation will be placed on the Retired List if he is not re-employed within six months. Other officers will be regarded as reverting to the Naval Forces to which they belong. In these circumstances half pay will be payable for the period of the passage only. The instructions contained in King's Regulations will be followed in relation to all others referred to under this rule from the date of disembarkation on completion of sea passage to their destination.