

IV. The Council shall consist of the Governor as President, twelve Official Members and thirteen Unofficial Members.

V. The Official Members of the Council shall be the persons from time to time lawfully discharging the functions of the respective offices of Colonial Secretary, Attorney-General and Treasurer of the Colony (herein referred to as *ex officio* Members), and such other persons holding Public Office under the Crown in the Colony, and not exceeding nine in number at any one time (herein referred to as Nominated Official Members) as the Governor may from time to time nominate and appoint by an Instrument under the Public Seal of the Colony subject to confirmation or disallowance by His Majesty signified through a Secretary of State.

VI. The Unofficial Members of the Council shall be—

(1) Such persons not holding public office under the Crown in the Colony and not exceeding six in number at any one time (herein referred to as Nominated Unofficial Members), as the Governor may from time to time nominate and appoint by an Instrument under the Public Seal of the Colony, subject to confirmation or disallowance by His Majesty signified through a Secretary of State.

(2) Seven persons to be elected as herein-after provided (herein referred to as Elected Members).

VII. The Governor shall without delay report to His Majesty, for His confirmation or disallowance, to be signified through a Secretary of State, every appointment of any person as a Nominated Member of the Council. Every such person shall hold his place on the Council during His Majesty's pleasure.

VIII. The Nominated Members of the Council shall vacate their seats at the next dissolution of the Council after their appointment, unless previously removed by virtue of instructions or warrant or warrants under His Majesty's Sign Manual and Signet or through a Secretary of State, but may be reappointed by the Governor by an Instrument under the Public Seal of the Colony, subject to His Majesty's approval signified through a Secretary of State.

Provided that if any Nominated Official Member of the Council ceases to hold Public Office under the Crown in the Colony, his seat in the Council shall thereupon become vacant.

IX. Any person holding a public office under the Crown in the Colony may be required to serve as a Nominated Official Member of the Council, and if any such person having been appointed by the Governor a Member shall decline to act in that capacity he shall *ipso facto* vacate his office.

X.—(1) Whenever the seat of a Nominated Member shall become vacant, or whenever any Nominated Member shall, with the permission of the Governor, resign his seat in the Council by writing under his hand addressed to the Governor, or shall die, or be suspended from the exercise of his functions as a Member of the Council, or be declared by the Governor by an Instrument under the Public Seal of the Colony to be incapable of exercising his functions as a Member of the Council, or be temporarily absent from the Colony, or being a Nominated Official Member shall either per-

manently or temporarily become an *ex officio* Member of the Council or shall be on leave of absence granted by the Governor, the Governor may, by an Instrument under the Public Seal of the Colony, provisionally appoint in his place some person to be temporarily a Member of the Council.

(2) The Governor shall without delay report to His Majesty for His confirmation or disallowance signified through a Secretary of State every provisional appointment of any person as a Nominated Member of the Council. Every such person shall hold his place in the Council during His Majesty's pleasure and every such provisional appointment may be disallowed by His Majesty through a Secretary of State or may be revoked by the Governor by an Instrument under the Public Seal of the Colony.

(3) Every person so provisionally appointed shall be to all intents and purposes a Member of the Council until his appointment shall be disallowed, or revoked, or superseded by the definitive appointment of a Nominated Member of the Council, or until the person in whose place he has been appointed shall be relieved from suspension, or declared by the Governor by an Instrument under the Public Seal of the Colony to be capable of exercising the functions of a Member of the Council, or shall return to the Colony, or shall cease to be an *ex officio* Member, or shall resume the duties of his Public Office, as the case may be.

XI. If any Nominated Member of the Council, when duly summoned to attend, absents himself without sufficient cause, and persists in such absence, after being thereof admonished by the Governor, the Governor is to suspend such Member until His Majesty's pleasure therein be known, giving immediate notice thereof to His Majesty through a Secretary of State.

XII. If any Nominated Unofficial Member of the Council shall, without the leave of the Governor previously obtained, be absent from the sittings of the Council for three months, or shall make any declaration or acknowledgment of allegiance to any Foreign State, or Power, or shall become a citizen or subject of any Foreign State or Power, or shall be adjudicated a bankrupt, or shall be sentenced in any part of His Majesty's dominions to death or penal servitude, or to imprisonment with hard labour or for a term exceeding twelve months, or shall have any direct or indirect pecuniary interest in any contract with the Government of the Colony for or on account of the public service otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons, or shall accept any office of emolument under the Crown or under the Government of the Colony, his seat in the Council shall thereupon become vacant.

XIII.—(1) The Governor may, by an Instrument under the Public Seal of the Colony, suspend any Nominated Member from the exercise of his functions as a Member of the Council.

(2) Every such suspension shall be forthwith reported by the Governor to a Secretary of State, and shall remain in force unless and until either it shall be removed by the Governor by an Instrument under the said Seal, or it shall be disallowed by His Majesty