

(5) Where in this Ordinance reference is made to any officer by the term designating his office, such reference shall be construed as reference to the officer for the time being lawfully discharging the function of that office.

(6) This Ordinance shall be construed—

12, 13 & 14
Geo. 4 c. 92.

(a) as if subsection (1) of section 1 of the India (Consequential Provision) Act, 1949, applied to it in the same way as that subsection applies to laws in force on the date mentioned in that subsection; and

11 & 12 Geo. 6
c. 56.

(b) as if subsection (2) of section 3 of the British Nationality Act, 1948, (as interpreted by subsection (1) of section 3 of the Ireland Act, 1949) and subsection (2) of section 3 of the Ireland Act, 1949, applied to it as those subsections apply to laws in force at the date of the commencement of those Acts respectively.

12 & 13 Geo. 6
c. 41

PART II.

CONSTITUTION AND POWERS OF COUNCIL, ETC.

Abrogation
of existing
Council and
constitution of
new Legisla-
tive Council.

3. As from the date of the coming into operation of this Ordinance the Legislative Council of the Presidency now subsisting and all and every privileges of that body shall cease and determine absolutely, and in place of the said Council there shall be in and for the Presidency a Council which shall be constituted in such manner and have such powers as are provided in this Ordinance.

Composition
of Council.

4. The Council shall consist of the Commissioner, two official members, two nominated members and six elected members.

Official
Members.

5. (1) The official members of the Council shall be such persons holding office in the public service as may be appointed by office or by name by the Governor by Instrument under the Public Seal of the Presidency.

(2) The Governor shall forthwith report to Her Majesty through a Secretary of State every appointment made under this section.