

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE.]

House of Representatives, 7th October, 1903.

Hon. Mr. Hall-Jones.

WATER-POWER.

ANALYSIS.

Title.

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| <p>1. Short Title.</p> <p>2. Use of waterfalls, &c., for electrical purposes to vest in the Crown. Acquisition of waterfalls for electrical purposes.</p> | <p>3. Delegation of powers to local authority.</p> <p>3A. Power to grant rights for certain purposes.</p> <p>4. Use of water for mining purposes.</p> <p>4A. Limitation of Act.</p> |
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A BILL INTITULED

AN ACT to provide for the Vesting in the Crown of Waters for Electrical Purposes and for the Utilising of such Waters for those Purposes. Title.

5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Water-power Act, 1903"; and it shall form part of and be read together with "The Public Works Act, 1894." Short Title.

10 2. (1.) Subject to any rights now lawfully held, the sole right to use water in lakes, falls, rivers, or streams for the purpose of generating or storing electricity or other power shall vest in His Majesty. Use of waterfalls for electrical purposes to vest in the Crown.

15 (2.) The Governor may from time to time acquire as for a public work any existing rights or any lands necessary for utilising water for the generation or storage of electrical power. Acquisition of waterfalls for electrical purposes.

Struck out.

20 (3.) He may also, for the purposes aforesaid, construct dams and reservoirs, and dam back, impound, and divert the water of any river or stream as he thinks fit; and for the purpose of such construction and diversion shall have right of ingress and egress over any lands adjacent to such river or stream, and may do all other works and things necessary or incidental to the utilising the water of such river or stream for the purposes aforesaid. Delegation of power to local authority.

25 3. The Governor may from time to time, by Order in Council gazetted, delegate to any local authority, on such conditions as he thinks fit, any of the powers conferred on him by the last preceding section; and such notice shall be deemed to be sufficient authority for the local authority to acquire as for a public work any land, and to construct any works specified in the notice, the right to use water from any lake, fall, river, or stream for the purpose of generating electricity for lighting or motive power.

New clause.

Power to grant rights for certain purposes.

3A. Notwithstanding anything in this Act, the Minister for Public Works outside a mining district may, subject to such conditions as he thinks fit, grant to any person or company the right to use water from any fall, river, or stream, for the purpose of—

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- (a.) Generating electricity for lighting, to be used only for the purpose of and in connection with the business of such person or company, and not for the purpose of sale to or use by any other person, company, or corporation; and
- (b.) Driving any machinery used for any agricultural, industrial, or manufacturing purpose other than the generation or storage of electricity.

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Use of water for mining purposes.

4. Nothing herein shall affect the right to the use of water for the irrigation of agricultural or pastoral lands, for the supply of water for stock, or under "The Mining Act, 1898," ~~for mining purposes~~ except the granting of water-rights for the generation of electric power for any other purpose save the applicant's own use:

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Provided that no application to a Warden for the use of more than forty heads of water shall be granted except with the consent in writing of the Minister of Mines.

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New clause.

Limitation of Act.

4A. The Governor may, by Order in Council gazetted, limit the operation of this Act to any lake, river, or stream specified in such Order.