



**THE FORESHORE LICENCE REGULATIONS 1940,  
AMENDMENT NO. 1**

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COBHAM, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 17th day of November  
1958

Present:

THE HON. C. F. SKINNER, M.C., PRESIDING IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

1. These regulations may be cited as the Foreshore Licence Regulations 1940, Amendment No. 1, and shall be read together with and deemed part of the Foreshore Licence Regulations 1940\* (hereinafter referred to as the principal regulations).

2. (1) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term "licence", and substituting the following definition:

"'Licence' means any licence granted by the Governor-General in Council or the Minister under section 6 or section 9 or section 162 or section 192 of the Harbours Act 1950 or the corresponding provisions of any former Act:"

(2) Regulation 2 of the principal regulations is hereby further amended by omitting from the definition of the term "licensee" the words "section 156 of the Harbours Act 1923", and substituting the words "section 6 or section 9 or section 162 of the Harbours Act 1950 or the corresponding provisions of any former Act, or in whom or in which the management of any wharf is vested pursuant to section 192 of the Harbours Act 1950 or the corresponding provisions of any former Act".

3. The principal regulations are hereby amended by revoking regulation 8, and substituting the following regulation:

“8. (1) In respect of any licence granted before the date of the commencement of this regulation, there shall be payable—

“(a) On the 1st day of April 1959, a proportionate part of the annual sum for the period commencing on that date and ending on the next anniversary of the date of the commencement of the licence:

“(b) On each anniversary after the 1st day of April 1959 of the date of the commencement of the licence, the annual sum payable under the licence:

“Provided that, if the licence expires on any date other than an anniversary of the date of the commencement of the licence, the sum payable on the last anniversary of the date of the commencement of the licence shall be a proportionate payment.

“(2) In respect of any licence granted after the date of the commencement of this regulation, the annual sum shall be payable in advance—

“(a) On the date of the commencement of the licence; and

“(b) On the anniversary of that date in each year during the currency of the licence:

“Provided that, if the licence expires on any date other than an anniversary of the date of the commencement of the licence, the sum payable on the last anniversary of the date of the commencement of the licence shall be a proportionate payment.”

4. The principal regulations are hereby amended by adding the following heading and regulation:

**“OFFENCES AND PENALTY**

“33. Where the Governor-General in the Order in Council or, as the case may be, the Minister in the *Gazette* notice, granting any licence makes any regulations as to the use of any structure, every person (not being the licensee) commits an offence who does any act in contravention of or fails to comply with any provision of the regulations, and, unless in the case of an Order in Council some other penalty is provided, is liable on summary conviction to a fine not exceeding £20.”

T. J. SHERRARD,  
Clerk of the Executive Council.

**EXPLANATORY NOTE**

*This note is not part of the regulations, but is intended to indicate their general effect.*

Regulation 2 extends the definition of the terms “licence” and “licensee” for the purposes of the principal regulations, so as to extend those regulations to licences granted by the Minister of Marine under the amendments made by the Harbours Amendment Act 1956.

Regulation 3 alters the date for payment of the annual sum payable under licences.

Regulation 4 makes it an offence punishable by a fine not exceeding £20 for any person to commit a breach of any regulations as to the use of any structure in a foreshore licence.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 November 1958.

These regulations are administered in the Marine Department.