

license under the said Act to occupy a part of the foreshore at Kawerua, in the Hokianga County, in order to erect and maintain a boat-shed, gum-shed, and tramway thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department, at Wellington (marked M.D. 4158), showing the area of foreshore intended to be occupied, and the manner in which it is proposed to erect the said boat-shed, gum-shed, and tramway: And whereas it has been made to appear to the Governor in Council that the proposed work will not be or tend to the injury of navigation, and the said plan has, prior to the making of this Order in Council, been approved by the Governor in Council: And whereas it is expedient that a license should be granted and issued to the licensee under the said Act for the purpose last aforesaid, on the terms and conditions hereinafter expressed:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, and by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the object for which the said license is required by the licensee as aforesaid; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore on which the said boat-shed, gum-shed, and tramway are to be erected, as shown on the plan M.D. 4158 so deposited as aforesaid, for the purpose of erecting and maintaining the said boat-shed, gum-shed, and tramway; such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

#### SCHEDULE.

1. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.
2. The concessions and privileges conferred by this Order in Council shall extend and apply only to the part of the foreshore necessary for the erection of the said boat-shed, gum-shed, and tramway as shown on the plan marked M.D. 4158.
3. In consideration of the concessions and privileges granted by this Order in Council, the licensee shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1, dating from the date hereof, the first of such annual payments to be made on the license being supplied with a copy of this Order in Council.
4. His Majesty or the Governor, and all officers in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of the said boat-shed, gum-shed, and tramway without payment.
5. The licensee shall maintain the above-mentioned boat-shed, gum-shed, and tramway in good order and repair.
6. Any person authorized by the Minister may, at all reasonable times, enter upon the said boat-shed, gum-shed, and tramway, and view the state of repairs thereon; and upon such Minister leaving at or posting to the last known address of the licensee a notice in writing of any defect or want of repair in such structures, or any of them, requiring her within a reasonable time, to be therein prescribed, to repair the same, she shall with all convenient speed cause such defect to be removed or such repairs to be made.
7. Nothing herein contained shall authorize the licensee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1908, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.
8. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for the term of fourteen years computed from the date thereof, unless such rights, powers, and privileges are sooner altered, modified, or revoked by competent authority; and the licensee shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister.
9. The said rights, powers, and privileges may be at any time resumed by the Governor, without payment of any compensation whatever, on giving to the licensee three calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister, and delivered at or posted to the last known address of the licensee.

10. In case the licensee—

- (1.) Commits or suffers a breach of the conditions hereinbefore set forth, or any of them;
- (2.) Ceases to use or occupy the said boat-shed, gum-shed, and tramway; or
- (3.) Becomes bankrupt or is brought under the operation of any law in force for the time being relating to bankruptcy,—

then and in any such case this Order in Council, and every license, right, power, or privilege thereby conferred, may be revoked and determined by the Governor in Council without any notice to the licensee or other proceeding whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice of the fact to the licensee, and to all persons concerned or interested, that the license, rights, and privileges hereby conferred have been revoked and determined.

11. The erection of the said boat-shed, gum-shed, and tramway, or any of them, shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

J. F. ANDREWS,  
Clerk of the Executive Council.

*Vesting Management of Wharf and Boat-slip at Kaikoura in Kaikoura County Council.*

#### LIVERPOOL, Governor. ORDER IN COUNCIL.

At the Government House, at Wellington, this fifteenth day of December, 1913.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section eleven of the Harbours Act, 1908 (hereinafter termed "the said Act"), it is enacted that the Governor in Council may vest the management of any wharf the property of His Majesty in any local governing body or person, upon such terms and conditions as the Governor in Council thinks fit:

And whereas it is thought desirable to vest in the Kaikoura County Council (hereinafter called "the Council") the management of the wharf and boat-slip at Kaikoura, in the County of Kaikoura, as shown marked B and C in red on plan marked M.D. 199, and deposited in the office of the Marine Department, at Wellington, on the terms and conditions hereinafter set forth:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in pursuance and exercise of the power and authority vested in him by the said eleventh section of the said Act, and of all other powers and authorities in anywise enabling him in that behalf, doth hereby vest the management of the wharf and boat-slip at Kaikoura aforesaid in the Council, subject to the conditions set forth in the Schedule hereto.

#### SCHEDULE.

##### CONDITIONS OF MANAGEMENT.

1. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.
2. All His Majesty's subjects shall at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the above-mentioned wharf, and all rights of ingress and egress thereto and therefrom.
3. His Majesty or the Governor, and all officers in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress into, over, and out of the said wharf and boat-slip without payment.
4. The Council shall maintain and keep the above-mentioned wharf and boat-slip, and all erections on or in connection with the same, in good order and repair; and shall at all times exhibit therefrom and maintain at its own cost suitable and necessary lights for the guidance of vessels; provided that no new light shall be exhibited until after it has been approved by the Minister.
5. All dues and rates received on account of the said wharf and boat-slip by the Council shall be applied to keeping the said wharf and boat-slip, and all erections on or in connection with such wharf and boat-slip, in good order and repair.
6. Any person authorized by the Minister may at all reasonable times enter upon the said wharf and boat-slip, and any buildings erected on the wharf or in connection therewith, and