

respective duties leviable under the said Acts by way of income-tax shall be paid in one sum on Friday, the twenty-ninth day of January, one thousand nine hundred and fifteen.

And, in further pursuance and exercise of the powers and authority aforesaid, and with the like advice and consent as aforesaid, His Excellency doth also determine that the place where the said duties of land-tax and of income-tax shall be payable shall be the office of the Commissioner of Taxes, at the Government Buildings, Wellington, and that notice to the foregoing effect shall be given by the said Commissioner accordingly.

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

License authorizing the Tauranga Borough Council to use Water from the Omanawa River for the Purpose of generating Electricity, and to erect Electric Lines in the Borough of Tauranga and the Tauranga County.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this fifth day of October, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section five of the Public Works Amendment Act, 1908, it is enacted that the Governor may from time to time by Order in Council grant to any person or body corporate a license to use water from any fall, river, stream, or other source for the purpose of generating electricity for electric light, mechanical power, or other uses, and to exercise in respect of that license any of the powers and authorities specified in that behalf in the said section : And whereas it is further provided by the said section that any such license may confer upon the licensee a right at any time or times during the continuance of the license (but subject to such conditions and restrictions as are expressed in the license) to enter upon any road, railway, or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such cables, wires, and other things as are required for the transmission of electricity between the fall, river, stream, or other source aforesaid, and any place to which the licensee is authorized to transmit electricity in pursuance of the license :

And whereas it is by subsection five of the said section also provided that the license shall be deemed to constitute a contract between the licensee and His Majesty the King, and shall be enforceable by and against either party accordingly :

And whereas the Tauranga Borough Council has applied for a license under the said section to take and use water from the Omanawa River, in Crown Land Block VI, Otanewainuku Survey District, in the Provincial District of Auckland (hereinafter referred to as "the said stream"), for the purpose of generating electricity for the purposes aforesaid, and upon the terms and subject to the conditions hereinafter appearing, and it is expedient to issue such license accordingly :

Now, therefore, in pursuance and exercise of the powers conferred upon him as aforesaid, and of the powers conferred by section two of the Public Works Amendment Act, 1911, and of all other powers enabling him in that behalf, 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, doth hereby grant to the Tauranga Borough Council, subject to the terms and conditions hereinafter set forth, a license to take, divert, and use from the Omanawa River aforesaid, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding one hundred and sixty cubic feet of water per second at any one time ; and also to erect and maintain electric lines for lighting and power purposes as hereinafter described.

TERMS AND CONDITIONS.

1. In this license the following words and phrases shall have the meaning hereby attached to them respectively :—

"Consumer's wires" means any electric line on the consumer's premises connected with the Council's electric-supply lines :

"Council" means the Tauranga Borough Council :

"Earthed," as applied to any conductor, means that such conductor shall be so connected to the general mass of earth as to ensure at all times an immediate and safe discharge to earth of electrical energy :

"Electric line" means any wire, wires, conductor, or other means used for conveying, transmitting, or distributing electricity for power, lighting, or heating purposes, and includes any instrument, insulator, casing, tubing, pipe, covering, tower, or post enclosing or supporting an electric line or anything connected therewith :

"Extra high pressure" means pressures over 3,300 volts :

"High pressure" means pressures over 650 volts and up to 3,300 volts :

"Inspecting Engineer" means and includes any inspecting engineer appointed by the Minister to inspect works to be constructed or maintained by virtue of electric-line licenses, or any water-power licenses, or any combined water-power and electric-line licenses, issued under the Public Works Act, 1908, and any or all of its amendments, or under any one or more of such amendments only, or any Act or Acts passed in amendment thereof or substitution therefor :

"Low pressure" means pressures up to 650 volts :

"Minister" means the Minister of Public Works :

"Pressure" means difference of electric potential :

"Public works" means any public work as defined in the Public Works Act, 1908, and its amendments, and includes any work authorized, constructed, or maintained under Division 2 of the Post and Telegraph Act, 1908 :

"Public Works Engineer" means the Engineer in charge of the Public Works district in which the area of supply is situated :

"Street" includes road :

"Telegraph" includes telephone.

Utilization of the Water.

2. The said water shall be used solely for the purpose of generating electricity.

3. The Council shall install, construct, maintain, and use the following works for the purposes of this license :—

(a.) Headworks consisting of a diverting weir, and such dam or dams as may be required, and necessary intake.

(b.) A water-race and or a pipe-line leading from such diverting weir or dam to the power-house hereinafter referred to.

(c.) A power-house with all necessary equipment, including water-turbines, transformers, lightning-arresters, switchboards, switches, exciters, and other appliances for generating and transforming electricity.

(d.) Such transmission and other lines, together with such transforming and converting apparatus as may be required to serve the purpose of this license.

Location of Headworks, &c.

4. The said water shall be taken by the Council from the point in the said stream marked "Headworks," and shown on the plans marked P.W.D. 34825, Plan B, deposited in the office of the Minister of Public Works at Wellington and hereinafter referred to as the said plans, and such water shall be conducted by a race, pipe, or tunnel, over or along the route shown on the said plans to the generating-station to be erected on the bank of the said stream at the side marked "Power-house" on the said plans, and all water diverted from the said stream shall be returned by the licensee to the said stream at or near the power-house. Nothing herein shall prevent the Governor in Council from granting to any person or body corporate other than the Council a license to take water from any portion of the said stream except at the place where the Council is by this license empowered to take it ; provided that no such license shall so operate as to reduce the natural fall of 108 ft. between headworks and tail-water, or the volume of water which the Council is by this license authorized to take from the said stream.

Annual Rental.

5. The Council shall in respect of this license pay to the Receiver of Land Revenue at Wellington, or otherwise as the Minister may from time to time require, a fee of one peppercorn per annum, if demanded.

Duration of Term of License.

6. The term for which this license is granted is a period of forty-two years, commencing as from the 1st day of October, 1914, unless such term is sooner revoked, determined, or surrendered in accordance with or in pursuance of the provisions hereinafter contained ; and upon the expiry of the term of the license hereby granted, or upon the sooner revocation, determination, or surrender of the same, all rights granted to the Council shall thereupon absolutely cease and determine ; but such revocation, determination, or surrender shall not relieve the Council of any burden, condition, or liability contracted under this license.