

Department at Wellington, and approved by the Governor-General in Council on the twelfth day of November, one thousand nine hundred and seventeen:

And whereas it has been made to appear to the Governor-General in Council that the proposed slipway will not be or tend to the injury of navigation:

And whereas it is desirable that a license under the said Act for the purpose aforesaid should be granted and issued to the licensees for the term and subject to the conditions hereinafter expressed:

Now, therefore, His Excellency the Governor-General 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 acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the purpose or object for which the said license is required by the licensees 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 licensees to use and occupy that part of the foreshore and land below low-water mark adjacent thereto as shown in red on plan marked M.D. 4742, deposited as aforesaid, such license to be held and enjoyed by the licensees 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 that part of the foreshore and land below low-water mark as shown in red on plan marked M.D. 4742.

3. In consideration of the concessions and privileges granted by this Order in Council the licensees shall pay to the Minister the sum of £2 10s., and thereafter a sum of 1s. per week, payable quarterly in advance, dating from the date hereof, the first of such payments to be made on the licensees being supplied with a copy of this Order in Council.

4. The licensees shall erect at high-water mark at the points marked "A" and "B" on the plan marked M.D. 4742 notice-boards with the following notices on both sides:—

#### NOTICE.

##### DANGER.

PERSONS are warned against passing this notice while a RED FLAG is flying from the flagpole in the Aviation School grounds.

By order of the Marine Department.

5. Preparatory to flights, and during flights and landing of seaplanes, the licensees shall cause a red flag to be flown from the flagpole at the hangar.

6. Any person authorized by the Minister may at all reasonable times enter upon the said slipway and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the licensees in New Zealand a notice in writing of any defect or want of repair in such slipway, requiring them, within a reasonable time, to be therein prescribed, to repair the same, they shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. Nothing herein contained shall authorize the licensees 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 to be in force for a period of five years dating from the 12th day of August, 1919, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensees shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

9. The licensees shall maintain the above-mentioned slipway in good order and repair, and shall at all times exhibit therefrom, and maintain at their own cost, suitable and necessary lights for the guidance of vessels; provided that no light shall be exhibited until after it has been approved of by the Minister.

10. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the licensees three calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister and de-

livered at or posted to the last known address of the licensees in New Zealand.

11. The licensees shall be liable for any injury which the said slipway may cause any vessel or boat to sustain through any default or neglect on their part.

12. In case the licensees shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
- (2.) Cease to use or occupy the said foreshore for a period of thirty days;
- (3.) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy; or
- (4.) Fail to pay the sums specified in clause 3 of these conditions,—

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

F. W. FURBY,  
Acting Clerk of the Executive Council.

*Making Regulations, fixing Dues, and otherwise with respect to the Kaipara Harbour and certain of the Wharves therein.*

LIVERPOOL, Governor-General.

#### ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-third day of December, 1919.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS it is enacted by section two hundred and seven of the Harbours Act, 1908 (hereinafter called "the said Act"), that a Harbour Board shall have power, by by-laws under the said Act, to do all or any of the things mentioned within the limits of the harbour, including, amongst other things, power to regulate the use of wharves and other landing-places, and generally regulate the traffic on the same, fix scales of dues, tolls, and charges to be paid for the use of wharves, and fix scales of dues for the storage of goods, and otherwise as mentioned in the said section:

And whereas it is enacted by section nine of the said Act that in harbours where there is no Harbour Board the Governor in Council shall have all the powers, functions, duties, and authorities by the said Act conferred upon Harbour Boards, and may exercise the same in accordance with the said Act under regulations to be made in the manner provided in section two hundred and seven:

And whereas, there being no Harbour Board for the Kaipara Harbour, the Governor, by Order in Council dated the nineteenth day of May, one thousand nine hundred and eleven, and published in the *New Zealand Gazette* No. 45, of the first day of June following, made certain regulations with respect to the said harbour, and to the wharves and landing-places therein which are vested in and under the control of the Hobson County Council:

And whereas it is desirable to revoke the hereinbefore-recited regulations, and to make other regulations in lieu thereof:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the hereinbefore-recited power and authority, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke the said regulations of the nineteenth day of May, one thousand nine hundred and eleven, and doth hereby make, in lieu thereof, the following regulations with respect to the said harbour, and to the wharves and landing-places therein which are vested in and under the control of the Hobson County Council.

#### REGULATIONS.

1. IN these regulations, if not inconsistent with the context,—  
"Council" means the Hobson County Council:

"Boat" means and includes any open, decked, or half-decked boat attached to or used in connection with any ship or other vessel lying in or belonging to or visiting the Kaipara Harbour, and also any such boat used for the purposes of business or pleasure by residents of the district of Kaipara, in which the means of propulsion is either exclusively by oars or partly by oars and partly by sails: