

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 purpose 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 Alfred Jones, of Waipipi, farmer (hereinafter, with his successors and assigns, referred to as "the licensee") has applied for a license under the said section to take and use water from a stream in Section 163, Waipipi Parish, Block XI, Awitu Survey District, in the Land District of North Auckland (hereinafter referred to as "the said stream") for the purpose of generating electricity as aforesaid, 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 all other powers in anywise enabling him in that behalf, His Excellency the Governor-General 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 licensee (subject to the terms and conditions set forth in the Schedule hereto) a license to take and use from the said stream, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding one and a half cubic feet per second at any one time.

SCHEDULE.

1. UTILIZATION OF THE WATER.

The said water shall be used solely for the purpose of generating electricity, and shall be returned to the said stream at or near the power-house.

2. LOCATION OF HEADWORKS.

The said water shall be taken from the said stream at the headworks, situated in Section 163, Waipipi Parish, Block XI, Awitu Survey District, at a point indicated on the plan marked P.W.D. 48126, deposited in the office of the Minister of Public Works (hereinafter referred to as "the Minister") at Wellington, in the Land District of Wellington.

3. GENERAL DESCRIPTION OF WORKS.

The licensee is hereby authorized to construct, maintain, and use the following works for the purposes of this license; the position of the said works being indicated on the plan marked P.W.D. 48126 hereinbefore referred to.

- (a.) Headworks consisting of a dam and necessary intake.
- (b.) Flume and pipe line leading from such dam to the power-house hereinafter referred to.
- (c.) A power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arresters, switchboards, switches, exciters, and other appliances for generating electricity.

4. MAINTENANCE OF WORKS.

After the said works have been completed, the licensee shall maintain the same in proper working-order during the continuance of this license.

5. POWER TO TAKE LAND.

The licensee is hereby empowered to take, under the Public Works Act, 1908, as for a public work such land as may, in the opinion of the Governor-General, be necessary to enable the licensee to construct and maintain the various works authorized by this license.

6. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of forty-two years from the date hereof. Upon the expiry of the said term, or upon the sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensee shall thereupon cease and determine; but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

7. RENTAL.

The licensee shall, in respect of this license, pay to the Public Works Engineer for the district, or otherwise as the Minister may from time to time require, a yearly rental of 4s. per kilowatt of maximum output generated during any and every year.

8. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate other than the licensee a license to take water from any portion of the said stream, except at the place where the licensee is by this license empowered to take it; provided that no such license shall so operate as to reduce the natural fall between the headworks and tail-water, or the volume of the water which the licensee is by this license authorized to take from the said stream.

9. FINES.

If the licensee fails or neglects—

- (a.) To use or maintain the said works, after completion, so as to secure the full benefit of the undertaking; or
- (b.) To observe any of the conditions or obligations herein imposed,—

then and in any such case the licensee shall be liable to a fine of £50 for every week or part of a week during which such default or neglect continues; or the Governor-General may in Order in Council revoke this license.

10. SERVICE OF NOTICE.

Notwithstanding anything in the last preceding clause, this license shall not be revoked, and no proceedings shall be taken for the recovery of a fine in respect of the breach thereof, unless and until notice in writing of the intention so to revoke the license or to take such proceedings has been served upon the licensee, or placed upon some principal or conspicuous part of the works, and default has been made by the licensee in repairing or remedying the breach or breaches specified in the said notice for the following periods:—

- (a.) For any breach which in the opinion of the Governor-General can be met by a fine, for thirty days after the service of such notice.
- (b.) For any breach which in the opinion of the Governor-General is of such a nature as to require the revocation of this license, for ninety days after the service of such notice.

11. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may at any time or from time to time, at the request or with the consent in writing of the licensee, be altered by the Governor-General by Order in Council.

12. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister, surrender this license, and shall thereupon, if so required by the Minister, remove from the ground all removable equipment, machinery, buildings, poles, transmission-lines, and other plant herein authorized to be installed or provided. If the licensee fails or neglects so to remove the said plant within twelve months after being required so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment or compensation, vest in and become the property of the Crown.

13. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (a) of clause 3 of the regulations.

The generating voltage shall be approximately 125 volts between the terminals.

14. NOTICES *re* EXTENSIONS, ETC.

Notices *re* any extensions or alterations should be sent to the Public Works Engineer at present stationed at Auckland, and to the Telegraph Engineer of the district, or his Deputy, at present stationed at Auckland.

15. INSPECTION OF WORKS.

For the purpose of ascertaining whether the conditions of this license are being faithfully complied with by the licensee, the Minister, or any person appointed by him in that behalf, may at all reasonable times enter on the said works and inspect the same.

F. D. THOMSON,
Clerk of the Executive Council.

Partial Revocation of an Order in Council under Section 296 of the Native Land Act, 1909.

LIVERPOOL, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-first day of June, 1920.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section two hundred and ninety-six of the Native Land Act, 1909, it is enacted that any Order in Council made under Part XVI of that Act, or under