

forth in the Schedule hereto; and doth declare that such regulation shall have effect from the date of the publication of this Order in Council in the *New Zealand Gazette*.

SCHEDULE.

LOITERING IN POST OR TELEGRAPH OFFICES.

ANY person who loiters in a post-office or telegraph-office shall be liable to a fine not exceeding £5, and any person found so loitering may be ejected.

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

License authorizing the Patea Borough Council to use Water from the Mangaroa Stream for the Purpose of generating Electricity.

ROBERT STOUT,
Administrator of the Government.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of August, 1920.

Present :

HIS EXCELLENCY THE ADMINISTRATOR PRESIDING IN COUNCIL.

WHEREAS by section five of the Public Works Amendment Act, 1908, it is enacted that the Governor-General 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 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 by an Order in Council dated the twentieth day of August, one thousand nine hundred and seventeen, and published in the *New Zealand Gazette* of the twenty-third day of the same month, the Patea Borough Council was authorized to erect electric lines within the Borough of Patea and portion of the Patea County, in terms of section two of the Public Works Amendment Act, 1911:

And whereas the said Patea Borough Council (hereinafter, with its successors and assigns, referred to as "the licensee") has applied for a license under section five of the Public Works Amendment Act, 1908, to take and use water from the Mangaroa Stream, in the Land District of Taranaki (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 Administrator of the Government 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 stream aforesaid, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding five cubic feet per second at any one time.

SCHEDULE.

1. PLANS.

THE licensee shall, before the works hereby authorized are commenced, forward for the approval of the Minister of Public Works (hereinafter referred to as "the Minister")—

- (a.) Full detailed drawings and specifications of the diverting weir and dam.
- (b.) Drawings showing how and in what manner the water is diverted.
- (c.) Contour plan showing difference in level of water due to the construction of the headworks.

2. UTILIZATION OF THE WATER.

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

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said stream at the headworks, situated in Section 459, Block II, Carlyle Survey District, at a point indicated on the plan marked P.W.D. 46683, deposited in the office of the Minister at Wellington, in the Land District of Wellington.

4. 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 plans marked P.W.D. 46683 and P.W.D. 48478, deposited in the office of the Minister at Wellington, in the Wellington Land District:—

- (a.) Headworks consisting of a dam and necessary intake.
- (b.) Race leading from such intake to the power-house dam.
- (c.) Raising existing dam at the power-house.

5. INSPECTION OF WORKS.

The Inspecting Engineer, both during and after the construction of the works, shall have free access to and liberty at any time to inspect the same so as to ensure that the provisions of this license are given due effect to.

6. 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.

7. 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.

8. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force until the 19th day of August, 1959. 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.

9. RENTAL.

The licensee shall in respect of this license pay to the Public Works Engineer, Stratford, or otherwise as the Minister may from time to time require, a rental at the rate of 1s. per quarter per kilowatt of maximum output occurring during the year as recorded by a wattmeter to be installed by the licensee in the power-house, with a minimum payment of £10 per annum.

10. 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.

11. 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 by Order in Council revoke this license.

12. 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.