

5. His Majesty or the Governor-General, 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 wharf without payment.

6. The licensee shall maintain the above-mentioned wharf in good order and repair, and shall at all times exhibit therefrom, and maintain at his 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.

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

8. 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.

9. The ballast of all vessels loading at the said wharf shall be taken away by the licensee and deposited above high-water mark, or at such place as may be approved of by the Minister, or by any person appointed by the Minister for that purpose.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the date hereof, unless in the meantime such rights, powers, and privileges shall be 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 written consent of the Minister first obtained.

11. 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 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 in New Zealand.

12. The licensee shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on his part.

13. In case the licensee 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 wharf 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 either of the said cases this Order in Council, and every license, right, power, or privilege, may be revoked and determined by the Governor-General 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 to the licensee, 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.

14. The erection of the said wharf shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

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

*Regulations under the Offenders Probation Act, 1920.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 29th day of November, 1920.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

IN pursuance and exercise of the powers conferred upon him by section twenty of the Offenders Probation Act, 1920, and of every other power and authority 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 make the following regulations for the purpose of the said Act, and doth declare that the regulations shall come into force on the ninth day of December, one thousand nine hundred and twenty.

REGULATIONS.

CHIEF PROBATION OFFICER.

1. The Chief Probation Officer shall be responsible for the administration of the Offenders Probation Act and for the supervision of all Probation Officers in the performance of their duties under the Act. During his incapacity through illness or other disability, or by his direction, the Deputy Chief Probation Officer shall have and may exercise all the powers and functions of the Chief Probation Officer.

DUTIES OF PROBATION OFFICERS.

2. Probation Officers shall attend all Courts held within their respective districts for criminal business where persons are to be charged with offences within the meaning of section 2 of the Offenders Probation Act, 1920. When the investigations they are required to make in terms of the Act clearly indicate that the best interests of the public and of the offender will be served by releasing him on probation, it shall be the duty of every Probation Officer reporting upon a case to recommend to the Court that the offender be so released. He shall state in his report whether, in his opinion, the person charged is able to pay the cost of his prosecution as provided by subsection (2) of section 10 of the Act.

3. The Probation Officer shall issue to every person released upon probation a form of probationary license upon which shall be printed or written the general and special conditions of probation, and a precis of any section or sections of the Act imposing penalties for the breach of such conditions. Before handing his license to a probationer, and obtaining his receipt therefor, the Probation Officer shall see that the probationer is fully conversant with its terms and the penalties to which he is liable for failure to comply with them.

4. Registers, specially printed and bound for the purpose, shall be supplied to all Probation Officers. The names, descriptions, special conditions of release, and other requisite particulars regarding each probationer shall be entered in such registers immediately upon the issue of every probationary license.

5. Probation Officers shall forward all reports regarding probationers in their respective districts, and all correspondence relative to such probationers or matters arising out of their duties under the Act, to the Chief Probation Officer at Wellington. Immediately a person is placed on probation a return, on the prescribed form, shall be made to that officer, and on the first of every month a report shall be forwarded as to the progress and conduct of the probationer. A separate report, on the prescribed form, must be made in respect of each probationer, and the name of the offender as well as the register number of license must be written on each such report. Whenever possible a newspaper report of the case must be attached to the first return.

6. Probationers must be given every facility for applying to the Prisons Board for remission of conditions or for discharge from probation as prescribed by section 12 of the Act. Probation Officers are enjoined to report fully to the Chief Probation Officer regarding the character and conduct of the applicants and generally upon the merits of each case.

7. When a probationer changes his place of residence to another Probation Officer's district, an entry to that effect must be made on the probationary license, and a copy of the entry in the Probation Register, giving all the particulars of the case, must be immediately forwarded to the Probation Officer of that district. The Probation Officer of the district to which a probationer has been transferred must at once report his arrival to the officer of the district from which the probationer came. If the probationer fails to report himself in the new district the Probation Officer of the district from which the probationer was transferred must be at once notified of the fact.

8. When probationers are ordered to pay the costs of the prosecution, Probation Officers are to collect the amounts within such period and by such instalments as may be ordered, and are to pay them into the Public Account, forwarding the bank receipts to the Chief Probation Officer along with the monthly reports. Where there is no bank, the amount received is to be remitted by money-order. Money collected by Probation Officers from probationers for the purpose of being refunded to prosecutors or other persons, by way of restitution, must be handed to the person or persons mentioned in the order of the Court and their receipts taken therefor. Such receipts must be attached to the monthly report in each case and forwarded to the Chief Probation Officer.

9. Whenever a probationer is, in terms of section 13 of the Act, convicted of a breach of conditions of his probationary license, or rearrested as provided by section 14 of the Act, notification thereof is to be at once made to the Chief Probation Officer. When a probationer has satisfactorily carried out his probation and has been released therefrom, a final report of the case is to be forwarded to the Chief Probation Officer.

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