

hundred and twenty-one, and it is expedient to grant the same 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 company as aforesaid; and, in further pursuance and exercise of the said power and authority, and by and with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy that part of the foreshore and land below low-water mark which is particularly shown and delineated on the plans so deposited as aforesaid, for the purpose of maintaining the aforesaid wharf thereon, such license to be held and enjoyed by the company upon and subject to the terms and conditions set forth in the First Schedule hereto; and doth hereby prescribe that the dues and rates set forth in the Second Schedule hereto shall be taken by the company for the use of the said wharf.

FIRST 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 the part of the foreshore and land below low-water mark occupied by the wharf, as shown on plans marked M.D. 3028.

3. In consideration of the concessions and privileges granted by this Order in Council the company shall, on being supplied with a copy thereof, pay to the Minister the sum of £3, and thereafter an annual sum of £5 in advance, dating from the 7th day of February, 1921, the first of such annual payments to be made on the company being supplied with a copy of this Order in Council.

4. All persons shall at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

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 company shall maintain the above-mentioned wharf in good order and repair; and shall at all times exhibit therefore and maintain at its 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 registered office of the company in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring it within a reasonable time, to be therein prescribed, to repair the same, it shall, with all convenient speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the company or 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 company 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 in force for fourteen years from the 7th day of February, 1921, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the company shall not assign, charge, or part with any such right, power, or privilege without the previous 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 company six 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 registered office of the company in New Zealand.

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

13. In case the company shall—

- (1.) Commit or suffer a breach of the conditions hereinafter set forth, or any of them;
- (2.) Cease to use or occupy the said wharf for a period of thirty days;
- (3.) Be in any manner wound up or dissolved; 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 company 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 company, 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.

SECOND SCHEDULE.

SHIPPING WHARFAGE.

EVERY person who shall use this wharf with any vessel shall pay for the use thereof as follows, that is to say:—

For every vessel a sum of 1d. per ton on the gross tonnage of such vessel per day for each day or part of a day a vessel shall occupy a berth alongside any vessel lying at the said wharf, or shall lie at the said wharf undergoing repairs or fitting out only, or shall lie off the said wharf with a line attached thereto.

GOODS WHARFAGE.

Every person who shall use this wharf for landing or shipping any goods shall, before using the same, pay dues as follows, that is to say:—

1. For all goods landed on this wharf, a rate of 2s. 6d. per ton weight or measurement, at the option of the company.

2. For every head of cattle or horses landed upon or shipped from the said wharf, 2s. 6d. per head.

3. For every yearling or calf so landed upon or shipped from the said wharf, the sum of 1s. per head.

4. For every head of sheep or small cattle so landed upon or shipped from the said wharf, the sum of 6d. per head.

5. If any ship shall use this wharf for the discharge of any goods or cargo after the usual working-hours or on wharf holidays, such ship shall pay to the company for the use of the said wharf a charge at the rate of 1s. per ton on all goods or cargo so discharged from such ship. This charge will only be made when, in the opinion of the Wharfinger, it is necessary to employ labour to stack or remove cargo in sheds in consequence of the discharge of such goods or cargo as aforesaid.

PASSENGERS.

For every passenger who shall land on or be shipped from the said wharf, the sum of 1s.

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

Prohibiting the Exportation of Wheat, Wheatmeal, Flour, Bran, and Pollard, and allowing the Exportation of Oats and other Cereals, Oatmeal, Crushed Oats, Rolled Oats, and similar Preparations.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 18th day of January, 1921.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

HIS Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred upon him by section forty-seven of the Customs Act, 1913, and section twenty-four of the Regulation of Trade and Commerce Act, 1914, 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 that Dominion, doth hereby further amend the Order in Council made on the twenty-fourth day of November, one thousand nine hundred and nineteen, and published in the *New Zealand Gazette* on the twenty-seventh day of November then instant, which prohibited to the extent specified therein the exportation from New Zealand of certain goods, by omitting from the Second Schedule thereto the words "Wheat, oats, and other cereals, also flour and oatmeal, crushed oats, rolled oats, and similar preparations"; and doth prohibit the exportation from New Zealand of wheat, wheatmeal, flour, bran, and pollard, save with the consent of the Minister of Customs.

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