

16. COMPENSATION PAYABLE FOR LAND INJURIOUSLY AFFECTED, ETC.

In respect of all land injuriously affected, and in respect of all damages done by the exercise of any of the powers conferred upon the licensee by this license, the licensee shall from time to time, as and when any such injury or damage accrues or happens, pay compensation in accordance with the provisions of the Public Works Act, 1908, in the same manner (subject to all necessary modifications) as if such claim was one for injury or damage arising out of the construction of a public work.

17. CROWN NOT LIABLE TO PAY COMPENSATION.

Nothing in this license shall be held to cast upon or imply any liability upon His Majesty the King or upon the Government of New Zealand to pay compensation to any person, corporate body, or local authority by reason of the exercise by the licensee of the authority hereby granted; but the licensee shall be liable for any loss or damage which any person, corporate body, or local authority may sustain as the result of the exercise by the licensee of any of the powers granted by this license.

18. CONSUMERS ENTITLED TO SUPPLY.

The licensee shall supply and sell to any person, company, or corporate body within the area of supply requiring the same, for any purpose within that area, electricity to the extent to which it may be available; provided that such person, company, or corporate body pays the cost of connecting his or its premises with the transmission-line erected by the licensee in pursuance of this license, or alternatively pays a line rental at a rate not exceeding 6 per cent. on the cost of such connecting line together with any additional transmission-line required to supply such person, company, or corporate body.

19. CONTRACT BETWEEN LICENSEE AND CROWN.

This license shall be deemed to constitute a contract as between the licensee and His Majesty the King, and may be enforced as a contract by and against His said Majesty or the licensee accordingly.

20. DEFAULT.

If the licensee fails or neglects to observe any of the conditions or obligations imposed by this license, then and in any such case the provisions of clauses 50 and 51 of the regulations shall apply to the breach of any such condition or obligation.

21. 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.

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

*License authorizing Kanieri Electric (Limited) to use Water from the Kanieri Lake for the Purpose of generating Electricity, and to erect Electric Lines within the Borough of Hokitika and Westland County.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Auckland, this 26th day of January, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 Kanieri Electric (Limited), (hereinafter, with its successors and assigns, referred to as "the licensee") holds a water-race license under the Mining Act, 1908, to take and use water from the Kanieri Lake, in the Land District of Westland (hereinafter referred to as "the said lake"), for

the purposes therein specified, and has applied for a license under the above-recited section five to also take and use the said water 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 the powers conferred by section two of the Public Works Amendment Act, 1911, 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 lake, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding fifty cubic feet per second at any one time; and also to erect and maintain electric lines for power, lighting, heating, or other uses along the routes and within the area of supply hereinafter described, and subject also to the regulations dated the twenty-second day of September, one thousand nine hundred and nineteen, and published in the *New Zealand Gazette* of the twenty-fifth day of September, one thousand nine hundred and nineteen, or any regulations hereafter made in amendment thereof or in substitution therefor (hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein.

SCHEDULE.

1. UTILIZATION OF THE WATER.

The said water shall be used under this license for the purpose of generating electricity, and, except one head supplied to Hokitika Borough Council, shall be returned to the Kanieri River at or near the power-house.

2. LOCATION OF HEADWORKS.

The said water shall be taken from the said lake at the headworks, situated at Kanieri Lake, in Block XI, Kanieri Survey District, at a point indicated on the plan marked P.W.D. 48198, deposited in the office of the Minister of Public Works 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. 48198 hereinbefore referred to and on the plans marked P.W.D. 46770 and 50108, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District.

- (a.) Headworks consisting of a weir and necessary intake.
- (b.) Race, penstock, and pipe-line leading from such weir to the power-house hereinafter referred to; also tail race from the power-house to the Kanieri River.
- (c.) A power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arresters, switchboards, switches, exciters, and other appliances for generating electricity.
- (d.) Transmission and other lines over the routes shown by means of red and blue lines on the said plan marked P.W.D. 46770, with the exception of the blue lines shown in the Westland County area.
- (e.) Such further transmission and other lines within the area of supply as may from time to time be required within such area of supply, and after compliance with the provisions of clause 48 of the regulations.

4. 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.

5. 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.

6. RIGHT TO ENTER LANDS, ETC.

The licensee shall have the right at any time or times during the continuance of this license, with the consent of the Minister, to enter upon any road 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 transmission-lines, poles, or other things as are required for the transmission of electricity between the generating-stations and any of the substations to which this license applies.

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