

the Treaties of Peace Act, 1919, and of all other powers and authorities enabling him in that behalf, doth hereby order as follows:—

1. Clause 11 of the Samoa Customs Order, 1920, is hereby revoked, and the following clause substituted therefor:—

“11. All powers conferred by the Customs Act, 1913, on the Minister of Customs shall in Samoa be exercised by the Administrator, and all powers conferred by the said Act on the Comptroller of Customs shall in Samoa be exercised by a Collector of Customs of Western Samoa. All references in the said Act to the Minister or Comptroller shall for the purposes of this Order be read accordingly as references to the Administrator or Collector as the case may require, and all references to the *Gazette* shall be read as references to the *Western Samoa Gazette*.”

2. The Samoa Customs Amendment Order, 1921 (dated the 1st day of February, 1921), is hereby consequently revoked.

3. Clause 18 of the Samoa Customs Order, 1920, is hereby amended by omitting the words “Minister of External Affairs” and substituting the word “Administrator.”

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

*Licensing Louis J. Vangioni to use and occupy Part of the Foreshore and Land below Low-water Mark of Akaroa Harbour as a Site for a Yacht-slip.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 16th day of January, 1922.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Louis J. Vangioni, of Akaroa (hereinafter called “the licensee”), has applied to the Governor-General in Council for a license under the Harbours Act, 1908 (hereinafter called “the said Act”), to occupy a part of the foreshore and land below low-water mark in Akaroa Harbour in order to maintain a yacht-slip thereon; and, in accordance with the one-hundred-and-fiftieth section of the Harbours Act, 1908, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 3089), showing the place in the said harbour where it is intended to maintain such yacht-slip, and the area of foreshore and land below low-water mark intended to be occupied for such purpose:

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation, and the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council:

And whereas it is expedient that a license under the said Act for the purpose aforesaid should be granted and issued to the licensee on the terms and 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 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 licensee as aforesaid; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore and land below low-water mark which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of maintaining thereon a yacht-slip, such license to be held and enjoyed by the licensee upon and subject to the following terms and conditions.

CONDITIONS.

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 in the hereinbefore-mentioned bay, shown on the said plan marked M.D. 3089.

3. In consideration of the concessions and privileges granted by this Order in Council, the licensee shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1 in advance, such annual payments to date from the 23rd day of August, 1921, the first of such annual payments to be made on the licensee being supplied with a copy of this Order in Council.

4. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years, computed from the 23rd day of August, 1921, 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 previous written consent of the Minister first obtained.

5. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the yacht-slip at his own cost, without payment of any compensation whatever, on giving to the licensee three months' previous notice in writing. Any such notice shall be sufficient if given by a Minister and delivered at or posted to the last known address of the licensee in New Zealand.

6. The licensee shall maintain the above-mentioned yacht-slip 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 yacht-slip and view the state of repair thereof, and upon such Minister leaving at or posting to the last known address of the licensee a notice in writing of any defect or want of repair in such yacht-slip, 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. 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 yacht-slip for a period of thirty-days;
- (3.) Fail to pay the sums specified in clause 3 of these conditions; or
- (4.) Become bankrupt, or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy,—

then and in any of the said cases this Order in Council, and every right, power, or privilege, may be revoked and determined by the Governor-General in Council 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 rights and privileges thereby conferred, have been revoked and determined; and upon such revocation the Minister may cause the said yacht-slip to be removed, and may recover the cost incurred by any such removal from the licensee.

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