

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 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 on which the wharf is to be erected, as shown on the plan so deposited as aforesaid, for the purpose of erecting and maintaining the said wharf; such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

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 that part of the foreshore and land below low-water mark occupied by the wharf, as shown on plan marked M.D. 5446.

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

4. 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, over, and out of the said wharf without payment.

5. 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.

6. 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.

7. 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 regulation made thereunder, and that are now or may hereafter be in force.

8. 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.

9. 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 previous written consent of the Minister first obtained.

10. 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.

11. 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 the licensee's part.

12. 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.) Fail to pay the sums specified in clause 3 of these conditions; or
- (4.) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy,—

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 in Council with any notice to the licensee or other proceedings 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.

13. The erection of the 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.

Licensing the West Coast Iron-ore Smelting Company (Limited), of Auckland, to occupy Foreshore outside Manukau Harbour.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 8th day of June, 1922.

Present :

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

WHEREAS, by Order in Council dated the twenty-first day of June, one thousand nine hundred and twenty, and published in the *New Zealand Gazette* No. 61, of the twenty-fourth day of the same month, the West Coast Iron-ore Smelting Company (Limited), of Auckland (hereinafter called "the company"), was licensed under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore outside Manukau Harbour, on the west coast of the North Island of New Zealand, as shown in red on plan marked M.D. 5192 and deposited in the office of the Marine Department at Wellington, for the purpose of extracting iron from the ironsand thereon, for a period of two years from the twenty-first day of June, one thousand nine hundred and twenty:

And whereas such license having expired and it is desirable to issue a license for a further period of one year:

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 with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy that part of the foreshore which is particularly shown and delineated in red on the plan so deposited as aforesaid, for the purpose of extracting iron from the ironsand thereon, such license to be held and enjoyed by the company upon and subject to the terms and conditions set forth in the Schedule hereto.

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 foreshore which is coloured red on the said plan marked M.D. 5192.

3. The rights, powers, and privileges conferred by this Order in Council shall continue in force for a period of one year from the date hereof, 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.

4. 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 £2 10s. per annum.

5. The company shall not commit or suffer to be committed any unnecessary waste or damage in or upon the said foreshore and premises, or any part thereof, in carrying on the said works, or in exercise of the powers or privileges thereby granted.

6. The company shall, at the expiration or sooner determination of the said term, deliver unto the Minister, or to any person appointed in that behalf, the said foreshore or premises in as good a state and condition as the nature of the