

7. BARE WIRES.

Notwithstanding anything hereinbefore contained, no bare wires shall be erected unless and until the consent of the Minister has first been obtained in accordance with the regulations.

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

License authorizing the Waimea Electric Supply and Manufacturing Company (Limited) to use Water from the Wairoa River for the Purpose of generating Electricity.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 31st day of July, 1922.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred upon him by the Public Works Amendment Act, 1908, 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 Waimea Electric Supply and Manufacturing Company (Limited), (hereinafter, with its successors and assigns, referred to as "the licensee"), subject to the terms and conditions set forth in the Schedule hereto, a license to take and use from the Wairoa River, in the Land District of Nelson (hereinafter referred to as the "said river"), for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding sixty cubic feet per second at any one time; but nothing herein shall be held to guarantee that the said stream contains sufficient water to supply sixty cubic feet per second hereinbefore mentioned.

SCHEDULE.

1. PLANS.

THE licensee shall, before the works hereby authorized are commenced, forward for the approval of the Minister of Public Works (hereinafter referred to as "the Minister")—

- (a.) Full detailed drawings and specifications of the diverting weir and dam;
- (b.) Drawings showing how and in what manner the water is diverted;
- (c.) Contour plan showing difference in level of water due to the construction of the headworks.

2. UTILIZATION OF THE WATER.

The said water shall be used solely for the purpose of generating electricity, with the exception of 12 cubic feet per second, which may be used for mechanical purposes.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said river at the headworks, situated in Section Part 170, Waimea East, Block X, Waimea Survey District, at a point indicated on the plan marked P.W.D. 54006, deposited in the office of the Minister at Wellington, in the Land District of Wellington.

4. 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 plans marked P.W.D. 54006, 54236, and P.W.D. 53827, deposited in the office of the Minister at Wellington, in the Wellington Land District:—

- (a.) Headworks consisting of a race, gates, and necessary intake.
- (b.) Race leading from such intake to the power-house.
- (c.) Tail-race leading from the power-house to the Wairoa River.
- (d.) A power-house with all necessary equipment, including water turbines, generators, transformers, lightning-arresters, switchboards, switches, exciters, and other appliances for generating electricity.

5. 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.

6. 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.

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 the licensee to construct and maintain the various works authorized by this license.

8. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of forty-two years from the date hereof. Upon the expiry of the said term, or upon the sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensee shall thereupon cease and determine; but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

9. RENTAL.

The licensee shall, in respect of this license, pay to the Public Works Engineer for the district, or otherwise as the Minister may from time to time require, a rental at the rate of 4s. per annum per kilowatt of maximum output as recorded by the watt-meter to be installed by the licensee at the power-house mentioned in clause 4 (d) hereof; payment to be made yearly on the 31st day of March of each year, commencing from the date the electrical power is first supplied.

For the purposes of this clause "maximum output" means twice the number of units generated in the half-hour during which the output is the maximum for the year. The output shall be recorded at the end of every half-hour. The minimum rental shall not be less than £10 per annum.

10. 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 water-channels, control-gates, races, pipe-lines, or other things as are required for the generation of electricity in pursuance of this license.

11. CHARGES FOR ELECTRICAL ENERGY.

The charges for electrical energy shall not exceed 9d. per unit for lighting purposes and 4d. per unit for motor-power, heating or cooking purposes; provided that "lighting purposes" shall include the operation of motor generators for lighting purposes. In the case of wholesale supply the charge shall not exceed £12 per horse-power per annum. "Wholesale supply" for this purpose shall be held to be a supply in respect to which the consumer shall guarantee to pay not less than £120 per annum. The licensee may make a minimum charge for electrical energy not exceeding 15s. per quarter.

12. 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 licensee were a local authority and the claim was one for injury or damage arising out of the construction of a public work.

13. 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.

14. BED OF RIVER NOT LEASED.

Nothing herein shall be held to constitute a lease from the Crown of the bed of the said river, nor shall the provisions of Part IX of the Property Law Act, 1908, apply to this license.

15. 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.

16. TIME FOR SUBSTANTIAL COMPLETION OF WORKS.

The licensee shall substantially complete the works hereby authorized within a period of one year from the date of this license, or within such further time as the Minister may allow in the event of the work being delayed by strikes, lock-outs, breakdowns, or other unavoidable causes not due to any neglect by the licensee.