

17. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate other than the licensee a license to take water from any portion of the said stream, except at the place where the licensee is by this license empowered to take it; provided that no such license shall so operate as to reduce the natural fall between the headworks and tail-water, or the volume of the water which the licensee is by this license authorized to take from the said stream.

18. FINES.

If the licensee fails or neglects—

- (a.) To use or maintain the said works, after completion, so as to secure the full benefit of the undertaking; or
(b.) To observe any of the conditions or obligations herein imposed,—

then and in any such case the licensee shall be liable to a fine of £50 for every week or part of a week during which such default or neglect continues; or the Governor-General may by Order in Council revoke this license.

19. SERVICE OF NOTICE.

Notwithstanding anything in the last preceding clause, this license shall not be revoked, and no proceedings shall be taken for the recovery of a fine in respect of the breach thereof, unless and until notice in writing of the intention so to revoke the license or to take such proceedings has been served upon the licensee, or placed upon some principal or conspicuous part of the works, and default has been made by the licensee in repairing or remedying the breach or breaches specified in the said notice for the following periods:—

- (a.) For any breach which in the opinion of the Governor-General can be met by a fine, for thirty days after the service of such notice.
(b.) For any breach which in the opinion of the Governor-General is of such a nature as to require the revocation of this license, for ninety days after the service of such notice.

20. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may at any time or from time to time, if found necessary and if duly agreed upon between the licensee and the Governor-General in Council, be altered by the Governor-General by Order in Council, in which case particulars of such alteration or modification shall be endorsed upon this license and signed by the licensee and the Governor-General, whereupon all the terms and conditions in this license contained (save and except as they may have been so altered or modified by such alterations) shall, *mutatis mutandis*, apply to such alterations as if the latter had formed part of this license as originally issued.

21. ASSIGNMENT.

This license and the benefits and obligations thereunder shall not be assigned or delegated by the licensee without the express consent in writing of the Governor-General in Council first had and obtained, upon such terms and conditions as he shall approve; but such consent shall not be withheld if it is proved to the satisfaction of the Minister that the transferee is financially and otherwise able to carry out the obligations specified under the license.

22. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister, surrender this license, and shall thereupon, if so required by the Minister, remove from the ground all removable equipment, machinery, buildings, poles, transmission-lines, and other plant herein authorized to be installed or provided. If the licensee fails or neglects so to remove the said plant within twelve months after being required so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment or compensation, vest in and become the property of the Crown.

23. REQUIREMENTS OF WAIMEA COUNTY COUNCIL.

Notwithstanding anything hereinbefore contained, the licensee shall not be entitled to construct, maintain, or use the works authorized by the license within the Waimea County, except subject to such conditions, not inconsistent with the provisions of this license or any variation of this license, as may from time to time be agreed upon between the licensee and the Waimea County Council.

24. COMMENCEMENT OF SUPPLY.

The licensee shall not use the works hereby authorized until the Minister has given notice in writing that he has received from the Inspecting Engineer a certificate that such works have been satisfactorily constructed.

F. D. THOMSON,
Clerk of the Executive Council

Licensing Samuel Clements Colmore-Williams to use and occupy a Part of the Foreshore of the Kaihu Creek, Wairoa River, Kaipara Harbour, as a Site for a Boat-shed.

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.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Samuel Clements Colmore-Williams, of Dargaville (hereinafter called "the licensee"), has applied to the Governor-General for a license, under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore at Kaihu Creek, Wairoa River, Kaipara Harbour, in order to erect thereon a boat-shed in accordance with the plan marked M.D. 5443, deposited in the office of the Marine Department at Wellington:

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 it is desirable that a license should be granted and issued to the licensee under the said Act for the purpose aforesaid:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon 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 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 on which the said boat-shed is erected, as shown on the aforesaid plan so deposited as aforesaid, for the purpose of maintaining the said structure thereon; 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 authority 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 occupied by the said boat-shed, as shown on plan marked M.D. 5443.

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, payable on the 1st day of April in each year, the proportionate part of such annual rental in respect of the period from the date hereof until the 31st day of March following to be paid 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, and out of the said boat-shed without payment.

5. The licensee shall maintain the above-mentioned boat-shed in good order and repair.

6. Any person authorized by the Minister may at all reasonable times enter upon the said boat-shed 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 boat-shed, 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 regulations 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.

8. 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 of this Order in Council, 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 written consent of the Minister first obtained.

9. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of