

## 10. 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.

## 11. 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.

## 12. 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.

## 13. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (a) (1) of clause 3 of the regulations.

The generating voltage shall be approximately 115 volts between the terminals.

No electric lines shall be erected beyond the boundaries of Section 24, Block V, Ngaire Survey District, without a license for same first being obtained under section 2 of the Public Works Amendment Act, 1911.

## 14. DATUM TEMPERATURE.

For the purposes of calculating stresses as provided in clause 15 of the regulations, the datum temperature shall be taken as 20 degrees Fahrenheit.

## 15. BED OF STREAM NOT LEASED.

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

## 16. 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.

## 17. 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, lockouts, breakdowns, or other unavoidable causes not due to any neglect by the licensee.

## 18. 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.

## 19. REVOCATION, ETC.

The powers of revocation or infliction of fines by a license invested in the Governor-General shall not be exercised unless and until the Governor-General has caused to be given to the licensee, or placed upon some principal or conspicuous part of the works, a notice in writing of the intention to exercise the same, and of the specified breach or breaches in respect of which the aforesaid powers are intended to be exercised, and default has been made by the licensee (after the giving or leaving of such notice) in repairing or remedying the breach complained of for the following space of time:—

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

## 20. DEFAULT AND PENALTY.

If the licensee shall fail to observe any of the conditions or obligations herein imposed upon the licensee, then in any such case it shall be lawful for the Governor-General, by Order in Council, either to revoke the license or to impose upon the licensee a fine not exceeding £20 for the breach of any such condition or obligation, such fine to be recovered in any Court of competent jurisdiction by any person appointed by the Governor-General to recover same.

## 21. PUBLIC WORKS COMPENSATION, ETC.

Nothing herein contained shall be deemed in any way to interfere with, affect, or abridge any rights or powers vested in His Majesty the King, or in the Governor-General on his behalf, or the Minister, or any other person under any Act of the General Assembly authorizing the construction, management, or working of any public work. Nor shall His Majesty or the Governor-General, or the Minister, or any other person be liable to pay to the licensee any compensation for injury done to the works authorized by the license by the construction, management, or working of any such public work as aforesaid, or for the loss occasioned thereby, or for the exercise of any such right or power as aforesaid.

## 22. GOVERNOR-GENERAL'S DECISION FINAL.

The Governor-General shall be the sole judge of the fact whether the requirements of these regulations have been complied with; and he may from time to time cause inquiry to be made into any matter connected therewith or arising hereunder, in such manner as he thinks fit, and his decision shall be final, and the licensee shall comply with such decision: Provided always that this clause shall not affect the right of any person, corporate body, or local authority in cases of damage or injury for which an action by such person, corporate body, or local authority may lie against the licensee.

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

*Licensing Arthur Stewart Russell to use and occupy a Part of the Foreshore at Paterson's Inlet, Stewart Island, as a Site for a Boat-shed.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 7th day of August, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Arthur Stewart Russell, of Invercargill (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 Paterson's Inlet, Stewart Island, in order to erect thereon a boat-shed in accordance with plan marked M.D. 5458 (in duplicate), and 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.