

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.

#### 13. 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.

#### 14. 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.

#### 15. 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.

#### 16. 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.

#### 17. 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.

#### 18. 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.

#### 19. BED OF RIVER 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.

#### 20. 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.

#### 21. TIME FOR SUBSTANTIAL COMPLETION OF WORKS.

The licensee shall substantially complete the works hereby authorized within a period of three years 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.

#### 22. 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.

#### 23. 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.

#### 24. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (e) of clause 2 of the regulations.

The generating voltage shall be approximately 3,000 volts between the terminals, and transmission voltage approximately 33,000 volts.

#### 25. INTERCHANGE OF SUPPLY OF ELECTRICAL ENERGY.

(a.) In the event of the Minister establishing a hydro-electric-power scheme outside the area of supply of a frequency of 50 cycles per second on the three-phase alternating-current system, he may require the licensee to connect that system with the licensee's electrical system in such a manner that an interchange of electrical energy between the two systems may be made from time to time and when required by either the licensee or the Minister, up to at least one-half of the total capacity of the plant installed at the licensee's power-house.

(b.) The licensee shall erect and maintain in good order, at the expense of the licensee, the necessary transmission-lines between the licensee's power-house and a point on the boundary of the area of supply to be determined by the Minister.

(c.) The Minister shall erect and maintain in good order, at the expense of the Minister, the necessary transmission-lines at a pressure of 33,000 volts outside the area of supply for the purpose of connecting the two systems at the point last mentioned in subclause (b) hereof.

(d.) The licensee and the Minister respectively shall, on demand, and from time to time as and when required, supply to each other so much of the surplus electrical energy as is then required and is available, but not in excess of one-half of the capacity of the plant installed in the licensee's power-house.

(e.) The price to be paid by the licensee or the Minister shall not exceed the following rates:—

Between the hours of 8 a.m. and 8 p.m. daily: 1d. per unit.

Between the hours of 8 p.m. and 8 a.m. daily:  $\frac{1}{2}$ d. per unit.

To be measured in each case at the point last mentioned in subclause (b) hereof.

#### 26. REQUIREMENTS OF TAURANGA 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 Tauranga 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 Tauranga County Council.

#### 27. CONVERSION OF LINES FROM EARTH-WORKING TO METALLIC.

Notwithstanding anything herein contained, the licensee shall bear the cost of converting the Post and Telegraph Department's lines which are now erected from earth-working to metallic if required by the Minister of Telegraphs.

#### 28. TELEGRAPH DEPARTMENT'S LINES.

The licensee shall rectify to the satisfaction of the Minister of Telegraphs any interference or disturbance that affects the satisfactory working of the telegraph lines which are the property of the Telegraph Department.

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