

the Hobson County Council (hereinafter called "the Council") has applied to the Governor-General in Council for a license under the said Act to occupy a part of the foreshore and land below low-water mark of the Northern Wairoa River, Kaipara, in order to erect and maintain metal landings thereon, and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department at Wellington, marked M.D. 5608, showing the area of foreshore and land below low-water mark intended to be occupied and the manner in which it is proposed to erect the said metal landings:

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 the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council:

And whereas it is expedient that a license should be granted and issued to the Council under the said Act for the purpose aforesaid, on the terms and conditions hereinafter expressed:

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 object for which the said license is required by the Council 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 Council to use and occupy that part of the foreshore and land below low-water mark on which the said metal landings are to be erected, as shown on plan M.D. 5608, so deposited as aforesaid, for the purpose of erecting and maintaining the said metal landings in accordance with the said plan, such license to be held and enjoyed by the Council 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 part of the foreshore and land below low-water mark adjacent thereto necessary for the erection of the said metal landings, as shown on the plan marked M.D. 5608.

3. All persons shall, at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said metal landings, and all rights of ingress and egress thereon and therefrom.

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 metal landings without payment.

5. The Council shall maintain the above-mentioned metal landings in good order and repair, and shall at all times exhibit therefrom, and maintain at its 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 metal landings and view the state of repair thereof, and upon such Minister leaving at or posting to the last known address of the Council in New Zealand a notice in writing of any defect or want of repair in such metal landings, requiring it, within a reasonable time to be therein prescribed, to repair the same, it shall, with all convenient speed, cause such defect to be removed or such repairs to be made.

7. Nothing herein contained shall authorize the Council 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 regulations made thereunder, and that are now or may hereafter be in force.

8. The ballast of all vessels loading at the said metal landings shall be taken away by the Council 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 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 Council 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 Council 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 Council in New Zealand.

11. The Council shall be liable for any injury which the said metal landings may cause any vessel or boat to sustain through any default or neglect on its part.

12. In case the Council shall—

(1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or

(2.) Cease to use or occupy the said metal landings for a period of thirty days,—

then and in either of the said cases this Order in Council, and every right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the Council or other proceeding whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the Council, 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 said metal landings shall be sufficient evidence of the acceptance by the Council of the terms and conditions of this Order in Council.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Partial Revocation of an Order in Council under Section 296 of the Native Land Act, 1909.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 19th day of March, 1923.

Present:

THE HONOURABLE SIR FRANCIS BELL, K.C.M.G., PRESIDING
IN COUNCIL.

WHEREAS by section two hundred and ninety-six of the Native Land Act, 1909, it is enacted that any Order in Council made under Part XVI of that Act, or under Part II of the Native Land Settlement Act, 1907, may be at any time revoked, either wholly or as to any part or parts of the land included therein, by the Governor-General by Order in Council:

And whereas the land set out in the Schedule hereto became subject, by virtue of an Order in Council dated the thirtieth day of August, one thousand nine hundred and nine, to the provisions of Part XVI of the Native Land Act, 1909:

And whereas the Tairāwhiti District Maori Land Board has recommended that such land be no longer subject to Part XVI aforesaid:

Now, therefore, 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 revoke the said Order in Council dated the thirtieth day of August, one thousand nine hundred and nine, in so far as such Order in Council affects the land set out in the Schedule hereto.

SCHEDULE.

POUAWA No. 3D 7, Whangara Survey District: Approximate area, 8 acres 0 roods 3 perches.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Making Provision with respect to the Representation of the Boroughs of New Brighton, Sumner, Lyttelton, and Akaroa and the Counties of Akaroa, Wairewa, and Mount Herbert on the Lyttelton Harbour Board.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of March, 1923.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS it is enacted by section twelve of the Harbours Amendment Act, 1910 (hereinafter called "the said Act"), that the creation, abolition, merger, division, or other alteration of any constituent or combined district shall not in itself have any operation so as to affect the then existing membership of the Board, and that the Governor-