

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 jetty as shown on the plan marked M.D. 6013 (sheet 1).

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of 10s. in advance, payable on the 1st day of April each year, the proportionate part of such rental in respect of the period from the date hereof until the 31st 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 jetty without payment.

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

6. The licensee shall maintain the above-mentioned jetty in good order and repair, and shall at all times exhibit therefrom, and maintain at the licensee's own cost, suitable and necessary lights for the guidance of vessels; provided that no light shall be exhibited until after it has been approved by the Minister.

7. Any person authorized by the Minister may at all reasonable times enter upon the said jetty 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 jetty, requiring the licensee, within a reasonable time to be therein prescribed, to repair the same, the licensee shall with all convenient speed cause such defect to be removed or such repairs to be made.

8. 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 with any provisions of the Harbours Act, 1923, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.

9. The ballast of all vessels loading at the said jetty shall be taken away by the licensee 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.

10. 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 hereof, 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.

11. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the jetty, at the licensee's cost, without payment of any compensation whatever, on giving to the licensee 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 licensee in New Zealand.

12. The licensee shall be liable for any injury which the said jetty may cause any vessel or boat to sustain through any default or neglect on the licensee's part.

13. In case the licensee shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
- (2.) Cease to use or occupy the said jetty for a period of thirty days;
- (3.) Become bankrupt, or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy; or
- (4.) Fail to pay the sums specified in clause 3 of these conditions,—

then and in any of the said cases this Order in Council, and every license, right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the licensee 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 licensee, 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.

14. In the event of this Order in Council being revoked for any reason whatsoever, or upon the expiry of the period for which the license is granted, the licensee shall, if required by the Minister so to do, remove the said jetty entirely from the site, and restore the site to its original condition within three months from the date of revocation or expiry, as the

case may be; and if the licensee fails so to do, the Minister may cause the said jetty to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee.

15. The erection of the said jetty shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

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

License authorizing the Marlborough Electric-power Board to use Water from the Waihopai River for the Purpose of generating Electricity.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 22nd day of June, 1925.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Amendment Act, 1908, and of all other powers in anywise enabling him in this 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, subject to the conditions set forth in the Schedule hereto, hereby grant to the Marlborough Electric-power Board, being an Electric-power Board duly constituted under the provisions of the Electric-power Boards Act, 1918 (hereinafter with its successors and assigns referred to as "the licensee") a license to take and use from the Waihopai River (hereinafter referred to as "the said river") in the Marlborough Land District, for the purpose of generating electricity, a stream of water (hereinafter referred to as "the said water") not exceeding three hundred and fifty cubic feet per second at any one time; but nothing herein shall be held to guarantee that the said river contains sufficient water to supply three hundred and fifty 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 diverted is to be returned to the said river;
- (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, and the whole of such water shall be returned to the said river at or near the power-house.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said river at the headworks, situated at a point indicated on the plan marked P.W.D. 62751 deposited in the office of the Minister at Wellington, in the Wellington Land District.

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. 62751 (hereinbefore referred to) and 62752, deposited in the office of the Minister as aforesaid:—

- (a.) Headworks consisting of a dam and necessary intake;
- (b.) Tunnel and pipe-line leading from such dam to the power-house hereinafter referred to;
- (c.) A power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arresters, switch-boards, switches, exciters, and other appliances for generating electricity.

5. ELECTRIC LINE LICENSE.

The licensee shall later comply with the requirements of section 2 of the Public Works Amendment Act, 1911. Any conditions inserted in any such license shall be strictly complied with by the licensee, and shall be deemed to be incorporated herein.