

Making Regulations for controlling the Traffic on Lake Taupo and the Management of Wharves erected therein, and prescribing Dues for the Use thereof.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 13th day of December, 1926.

Present :

THE HONOURABLE W. DOWNIE STEWART PRESIDING IN COUNCIL.

WHEREAS it is provided by the Harbours Act, 1923 (hereinafter termed "the said Act"), that in harbours where there is no Harbour Board the Governor-General in Council shall have all the powers, functions, duties, and authorities by the said Act conferred upon Harbour Boards, and may, in cases where such powers would be exercised under by-laws to be made by a Board, exercise the same under regulations to be made in the manner provided in section two hundred and thirty-four of the said Act: And whereas there is no Harbour Board having jurisdiction in Lake Taupo, which is a harbour within the meaning of that term as defined by the said Act:

And whereas by section fourteen of the Native Land Amendment and Native Land Claims Adjustment Act, 1926 (hereinafter termed "the special Act"), the power to make regulations thereby conferred is declared to include the power in so far as there may not be a provision for doing so under the Harbours Act, 1923, to license boats and vessels plying for hire over or upon the waters referred to in the said section, with the further powers therein set out:

And whereas by Order in Council made on the thirteenth day of November, one thousand nine hundred and sixteen, and published in the *New Zealand Gazette* on the sixteenth day of the same month, at page 3568, regulations under the Harbours Act, 1908, now enuring under the said Act, were made for controlling the traffic on the said lake and for the management of the wharves erected therein, and to prescribe dues for the use thereof:

And whereas it is desirable to revoke the said regulations, and to make others in lieu thereof:

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, and in pursuance and exercise of the power and authority conferred upon him by section nine of the said Act and section fourteen of the special Act, and of all other powers and authorities enabling him in that behalf, doth hereby revoke the said regulations, and doth hereby make the regulations herein-after contained, and doth order that the same shall, on and after the date of this Order in Council, apply to Lake Taupo and the wharves aforesaid.

REGULATIONS.

1. (a.) In these regulations, where not inconsistent with the context,—

"Department" means the Minister having charge of the Department of Internal Affairs, and any person acting for, by, or under the direction of such Minister:

"Lake" includes Lake Taupo and all other waters referred to in section 14 of the special Act:

"Vessel" includes steamer, ship, launch, and boat:

"Master boatman" includes any officer, licensed or otherwise, in charge of any vessel:

"Licensed" includes any vessel or master boatman licensed under these regulations:

"Wharf" means any wharf as defined by the Harbours Act, 1923, and under the control or jurisdiction of the Department.

(b.) These regulations may be cited as the Taupo Harbour Regulations, 1926.

2. All vessels plying on the lake, and all master boatmen in charge of same, shall be under the direction of the Department, and subject to these regulations.

WHARVES, JETTIES, AND MOORINGS.

3. The Department shall have power to close any wharf or any portion thereof whenever in its opinion it is advisable to do so, and the wharf or portion thereof so closed shall not be used for traffic.

4. No person shall be allowed on any wharf or in the sheds or buildings used therewith unless he has, in the opinion of the Department, legitimate business thereon.

5. No person shall disobey the orders of the Department or its officers when acting in the due performance of their duty, nor in any way obstruct the traffic on any wharf, pier, jetty, or landing-place, nor make use of abusive or improper language thereon.

6. No person shall scribble upon, cut, scratch, or otherwise deface any part of any wharf, or any shed thereon or connected therewith.

7. Any person who accidentally or otherwise damages or destroys any of the Department's property shall be liable for the cost of repair or renewal thereof.

8. No pitch, tar, resin, or other combustible matter shall be lighted or heated on board of any vessel while lying alongside or near any other vessel or wharf.

9. Every master boatman shall on all occasions, when ordered by the Department, do whatever the Department may consider necessary or expedient with the view to the safety and interest of the whole shipping, and in consideration of the state of the weather or any other circumstance.

10. It shall be an offence under these regulations to anchor or moor a vessel or boat in such a manner as to obstruct the approach to any wharf, and any such vessel may be removed by the Department at the risk and expense of the owner.

11. The Department may order any vessel to be removed from any berth alongside any wharf, or from any anchorage, to any part of the lake, whenever in the opinion of the Department such removal is proper for the general accommodation of shipping, and it shall be the duty of the master boatman to obey such order.

12. Every vessel arriving at a wharf shall be moored where directed by the Department, and shall not remain moored at any wharf for a period exceeding one hour without the permission of the Department. If deemed necessary, the Department may order the removal from a wharf of any vessel as soon as its passengers (and cargo, if any) have been landed. In all cases licensed vessels shall have prior right to moor at any wharf, as against unlicensed vessels.

13. All goods shall be removed from the wharves within three hours of their being placed thereon. Any goods not so removed may be removed by the Department at the owner's risk and expense.

14. No person shall throw fish, cans, or other refuse, or empty tins into the lake within half a mile of the shore.

15. Every owner of a vessel shall have a permanent mooring placed in such position as may be approved by the Department and which shall leave room for the adjacent vessels at all times to swing clear. The position of such mooring shall be clear of the fairway and of all wharves (whether under the control or jurisdiction of the Department or not) and of all approaches thereto.

The moorings shall be of a substantial and permanent nature, and every part thereof, except a floating buoy and a rope or chain attaching such buoy to the rest of the mooring, shall be sunk entirely below the bed of the lake.

WHARFAGE DUES.

16. The following dues shall be payable to the Department for the use of the wharves on the said lake:—

Inclusive Charge for all Wharves.

For all vessels over 5 tons or licensed to carry twenty passengers or over:—	£	s.	d.	
For each occasion they come alongside any wharf, for a period of one hour or less	..	0	2	0
For the use of all wharves for a period of one year	..	4	0	0
For vessels under 5 tons and licensed to carry less than twenty persons:—				
For each occasion they come alongside any wharf, for a period of one hour or less	..	0	1	0
For the use of all wharves for a period of one year	..	2	0	0

Wharfage on Goods.

For all goods landed or shipped at any wharf, per ton, by weight or measurement	..	0	1	0
---	----	---	---	---

The above annual charge due shall be payable in advance on the 1st day of January in each year. Any vessel using the wharves only between the 1st day of July and 31st day of December of any year shall pay one-half of the amount of the above annual wharfage fees.

17. All vessels which do not pay wharfage dues for a period of one year in advance shall be deemed to be irregular trading-vessels, and wharfage dues shall be payable accordingly for each occasion they come alongside any wharf.

18. All wharfage dues payable by irregular trading-vessels shall be paid to the Department, or to some one appointed by it to receive them, the payments to be made by the master or owner of the vessel upon application.

VESSELS.

19. Vessels shall not ply for hire, nor carry passengers or cargo, nor be employed as ferry-boats or tug-boats, without being licensed by the Department for such purposes.