

FIRST SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. In these conditions the term—
 - “Foreshire” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides;
 - “Low-water mark” means low-water mark at ordinary spring tides;
 - “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 parts of the foreshore, and land below low-water mark adjacent thereto, necessary for the maintenance of the said wharves, at the sites shown on the plans hereinbefore specified.
3. All His Majesty's subjects shall at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the above mentioned wharves, and rights of ingress and egress thereto 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, over, and out of the said wharves without payment.
5. The Council shall maintain and keep the above-mentioned wharves and all erections on or in connection with the wharves in good order and repair; and shall at all times exhibit therefrom, and maintain at the Council's own cost, suitable and necessary lights for the guidance of vessels: provided that no new light shall be exhibited until after it has been approved by the Minister.
6. All dues and rates received on account of the said wharves by the Council shall be applied to keeping the said wharves and all erections on or in connection therewith in good order and repair.
7. Any person authorized by the Minister may at all reasonable times enter upon the said wharves and any buildings erected thereon or in connection therewith, and view the state of repair thereof; and upon the 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 wharves or buildings, requiring the Council, within a reasonable time, to be therein prescribed, to make good or repair the same, the Council shall, with all convenient speed, cause such defect to be removed or such repairs to be made.
8. The ballast of all vessels loading at the said wharves 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 Council shall not erect, or suffer to be erected, on the said wharves any building or structure whatever, except with the consent of the Minister.
10. The Council shall keep a separate account of the receipts and expenditure on account of such wharves and premises, and shall cause such account to be balanced to the 31st day of March in every year, and shall send a copy of such account when balanced to the Minister, and shall supply any particulars in reference thereto as may be required by the Minister.
11. The Council shall appoint all officers necessary for the working and management of the wharves.
12. 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, 1923, or its amendments, or any regulation thereunder, and that are now or may hereafter be in force.
13. The rights, powers, and privileges hereby conferred shall continue in force for fourteen years, computed 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.
14. The rights, powers, and privileges conferred under or by virtue of this Order in Council 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.
15. The Council shall be liable for any injury which may be caused at the said wharves to any vessel or boat through any default or neglect on the part of the Council.
16. 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 wharves for a period of thirty consecutive days;
 then and in either 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 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 licenses, rights, and privileges thereby granted and conferred, have been revoked and determined.

17. 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 Council shall, if required by the Minister so to do, remove the said wharves entirely from the sites, and restore the sites to their original condition within three months from the date of revocation or expiry, as the case may be; and, if the Council fails so to do, the Minister may cause the said wharves to be removed and the sites so restored, and may recover the costs incurred by the said removal and restoration from the Council.

SECOND SCHEDULE.

PASSENGER WHARFAGE.

1. For every passenger landed on any wharf from any vessel by means of a boat or other tender from any vessel lying away from such wharf the sum of 2d. shall be paid, and the owner of the vessel from which the passenger is landed shall pay such charge to the Council immediately on the landing of such passenger:

2. The master of any such vessel landing passengers as aforesaid shall furnish to the Council a certified statement of the number of passengers so landed.

SHIPPING WHARFAGE.

For every vessel, the sum of 1d. per ton on the gross tonnage of such vessel per day or part of a day the vessel shall occupy a berth alongside any wharf or alongside of any other vessel using any wharf, or shall lie off any wharf with a line attached thereto, shall be paid: Provided that in respect of any vessel trading regularly throughout the year to any of the said wharves, the Council may, in its discretion, in lieu of the foregoing rate, charge and take in advance the amount hereinafter set forth for the use by such vessel of the said wharf:

	£
Arkles Bay	10 per annum.
Waiwera	60 ”
Deep Creek	25 ”
Taiotea	25 ”
Silverdale	25 ”
Murray's Bay	10 ”

GOODS WHARFAGE.

	s.	d.
Grain or flour, per ton	2	0
Posts and rails, per 100	2	6
Firewood, per ton	0	6
All timber, superficial, per 100 ft.	0	3
Single bag or parcel (not passengers' luggage)	0	3
Horses or great cattle, each	1	0
Sheep, pigs, and small cattle, each	0	3
Bricks, per 1,000	2	6
Coal, per ton	1	6
Wool, per bale	1	0
Flax and tow, per bale	1	0
Hides, each	0	3
Sheepskins, each	0	1

All other goods, either weight or measurement, at the option of the wharfinger, per ton 2 0
 Half dues to be charged on all goods transhipped into lighters.

All returned empties, free.
 Such passengers' luggage or ships' stores as are carried in hand, not exceeding one quarter of a ton, shall be exempt from wharfage charges.

STORAGE.

For first twenty-four hours	Free.
For each day or part of a day thereafter, per ton or	s. d.
part of ton over half a ton	1 0
Per quarter of ton or under, per day	0 6

If the services of the wharfinger are required before 8 a.m. or after 5 p.m. a fee of 1s. per hour or part of an hour shall be charged.

If any ship shall use any wharf for the discharge of any goods or cargo before or after the usual working-hours or on wharf holidays, the master, owner, or agent of such ship shall pay to the Council for the use of the wharf, in addition to the charges hereinbefore provided, a further charge of 1s. per ton on all goods or cargo so discharged from such ship. This charge shall be made only when, in the opinion of the wharfinger, it is necessary to employ labour to stack or remove cargo in consequence of the discharge of such goods or cargo aforesaid.

J. W. BLACK,
 Acting Clerk of the Executive Council.