

the control of such part or parts thereof as he thinks fit in any local authority, Domain Board, or persons acting as trustees for the inhabitants of the locality, upon such conditions as may be prescribed in the Order :

And whereas the foreshore hereinafter described is not vested in any Harbour Board or other local authority, and the Mount Maunganui Domain Board (hereinafter called "the Board") has applied to the Governor-General in Council for the control thereof :

And whereas it is desirable that the control should be granted to the Board :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said Act, and acting by and with the advice and consent of the Executive Council, doth hereby grant to the Board the control of the foreshore as described in the First Schedule hereto, and subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE.

THAT portion of the foreshore at Mount Maunganui, Tauranga, commencing at the north-western side of Beach Road, and extending generally south-eastwards to the eastern boundary of the Signal Station Reserve: As the same is shown between points marked "A" and "B," and edged red on plan marked M.D. 6639, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE.

1. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seaman Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.

2. In these conditions the term "foreshore" means all land between high-water mark at ordinary spring tides and low-water mark of ordinary spring tides.

3. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown edged red on plan marked M.D. 6639, and deposited in the office of the Marine Department at Wellington.

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 out and over the said foreshore without payment.

5. Nothing herein contained shall authorize the Board to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, 1923, or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

6. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph-cables that are at present or may be at any time laid down within the said area of foreshore.

7. The Board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by by-law fix a charge for admission to such enclosed part or parts, provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

8. The Board may, subject to the provisions of section 171 of the Harbours Act, 1923, erect or license or permit the erection of bathing-sheds or boat-sheds on the foreshore described in the First Schedule hereto, and may make by-laws regulating the use thereof, and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the public.

9. Nothing herein contained shall authorize the Board to remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

10. By-laws made by the Board under the said Act in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. 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 Board six 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 Board in New Zealand.

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

Validating Proceedings in connection with the Akitio County Council's Loan of £4,500.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of April, 1929.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Akitio County Council lately proceeded to raise a loan of four thousand five hundred pounds under section seventeen of the Local Bodies' Loans Act, 1926, by a loan known as "Bridges Loan, 1929," for the purpose of reconstruction of bridges :

And whereas the proceedings in connection with the said loan were irregular or defective in that after the Local Government Loans Board had notified the County Council of its sanction of the proposed loan pursuant to section six of the Local Government Loans Board Act, 1926, but before the consent of the Governor-General in Council had been given thereto, the County Council, contrary to section ten of the said Act, took further steps to raise the proposed loan :

And whereas it appears that the ratepayers of the said special-rating area have not been misled by such irregularities or defects as aforesaid, and it is expedient to validate the same :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred on him by section one hundred and twenty-two of the Local Bodies' Loans Act, 1926, and of all other powers and authorities enabling him in this behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order and declare that the proceedings in connection with the said loan shall be valid to all intents and purposes as though after the Local Government Loans Board had notified the said County Council of its sanction of the proposed loan no further steps had been taken by the County Council to raise the proposed loan until after the consent of the Governor-General in Council had been given thereto, and that the validity of the proceedings in connection with the said loan or the validity of the security for the said loan shall not be called in question by reason only of the irregularities or defects aforesaid.

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

(T. 49/180/3.)

Order in Council prescribing the Rate of Interest at which the Sum of £500 may be borrowed by the Whangaroa County Council.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of April, 1929.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Whangaroa County Council (hereinafter called "the said local authority"), has been authorized to borrow the sum of five hundred pounds by a loan to be known as "Wharves Supplementary Loan, 1929" :

And whereas the Minister of Finance has given his precedent consent as required by section one hundred and fourteen of the Local Bodies' Loans Act, 1926 (hereinafter called "the said section") to the borrowing by the said local authority of the said sum of five hundred pounds at such rate or rates of interest as shall not produce to the lender a rate exceeding the rate hereinafter mentioned :

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 powers and authorities conferred on him by the said section, and of all other powers and authorities enabling him in this behalf, doth hereby prescribe that the said sum of five hundred pounds may be raised in respect of the said loan by the said local authority at such rate or rates of interest as shall not produce to the lender a rate exceeding the rate of six pounds per centum per annum, and the said local authority is hereby authorized to borrow the said sum accordingly.

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

(T. 49/325.)