

term, or upon the sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensee shall thereupon cease and determine; but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

#### 11. PURCHASE OF INSTALLATION BY ELECTRIC-POWER BOARD OR CROWN.

Any Electric-power Board duly constituted in terms of the Electric-power Boards Act, 1925, or any Act passed in amendment thereof or in substitution thereof, if its district includes the area of supply hereinbefore described, or the Crown, shall have the right at any time during the currency of this license to purchase and take over the licensee's installation in the said area of supply, at a valuation to be agreed upon between the said Board or the Crown, as the case may be, and the licensee, and failing such agreement, at a valuation to be fixed by a single arbitrator to be appointed pursuant to the provisions of the Arbitration Act, 1908, and thereupon the Governor-General may by Order in Council revoke this license.

#### 12. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate, other than the licensee, a license to take water from any portion of the said river, except at the place where the licensee is by this license empowered to take it: Provided that no such license shall so operate as to reduce the natural fall between the headworks and tail-waters, or the volume of the water which the licensee is by this license authorized to take from the said river.

#### 13. COMPENSATION PAYABLE FOR LAND INJURIOUSLY AFFECTED.

In respect of all land injuriously affected, and in respect of all damages done by the exercise of any of the powers conferred upon the licensee by this license, the licensee shall from time to time, as and when any such injury or damage accrues or happens, pay compensation in accordance with the provisions of the Public Works Act, 1928.

#### 14. CROWN NOT LIABLE TO PAY COMPENSATION.

Nothing in this license shall be held to cast upon or imply any liability upon His Majesty the King or upon the Government of New Zealand to pay compensation to any person, corporate body, or local authority by reason of the exercise by the licensee of the authority hereby granted; but the licensee shall be liable for any damage which any person, corporate body, or local authority may sustain as the result of the exercise by the licensee of any of the powers granted by this license.

#### 15. FINES.

If the licensee fails or neglects—

- (a) To use or maintain the said works after completion, so as to secure the full benefit of the undertaking; or
- (b) To observe any of the conditions or obligations herein imposed—

Then, and in any such case the licensee shall be liable to a fine of £50 for every week or part of a week during which such default or neglect continues; or the Governor-General may by Order in Council revoke this license.

#### 16. SERVICE OF NOTICE.

Notwithstanding anything in the last preceding clause, this license shall not be revoked and no proceedings shall be taken for the recovery of a fine in respect of the breach thereof, unless and until notice in writing of the intention so to revoke the license or to take such proceedings has been served upon the licensee or placed upon some principal or conspicuous part of the works, and default has been made by the licensee in repairing or remedying the breach or breaches specified in the said notice for the following periods:—

- (a) For any breach which, in the opinion of the Governor-General, can be met by a fine—for thirty days after the service of such notice.
- (b) For any breach which, in the opinion of the Governor-General, is of such nature as to require the revocation of this license—for ninety days after the service of such notice.

#### 17. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may from time to time, at the request or with the consent in writing of the licensee, be altered by the Governor-General by Order in Council.

#### 18. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister, surrender this license, and shall thereupon, if so required

by the Minister, remove from the ground all removable equipment, machinery, buildings, poles, transmission lines, and other plant herein authorized to be installed or provided.

If the licensee fails or neglects so to remove the said plant within twelve months after being required to do so, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment or compensation, vest in and become the property of the Crown.

#### 19. BED OF RIVER NOT LEASED.

Nothing herein shall be held to constitute a lease from the Crown of the bed of the said river, nor shall the provisions of Part IX of the Property Law Act, 1908, apply to this license.

#### 20. CONTRACT BETWEEN LICENSEE AND CROWN.

The license shall be deemed to constitute a contract as between the licensee and His Majesty the King, and may be enforced as a contract by and against His said Majesty or the licensee accordingly.

#### 21. TIME FOR SUBSTANTIAL COMPLETION OF WORKS.

The licensee shall substantially complete any new works or substantial alterations hereby or hereafter authorized within a period of one year from the date of such authorization, or within such further time as the Minister may allow in consequence of the nature or extent of such works, or in the event of the work being delayed by strikes, lock-outs, breakdowns, or other unavoidable causes not due to any neglect by the licensee.

#### 22. ASSIGNMENT.

This license and the benefits and obligations thereunder shall not be assigned or delegated by the licensee without the express consent in writing of the Governor-General in Council first had and obtained, but such consent shall not be withheld if it is proved to the satisfaction of the Minister that the transferee is financially and otherwise able to carry out the obligations specified under the license: Provided that any consent which may be given pursuant to this section shall be subject to such terms and conditions as the Minister thinks fit.

#### 23. COMMENCEMENT OF SUPPLY.

The licensee shall not use any new works hereby or hereafter authorized until the Minister has given notice in writing that he has received from the Inspecting Engineer a certificate that such works have been satisfactorily constructed.

#### 24. SYSTEM OF SUPPLY.

The system of supply shall be as described in subsection (e) of Regulation 5 of the regulations. The generating voltage shall be 2,500 or 3,300 volts between the terminals, and transformed up to 6,600 volts for transmission if required.

#### 25. INTERCHANGE OF SUPPLY OF ELECTRICAL ENERGY.

(a) In the event of the Minister establishing a hydro-electric-power scheme outside the area of supply of a frequency of 50 cycles per second on the three-phase alternating-current system, he may require the licensee to connect that system with the licensee's electrical system in such a manner that an interchange of electrical energy between the two systems may be made from time to time and when required by either the licensee or the Minister, up to at least one-half of the total capacity of the plant installed at the licensee's power-houses.

(b) The licensee shall erect and maintain in good order, within its area of supply, at the expense of the licensee, the necessary transmission lines between the licensee's power-house and a point to be determined by the Minister.

(c) The Minister shall erect and maintain in good order, at the expense of the Minister, the necessary transmission lines outside the licensee's area of supply for the purpose of connecting the two systems at the point last mentioned in subclause (b) hereof.

(d) The licensee and the Minister respectively shall, on demand, and from time to time as and when required, supply to each other so much of the surplus electrical energy as is then required and is available, but not in excess of one-half of the capacity of the plant installed in the licensee's power-houses.

(e) The price to be paid by the licensee or the Minister shall not exceed the following rates:—

Between the hours of 8 a.m. and 8 p.m. daily, 1d. per unit.

Between the hours of 8 p.m. and 8 a.m. daily, ½d. per unit.

To be measured in each case at the point fixed pursuant to subclause (b) hereof.