

(e) The price to be paid by the licensee or the Minister shall not exceed  $\frac{1}{2}$ d. per unit; to be measured in each case at the point last mentioned in subclause (b) hereof.

(f) For the purpose of this clause either the licensee or the Minister may have the unit measured in kilovolt-ampere hours instead of kilowatt hours.

#### 21. DEPOSIT.

The deposit of £500 which the licensee has lodged with the Public Trustee as a guarantee of good faith shall be retained as security for the due fulfilment by the licensee of the terms and conditions contained in this license to be performed by the licensee: Provided, however, that when and so soon as the licensee shall have submitted the drawings and specifications required by clause 1 hereof, and those drawings and specifications have been duly approved, and the licensee shall have constructed permanent works in connection with headworks, dam, pipe-lines, and generating-station mentioned in the said clause to the satisfaction of the Minister, to the value of £1,000 at the least, then the Minister shall require the Public Trustee to return the said deposit to the licensee; but if this license is determined, cancelled, or revoked under the powers herein contained before such works to such value have been constructed, then and in any such case the said sum of £500 shall be forfeited to the Crown as ascertained and liquidated damages.

#### 22. BED OF RIVER NOT LEASED.

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

#### 23. CONTRACT BETWEEN LICENSEE AND CROWN.

This 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.

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

The licensee shall proceed energetically with the survey and investigation of the works hereby authorized in respect of the first license, and shall on or before the 12th day of January, 1932, submit complete details and full plans and surveys of the work proposed in respect of the first license. If such details be not submitted on or before the 12th day of January, 1932, this license shall cease and determine. This license shall also cease and determine unless a company approved by the Minister is formed on or before the 12th day of January, 1932, with a subscribed capital of not less than the estimated cost as approved by the Minister of the first complete installation of the proposed works.

If the licensee shall not on or before the 12th day of January, 1933, either develop electrical energy to the extent of 25,000 kilowatts in respect of the first license or expend on works authorized hereunder a sum of at least £100,000, this license shall cease and determine. If the licensee shall not submit complete details and full plans and surveys of the works proposed in respect of the second license on or before the 12th day of January, 1935, or such extended time as is granted by the Governor-General by Order in Council which shall not in any case extend beyond the 12th day of January, 1937, such second license shall cease and determine without prejudice to the first license if the same is still in existence. The second license shall also cease and determine unless an installation in respect of such license to develop electrical energy to the extent of at least 50,000 horse-power is completed on or before the 12th day of January, 1941.

#### 25. 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 sources of supply, 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 require the licensee after construction of a regulating weir with its fixed crest at the level of 590 ft. above mean sea-level at the outlet from Lake Manapouri to utilize more storage water than would cause the lake level to fall below 580 ft. above mean sea-level or so as to reduce the quantity of water which the licensee is authorized by this license to use from the said sources of supply.

#### 26. DEFAULT.

If the licensee fails or neglects to observe any of the conditions or obligations imposed by this license, then, and in any such case, the provisions of clause 229 of the regulations shall apply to the breach of any such condition or obligation.

#### 27. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may at any time or from time to time, if found necessary and if duly agreed upon between the licensee and the Governor-General in Council be altered by the Governor-General by Order in Council, whereupon all the terms and conditions in this license contained (save and except as they may have been so altered or modified by such alterations) shall, *mutatis mutandis*, apply to such alterations as if the latter had formed part of this license as originally issued.

#### 28. 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 so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment of any compensation, vest in and become the property of the Crown.

#### 29. DISFIGUREMENT OF NATURAL FEATURES.

The licensee shall not unnecessarily cause serious disfigurement from a scenic point of view, and shall use all precautions to preserve the scenic attractions of the neighbourhood.

#### 30. USER.

(1) If the licensee does not in respect of the first license develop electrical energy to the extent of 50,000 horse-power within ten years from the date of this license, nothing in such license shall give the licensee the right to use more water from the sources of supply specified in the first license than the amount then required for the development of electrical energy to the full capacity of the then installed plant. But before any license is issued to any other person or body corporate in respect of such additional water a license to use the same shall be offered to the licensee.

(2) If the licensee does not in respect of the second license develop electrical energy to the extent of 250,000 horse-power on or before the 12th day of January, 1946, nothing in such license shall give the licensee the right to use more water from the source of supply specified in the second license than the amount then required for the development of electrical energy to the full capacity of the then installed plant. But before any license is issued to any other person or body corporate in respect of such additional water a license to use the same shall be offered to the licensee.

#### 31. PROTECTION OF BIRDS AND WILD ANIMAL LIFE.

The licensee or its assigns shall not do or permit any of their agents, servants, officers, or workmen to do anything in pursuance of this license which may cause the destruction of birds or any forms of wild animal life.

#### 32. REVOCATION.

If, during the continuance of either of the said licenses, and after works are constructed in respect of either of the said licenses, the licensee shall fail for a continuous period of at least two years to carry on operations in connection with such works with reasonable continuity, and to a capacity in respect of each license at least equal to 50 per centum of the total plant capacity, either license in respect of which such failure shall exist may be revoked in accordance with the provisions of the regulations.

In the event of any question as to whether the licensee has failed to carry on operations in connection with the works erected in pursuance of either license with reasonable continuity, such question shall be decided in accordance with the provisions of the Declaratory Judgments Act, 1908.

#### 33. ASSIGNMENT.

The above license shall be assignable from time to time on the terms and conditions set forth in clause 27 of the regulations.

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