

And whereas the said license was, with the previous consent of the Minister of Marine, on the thirtieth day of April, one thousand nine hundred and twenty-five, transferred to Paul Spender (hereinafter called "the licensee"):

And whereas the said license has expired, and the licensee has applied for a fresh license under the Harbours Act, 1923 (hereinafter called "the said Act"), for a further term of fourteen years, and it is advisable to grant the same:

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 of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the purposes or objects for which the said license is required by the licensee as aforesaid; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore which is particularly shown and delineated as Section No. 2 on the plan M.D. 4462, so deposited as aforesaid, for the purpose of maintaining thereon the said structure, erected in accordance with the said plan, such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

1. In these conditions and terms—

"Foreshore" means such part 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 that part of the foreshore occupied by the said structure as shown on the plan marked M.D. 4462.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of £5 in advance, payable on the 1st day of April each year, the first of such payments to be made on the licensee being supplied with a copy of this Order in Council.

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, through, and out of the said structure without payment.

5. The licensee shall maintain the said structure in good order and repair.

6. Any person authorized by the Minister may at all reasonable times enter upon the said structure and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the licensee in New Zealand a notice in writing of any defect or want of repair in the said structure, requiring the licensee, within a reasonable time to be therein prescribed, to repair the same, the licensee shall with all convenient speed cause such defect to be removed or such repairs to be made.

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

8. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the 9th day of October, 1930, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensee shall not assign, charge, or part with any such right, power, or privilege without the written consent of the Minister first obtained.

9. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the said structure at the licensee's cost, without payment of any compensation whatever, on giving to the licensee 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 licensee in New Zealand.

10. The licensee shall be liable for any injury which the said structure may cause any vessel or boat to sustain through any default or neglect on the licensee's part.

11. In case the licensee shall—

- (1) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
- (2) Cease to use or occupy the said structure for a period of thirty days;
- (3) Become bankrupt, or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy; or
- (4) Fail to pay the sum specified in clause 3 of these conditions;

then, and in any 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 licensee or other proceedings whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the licensee and to all persons concerned or interested, that this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

12. 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 licensee shall, if required by the Minister so to do, remove the said structure entirely from the site, and restore the site to its original condition within three months from the date of revocation or expiry, as the case may be, and if the licensee fails so to do, the Minister may cause the said structure to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee.

13. The occupation of the said structure shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

A. W. MULLIGAN,
Acting Clerk of the Executive Council.

Declaring Portions of Road in Block II, Mangamuka Survey District, to be Government Roads.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 2nd day of December, 1930.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers vested in him by the Public Works Act, 1928, and of all other powers in anywise enabling him in this behalf, 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, doth hereby order and declare that the portions of road described in the Schedule hereto shall, on and after the date of this Order in Council, become Government roads.

SCHEDULE.

APPROXIMATE areas of the pieces of road declared to be Government roads:—

A.	R.	P.	Adjoining or passing through
0	1	17	} Parts Pautouto No. 2B Block.
0	0	4	

Situated in Block II, Mangamuka Survey District (Auckland R.D.). (S.O. 25695.)

In the North Auckland Land District; as the same are more particularly delineated on the plan marked P.W.D. 79966, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured green.

A. W. MULLIGAN,
Acting Clerk of the Executive Council.

(P.W. 62/1/4/2.)

Declaring Portions of Road in Block VII, Waiwera Survey District, to be a Government Road.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 2nd day of December, 1930.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers vested in him by the Public Works Act, 1928, and of all other powers in anywise enabling him in this behalf, His Excellency the Go-