

SCHEDULE.

1. IN these conditions the term—

“Foreshore” 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 Seaman 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 part of the foreshore and land below low-water mark adjacent thereto necessary for the erection of the said wharf and shed as shown on the plan marked M.D. 4717, and deposited as aforesaid.

3. All persons shall, at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said wharf and shed, and all rights of ingress and egress thereon 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, through, over, and out of the said wharf and shed without payment.

5. The Council shall maintain the above-mentioned wharf in good order and repair; and shall at all times exhibit from the wharf and maintain at its own cost suitable and necessary lights for the guidance of vessels; provided that no light shall be exhibited until after it has been approved of by the Minister.

6. Any person authorized by the Minister may at all reasonable times enter upon the said wharf and shed 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 wharf and shed, 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.

7. 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 regulations thereunder, and that are now or may hereafter be in force.

8. The ballast of all vessels loading at the said wharf 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 rights, powers, and privileges hereby conferred shall continue in force for fourteen years, computed from the 18th day of December, 1930, 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.

10. 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.

11. The Council shall be liable for any injury which the said wharf and shed may cause any vessel or boat to sustain through any default or neglect on the part of the Council.

12. In case the Council 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 wharf and shed for a period of thirty 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 any other proceedings 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 license, rights, and privileges thereby granted and conferred, have been revoked and determined.

13. 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 any structure thereon entirely from the site and restore the site to its original condition within three months from the date of the revocation or expiry, as the case may be: and if the Council 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 Council.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Amendment to the Regulations under the Public Service Act, 1912.

IN pursuance and exercise of the authority conferred on him by the Public Service Act, 1912 (hereinafter called “the said Act”), the Commissioner, with the approval of the Governor-General in Council, doth hereby, in respect of the regulations made under the said Act on the thirty-first day of March, one thousand nine hundred and thirteen, and published in the *New Zealand Gazette* on the first day of April, one thousand nine hundred and thirteen, and the amendments thereof made from time to time under the provisions of the said Act, make the amendment shown in the Schedule hereto.

Such amendment shall have effect from and after the first day of April, one thousand nine hundred and thirty-one.

SCHEDULE.

REGULATION No. 208 is hereby revoked.

As witness my hand this twenty-fourth day of March, one thousand nine hundred and thirty-one.

P. VERSCHAFFELT,
Public Service Commissioner.

In pursuance of the provisions of the Public Service Act, 1912, His Excellency the Governor-General of the Dominion of New Zealand, with the advice and consent of the Executive Council of the said Dominion, approves the foregoing amendment.

BLEDISLOE, Governor-General.

Approved in Council this thirty-first day of March, one thousand nine hundred and thirty-one.

C. A. JEFFERY,
Acting Clerk of the Executive Council.