

## 14. RIGHT TO ENTER LANDS, ETC.

The licensee shall have the right at any time or times during the continuance of this license, with the consent of the Minister, to enter upon any road or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such transmission-lines, poles, or other things as are required for the transmission of electricity between the power-houses hereinbefore referred to and any place to which the licensee is authorized to transmit electricity in pursuance of this license.

## 15. POWER TO TAKE LAND.

The licensee is hereby empowered to take, under the Public Works Act, 1928, as for a public work, such land as may, in the opinion of the Governor-General, be necessary or advisable to enable the licensee to construct and maintain the various works authorized by this license.

## 16. CHARGES FOR ELECTRICAL ENERGY.

The charge for electrical energy shall not exceed 1s. 3d. per unit for lighting purposes, and 6d. per unit for motor-power, cooking, or heating purposes:

Provided that if accounts are paid within fourteen days of due date the charges shall not exceed 1s. per unit for lighting purposes and 4d. per unit for motor-power, cooking, or heating purposes. "Lighting purposes" shall include the operation of motor generators for lighting purposes. In the case of wholesale supply the charge shall not exceed £16 per kilowatt of maximum demand per annum. "Wholesale supply" for this purpose shall be held to be a supply in respect to which the consumer shall guarantee to pay not less than £120 per annum:

Provided further that, in the event of a number not less than twenty-five per centum of the consumers at any time representing to the Minister that the licensee is charging for the supply of electrical energy a rate which is returning an excessive profit, after allowing for the creation of a reasonable reserve fund, the Minister shall have power to cause such inquiry and investigation of the licensee's books and accounts as he may deem necessary; and if, after such inquiry and investigation, he is of opinion that unreasonably high profits are being made, having regard to all surrounding circumstances and conditions and to the nature of the undertaking, the Governor-General may, on the recommendation of the Minister, from time to time reduce or otherwise amend the rates permitted to be charged to consumers under this license.

## 17. REQUIREMENTS OF THE HOKITIKA BOROUGH COUNCIL, WESTLAND ELECTRIC-POWER BOARD, AND THE WESTLAND COUNTY COUNCIL.

Notwithstanding anything hereinbefore contained, the licensee shall not be entitled to erect, maintain, or use any electric lines within the Borough of Hokitika or the Westland County, except subject to such conditions, not inconsistent with the provisions of this license (or any variation of this license) and the regulations, as may from time to time be agreed upon between the licensee and the Hokitika Borough Council, or between the licensee and the Westland Electric-power Board and the Westland County Council.

## 18. EXPIRY OF LICENSE.—CROWN MAY TAKE OVER WORKS OR ALLOW LICENSEE TO REMOVE BUILDINGS, ETC.

Upon the expiration of the term of the license hereby granted, the following provisions shall apply:—

(a) His Majesty the King may take over and use the whole of the works hereby authorized, including all structures, buildings, equipment, machinery, plant, and land, hereinafter in this clause called the "works," on payment by him to the licensee of the then value of the works. The price to be paid under this clause shall be fixed in the same manner as the price in clause 19 of this license; or

(b) The Governor-General may, at his option, by Order in Council, grant to the licensee a new license for a further period of forty-two years, subject to such terms, conditions, and payment of rental as may then be imposed by him; or

(c) If His Majesty the King does not elect to take over the works under subclause (a), or the Governor-General declines to issue a further Order in Council under subclause (b) hereof, the licensee may, within such time and subject to such conditions as the Minister may then impose, remove all structures, buildings, equipment, machinery, and plant erected or installed by the licensee under the powers conferred by this license. If the licensee fails or neglects to effect such removal within the time or subject to the conditions imposed by the Minister, such structures, buildings, equipment, machinery, and plant shall, without payment of any compensation, vest in and become the property of His Majesty the King.

(d) No right is hereby given to take over works, structures, buildings, equipment, machinery plant, or land used for mining purposes.

## 19. RIGHT TO PURCHASE WORKS.

Notwithstanding anything herein contained, the right is hereby reserved to His Majesty the King to purchase, at his option, at such price and on such conditions as may be mutually agreed upon (or, failing such mutual agreement, then determined by arbitration in the manner prescribed by the Arbitration Act, 1908), this license in so far as it is legally necessary under the Public Works Act, but not including the licensee's rights under the Mining Act or any Act passed in substitution thereof, together with the whole or any part of the business and undertaking of the licensee, so far as the same relates to or is connected with the exercise of this license, and together with all real and personal property and all rights acquired by the licensee under this license and used or enjoyed in connection with such whole or part as it is proposed to purchase. The said right may be exercised by His Majesty the King at any time during the currency of this license, but the said price shall not exceed the original cost to the licensee of the works (including reasonable preliminary and engineering expenses), less a deduction for depreciation at the rate of 2 per cent. per annum on the original cost on all assets other than land calculated for the period that such assets have been in service, and also a deduction in consequence of any burdensome provisions respecting the use of the electric works or any easements, rights, or privileges in connection therewith, and shall not include any sum in respect of the value of the goodwill of the licensee's business or undertaking, or in respect of the value of the license for the unexpired period thereof, or in respect of the value of any Crown land held or occupied by the licensee in connection with the undertaking. On the completion of the purchase His Majesty the King shall be deemed to be the assignee of this license, and all rights vested in the licensee by the license shall thereupon vest in His Majesty the King.

## 20. COMPENSATION PAYABLE FOR LAND INJURIOUSLY AFFECTED, ETC.

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, in the same manner (subject to all necessary modifications) as if such licensee were a local authority and the claim was one for injury or damage arising out of the construction of a public work.

## 21. 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 loss or 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.

## 22. 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, at the expense of the licensee, the necessary transmission-lines between the licensee's power-houses and a point on the boundary of the area of supply 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 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.