

vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, doth hereby vest the management of the said wharf in the Council, subject to the conditions set forth in the Schedule hereto.

SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. IN these conditions the terms—

“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 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 the part of the foreshore and land below low-water mark adjacent thereto necessary for the maintenance of the said wharf, at the site shown on the plan marked M.D. 4847.

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

5. The Council shall maintain and keep the above-mentioned wharf and all erections on or in connection with the wharf, in good order and repair; and shall at all times exhibit therefrom, and maintain at the Council's own cost, suitable and necessary lights for the guidance of vessels: Provided that no new light shall be exhibited until after it has been approved by the Minister.

6. All dues and rates received on account of the said wharf by the Council shall be applied to keeping such wharf, and all erections on or in connection with such wharf, in good order and repair.

7. Any person authorized by the Minister may at all reasonable times enter upon the above-mentioned wharf, and any buildings erected thereon or in connection therewith, 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 or buildings, 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.

8. The master of all vessels discharging ballast at the said wharf shall have all such ballast taken away 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 Council shall not erect, or suffer to be erected, on the said wharf, any buildings or structure whatever, except with the consent of the Minister first obtained.

10. The Council shall keep a separate account of the receipts and expenditure on account of such wharf and premises, and shall cause such account to be balanced to the thirty-first day of March in every year, and shall send a copy of such account, when balanced, to the Minister, and shall supply any particulars in reference thereto as may be required by the Minister.

11. The Council shall appoint all officers necessary for the working and management of the said wharf.

12. 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 regulations of the Minister of Customs, or with any provisions of the Harbours Act, 1923, or its amendments, or any regulation thereunder, and that are now or may hereafter be in force.

13. The rights, powers, and privileges hereby conferred shall continue to be in force until the 9th day of January, 1941, 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.

14. 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.

B

15. The Council shall be liable for any injury which may be caused by the said wharf to any vessel or boat through any default or neglect on the part of the Council.

16. In case the Council shall—

(1) Commit or suffer a breach of the conditions herein-before set forth, or any of them; or

(2) Cease to use or occupy the said wharf for a period of thirty consecutive 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 other proceedings whatsoever; and publication in the *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 licenses, rights, and privileges thereby granted and conferred, have been revoked and determined.

17. 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 the said wharf 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 wharf to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the Council.

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

Vesting the Control of a Reserve in the Bell Hill Public Hall Board.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of December, 1931.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the land described in the Schedule hereto is a reserve duly set apart for a site for a public hall: And whereas it is expedient that the control of the said reserve should be vested in a special Board, as hereinafter provided:

Now, therefore, 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, and in exercise of the powers and authorities conferred upon him by section seventeen of the Public Reserves, Domains, and National Parks Act, 1928, doth hereby vest the control of the reserve described in the Schedule hereto for the period of five years from the date hereof (unless previously amended or revoked under the said Act) in the undermentioned persons, namely:—

Oscar Gibson Bird,
John Thomas Butterworth, and
Earnest Coleman,

who are hereby constituted for that purpose a special Board by the name of the Bell Hill Public Hall Board (hereinafter referred to as “the Board”), with the powers and subject to the conditions hereinafter contained, that is to say:—

1. The Board shall meet for the transaction of business on the first Monday in each quarter at half past seven o'clock p.m. at the Bell Hill Public Hall, or at such other time or place as may from time to time be fixed by the Board. The first meeting shall be held on Monday, the fourth day of January, one thousand nine hundred and thirty-two.

2. The members of the Board shall at their first meeting, and thereafter at the annual meeting hereinafter mentioned, elect one of themselves to be Chairman, who may join in the discussion, and shall have an original as well as a casting vote. The Chairman shall hold office until the election of his successor.

3. Special meetings may be convened by the Chairman, provided that two days' notice of any such meeting is given to each member, specifying the business to be transacted at such special meeting; and no other business than that so specified shall be transacted at such meeting.

4. Any two members of the Board shall form a quorum. Any meeting may be adjourned from time to time.

5. If at any meeting the Chairman is not present at the time appointed for holding the same, the members present shall choose one of their number to be Chairman of such meeting.

6. If by resignation, death, incapacity, or otherwise the seat of any member shall be or become vacant, or if any member absents himself without reasonable cause from three