

"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. 7076.

3. In consideration of the concessions and privileges granted by this Order in Council the trustees shall pay to the Minister an annual rent of one shilling, payable on demand, such rent to date from the date of this Order in Council.

4. 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.

5. 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.

6. The trustees 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 trustees' 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.

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

8. 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 trustees in New Zealand a notice in writing of any defect or want of repair in such wharf or buildings requiring the trustees, within a reasonable time to be therein prescribed, to make good or repair the same, the trustees shall, with all convenient speed, cause such defect to be removed or such repairs to be made.

9. 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.

10. The trustees shall not erect, or suffer to be erected, on the said wharf any building or structure whatever, except with the consent of the Minister first obtained.

11. The trustees shall keep a separate account of the receipts and expenditure on account of such wharf and shall cause such account to be balanced to the 31st 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.

12. The trustees shall appoint all officers necessary for the working and management of the said wharf.

13. Nothing herein contained shall authorize the trustees 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.

14. The rights, powers, and privileges hereby conferred shall continue to be in force for fourteen years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the trustees shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

15. 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 trustees 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 trustees in New Zealand.

16. The trustees 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 trustees.

17. In case the trustees shall—

- (1) Commit or suffer a breach of the conditions hereinbefore 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 trustees or other proceedings whatsoever; and publication in the *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the trustees 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.

18. 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 trustees shall, if required by the Minister so to do, remove the 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 trustees fail 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 trustees.

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

Revoking a License authorizing Edward Russell Dymock to use Water from Husband's Creek for the Purpose of generating Electricity, and to erect Electric Lines across a Public Road at Fern Flat, in terms of the Public Works Acts, 1908 and 1911.

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 15th day of August, 1932.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred upon him by the Public Works Act, 1928, and of every other power in anywise enabling him in that 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, and with the consent of the licensee, doth hereby revoke the license dated the ninth day of March, one thousand nine hundred and twenty-one, and published in the *New Zealand Gazette* of the eighteenth day of the same month, at page 697, authorizing Edward Russell Dymock, of Wellington, Accountant, to use water from Husband's Creek, in the Land District of Nelson, for the purpose of generating electricity, and to erect and maintain electric lines for power, lighting, heating, and other uses, along the route therein described.

F. D. THOMSON,
(P.W. 26/43.) Clerk of the Executive Council.

Order in Council varying the Rate of Interest in respect of Portion—viz., £2,200—of the Green Island Borough Council's Loan of £5,700.

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 15th day of August, 1932.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council made on the twelfth day of October, one thousand nine hundred and thirty-one, and published in the *Gazette* on the fifteenth day of the same month, at page 2962, consent was given to the raising by the Green Island Borough Council of the Waterworks Redemption Loan, 1931, up to the amount of five thousand seven hundred pounds, for a term of twenty years, at a rate of interest not exceeding the rate therein specified, and subject to the condition relating to the establishment of a sinking fund therein set out:

And whereas of the said loan of five thousand seven hundred pounds the sum of two thousand two hundred pounds has not yet been borrowed, and it is expedient to vary, as regards the borrowing of the said sum of two thousand two hundred pounds, the condition of the said Order in Council relating to the rate of interest at which the said sum may be borrowed:

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, and in pursuance and exercise of the powers and authorities conferred on him by section sixty-three of the Finance Act, 1932, and of all other powers and authorities enabling him in this behalf, doth hereby vary the condition contained in the said Order in Council of the twelfth day of October, one thousand nine hundred and thirty-one, relating to the rate of interest at which the said sum of two thousand two hundred pounds may be borrowed by imposing, in lieu of a reference to a rate of five pounds per centum, a condition that the said sum of two thousand two hundred pounds, or any part thereof, may be raised at a rate of interest being such as shall not produce to the lenders a rate exceeding five pounds ten shillings per centum.

F. D. THOMSON,
(T. 49/287/7.) Clerk of the Executive Council.