

6. MAINTENANCE OF WORKS.

The licensee shall maintain the works used under this license in proper working-order during the continuance of such license.

7. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of twenty-one years from the date hereof. Upon the expiry of the said term, or upon the sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensee shall thereupon cease and determine, but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

8. RENTAL.

The licensee shall in respect of this license pay to the District Engineer, Public Works Department, Dunedin, a yearly rental of 4s. per kilowatt of maximum output generated during each and every year from 1st April, 1932, with a minimum of 8s. per annum. The output either shall be recorded by means of a watt-hour meter installed by the licensee, or, failing such installation, shall be determined on the maximum capacity of the generating plant installed. The generator at present installed is rated at 100 volts 20 amperes.

9. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate other than the licensee a license to take water from any portion of the said streams, except at the place where the licensee is by this license empowered to take it: Provided that no such license shall so operate as to enable such person or body corporate to reduce the natural fall between the headworks and tail-water, or the volume of the water which the licensee is by this license authorized to take from the said streams.

10. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may from time to time, at the request or with the consent in writing of the licensee, be altered by the Governor-General by Order in Council.

11. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister, surrender this license, and shall thereupon remove from the ground (if so required by the Minister) all removable equipment, machinery, buildings, poles, transmission-lines, and other plant herein authorized to be installed or provided. If the licensee fails or neglects so to remove the said plant within twelve months after being required so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment of compensation, vest in and become the property of the Crown.

12. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (c) of clause 5 of the Electrical Supply Regulations.

The generating and transmission voltage shall be approximately 100 volts between the terminals.

13. CROWN NOT LIABLE TO PAY COMPENSATION.

Nothing in this license shall be held to impose 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.

14. BEDS OF STREAMS NOT LEASED.

Nothing herein shall be held to constitute a lease from the Crown of the beds of the streams shown on the said plan, nor shall the provisions of Part IX of the Property Law Act, 1908, apply to this license.

15. DEFAULT.

If the licensee fails or neglects to observe any of the conditions or obligations imposed by this license, then and in any such case the provisions of clauses 229 and 230 of the Electrical Supply Regulations shall apply to the breach of any such condition or obligation.

16. ALTERATIONS TO WORKS.

In the event of the licensee at any time desiring to make alterations to the works involving a departure from the location or type of construction shown on the approved plan, he shall first submit for the Minister's approval plans showing such new location and [or] type of construction as it is proposed to adopt, and with such approval the alterations may be carried out.

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17. INSPECTION OF WORKS.

The Inspecting Engineer of the Public Works Department, or any other person empowered in that behalf by the Minister, shall at all times, both during and after the construction of the works, have free access to and liberty to inspect such works so as to ensure that the provisions of this license are given due effect.

18. CONTRACT BETWEEN LICENSEE AND CROWN.

This license shall be deemed to constitute a contract as between the licensee and His Majesty the King, and may be enforced by and against either party accordingly.

19. REQUIREMENTS OF OTAGO CENTRAL ELECTRIC-POWER BOARD AND THE VINCENT COUNTY COUNCIL.

Notwithstanding anything hereinbefore contained, the licensee shall not by virtue of these presents be entitled to lay, construct, put up, place, or use the electric lines hereby authorized, except subject to such conditions (not inconsistent with the provisions of this license or of the regulations) as may from time to time be imposed by the Otago Central Electric-power Board and the Vincent County Council.

20. RAILWAYS AND TELEGRAPH DEPARTMENTS' LINES.

The licensee shall rectify to the satisfaction of the Government Railways Board or the Minister of Telegraphs, as the case may be, any interference or disturbance caused by the erection or operation of the licensee's system that affects the satisfactory working of telegraph-lines which are the property of the Railways Department or the Telegraph Department, and which were erected prior to the licensee's lines.

21. TIME FOR SUBSTANTIAL COMPLETION OF WORKS.

The licensee shall substantially complete the works hereby authorized within a period of one year from the date of this license, or within such further time as the Minister may allow in the event of the work being delayed by strikes, lockouts, breakdowns, or other unavoidable causes not due to any neglect by the licensee.

22. PURCHASE OF INSTALLATION BY ELECTRIC-POWER BOARD OR CROWN.

Any Electric-power Board, duly constituted in terms of the Electric-power Boards Act, 1925, or any Act passed in amendment thereof or in substitution thereof, if its district or outer area includes the area on which this plant is installed or which is supplied therefrom, or the Crown, shall have the right, at any time during the currency of this license, to purchase and take over the licensee's installation at a valuation to be agreed upon between the said Board or the Crown, as the case may be, and the licensee; and, failing such agreement, at a valuation to be fixed by a single arbitrator to be appointed pursuant to the provisions of the Arbitration Act, 1908, and thereupon the Governor-General may by Order in Council revoke this license.

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

(P.W. 26/1688.)

License authorizing Frederick Archer, of Tuna Bay, Farmer, to use Water for the Purpose of generating Electricity.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of March, 1933.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred 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 grant to Frederick Peter Archer, of Tuna Bay (hereinafter with his successors and assigns referred to as "the licensee"), a license, subject to the conditions hereinafter set forth, to take and use from a stream, situated within the scenic reserve in Section 9, Block V, and in Section 134, Block V, all in the Tennyson Survey District (hereinafter referred to as "the said stream"), a stream of water (hereinafter referred to as "the said water"), not exceeding one-quarter of one cubic foot per second at any one time: Provided that nothing herein shall be held to guarantee that the said stream contains sufficient water to supply the volume of water hereinbefore referred to.