

(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 at the school building, Middlemarch, or at such other place and at such time as may be from time to time fixed by the Board. The first meeting shall be held on Wednesday, the twenty-seventh day of September, one thousand nine hundred and thirty-three, at eight o'clock p.m.

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 such meeting be 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 four 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 consecutive meetings of the Board, the Governor-General shall have power to appoint any other person to be a member of the Board in his stead.

7. All questions shall be determined by the majority of votes of the members of the Board present at a meeting.

8. The Board shall have prepared and submitted at an annual meeting held in the month of April in each year a report of the proceedings of the Board for the previous year ending on the thirty-first day of March, together with a statement of the receipts and expenditure of the Board for such year. A copy of every such report and statement, certified by the Chairman to be correct, shall be sent to the Minister of Lands as soon as possible after each annual meeting.

#### SCHEDULE.

ALL that area in the Otago Land District, containing by admeasurement 1 rood 30·3 perches, more or less, being Lots 1 and 2, Block V, Township of Middlemarch, being part of Section 71, Block IX, Strath Taieri Survey District, and bounded as follows: Towards the north by a public road, 306·3 links; towards the south-east by Lot 3, 213·3 links; towards the south-west by Lot 10, 269·2 links, towards the north-west by a public road, 102·7 links, to the point of commencement. Be all the aforesaid linkages more or less. As the same is more particularly shown on the plan marked L. and S. 22/3915, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

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

(L. and S. 22/3915.)

*Vesting the Control and Management of the Harbour of Okarito in the Okarito Harbour Company, Limited, and directing that certain Provisions of the Harbours Act, 1923, shall apply to the said Company.*

BLEDISLOE, Governor-General.

#### ORDER IN COUNCIL.

At the Government House at Wellington, this 28th day of August, 1933.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred upon him by the second section of the Okarito Harbour Act, 1932-33, and of all other powers and authorities 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, doth hereby vest the control and management of the harbour of Okarito in the Okarito Harbour Company, Limited, being a company duly incorporated under the Companies Act, 1908, and having its registered office at Auckland, and having as its principal object the development, control, and management of the harbour of Okarito (hereinafter called "the company"), for a period of twenty-five years computed from the first day of September, one thousand nine hundred and thirty-three, upon and subject to the terms

and conditions set forth in the First Schedule hereto: And His Excellency doth hereby further direct that those provisions of the Harbours Act, 1923, specified in the Second Schedule hereto shall, on and from the date last hereinbefore-mentioned, apply as if the company were a Harbour Board within the meaning of that Act.

#### FIRST SCHEDULE.

1. In this Order in Council, if not inconsistent with the context,—

"Minister" means the Minister of Marine:

"Harbour" means the harbour of Okarito:

"Harbour-works" means such harbour-works as the company may, pursuant to the provisions of the Harbours Act, 1923, be authorized to construct within the limits of the harbour, and includes any harbour-works as defined in section 5 of the Harbours Act, 1923, that have been duly authorized.

2. 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 harbour and harbour-works.

3. All persons shall, at all reasonable times, and upon payment of the proper dues, have free and full liberty to use any wharf in the said harbour constructed or controlled by the company, and all rights of ingress and egress thereon and therefrom.

4. The company shall appoint all officers and servants required for the control and management of the harbour and harbour-works.

5. The company shall, within twelve months from the date hereof, prosecute to the satisfaction of the Minister the construction of such harbour-works as he may deem essential for the working of the harbour, and shall from time to time make such alterations or additions thereto as the Minister may deem necessary for the safe and convenient working of the harbour having regard to the volume of shipping using the harbour.

6. The company shall carry out in respect of the harbour all the duties herein imposed or implied by the provisions of the Harbours Act, 1923, set forth in the Second Schedule hereto.

7. The company shall maintain and keep the harbour-works and all erections thereon in good order and repair, and shall erect, exhibit, and maintain at the company's own cost any lights, beacons, buoys, or sea-marks required for the guidance of vessels: Provided that no light, beacon, buoy, or sea-mark shall be exhibited or placed in position for use until it has been approved of by the Minister.

8. Any person authorized by the Minister may at all reasonable times enter upon the said harbour-works and any buildings erected thereon and view the state of repair thereof; and upon his leaving at the registered office of the company a notice, in writing, of any defect or want of repair in such harbour-works or buildings, or any of them, requiring the company, within a reasonable time to be therein prescribed, to repair the same, the company shall with all convenient speed cause such defect to be removed or such repairs to be made.

9. Nothing herein contained shall authorize the company 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 made thereunder.

10. The company shall cause its accounts to be balanced in each financial year of the company, and shall forward to the Minister three copies of the same, duly audited, within three months from the date up to which they are balanced.

11. The Minister may from time to time by notice in writing served on the company require the company, within such time as may be specified in such notice, to alter or reduce all or any of the dues and charges prescribed by the company by rules made under section 3 of the Okarito Harbour Act, 1932-33. Forthwith upon the receipt of the said notice the company shall make the requisite amendments to its rules.

12. If the company shall at any time during the term hereof abandon the harbour or fail or neglect to carry on the control and management thereof for a period of three months, then this license may be revoked and all harbour-works then existing shall immediately revert to the Crown freed and discharged from all claims and obligations by or on behalf of the company.

13. At the end of the term hereby granted the harbour and all harbour-works shall revert in His Majesty, and the company shall have no claim for compensation in respect thereof.

14. Nothing herein contained shall be deemed to limit the powers and authorities conferred upon the Governor-General in Council by the Harbours Act, 1923, in respect of the issue