

*Licensing William Hawea Kirkpatrick to use and occupy a Part of the Foreshore and Land below Low-water Mark at Kohukohu, Hokiangā Harbour, as a Site for a Boat-shed.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 17th day of October, 1933.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the twenty-ninth day of September, one thousand nine hundred and nineteen, and published in the *Gazette* of the second day of the following month, at page 3039, William Hawea Kirkpatrick, of Kohukohu (hereinafter called "the licensee," in which term is to be construed, unless the context requires a different construction, his executors, administrators, or assigns), was licensed to use and occupy for a period of fourteen years, computed from the twenty-ninth day of September, one thousand nine hundred and nineteen, a part of the foreshore and land below low-water mark at Kohukohu, in order to erect and maintain thereon a boat-shed, in accordance with plan marked M.D. 5040, and deposited in the office of the Marine Department at Wellington :

And whereas the said license has expired, and the licensee has applied for a further license under the Harbours Act, 1923 (hereinafter called "the said Act"), for a further term of fourteen years, and it is advisable to grant the same on the terms and conditions hereinafter expressed :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the purpose or object for which the said license is required by the licensee as aforesaid ; and in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore and land below low-water mark which is particularly shown and delineated on plan marked M.D. 5040, so deposited as aforesaid, for the purpose of maintaining thereon a boat-shed erected in accordance with the said plans ; such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

1. In these conditions the term—

"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 necessary for the maintenance of the said boat-shed as shown on plan marked M.D. 5040 so deposited as aforesaid.

3. In consideration of the concessions and privileges granted by this Order in Council, the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of £2 10s., in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the 29th day of September, 1933, until the 31st March following to be paid on the licensee being supplied with a copy of this Order in Council.

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, through, and out of the said boat-shed without payment.

5. The licensee shall maintain the above-mentioned boat-shed in good order and repair.

6. Any person authorized by the Minister may, at all reasonable times, enter upon the said boat-shed and view the state of repair thereof ; and upon such Minister leaving at or posting to the last known address of the licensee in New Zealand a notice in writing of any defect or want of repair in such boat-shed requiring the licensee within a reasonable time, to be therein prescribed, to make good or repair the same, the licensee shall, with all convenient speed, cause such defect to be removed or such repairs to be made.

7. Nothing herein contained shall authorize the licensee 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 and that are now or may hereafter be in force.

8. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years, computed from the 29th day of September, 1933, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority ; and the licensee shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

9. The said rights, powers, and privileges conferred under and 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 licensee six 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 licensee in New Zealand.

10. The licensee shall be liable for any injury which may be caused at the said boat-shed to any vessel or boat through any default or neglect on the part of the licensee.

11. In case the licensee shall—

- (1) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them ;
- (2) Cease to use or occupy the said boat-shed for a period of thirty consecutive days ;
- (3) Become bankrupt or be brought under the operation of any law for the time being in force relating to bankruptcy ; or
- (4) Fail to pay the sums specified in clause 3 of these conditions ;

then, and in any of the said cases, this Order in Council, and every right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the licensee or any other proceeding whatsoever ; and publication in the *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the licensee and to all persons concerned or interested that this Order in Council, and the license, rights, and privileges thereby conferred, have been revoked and determined.

12. 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 licensee shall, if required so to do, remove the said boat-shed 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 licensee fails so to do, the Minister may cause the said boat-shed to be removed and the site so restored, and may recover from the licensee the costs incurred by the said removal and restoration.

F. D. THOMSON,

Clerk of the Executive Council.

*Order in Council fixing the Date and Place for the Payment of Land-tax and Income-tax under the Land and Income Tax Act, 1923, and the Land and Income Tax (Annual) Act, 1933.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 17th day of October, 1933.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authority vested in him under the Land and Income Tax Act, 1923, and the Land and Income Tax (Annual) Act, 1933, 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 order and determine that the respective duties leviable under the said Acts by way of land-tax and income-tax shall be paid on the days and dates set forth hereunder :—

Land-tax under section two of the Land and Income Tax (Annual) Act, 1933. In one sum on Tuesday, the seventh day of November, one thousand nine hundred and thirty-three.

Income-tax under section three of the Land and Income Tax (Annual) Act, 1933. In one sum on Thursday, the eighth day of February, one thousand nine hundred and thirty-four.

And in further pursuance and exercise of the powers and authority aforesaid, and with the like advice and consent as aforesaid, His Excellency doth also determine that the place where the said duties of land-tax and income-tax shall be payable shall be the office of the Commissioner of Taxes, at the Government Buildings, Wellington, and that notice to the foregoing effect shall be given by the said Commissioner accordingly.

F. D. THOMSON,

Clerk of the Executive Council.