

the advice and consent of the Executive Council of the said Dominion, doth hereby appoint

The Hon. Robert Scott, M.L.C.,
James Baird,
William Moir Pearson,
William Henry Tregonning,
Ernest Carey, and
John Henry Roberts

to be the Taieri Lake Domain Board, having control of the land described in the Schedule hereto; and doth hereby appoint Tuesday, the twentieth day of February, one thousand nine hundred and thirty-four, at half past two o'clock p.m. as the time when, and the Public Hall, Kyeburn, as the place where, the first meeting of the Board shall be held.

SCHEDULE.

OTAGO LAND DISTRICT.—TAIERI LAKE DOMAIN.

SECTIONS 18 and 22, Block XI, and Section 2, Block XII, Maniototo Survey District: Area, 464 acres, more or less.

Also Sections 67 to 81, inclusive, 108, 109, and 1247r, Town of Komako: Area, 9 acres 0 roods 20 perches, more or less.

Also Section 29, Block VIII, Maniototo Survey District: Area, 7 acres 1 rood 36 perches, more or less.

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

(L. and S. 1/182.)

Fixing a Day upon which Section 36 of the Finance Act, 1933 (No. 2), relating to Irrigation Agreements, shall come into force.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 16th day of February, 1934.

Present:

THE RIGHT HON. G. W. FORBES PRESIDING IN COUNCIL.

WHEREAS by section thirty-six of the Finance Act, 1933 (No. 2), it is provided (*inter alia*) that moneys payable under an irrigation agreement registered pursuant to section two hundred and seventy-eight of the Public Works Act, 1928, shall be a charge on the land and the produce thereof:

And whereas by subsection seven of the said section it is enacted that the said section shall come into force on a day to be fixed in that behalf by the Governor-General by Order in Council:

Now, therefore, in pursuance and exercise of the powers hereinbefore recited, 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 fix and proclaim the first day of March, one thousand nine hundred and thirty-four, as the day on and after which section thirty-six of the Finance Act, 1933 (No. 2), shall come into force.

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

(P.W. 64/246.)

Licensing K. D. V. Boxes, Limited, to use and occupy a Part of the Foreshore and Land below Low-water Mark of the Big Wanganui River, South Westland, as a Site for a Wharf and Training-walls.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 12th day of February, 1934.

Present:

THE RIGHT HON. G. W. FORBES PRESIDING IN COUNCIL.

WHEREAS there being no Harbour Board empowered to grant the license hereinafter mentioned under the Harbours Act, 1923 (hereinafter called "the said Act"), K. D. V. Boxes, Limited, of Auckland (hereinafter called "the company," in which term is to be construed, unless the context requires a different construction, its successors or assigns), has applied to the Governor-General in Council for a license under the said Act to occupy a part of the foreshore and land below low-water mark of the Big Wanganui River, South Westland, in order to construct a wharf and training-walls thereon, and, in accordance with the one-hundred-and-seventy-first section of the said Act, has deposited a plan in the

office of the Marine Department at Wellington, marked M.D. 7196, showing the area of foreshore intended to be occupied:

And whereas it has been made to appear that the said wharf and training-walls will not be or tend to the injury of navigation; and it is expedient that a license should be granted to the company under the said Act, for the purpose aforesaid:

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 company 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 company to use and occupy that part of the foreshore and land below low-water mark immediately contiguous thereto, which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of using the wharf and training-walls aforesaid in connection therewith. Such license to be held and enjoyed by the company upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

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 and training-walls at the site shown on the plans marked M.D. 7196.

3. In consideration of the concessions and privileges granted by this Order in Council, the company shall pay to the Minister an annual rental of ls., 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 said wharf and training-walls, and all rights of ingress and egress thereto and therefrom.

5. His Majesty or the Governor-General, and all persons in the Government service acting in the execution of their duties, shall at all times have free ingress, passage, and egress into, through, over, and out of the said wharf and training-walls without payment.

6. The company shall maintain the above-mentioned wharf and training-walls in good order and repair, and shall at all times exhibit therefrom and maintain at the company's own cost suitable and necessary lights for the guidance of vessels: Provided that no light shall be exhibited until after it has been approved by the Minister.

7. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf and training-walls and view the state of repair thereof; and upon such Minister leaving at or posting to the last known registered office of the company in New Zealand a notice in writing of any defect or want of repair in such wharf and training-walls, requiring the company within a reasonable time, to be therein prescribed, to repair the same, the company shall, with all reasonable speed, cause such defect to be removed or such repairs to be made.

8. 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, and that are now or may hereafter be in force.

9. The master of all vessels discharging ballast at the said wharf and training-walls shall have all such ballast taken away and deposited above high-water mark, or at such place as may be approved by the Minister or by any person appointed by the Minister for that purpose.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue 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 company shall not assign, charge, or part with any such right, power, or privilege without the written consent of the Minister first obtained.