

as tenants in common, so as to bind jointly and severally them and each of them, their and each of their executors, administrators, and assigns; in the case of a license granted to a corporate body so as to bind such body, its successors and assigns.

(c) The determination of the license, whether on the expiration of the term or by surrender or revocation or otherwise, shall not affect any liability accrued prior to such determination.

(24) *Crown not liable for Compensation.*—Neither the granting of the license nor anything in the license expressly or by implication contained shall impose on His Majesty the King or upon the Government of New Zealand any liability to pay compensation or damages to any person or local authority by reason of the exercise by the licensee of the powers conferred by the license.

(25) *Licensee to be liable.*—Neither the granting of the license nor anything in the license expressly or by implication contained shall affect or prejudice any liability imposed by law on the licensee to pay compensation or damages to any person arising by reason of the exercise by the licensee of the powers conferred by the license.

(26) *No Warranty as to Volume of Water.*—Neither the granting of the license nor anything in the license expressly or by implication contained shall raise any undertaking, representation, or warranty on the part of His Majesty the King, the authority granting the license, or the Government of New Zealand that the river referred to therein contains at any time sufficient water for the purposes for which the water is granted.

(27) *Bed of River not leased.*—Neither the granting of the license nor anything in the license expressly or by implication contained shall be deemed to create a lease from His Majesty the King of the bed of any river or other land.

(28) *Prior Rights.*—The rights granted by the license shall be subject to all existing rights theretofore granted and validly held and enjoyed whether under the Public Works Act, 1928, the Mining Act, 1926, or any other statute or otherwise.

(29) *Default.*—If at any time during the continuance of the license the licensee fails or neglects to observe, perform, and comply with any of the provisions in the license expressly or by implication contained, or otherwise makes default in complying with the terms of the license, then—

- (a) In any case to which section 326 of the Public Works Act, 1928, applies, the powers conferred by that section shall be exercisable.
- (b) In any case to which section 326 of the Public Works Act, 1928, does not apply, the Governor-General in Council or the Minister (according to which of them granted the license) may forthwith by notice in writing to the licensee revoke and determine the license.
- (c) In any case to which subsection (12) of section 318 of the Public Works Act, 1928, applies, there shall be imposed on the licensee a fine of £10 for every secular week or part of a week during which such failure, neglect, or other default on the part of the licensee continues.
- (d) The imposition of a fine under the last preceding paragraph (c) of this clause shall not prejudice the exercise of the powers set out in the preceding paragraphs (a) and (b) of this clause.

(30) *Partial revocation.*—If in the opinion of the Governor-General or the Minister (according to which of them granted the license) the works proposed to be erected by the licensee will not serve, or any works that have been completed by the licensee do not serve, to utilize the whole of the water granted by the license then the Governor-General or the Minister, as the case may be, may by Order in Council or other notice given to the licensee revoke the license so far as the same relates to the excess of water and amend the license so as to relate only to so much water as in the opinion of the Governor-General or the Minister respectively will be or is utilized by the works of the licensee:

Provided that in any such case the licensee may by notice given to the Minister within fourteen days after receiving the Order in Council or notice so amending the license elect to surrender the license, and upon receipt by the Minister of such notice of election the license shall be deemed to be surrendered.

(31) *Notices.*—(a) Any notice to be given to the licensee shall be sufficient if served personally on the licensee or (in the case of the licensee being a corporate body) delivered at the registered office or usual place of business of the licensee to a person appearing to have for the time being the control of such office, or sent by registered post letter addressed to the licensee at the postal address set out in the application for a license or any subsequent address notified by the licensee to the Minister for the purpose of this clause, and if so served shall be sufficient notwithstanding the death or incapacity of the licensee and notwithstanding that no

legal personal representative of the licensee may have been appointed, and service on any one of several licensees shall be good service on all of them.

(b) Any notice to be given on the part of the Minister shall be sufficient if given in writing signed by the Minister or by any person purporting to act on behalf of or under the authority of the Minister.

(c) Any notice to be given to the Minister shall be sufficient if given in writing delivered to or sent by registered post letter addressed to the Minister at the office in Wellington of the Minister of Public Works.

(d) Any notice sent by registered post letter shall be deemed to be served at the time when it would be delivered at its destination in the ordinary course of registered post.

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

(P.W. 26/167.)

Recreation Reserve in Auckland Land District brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 25th day of June, 1934.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

BY virtue of the powers and authorities vested in me by the thirty-fourth section of the Public Reserves, Domains, and National Parks Act, 1928, I, Charles, Baron Bledisloe, Governor-General of the Dominion of New Zealand, and with the advice and consent of the Executive Council of the said Dominion, do hereby order and declare that the reserve for recreation in the Auckland Land District described in the Schedule hereto shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of Part II of the said Act, and such reserve shall hereafter form part of the Te Teko Domain, and be managed, administered, and dealt with as a public domain by the Te Teko Domain Board.

SCHEDULE.

AUCKLAND LAND DISTRICT.

SECTION 5, Block X, Rangitaiki Upper Survey District (formerly part Lot 59B 3D 1B, Matata Parish): Area, 10 acres, more or less.

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

(L. and S. 1/329.)

Verbal Amendment of the Poverty Bay Electric-power Board Loans Conversion Order, 1934.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 25th day of June, 1934.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority conferred by subsection two of section thirteen of the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, and of all other powers and authorities 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 amend the Poverty Bay Electric-power Board Loans Conversion Order, 1934, made on the third day of May, one thousand nine hundred and thirty-four, and published in the *Gazette* of the tenth day of May, one thousand nine hundred and thirty-four, by deleting from the definition of "existing securities" in clause two of such Order the words "by the local authority."

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

(T. 49/242/3.)