

Licensing Pasco Bros. (Stewart Island), Ltd., to use and occupy a Part of the Foreshore at Half-moon Bay, Stewart Island, as a Site for a Fish-shed.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 22nd day of July, 1936.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby license and permit Pasco Bros. (Stewart Island), Ltd., of Invercargill (hereinafter called "the company," which term shall include its successors and assigns unless the context requires a different construction), to use and occupy all those parts of the foreshore shown on plan marked M.D. 4075, approved on the first day of July, one thousand nine hundred and thirteen, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of the fish-shed as shown on the said plan for a term of fourteen years computed from the first day of April, one thousand nine hundred and thirty-six, 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 or under this Order in Council shall extend and apply only to that part of the foreshore necessary for the maintenance of the said fish-shed, as shown on the plan marked M.D. 4075, so deposited in the office of the Marine Department as aforesaid.

3. In consideration of the concessions and privileges granted by this Order in Council the company shall pay to the Minister the sum of £1, and thereafter an annual sum of 10s. in advance, payable on the 1st day of April in each year.

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 fish-shed without payment.

5. The company shall maintain the above-mentioned fish-shed 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 of by the Minister.

6. Any person authorized by the Minister may, at all reasonable times, enter upon the said fish-shed 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 fish-shed 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.

7. 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 regulations 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 or under this Order in Council shall continue to be in force for fourteen years from the first day of April, one thousand nine hundred and thirty-six, 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.

9. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the company three 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 registered office of the company in New Zealand.

B

10. The company shall be liable for any injury which the said fish-shed may cause any vessel or boat to sustain through any default or neglect on the company's part.

11. In case the company 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 fish-shed for the purpose aforesaid for a period of thirty consecutive days ;

(3) Be in any manner wound up or dissolved ; 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 license, right, power, and privilege thereby conferred may be revoked and determined by the Governor-General in Council without any notice to the company or other proceeding whatsoever ; and publication in the *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the company and to all other persons concerned or interested that this Order in Council, and the license, rights, and privileges thereby granted and 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 company shall, if required by the Minister so to do, remove the said fish-shed entirely from the site and restore the site to its original condition within three months from the date of revocation or expiry, as the case may be, and if the company fail so to do the Minister may cause the said fish-shed to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the company.

C. A. JEFFERY,

Clerk of the Executive Council.

Order in Council varying the Determinations in respect of Portion (£50,000) of the Auckland and Suburban Drainage Board's Loan of £104,000.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 29th day of July, 1936.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council made on the fourteenth day of July, one thousand nine hundred and thirty-six, and subject to the determinations as to borrowing and repayment therein set out, consent was given to the raising by the Auckland and Suburban Drainage Board (hereinafter called "the said local authority") of the sum of one hundred and four thousand pounds (£104,000) by a loan to be known as "Loan No. 11" (hereinafter called "the said loan") :

And whereas the said loan has not yet been raised, and it is expedient to vary certain of the determinations in respect of portion thereof amounting to fifty thousand pounds (£50,000) (hereinafter called "the said sum") :

Now, therefore, 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, and in pursuance and exercise of the powers and authorities conferred on him by section eleven of the Local Government Loans Board Act, 1926, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby vary the determinations aforesaid in respect of the said sum by prescribing that in lieu of making provision for the repayment of the said sum at the expiration of a period of twenty-nine (29) years, as set out in clause one of the aforesaid Order in Council, the said local authority shall provide for the repayment of the said sum by the annual redemption of debentures from the sinking fund as set out in the table of repayments hereunder :—

TABLE OF REPAYMENTS.

Year.	Amount of Instalments.	Year.	Amount of Instalments.
	£		£
1937 ..	1,000	1947 ..	1,400
1938 ..	1,000	1948 ..	1,500
1939 ..	1,100	1949 ..	1,600
1940 ..	1,100	1950 ..	1,600
1941 ..	1,200	1951 ..	1,600
1942 ..	1,200	1952 ..	1,700
1943 ..	1,300	1953 ..	1,800
1944 ..	1,200	1954 ..	1,800
1945 ..	1,400	1955 ..	1,900
1946 ..	1,400	1956 ..	23,200

C. A. JEFFERY,

Clerk of the Executive Council.

(T. 49/393/3.)