

[In substitution of Supplementary Order Paper No. 159.]

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Monday, the 28th Day of November, 1910.

WAIHOU AND OHINEMURI RIVERS IMPROVEMENT BILL.

Hon. Mr. R. McKENZIE, in Committee, to move the following amendments:—

Clause 2: To omit from the definition of “mining *débris*” the words “taken from or under the surface of the ground in,” and substitute the words “produced or arising directly or indirectly during.”

Clause 20: To omit paragraph (d) of subclause (4), and substitute the following:—

(d.) There shall be paid annually, as from the first day of April, nineteen hundred and *eleven*, to the credit of the said separate account, the sum of ten thousand pounds, payable as follows:—

Sixteen hundred and sixty-seven pounds from the Consolidated Fund, without further appropriation than this Act:

Five thousand pounds from the gold duty received from mining in the river district, as mentioned in the *next* succeeding section:

Sixteen hundred and sixty-seven pounds from the gold-mining companies and persons discharging tailings, slimes, or mining *débris* into either the Waihou or Ohinemuri Rivers:

Sixteen hundred and sixty-six pounds from the persons who, if the river district were declared at the date of the passing of this Act a district within the meaning of the River Boards Act, 1908, would be liable to be rated therein: And the Minister is hereby empowered to levy rates from time to time upon such persons to produce the said sum of sixteen hundred and sixty-six pounds and the cost of levying the said rates; and for this purpose the Minister shall be deemed to have all the powers of a River Board.

Clause 25: To omit, in line 7 on page 11, the words “four and a half per centum,” and substitute “four per centum”; and omit in line 9 the words “one per centum,” and substitute the words “one and a half per centum.”

Clause 28: To add the following subclause:—

(2.) At the end of each financial year the Board shall ascertain the amount of its actual expenditure during such year for the purposes in this section hereinbefore mentioned, and if it is found that

the Board has received under the provisions of paragraphs (a), (b), and (c) hereof more than the proportions of one-half, one-sixth, and one-sixth respectively of the actual expenditure so ascertained, it shall forthwith refund to the Minister, companies, or persons, as the case may be, the amounts received by the Board in excess of such proportions of such actual expenditure.

Clause 29: To omit the clause, and substitute the following:—

29. The contributions required by sections *twenty* and *twenty-eight* hereof to be made by the gold-mining companies and persons therein referred to, shall from time to time be apportioned by the Minister of Mines among the companies and persons concerned, and he shall determine the proportions so to be paid by each company and person on the basis of the estimated amount of tailings, slimes, or mining *débris* discharged into the river during the previous year; and the amount in the case of each company or person so determined is hereby declared to be a debt due from each such company or person respectively to His Majesty or to the Board, as the case may require, and may be recovered in any Court of competent jurisdiction.

First Schedule:—

To omit paragraph (a), and substitute the following:—

- (a.) From the date of the passing of the Waihou and Ohinemuri Rivers Improvement Act, 1910, no person or company, except as hereinafter provided, shall discharge tailings, mining *débris*, or waste water into the Waihou or Thames and Ohinemuri Rivers and their tributaries except by special permission in writing of the Warden.

To add the following new paragraph:—

- (d.) The provisions of the *preceding* subparagraphs hereof shall not apply to the persons or companies, or the executors, administrators, or assigns of such persons, or the successors or assigns of such companies, who or which at the date of the passing of the said Act have the right under the above Proclamation of discharging tailings, mining *débris*, or waste water into either of the said Waihou or Thames and Ohinemuri Rivers or their tributaries, or any portion thereof, by virtue of the above-mentioned Proclamation or the rights thereby conferred, and have exercised such right within six months prior to the passing of the said Act. But such right shall be deemed, as from the 30th day of June, 1911, to be subject to the condition expressed in subparagraph (b) except as regards the company owning the Crown mines at Karangahake, whose right shall be deemed to be subject to the said condition as from the 31st day of December, 1911. Any mine-manager, person, or company to whom this subparagraph applies who in breach of the provisions contained in this subparagraph discharges, directs, or allows or permits his or its servants or employees to discharge into either of the said rivers, or into any of their tributaries, tailings of a less degree of subdivision or fineness than is described in subparagraph (b) hereof, shall, on conviction, be liable to a fine not exceeding *fifty* pounds for every day during which any such offence continues.