

And whereas it is desirable that the control should be granted to the Board :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said Act, and acting by and with the advice and consent of the Executive Council, doth hereby grant to the Board the control of the foreshore as described in the First Schedule hereto, and subject to the terms and conditions set forth in the Second Schedule hereto.

#### FIRST SCHEDULE.

THAT portion of the foreshore at Mount Maunganui, Tauranga, commencing at the north-western side of Beach Road, and extending generally south-eastwards to the eastern boundary of the Signal Station Reserve; as the same is shown between points marked "A" and "B" and edged red on plan marked M.D. 6639, approved on the 24th day of April, 1929, and deposited in the office of the Marine Department at Wellington.

#### SECOND SCHEDULE.

1. In these conditions the term "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. In these conditions the term "foreshore" means all land between high-water mark at ordinary spring tides and low-water mark at ordinary spring tides.

3. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown edged red on plan marked M.D. 6639, and deposited in the office of the Marine Department at Wellington.

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 out and over the said foreshore without payment.

5. Nothing herein contained shall authorize the Board to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, 1923, or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

6. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph-cables that are at present or may be at any time laid down within the said area of foreshore.

7. The Board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by by-law fix a charge for admission to such enclosed part or parts, provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

8. The Board may, subject to the provisions of section 171 of the Harbours Act, 1923, erect, or license, or permit the erection of bathing-sheds or boat-sheds on the foreshore described in the First Schedule hereto, and may make by-laws regulating the use thereof, and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the public.

9. Nothing herein contained shall authorize the Board to remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

10. By-laws made by the Board under the said Act in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. 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 Board 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 Board in New Zealand.

C. A. JEFFERY,  
Clerk of the Executive Council.

*Revoking Order in Council of the 24th day of April, 1929, vesting the Control of Part of the Foreshore in the Mount Maunganui Domain Board.*

GALWAY, Governor-General.

#### ORDER IN COUNCIL.

At the Government House at Wellington, this 8th day of March, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the twenty-fourth day of April, one thousand nine hundred and twenty-nine, and published in the *Gazette* of the twenty-sixth day of the same month, at page 1054, the control of part of the foreshore at Tauranga was vested in the Mount Maunganui Domain Board :

And whereas it is desirable to have the hereinbefore-recited Order in Council revoked :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the Harbours Act, 1923, 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 revoke the hereinbefore-recited Order in Council of the twenty-fourth day of April, one thousand nine hundred and twenty-nine, as from the date hereof.

C. A. JEFFERY,  
Clerk of the Executive Council.

*Variation of Order in Council prohibiting alienation of Native Land.*

GALWAY, Governor-General.

#### ORDER IN COUNCIL.

At the Government House at Wellington, this 8th day of March, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to section four hundred and forty-two of the Native Land Act, 1931, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby vary an Order in Council made on the seventh day of March, one thousand nine hundred and thirty-two, and published in the *Gazette* on the tenth day of March, one thousand nine hundred and thirty-two, at page 478, and affecting Waewaetutuki, Section 1, and other blocks, by excluding therefrom the land described in the Schedule hereto.

#### SCHEDULE.

Block.	Area :		Survey District.
	A.	R. P.	
Waewaetutuki, Section 4	221	0 0	Maketu.

C. A. JEFFERY,  
Clerk of the Executive Council.

*Land permanently reserved in the Otago Land District for Recreation Purposes.*

GALWAY, Governor-General.

WHEREAS by the three-hundred-and-fifty-ninth section of the Land Act, 1924, it is enacted that the Governor-General may from time to time set apart temporarily as reserves, notwithstanding that the same may be then held under pastoral license, any Crown lands which in his opinion are required for any of the purposes of the said section mentioned :

And whereas by the three-hundred-and-sixtieth section of the said Act it is provided that land temporarily reserved under the said three-hundred-and-fifty-ninth section may, at the expiration of one month, but not later than six months, after the publication in the *Gazette* of notice of such temporary reservation, be permanently reserved, and that notice of such permanent reservation shall be published in the *Gazette* :

And whereas the land described in the Schedule hereto was, by the Warrant dated the second day of February, one thousand nine hundred and thirty-nine, and published in the *Gazette* of the ninth day of that month, temporarily reserved under the authority of the said Act for recreation purposes :