

The Northern Side of Portion of Huriaro Place, in the City of Auckland, exempted from the Provisions of Section 128 of the Public Works Act, 1928, subject to a Condition as to the Building-line

C. L. N. NEWALL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 8th day of December, 1943

Present:

THE HON. W. NASH PRESIDING IN COUNCIL

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, and of every other power 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 approve of the following resolution passed by the Auckland City Council on the twelfth day of November, one thousand nine hundred and forty-two, in so far as it affects the side and portion of the street described in the Schedule hereto, viz. :—

“The Auckland City Council, being the local authority having control of the streets in the City of Auckland, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to that portion of the Huriaro Place adjoining Section 41, Town of Orakei”;

subject to the condition that no building or part of a building shall at any time be erected on the land fronting the northern side of the portion of Huriaro Place (described in the Schedule hereto) within a distance of thirty-three feet from the centre-line of the said portion of street.

SCHEDULE

THE northern side of all that portion of street situated in the North Auckland Land District, City of Auckland, known as Huriaro Place, fronting portion of Section 41, Town of Orakei. As the said portion of street is more particularly delineated on the plan marked P.W.D. 117570, deposited in the office of the Minister of Works at Wellington, and thereon coloured red.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

(P.W. 51/2787.)

Varying the Determinations in respect of the Buller County Council's Loan of £1,000

C. L. N. NEWALL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 8th day of December, 1943

Present:

THE HON. W. NASH PRESIDING IN COUNCIL

WHEREAS by Order in Council made on the eleventh day of August, one thousand nine hundred and forty-three, and subject to the determinations as to borrowing and repayment therein set out, consent was given to the raising in New Zealand by the Buller County Council (hereinafter called “the said local authority”) of a loan of one thousand pounds (£1,000), to be known as “Carter’s Beach Aerodrome Loan, 1941” (hereinafter called “the said loan”):

And whereas by Order in Council made on the first day of December, one thousand nine hundred and forty-three, the determinations aforesaid were varied to prescribe a rate of interest not exceeding three pounds fifteen shillings (£3 15s.) per centum per annum:

And whereas the authority conferred by the said Order in Council has not yet been exercised, and it is expedient to again vary the determinations aforesaid in respect of the said loan:

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 again vary the determinations aforesaid in respect of the said loan by prescribing that in lieu of a term of twenty (20) years, as prescribed in clause one of the said Order in Council, the term for which the said loan or any portion thereof may be raised shall not exceed ten (10) years.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

(T. 49/209/6.)

Varying the Determinations in respect of the Buller County Council's Loan of £1,000

C. L. N. NEWALL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 8th day of December, 1943

Present:

THE HON. W. NASH PRESIDING IN COUNCIL

WHEREAS by Order in Council made on the eleventh day of August, one thousand nine hundred and forty-three, and subject to the determinations as to borrowing and repayment therein

set out, consent was given to the raising in New Zealand by the Buller County Council (hereinafter called “the said local authority”) of a loan of one thousand pounds (£1,000), to be known as “Carter’s Beach Aerodrome Loan, 1941” (hereinafter called “the said loan”):

And whereas the authority conferred by the said Order in Council has not yet been exercised, and it is expedient to vary certain of the determinations aforesaid in respect of the said loan:

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 loan by prescribing that in lieu of a rate of interest not exceeding three pounds ten shillings (£3 10s.) per centum per annum, as specified in clause two of the said Order in Council, the rate of interest that may be paid in respect of the said loan shall be such as shall not produce to the lender or lenders a rate exceeding three pounds fifteen shillings (£3 15s.) per centum per annum.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

(T. 49/209/6.)

Warrant for Convening General Courts-martial

C. L. N. NEWALL, Governor-General

To the AIR OFFICER COMMANDING-IN-CHIEF for the time being of the Royal Air Force, South-east Asia Command.

WHEREAS by the Visiting Forces Act, 1939, it is provided when a home force and another force are acting in combination any officer of the other force duly appointed to command the combined force, or any part thereof, shall be treated and shall have over members of the home force the like powers of command and punishment, and may be invested with the like authority to convene and confirm the findings and sentences of courts-martial as if he were an officer of the home force of relative rank and holding the same command:

And whereas by an order made on the tenth day of April, one thousand nine hundred and forty-one, under the authority of the aforesaid Act, it was declared that the air forces of His Majesty raised in New Zealand which are serving outside New Zealand during or in respect of the present war shall be deemed to be serving together and acting in combination with the air forces of His Majesty raised in the United Kingdom:

Now, therefore, in pursuance and exercise of the powers conferred by the aforesaid Act and by the Air Force Act, 1937, and the regulations made thereunder (hereinafter referred to as “the said Act and regulations”), I, Cyril Louis Norton Newall, the Governor-General of the Dominion of New Zealand, do hereby authorize you from time to time as occasion may require to convene general courts-martial for the trial of every person subject to the said Act and regulations who shall be charged with any offence for which such person may be tried by court-martial, whether such offence shall have been committed before or after the date of this Warrant; and I hereby further authorize you to confirm the proceedings of any such courts-martial and to cause any sentence thereof to be put into execution according to law:

Provided, however, that no sentence of death shall be carried into effect unless the execution thereof be approved by myself as Governor-General of the Dominion of New Zealand in Council:

And I do further authorize you to direct your warrant to any officer of the Royal Air Force or of the Royal New Zealand Air Force not below the rank of Squadron Leader giving him a general authority to convene general courts-martial for the trial of any persons subject to the said Act and regulations who shall be charged with any offence for which such person may be tried by court-martial, whether such offence shall have been committed before or after the date of the warrant directed by you to such officer, and also to exercise in respect of the proceedings of such courts-martial the power of confirming the findings or sentences thereof according to law, or, if you should so think fit, of directing him to reserve for your confirmation the proceedings of all or any such courts-martial, in which case you are hereby authorized to exercise in respect of the proceedings so reserved all the powers of a confirming officer in accordance with the said Act and regulations:

And that there may not in any case be a failure of justice from the want of a proper person authorized to act as judge-advocate, I do hereby further empower you, in default of a person appointed by me or deputed by the Solicitor-General, or during the illness or occasional absence of the person so appointed or deputed, to nominate and appoint, and to delegate to any officer duly authorized to convene a general court-martial the power of appointing, a fit person from time to time for executing the office of judge-advocate at any court-martial for the more orderly proceedings of the same:

And for executing the several powers, matters, and things herein expressed this shall be to you and all others whom it may concern a sufficient Warrant and authority.

As witness the hand of His Excellency the Governor-General, this 13th day of December, 1943.

F. JONES, Minister of Defence.