

*Imposing Levy on the Owners of Coal-mines Situated Within the Waikato Rescue-station Levy Area*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 7th day of February, 1950

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

WHEREAS by section six, subsection four, of the Coal-mines Amendment Act, 1936, it is provided that every rescue-station established in accordance with section six of the said Act shall be established in respect of an area to be defined by the Minister of Mines by notice published in the *Gazette*:

And whereas by section six, subsection five, of the said Act, it is provided that for the purpose of recouping the cost of the establishment and maintenance of any such rescue-station the Governor-General, by Order in Council, may from time to time impose levies on the owners of coal-mines situated within the area defined in respect of such rescue-station, not exceeding in respect of any mine for any year a levy computed at the rate of one penny for every ton or part of a ton of marketable coal raised from the mine during the preceding year ended on the thirty-first day of December:

And whereas the Minister of Mines, by notice appearing in the *New Zealand Gazette* of the twenty-second day of February, one thousand nine hundred and forty, defined an area in respect of which a rescue-station might be established:

And whereas the Minister of Mines has established a rescue-station (hereinafter called the Waikato Rescue-station) in respect of the coal-mining area defined in the said notice:

Now, therefore, in pursuance and exercise of the powers and authorities conferred upon him by the said section six, subsection five, 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, for the purpose of recouping the cost of the establishment and maintenance of the Waikato Rescue-station, impose on the owners of coal-mines situated within the area defined in the said notice in respect of each mine within the said area a levy computed at the rate of one penny for every ton or part of a ton of marketable coal raised from the mine during the year ended on the thirty-first day of December, one thousand nine hundred and forty-nine.

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

(Mines 8/58/13.)

*Imposing Levy on the Owners of Coal-mines Situated Within the Buller Rescue-station Levy Area*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 7th day of February, 1950

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

WHEREAS by section six, subsection four, of the Coal-mines Amendment Act, 1936, it is provided that every rescue-station established in accordance with section six of the said Act shall be established in respect of an area to be defined by the Minister of Mines by notice published in the *Gazette*:

And whereas by section six, subsection five, of the said Act, it is provided that for the purpose of recouping the cost of the establishment and maintenance of any such rescue-station, the Governor-General, by Order in Council, may from time to time impose levies on the owners of coal-mines situated within the area defined in respect of such rescue-station, not exceeding in respect of any mine for any year a levy computed at the rate of one penny for every ton or part of a ton of marketable coal raised from the mine during the preceding year ended on the thirty-first day of December:

And whereas the Minister of Mines, by notice appearing in the *New Zealand Gazette* of the third day of August, one thousand nine hundred and forty-four, defined an area in respect of which a rescue-station might be established:

And whereas the Minister of Mines has established a rescue-station (hereinafter called the Buller Rescue-station) in respect of the coal-mining area defined in the said notice:

Now, therefore, in pursuance and exercise of the powers and authorities conferred upon him by the said section six, subsection five, 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, for the purpose of recouping the cost of the establishment and maintenance of the Buller Rescue-station, impose on the owners of coal-mines situated within the area defined in the said notice in respect of each mine within the said area a levy computed at the rate of one penny for every ton or part of a ton of marketable coal raised from the mine during the year ended on the thirty-first day of December, one thousand nine hundred and forty-nine.

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

(Mines 8/58/20.)

*Licensing the Northern Wairoa Co-operative Dairy Company, Limited, to Use and Occupy a Part of the Foreshore and Land Below Low-water Mark at Mangawhare, Northern Wairoa River, as a Site for a Wharf and Coal-bins*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 7th day of February, 1950

Present:

THE HON. K. J. HOLYOAKE PRESIDING 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 the Northern Wairoa Co-operative Dairy Company, Limited (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 and land below low-water mark at Mangawhare, Northern Wairoa River, as shown on plans marked M.D. 3104, 4701, 3518, and 5206, and deposited in the Office of the Marine Department at Wellington, for the purpose of maintaining the wharf and coal-bins thereon, as shown on the said plans, such licence to be held and enjoyed by the company upon and subject to the terms and conditions set forth in the First Schedule hereto, and doth hereby make the regulations for the said wharf and doth prescribe the dues and rates set forth in the Second Schedule hereto that shall be charged and taken by the company for the use of the said wharf.

FIRST SCHEDULE

CONDITIONS

1. THIS licence is subject to the Foreshore Licence Regulations 1940 and the provisions of those regulations shall, so far as applicable, apply hereto.
2. The term of licence shall be fourteen years from the 16th day of January, 1950.
3. The premium payable by the company shall be one pound (£1) and the annual sum so payable by the company shall be four pounds (£4).
4. The master of every vessel discharging ballast at the said wharf shall have all such ballast taken away and deposited above high-water mark or at such place as may be approved by the Minister or by any person appointed by the Minister for that purpose.
5. The company shall appoint all wharfingers and other officers and servants required for the management and working of the said wharf.

SECOND SCHEDULE

REGULATIONS.—WHARFAGE FEES AND DUES

1. IN these regulations, if not inconsistent with the context,—
  - “Boat” means and includes any open, decked, or half-decked boat used for the purpose of business or pleasure, and in which the means of propulsion are either wholly or partly manual, or steam, or oil power;
  - “Cream-boat” means the steamer carrying the cream for delivery to the dairy company;
  - “Master” means and includes the person actually in charge of any vessel, whether or not he is certificated;
  - “Vessel” means and includes every ship of whatsoever size and rig, although the same may not be included in the term “boat”;
  - “Wharf” has the same meaning as in the Harbours Act, 1923;
  - “Wharfinger” includes every person actually in charge of the wharf for the time being.
2. (1) In the absence of any special regulations to the contrary, the time the master of any vessel shall be permitted to occupy a berth at the wharf for the purpose of either loading or discharging cargo shall be not more than one day for vessels under 100 tons register, and one day additional for every further 100 tons register of the vessel or part thereof.
- (2) Upon the completion of the loading or discharging of the vessel, or upon the termination of the time allowed hereunder, whichever sooner occurs, the master shall forthwith remove his vessel from and vacate the berth occupied by it.
3. (1) The master of any vessel loading or discharging at the wharf shall be deemed accountable for the proper slinging and landing of all goods, and responsible for any damage that may occur either from the breakage of slings or from the goods being improperly slung or improperly handled.
- (2) It shall be the duty of the master to cause proper tarpaulins to be stretched from the wharf to the vessel loading or discharging as aforesaid; and to be there maintained while cargo or ballast is being handled or shipped.
4. (1) In case any vessel does any damage to the wharf or any part thereof, or to any building or machinery thereon or appertaining thereto, then and in any such case the master of such vessel shall forthwith report the occurrence to the Wharfinger.
- (2) Any damage done or caused as aforesaid may be repaired by the company, and the cost thereof shall be recoverable by the company from the master and owner of such vessel, or either of them, in any Court of competent jurisdiction.
5. Any person landing on or bringing on to the wharf goods for shipment shall place such goods as the Harbourmaster, Wharfinger, or other authorized person directs, and so as to keep all mooring posts or rings and all tramways clear.