

SECOND SCHEDULE

CONDITIONS

1. Her 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, over, and out of the foreshore described in the First Schedule to this order without payment.

2. Nothing herein contained shall authorise the Council 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 provisions of the Harbours Act 1950 or its amendments, or any regulations made thereunder that are or may hereafter be in force.

3. 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 areas described in the First Schedule to this order.

4. The Council may enclose any part or parts of the foreshore described in the First Schedule to this order for the purpose of holding athletic sports or games and may by resolution 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 6 in any 1 year.

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

6. Suitably worded signs shall be erected at the main public access ways to the area described in the First Schedule to this order indicating that control has been granted to the Council pursuant to section 165 of the Act and that bylaws are in force.

7. All money received by the Council in respect of the foreshore in the exercise or performance of the powers, functions, duties, and authorities conferred on it by this order, shall, subject to the deduction of any expenditure incurred by the Council in the exercise or performance of those powers, functions, duties, and authorities, be applied to the construction, repair, or improvement of facilities in respect of that foreshore and not otherwise.

8. 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 Council 6 calendar months 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 Council in New Zealand.

P. G. MILLEN, Clerk of the Executive Council.

(M.O.T. H.O. 54/14/40; N.R. 54/20/1)

Authorising the Birkenhead City Council to Reclaim Crown Land from the Bed of Waitemata Harbour

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 4th day of February 1980

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to section 175 (3) and subject to sections 176 to 182 of the Harbours Act 1950 His Excellency the Governor-General acting by and with the advice and consent of the Executive Council, hereby authorises the Birkenhead City Council to reclaim from the bed of Waitemata Harbour an area of 1180 square metres, more or less, of Crown land as shown on plan M.D. (N) 586 and deposited in the office of the Ministry of Transport at Auckland.

P. G. MILLEN, Clerk of the Executive Council.

(M.O.T. H.O. 54/16/120; N.R. 54/4/272)

Appointments, Promotions, Extensions, Transfers, Resignations, and Retirements of Officers of the Royal New Zealand Navy

PURSUANT to section 35 of the Defence Act 1971, His Excellency, the Governor-General has approved the following appointments, promotions, extensions, transfers, resignations, and retirements of officers of the New Zealand Naval Forces.

ROYAL NEW ZEALAND NAVY

Commander N. R. Win to be acting Captain, with effect from 17 December 1979, and temp. Captain, with effect from 21 December 1979.

Commander I. M. McGibbon to be acting Captain, with effect from 1 January 1980.

The appointment of Lieutenant Commander G. J. Bourke is extended to 6 May 1985.

Lieutenant Commander E. L. Roberts to be temp. Commander, with effect from 7 January 1980.

Lieutenant Commander D. N. Wood to be acting Commander, with effect from 10 December 1979; temp. Commander, with effect from 14 December 1979; and Commander, with seniority and effect from 19 December 1979.

The appointment of Lieutenant Commander G. E. Cole, A.I.E.E., is extended to 3 September 1986.

Lieutenant Commander W. W. Devin to be Commander, with seniority and effect from 21 December 1979.

Lieutenant Commander J. G. Leonard to be acting Commander, with effect from 17 December 1979, and Commander, with seniority and effect from 18 December 1979.

Lieutenant Commander J. M. Stewart, B.SC.(ENG), C.ENG., M.I.E.E., to be temp. Commander, with effect from 10 December 1979.

Lieutenant Commander D. W. Palmer to be acting Commander, with effect from 17 December 1979, and temp. Commander, with effect from 21 December 1979.

Lieutenant (acting Lieutenant Commander) A. J. Peck, B.A., to be temp. Lieutenant Commander, with effect from 7 January 1980.

Lieutenant W. Rathbun to be acting Lieutenant Commander, with effect from 3 December 1979, and temp. Lieutenant Commander, with effect from 7 December 1979.

The following to be Lieutenant, with seniority and effect from the dates shown:

Sub Lieutenant G. R. S. Medcalf, 22 November 1979.

Sub Lieutenant I. R. Logan, 7 November 1979.

Sub Lieutenant R. J. Scott, 22 November 1979.

Sub Lieutenant (temp. Lieutenant) L. C. J. Somervell, 23 November 1979.

Ensign C. J. Hoey to be temp. Sub Lieutenant, with effect from 17 November 1979, and Sub Lieutenant, with seniority and effect from 5 January 1980.

The following Ensigns to be Sub Lieutenant, with seniority and effect from 5 January 1980:

K. J. Keat.

M. S. Richards.

E. C. F. Riordan.

Ensign I. J. S. Routledge to be temp. Sub Lieutenant, with effect from 19 November 1979, and Sub Lieutenant, with seniority and effect from 5 January 1980.

The commission of Midshipman (acting Ensign) N. E. Handey is confirmed in the rank of Ensign, with seniority from 1 January 1978, and effect from 3 December 1979; to be Sub Lieutenant, with seniority from 1 January 1979 and effect from 3 December 1979.

Midshipman P. D. Gilkison to be Ensign, with seniority from 1 January 1979 and effect from 1 January 1980.

The following Midshipmen to be acting Ensign, with effect from 5 January 1979:

W. G. Craig.

D. H. Preston.

B. R. Wallen.

Midshipman W. R. E. Burroughs to be Ensign, with seniority from 1 January 1979 and effect from 3 December 1979; to be Sub Lieutenant, with seniority and effect from 1 January 1980.

The following Midshipmen to be Ensign, with seniority from 1 January 1979 and effect from 27 November 1979:

Q. R. Adams.

S. M. Barham.

C. P. Hallows.

H. W. Hipango.

A. L. D. McLean.

P. Sherbourne.

R. O. van der Velde.

The following Midshipmen to be acting Ensign, with effect from 1 January 1980:

M. C. Fraser.

J. P. Fry.

G. I. Lowe.

Nicholas Graham Flegg, B.SC.(HONS), CERT.ED., is appointed to the RNZN in the rank of Instructor Lieutenant, with seniority from 13 January 1974 and effect from 26 November 1979; terminating on 25 November 1984.

Mak Siew Wah is appointed to the RNZN in the rank of Lieutenant Commander, with seniority and effect from 12 November 1979.