

and the Comptroller in adjudicating may take into consideration any notes of evidence taken or any report made by the Water Commissioner, and any further evidence produced by the applicant or any objector, and may grant the applicant an authorization, a conditional licence, or a final licence, or may refuse the application.

Procedure.

(3.) In completing an application commenced under a former Act, the procedure laid down in this Act shall be followed, and the tribunal adjudicating on the application may allow or make any amendment to the applications necessary to carry out the provisions of this section.

Penalty.

(4.) The holder of a water licence granted by a Water Commissioner who has not obtained the approval of his plans or the approval of his undertaking shall be deemed to have neglected to exercise the powers granted by the licence.

Proof.

(5.) The Comptroller may require the holder of any such licence who has obtained such approval from a Water Commissioner, or a certificate of the approval of his undertaking and works, to prove within sixty days that he has commenced the construction of his proposed works, and has carried them on with due diligence and has completed them within the time fixed.

Failure to produce proof.

(6.) If the licensee neglect to produce such proof, or if the proof produced does not satisfy the Comptroller, the Comptroller may, after thirty days' notice, declare the said licence null and void and may cancel it, or he may grant him a conditional licence under section 91 of this Act, with such priority as he deems just, and may then cancel the former licence. If the licensee prove that he has completed his works and put the water to beneficial use, he may grant him a final licence under section 113, or at the option of the licensee may endorse on the original licence a memorandum of the proof having been made.

May obtain authorization and licence.

(7.) If the holder of a licence granted by a Water Commissioner apply under section 16 for a renewal of the licence, the Board, if a renewal is granted, shall direct the Comptroller, on the surrender of the original licence, to grant him an authorization under section 78 or a conditional licence under section 91, as it may deem right under the circumstances.

Amendment of proceeding.

(8.) Any notice given, any application or petition filed, before or within three months after the passage of this Act which would have been sufficient before the passage of this Act, and is not inconsistent with this Act, but which does not contain all the information required by this Act, may be amended to conform with the requirements of this Act on such terms as the official adjudicating may deem just.

*Repeal.*

Repeal.

302. (1.) The following Acts are hereby repealed:—

(a.) Chapter 239 of the "Revised Statutes of British Columbia, 1911," being the "Water Act":