

(3) The Principal Administrative Officer holding office pursuant to clause 16 of this order shall inform the Secretary for Local Government of the date on which the Returning Officer declares the result of the election of the members of the district council.

2. Constitution—(1) The districts of the Borough of Mount Wellington and the Borough of Otahuhu shall be united into one district to be known as the Borough of Tamaki (hereinafter referred to as "the united district").

(2) The Mount Wellington Borough Council and the Otahuhu Borough Council (hereinafter referred to as "the uniting authorities") shall be dissolved.

(3) There shall be a council for the united district to be known as the "Tamaki Borough Council" (hereinafter referred to as "the borough council").

3. Wards—There shall be constituted 2 wards for the united district to be known as the Mount Wellington Ward, comprising the district of the Borough of Mount Wellington, and the Otahuhu Ward, comprising the district of the Borough of Otahuhu.

4. Membership of Borough Council—(1) The borough council shall comprise a Mayor, elected by the electors of the united district and 12 members elected as follows:

Eight members to be elected by the electors of the Mount Wellington Ward;

Four members to be elected by the electors of the Otahuhu Ward.

(2) The Mayor and members of the district council shall be first elected at the general election of members of local authorities to be held on 11 October 1986.

5. Review of Ward Boundaries—The borough council shall in addition to reviewing the basis of election of the council as provided for in section 56 (1) of the Local Government Act 1974 in the year preceding the general election of members of the Council to be held in 1989, review the boundaries and number of wards of the borough having regard to community of interest.

6. First Meeting of Council—The first meeting of the borough council shall be convened by the person holding the office of Town Clerk of the Mount Wellington Borough Council immediately before this order comes into effect.

7. Returning Officer—(1) For the purpose of arranging the triennial general election of members of local authorities to be held on 11 October 1986 the Returning Officer for the united district shall be appointed jointly by the uniting authorities.

(2) Notwithstanding anything in section 4 (6) (b) of the Local Government Amendment Act (No. 2) 1986, the Returning Officer for the election of the member of the Auckland Regional Authority for the constituency of Panmure shall be the Returning Officer for the united district.

8. Finance—(1) Except as otherwise provided in this order the accounts of the borough council shall be kept in accordance with the provisions of the Local Government (Territorial Authorities) Accounting Regulations 1979.

(2) For all accounting and other financial purposes, except those relating to the levying of rates, the union shall be deemed to have taken place at the commencement of the financial year in which the provisions of this order come into force and, except as otherwise provided in this order, all administrative accounts, works and services accounts, and special fund accounts of the uniting authorities at the date of the union shall be merged to operate as accounts of the borough council and they shall be so merged by the 31st day of March next ensuing after the date of the union.

(3) The special funds of the uniting authorities shall be expended only for the purposes for which they were set aside and, after provision has been made for all liabilities, for the benefit of that area in which they originated, and money required to be paid into any special fund to meet any deficiency shall be found from within the area in respect of which that special fund originated.

9. Rating—The system of rating in the united district shall be the capital value system.

10. Town and Country Planning—(1) Pursuant to section 63 of the Town and Country Planning Act 1977, the borough council shall not be required forthwith to prepare a new district scheme for the united district.

(2) The district planning schemes and scheme statements and codes of ordinances in force in the respective districts of the uniting authorities shall be deemed to be the district planning scheme, scheme statement and code of ordinances of the united district and they shall remain in force in the respective parts of the united district until a new district scheme is prepared for the united district under the provisions of the Town and Country Planning Act 1977.

11. Petroleum Tax—(1) For the purposes of Part XI of the Local Government Act 1974 the borough council shall be the successor of the uniting authorities.

12. Transfer of responsibilities and other matters—Except as otherwise provided in this order, the borough council in respect of the districts of the uniting authorities:

- (a) Shall have and may exercise and be responsible for all the powers, duties, acts of authority, and functions which were previously exercised or which would have been so exercised by the uniting authorities;
- (b) Shall have and may exercise and be responsible for all liabilities, obligations, engagements, and contracts which previously were, or which would have been, the responsibility of the uniting authorities;
- (c) Shall have and may exercise and be responsible for all actions, suits, and proceedings pending by or against, or which would have been the responsibility of the uniting authorities;
- (d) Shall succeed to the bylaws which are in force in the districts of the uniting authorities and which are applicable to the united district's circumstances and, until revoked or altered by the council of the united district, every such bylaw shall remain in force in the area in which it was in force immediately before the union; and every bylaw which cannot be restricted to the area in which it was in force immediately before the union or which is not applicable to the united district's circumstances shall be deemed inapplicable and revoked by the union;
- (e) Shall succeed to all rates and levies, and other money payable to the uniting authorities;
- (f) Shall succeed to the valuation rolls, electoral rolls, and rate records in force in the districts of the uniting authorities, and these shall remain in force in the united district until such rolls or records are made by the council of the united district, and until that time Part IX of the Rating Act 1967 shall apply as if the united district was the district of a special purpose authority and the areas from which it was formed were constituent districts.

13. Vesting of property—All property, real and personal, vested in the corporations of the districts of the uniting authorities shall, subject to all existing encumbrances, vest in the corporation of the united district.

14. Vesting of land—The corporation of the united district shall in respect of the districts of the uniting authorities have vested in it, subject to all existing encumbrances, all land vested in the corporations of the districts of the uniting authorities.

15. Mayor—The Mayor of the borough council shall exercise the duties, powers, and functions of the Mayors of the uniting authorities.

16. Principal Administrative Officer—(1) The Principal Administrative Officer of the borough council shall exercise the duties, powers and functions of the Principal Administrative Officers of the uniting authorities.

(2) Until the borough council appoints a Principal Administrative Officer, the duties of the Principal Administrative Officer shall be undertaken by the Town Clerk of the former Mount Wellington Borough Council.

17. Creditors—Subject to section 37F of the Local Government Act 1974, the rights or interests of creditors of any district affected by this order shall not be affected.

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

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Rangiora Borough-Rangiora District Union Order 1986

PAUL REEVES, Governor-General
ORDER IN COUNCIL

At Wellington this 4th day of August 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 36 of the Local Government Act 1974, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order:

ORDER

1. Title and commencement—(1) This order may be cited as the Rangiora Borough-Rangiora District Union Order 1986.

(2) This order shall come into force on the 1st day of October 1986 provided that insofar as it is necessary to provide for the election of members of the district council at the local authority elections to be held on 11 October 1986 the provisions of this order shall come into force on the date of the making of the order.