

as if an agreement had been made under section 127(1) of the Rating Powers Act 1988.

(4) Where a rate to which subclause (3) of this clause applies has been made on a different rating system to that which applies in the district of the constituent authority by which the rate is to be collected, that rate shall be levied and collected by the constituent authority:

(a) On the system of rating in force in the district of the constituent authority; or

(b) On the system of rating upon which the rate was made by the Nelson-Marlborough Regional Council.

(5) Where any rate to which subclause (3) of this clause applies is made by the Nelson-Marlborough Regional Council in respect of an area of benefit, it shall be made and collected by the constituent authority or authorities within which that area of benefit is located and, where appropriate, according to any graduated scale applying to that rate.

(6) Subject to subclause (7) of this clause, the Nelson—Marlborough Regional Council shall, for the purpose of:

(a) Reimbursing each constituent authority for costs incurred in the levying and collecting of rates (including goods and services tax); and

(b) Paying reasonable remuneration for clerical and other work,

pay to each constituent authority an amount equal to 2 percent of the total amount of the rates, including goods and services tax, collected by that constituent authority on behalf of that Council.

(7) The Nelson-Marlborough Regional Council and the constituent authorities may, by unanimous agreement, resolve:

(a) That, at any time after the 1st day of July 1990, that Council shall levy and collect all or any rates directly; or

(b) That, at any time after the 1st day of July 1990, the amount payable by that Council to each constituent authority, pursuant to subclause (6) of this clause, may be increased or decreased or calculated in accordance with a formula not based upon a percentage.

24 REGIONAL PLANNING

(1) The Nelson-Marlborough Regional Council shall not be required to prepare a new regional planning scheme immediately.

(2) The approved regional planning schemes and the proposed regional planning schemes under the Town and Country Planning Act 1977 of the former authorities shall be deemed to be the approved, or as the case may be the proposed, regional planning scheme of the Nelson—Marlborough Region.

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its regional planning scheme or of any change or variation thereof, then subject to any resolution of the Nelson—Marlborough Regional Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Nelson-Marlborough Regional Council, and may be adopted and acted upon by it.

25 CIVIL DEFENCE

The operative regional civil defence plans of the former Nelson Bays Region and the former Marlborough Region shall continue in force in those areas included in the Nelson-Marlborough Region until a new plan is approved for the whole region, in accordance with the Civil Defence Act 1983.

26 VESTING OF PROPERTY

(1) Except as otherwise provided in this order, all property, real and personal, vested in the corporation of any former authority and situated in the Nelson-Marlborough Region is hereby vested in the corporation of the Nelson-Marlborough Regional Council, subject to all existing encumbrances.

(2) Except as otherwise provided in this order, all property, real and personal, vested in the corporation of any former authority other than those former authorities named in paragraphs (o) to (s) of clause 10 of this order, and situated in a region in which that former authority is not also a former authority is hereby vested in the corporation of the Nelson-Marlborough Regional Council, subject to all existing encumbrances.

27 TITLE TO PROPERTY

Any reference, express or implied, to any former authority in any instrument or other document, or in any entry or record made in any register in relation to any property vested in the Nelson-Marlborough Regional Council by clause 26 of this order shall, unless the context otherwise requires, be read as a reference to "The Nelson-Marlborough Regional Council".

28 TRANSITIONAL COMMITTEE

(1) The local authorities named in subclause (2) of this clause shall unite in appointing a transitional committee for the Nelson-Marlborough Region.

(2) The local authorities to which this clause applies shall be:

(a) The Nelson Bays United Council; and

(b) The Marlborough United Council; and

(c) The Nelson Catchment Board and Regional Water Board; and

(d) The Marlborough Catchment Board and Regional Water Board; and

(e) The Nelson Harbour Board; and

(f) The Golden Bay District Noxious Plants Authority; and

(g) The Waimea District Noxious Plants Authority; and

(h) The Marlborough District Noxious Plants Authority; and

(i) The Kaikoura District Noxious Plants Authority; and

(j) The Golden Bay Pest Destruction Board; and

(k) The Waimea Pest Destruction Board; and

(l) The Marlborough Pest Destruction Board; and

(m) The Marlborough Nassella Tussock Board; and

(n) The Marlborough Sounds Maritime Planning Authority.

29 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Nelson-Marlborough Region shall consist of:

(a) One member appointed by the Nelson Bays United Council; and

(b) One member appointed by the Marlborough United Council; and

(c) One member appointed by the Nelson Catchment Board and Regional Water Board; and

(d) One member appointed by the Marlborough Catchment Board and Regional Water Board; and

(e) One member appointed by the Nelson Harbour Board; and

(f) One member appointed by the Marlborough Sounds Maritime Planning Authority; and

(g) One member appointed jointly by the Marlborough Nassella Tussock Board and the pest destruction boards and district noxious plants authorities, named in paragraphs (f) to (l) of clause 28(2) of this order; and

(h) One officer appointed by each local authority named in paragraphs (a) to (e) and (n) of clause 28(2) of this order, who shall be non-voting members of the transitional committee; and

(i) One officer appointed jointly by the local authorities referred to in paragraphs (f) to (m) of clause 28(2) of this