

accordance with clause 29 of this order, who shall be a non-voting member of the transitional committee; and

(j) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 25(2) of this order, who shall be a non-voting member of the transitional committee.

27 NO CASTING VOTE

The Chairperson of the transitional committee for the Gisborne District or other person presiding at any meeting of the committee shall not have a casting vote in the case of equality of votes.

28 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Gisborne District may resolve to exclude any non-voting member of the committee from any meeting or part of a meeting where it proposes to consider any matter that affects that member personally.

29 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

The transitional committee for the Gisborne District shall appoint a person to be the Chief Executive of the Gisborne District Council.

30 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Gisborne District shall be the Gisborne City Council.

31 COSTS OF TRANSITIONAL COMMITTEE

(1) The costs of the transitional committee for the Gisborne District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 25(2) of this order either:

(a) In accordance with a formula agreed to by that committee; or

(b) If there is no such agreement, in accordance with the following formula—

The proportion of those costs to be borne and paid by each local authority shall equal the proportion that the gross revenue of the local authority for the year ended on the 31st day of March 1988 bears to the gross revenue of all the local authorities to which this clause applies for that year.

(2) For the purpose of this clause the gross revenue of a local authority shall be the gross revenue reasonably related to the area of a local authority which is to be included in the Gisborne District or any function of a local authority which is to be transferred to the Gisborne District Council, whichever is applicable.

32 CONSULTATION WITH ADMINISTERING AUTHORITIES OF RESERVES

(1) The transitional committee for the Gisborne District shall consult with each administering body under the Reserves Act 1977 for each reserve whose functions, duties, and powers are, by this order, allocated to the Gisborne District Council.

(2) The consultation shall be for the purpose of discussing the possible establishment of a committee of management for each reserve being administered by those administering authorities.

(3) Where, following that consultation, the transitional committee for the Gisborne District Council considers it desirable that any committee or committees of management be established, the transitional committee shall recommend to the Gisborne District Council that it establish such a committee or committees of management.

33 TRANSFER OF RESPONSIBILITIES

(1) Except as otherwise provided in this order, the Gisborne District Council shall, in respect of the Gisborne District—

(a) Have and may exercise and be responsible for all the

powers, duties, acts of authority and functions which were previously exercised, or which could have been so exercised, by the former authorities had they not been dissolved; and

(b) 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 former authorities had they not been dissolved; and

(c) 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 former authorities had they not been dissolved; and

(d) Succeed to the bylaws which are in force in the districts of the former authorities. Until revoked or altered by the Gisborne District Council each such bylaw shall remain in force in the area to which it applied immediately before the constitution of the Gisborne District and every bylaw which cannot be restricted to that area shall be deemed inapplicable and revoked by the dissolution of the former authorities; and

(e) Succeed to all rates and levies, and other money payable to the former authorities, had they not been dissolved; and

(f) Succeed to the valuation rolls, and rate records in force in the districts of the former authorities. These shall remain in force in the Gisborne District until new rolls or records are made by the Gisborne District Council.

(2) The Mayor of the Gisborne District shall have and may exercise the duties, powers, and functions of the Mayor and Chairmen of the former authorities.

(3) The principal administrative officer of the Gisborne District Council shall have and may exercise the duties, powers, and functions of the principal administrative officers of the former authorities.

34 CREDITORS

Subject to section 37F of the Local Government Act 1974, the rights or interests of creditors of the former authorities shall not be affected by this order.

35 LOCAL AUTHORITIES PETROLEUM TAX

For the purposes of Part XI of the Local Government Act 1974, the Gisborne District Council shall be the successor to the former authorities.

36 SPECIAL FUNDS

(1) The special funds of the former authorities shall:

(a) Be expended only for the purposes for which they were set aside; and

(b) Except for any plant renewal fund, be expended for the benefit of the area in which they originated, and after provision has been made for all liabilities, any money required to be paid into any such fund, to meet any deficit, shall be found from within that area.

(2) After the 1st day of November 1996, the Gisborne District Council:

(a) shall review any special fund provided for in subclause (1) of this clause; and

(b) may resolve that, from a date to be determined by that council, such special fund may be applied for such other purpose or purposes as the council considers appropriate.

(3) Notwithstanding subclause (2) of this clause, the Gisborne District Council may at any time before the 1st day of November 1996, with the approval of the Local Government Commission, resolve to vary the use of any special funds.

(4) All funds held by the administering authorities of reserves under the Reserves Act 1977 shall be deemed to be special funds for the purposes of this clause.

37 LOANS

Any rate made and levied to meet the annual charges in respect of any loan secured over the district of any of the