

30th day of June 1992, all rates made by the Hawke's Bay Regional Council shall be levied and collected by the constituent authorities of the Hawke's Bay Region 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 Hawke's Bay Regional Council.

(5) Where any rate to which subclause (3) of this clause applies is made by the Hawke's Bay Regional Council in respect of an area of benefit, it shall be levied 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 the rate.

(6) Subject to subclause (7) of this clause, the Hawke's Bay 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 rates, inclusive of the goods and services tax, collected by that constituent authority on behalf of that Council.

(7) The Hawke's Bay 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 made by it 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.

## 22 REGIONAL PLANNING SCHEME

(1) The Hawke's Bay Regional Council shall not be required to prepare a new regional planning scheme immediately.

(2) The approved regional planning schemes or the proposed regional planning schemes under the Town and Country Planning Act 1977 of the former authorities shall be deemed to be approved or, as the case may be, the proposed regional planning scheme of the Hawke's Bay 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 Hawke's Bay Regional Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Hawke's Bay Regional Council, and may be adopted and acted upon by it.

## 23 CIVIL DEFENCE

The operative regional civil defence plan of the former Hawke's Bay Region shall continue in force in those areas included in the Hawke's Bay Region until a new plan is approved for the whole region, in accordance with the Civil Defence Act 1983.

## 24 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 Hawke's Bay Region is hereby

vested in the corporation of the Hawke's Bay 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 (i) to (n) of clause 9 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 Hawke's Bay Regional Council, subject to all existing encumbrances.

## 25 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 Hawke's Bay Regional Council by clause 24 of this order shall, unless the context otherwise requires, be read as a reference to "The Hawke's Bay Regional Council".

## 26 TRANSITIONAL COMMITTEE

(1) The local authorities named in subclause (2) of this clause shall unite in appointing a transitional committee for the Hawke's Bay Region.

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

(a) The Hawke's Bay United Council; and

(b) The Hawke's Bay Catchment Board and Regional Water Board; and

(c) The Hawke's Bay Harbour Board; and

(d) The Hawke's Bay District Noxious Plants Authority; and

(e) The Wairoa District Noxious Plants Authority; and

(f) The Waipukurau District Noxious Plants Authority; and

(g) The Waipawa District Noxious Plants Authority; and

(h) The South-east Coast North Island Pest Destruction Board; and

(i) The Hawke's Bay Pest Destruction Board.

## 27 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Hawke's Bay Region shall consist of:

(a) Two members appointed by the Hawke's Bay United Council; and

(b) Two members appointed by the Hawke's Bay Catchment Board and Regional Water Board; and

(c) One member appointed by the Hawke's Bay Harbour Board; and

(d) One member appointed jointly by the district noxious plants authorities and the pest destruction boards named in paragraphs (d) to (i) of clause 26(2) of this order; and

(e) One officer appointed by each local authority named in paragraphs (a) to (c) of clause 26(2) of this order, who shall be non-voting members of the transitional committee; and

(f) One officer appointed jointly by the district noxious plants authorities and the pest destruction boards named in paragraphs (d) to (i) of clause 26(2) of this order, who shall be a non-voting member of the transitional committee; and

(g) The Chief Executive designate, when appointed in accordance with clause 30 of this order, who shall be a non-voting member of the transitional committee; and

(h) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 26(2) of this order, who shall be a non-voting member of the transitional committee.

## 28 NO CASTING VOTE

The Chairperson of the transitional committee for the Hawke's Bay Region or other person presiding at any meeting of the committee shall not have a casting vote in the case of equality of votes.