



ANALYSIS

Title	
1. Short Title	3. Amendments consequential on amendments to the Constitution Schedules
2. Nationality and residential qualifications of electors and candidates	

1965, No. 1

An Act to amend the Cook Islands Act 1915

[7 June 1965]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Cook Islands Amendment Act 1965, and shall be read together with and deemed part of the Cook Islands Act 1915 (hereinafter referred to as the principal Act).

2. Nationality and residential qualifications of electors and candidates—(1) The Cook Islands Amendment Act 1957 is hereby amended by repealing section 32A (as inserted by section 61 of the Cook Islands Amendment Act 1964), and substituting the following section:

“32A. (1) Without limiting the provisions of any regulations or Ordinance prescribing any additional qualifications, a person shall be qualified to be an elector for the election of members of the Legislative Assembly, or to be a candidate at any such election, if, and only if,—

“(a) He is a British subject; and

“(b) He has been ordinarily resident in the Cook Islands throughout the period of three months immediately preceding his application for enrolment as an elector or, as the case may be, his nomination as a

candidate, and has at some period resided continuously in the Cook Islands for not less than twelve months.

“(2) For the purposes of this section a person shall be deemed to be ordinarily resident in the Cook Islands if, and only if,—

“(a) He is actually residing in the Cook Islands; or

“(b) Having been actually resident in the Cook Islands with the intention of residing therein indefinitely, he is outside the Cook Islands but has, and has had ever since he left the Cook Islands, an intention to return and reside therein indefinitely:

“Provided that any person who has been outside the Cook Islands continuously for any period of more than three years, otherwise than for the purpose of undergoing a course of education or of technical training or instruction during the whole or substantially the whole of that period, shall be deemed not to have been actually resident in the Cook Islands during that period with the intention of residing therein indefinitely.”

(2) Section 61 of the Cook Islands Amendment Act 1964 is hereby repealed.

(3) This section shall be deemed to have been repealed on the date of the commencement of the Cook Islands Constitution Act 1964.

3. Amendments consequential on amendments to the Constitution—(1) The principal Act is hereby amended in the manner indicated in the First Schedule to this Act.

(2) The enactments specified in the Second Schedule to this Act are hereby amended in the manner indicated in that Schedule.

(3) Subsections (1) and (2) of section 57 of the Cook Islands Amendment Act 1964 and the Second and Third Schedules to that Act are hereby repealed.

(4) Section 57 of the Cook Islands Amendment Act 1964 is hereby amended by omitting from subsection (3) the words “Council of State”, and substituting the words “High Commissioner”.

(5) Subsections (1), (2), and (4) of this section shall come into force on the date of the commencement of the Cook Islands Constitution Act 1964.

SCHEDULES

FIRST SCHEDULE

Section 3 (1)

AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)

Section Amended	Amendment
Section 2	<p>By inserting, after the definition of the term "constable", the following definition: " 'The Constitution', in relation to the Cook Islands other than Niue, means the Constitution of the Cook Islands as set out in the Schedule to the Cook Islands Constitution Act 1964: ".</p> <p>By repealing the definition of the term "enactment", and substituting the following definition: " 'Enactment' includes any Act of the Legislative Assembly of the Cook Islands or of the Parliament of New Zealand, any Ordinance, any regulations, and any rules: ".</p> <p>By inserting, after the definition of the term "European land", the following definition: " 'High Commissioner', in relation to the Cook Islands other than Niue, means the High Commissioner of the Cook Islands; and includes his Deputy lawfully acting in place of the High Commissioner: ".</p> <p>By inserting, after the definition of the term "judgment", the following definition: " 'Legislative Assembly' means the Legislative Assembly of the Cook Islands: ".</p> <p>By repealing the definition of the term "Resident Commissioner", and substituting the following definition: " 'Resident Commissioner', in relation to Niue, means the Resident Commissioner of Niue; and includes the Deputy Resident Commissioner of Niue lawfully acting in place of the Resident Commissioner: ".</p> <p>By adding, as subsection (2), the following subsection: "(2) In this Act, unless the context otherwise requires,—</p>

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 2— <i>continued</i>	References to a Minister, in relation to the Cook Islands other than Niue, are references to a Minister of the Government of the Cook Islands other than Niue: References to a Department, in relation to the Cook Islands other than Niue, are references to a Department of the Government of the Cook Islands other than Niue."
Section 108	By inserting in subsection (1), after the words "may exercise", the words "in Niue". By omitting from subsection (2) the words "a Commissioner", and substituting the words "decisions of a Commissioner in the exercise of that jurisdiction".
Section 112	By omitting the words "the Minister", and substituting the words "the Minister in charge of the Justice Department".
Section 118	By repealing this section, and substituting the following section: "118. Rules of Court —The practice and procedure of the High Court, whether in its civil or criminal jurisdiction, may be prescribed by enactment."
Section 126	By repealing paragraph (e), and substituting the following paragraphs: "(e) The High Commissioner of the Cook Islands: "(ee) The Resident Commissioner of Niue:".
Section 131	By repealing this section, and substituting the following section: "131. Court fees —The scale of costs and Court fees to be paid in all civil or criminal proceedings in the High Court shall be as prescribed by enactment."
Section 157	By inserting, after the words "judgment of the High Court", the words "sitting in Niue".
Section 158	By omitting from subsection (1) the words "No such appeal", and substituting the words "No appeal under Article 61 of the Constitution or under section 157 of this Act".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 161	By omitting the words "regulations to be made under this Act, and in default of such regulations, or so far as they do not extend", and substituting the words "enactment, and in default of any such enactment, or so far as any such enactment does not extend".
Section 162	By adding to subsection (1) the words "sitting in Niue".
Section 169	By inserting, after the words "any appeal", the words "under section 157 of this Act".
Section 170	By adding the words "under section 157 of this Act".
Section 171	By inserting, after the word "provisions", the words "of the Constitution or".
Section 271	By omitting from subsection (2) the words "by regulations, and subject thereto, or so far as any such regulations shall not extend", and substituting the words "by enactment, and subject to any such enactment, or so far as any such enactment does not extend".
Section 278	By omitting the words "any Resident Commissioner, Resident Agent", and substituting the words "the Resident Commissioner of Niue, any Resident Agent".
Section 295	By omitting from subsection (2) the words "the Governor-General by warrant published in the <i>New Zealand Gazette</i> ", and substituting the words "in the case of a trial held in Niue, by the Governor-General by warrant in the <i>New Zealand Gazette</i> , and, in the case of any other trial, by the High Commissioner, by warrant published in such manner as he directs".
	By inserting in subsection (2), after the words "and the Governor-General", the words "or the High Commissioner, as the case may be".
Section 313	By inserting, after the word "Attorney-General", the words "of New Zealand in the case of a prosecution in Niue, and the Minister in charge of the Justice Department in the case of any other prosecution".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
<p>Section 314B (as inserted by section 19 of the Cook Islands Amendment Act 1961 and amended by section 10 of the Cook Islands Amendment Act 1962 and by section 9 of the Cook Islands Amendment Act 1963)</p>	<p>By repealing this section, and substituting the following section:</p> <p>“314B. Pardon and remission of sentence—(1) When any person has been convicted of an offence by the High Court, whether before or after the commencement of this section, the appropriate authority, by warrant signed by him, may pardon the offender, or may remit any portion of a sentence of imprisonment passed upon the offender or any portion of a fine imposed upon him, or may commute a sentence of death to one of imprisonment.</p> <p>“(2) In the case of an offender sentenced in Niue to imprisonment for a term of less than one year or to pay a fine not exceeding fifty pounds, the Resident Commissioner, with the concurrence of the Niue Island Assembly, may exercise the like powers of pardon or remission.</p> <p>“(3) In the case of an offender sentenced in Niue to imprisonment for a term of one year or more, the Resident Commissioner, with the concurrence of the Niue Island Assembly, may, if the conduct and industry of the offender have been satisfactory, remit not more than one-fourth of the sentence.</p> <p>“(4) Any such pardon or remission may be made subject to such conditions as the appropriate authority or, as the case may be, the Resident Commissioner, with such concurrence as aforesaid, thinks fit, including in the case of the remission of part of the sentence of an offender undergoing a sentence of imprisonment, if the appropriate authority or the Resident Commissioner, as the case may be, thinks fit, a condition that, until a date specified by the appropriate authority or the Resident Commissioner, as the case may be (being, in the case of an offender undergoing a sentence of life imprisonment, such date as the appropriate authority thinks fit, and in any other case a date not later than the date of the expiry of the term of the</p>

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 314B— <i>continued</i>	<p>original sentence), he shall be subject to supervision by a person to be nominated from time to time by the High Commissioner or the Resident Commissioner, as the case may be, and shall comply with the directions of that person with respect to such matters as the appropriate authority or the Resident Commissioner, as the case may be, specifies.</p> <p>“(5) For the purposes of this section, cumulative terms of imprisonment shall be treated as one term.</p> <p>“(6) The appropriate authority may in like manner pardon any offender who has given evidence which leads to the conviction of an accomplice.</p> <p>“(7) Where any person is granted a free pardon under this section, that person shall be deemed never to have committed the offence:</p> <p>“Provided that the granting of a free pardon shall not affect anything lawfully done or the consequences of anything unlawfully done before it is granted.</p> <p>“(8) Nothing in this section shall affect the prerogative of mercy.</p> <p>“(9) In this section the term ‘appropriate authority’ means—</p> <p>“(a) In the case of an offender convicted in Niue, the Governor-General:</p> <p>“(b) In the case of an offender convicted in the Cook Islands other than Niue, the High Commissioner, acting with the concurrence of the Executive Council of the Cook Islands.”</p>
Section 324	By inserting, after the word “Acts”, the words “of the Legislative Assembly or of the Parliament of New Zealand”.
Section 350 (as substituted by section 32 (1) of the Crown Proceedings Act 1950 and amended by section 95 (1) of the Cook Islands Amendment Act 1957)	By omitting from paragraph (h) of subsection (2) the words “Cook Islands Treasury”, and substituting the words “Cook Islands Government Account or the Niue Assembly Account, as the case may require”.

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 351	By omitting from subsection (1) and also from subsection (2) the words "the Cook Islands", and substituting in each case the word "Niue".
Section 355	<p>By repealing this section, and substituting the following section:</p> <p>"355. Grants of Crown land—(1) Subject to any enactment for the time being in force in that behalf, the Governor-General, in the case of land situated in Niue, and the High Commissioner in any other case, may grant Crown land in the Cook Islands in fee-simple, or may grant in respect of any such land any lease, licence, easement, or other limited estate, right, or interest, or may accept a surrender of any estate, right, or interest in any such land.</p> <p>"(2) In the case of Crown land reserved or set apart for any public purpose, no such grant shall be made except so far as consistent with that purpose.</p> <p>"(3) Every such grant in fee-simple shall be under the Public Seal of New Zealand or the Seal of the Cook Islands, as the case may require, and every other grant shall be made either by warrant of the Governor-General or the High Commissioner, as the case may require, or in such other manner as may be prescribed by any enactment."</p>
Section 356	<p>By omitting the words "the Cook Islands", and substituting the word "Niue".</p> <p>By adding, as subsection (2), the following subsection:</p> <p>"(2) Any Crown land in the Cook Islands other than Niue may, by warrant of the High Commissioner, be set aside as a reserve for any public purpose, and shall be reserved and used for that purpose accordingly, but any such warrant may be at any time revoked."</p>
Section 357	By omitting the words "the Cook Islands", and substituting the words "Niue, and the High Commissioner may, by warrant, take any land in the Cook Islands other than Niue".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 357— <i>continued</i>	By inserting, after the words “in the Order” and also after the words “such Order” wherever they occur, the words “or warrant”.
Section 358	By inserting in subsection (1), after the words “such Order in Council”, the words “or warrant”. By inserting in subsection (1), after the words “by Order in Council”, the words “or, as the case may be, the High Commissioner may, by warrant”. By inserting in subsection (1), after the words “such Order”, the words “or warrant”.
Section 359	By inserting in subsection (2) and also in subsection (3), after the words “Order in Council”, the words “or warrant”. By inserting in subsection (2), after the words “Resident Commissioner”, the words “in the case of land situated in Niue, and of any Minister of the Government of the Cook Islands in the case of any other land”.
Section 360	By omitting from subsection (1) the words “may by Order in Council”, and substituting the words “in the case of land situated in Niue, may, by Order in Council, and the High Commissioner in any other case may, by warrant”.
Section 361	By inserting in subsection (1), after the words “the Order” wherever they occur, the words “or warrant”.
Section 362 (as amended by section 5 (5) of the Island Territories Act 1943)	By omitting the words “may at any time, by Order in Council”, and substituting the words “in the case of land situated in Niue, may at any time, by Order in Council, and the High Commissioner in any other case may at any time, by warrant”. By omitting the words “The Minister of Island Territories”, and substituting the words “The High Commissioner in the case of land situated in the Cook Islands other than Niue, and the Minister of Island Territories in the case of land situated in Niue”. By omitting the words “in the Cook Islands”.

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 375	By inserting in subsection (2), after the word "Minister", the words "in charge of the Justice Department".
Section 376	By omitting from subsection (1) and also from subsection (3) the word "Governor-General", and substituting in each case the words "High Commissioner".
Section 378	By repealing subsection (1), and substituting the following subsection: " (1) The practice and procedure of the Land Court and the fees payable in respect of the proceedings of that Court shall be as prescribed by enactment." By omitting from subsection (2) the words "rules do", and substituting the words "enactment does".
Section 390A (as inserted by section 16 of the Cook Islands Amendment Act 1950)	By inserting in subsection (8), after the word "Council", the words "where the order relates to land situated in Niue, and the consent of the High Commissioner, where the order relates to any other land". By inserting in subsection (9) after the word "Council", the words "where the application relates to land situated in Niue, or the High Commissioner, where the application relates to any other land".
Section 400	By inserting in paragraph (e), after the words "other Act", the words "(whether an Act of the Legislative Assembly or of the Parliament of New Zealand)".
Section 410	By inserting in subsection (1), after the word "Governor-General", the words "where the property is situated in Niue, and the High Commissioner, in the case of any other property".
Section 417	By inserting, after the word "Governor-General", the words "in the case of land situated in Niue, and the High Commissioner, in the case of any other land". By omitting the words "he may, by Order in Council", and substituting the words "the Governor-General may, by Order in Council, or, as the case may be, the High Commissioner may, by warrant". By inserting, after the words "such Order in Council", the words "or warrant".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 426	By omitting from subsection (2) the words "Ordinance or other".
Section 441	By adding the words "in the case of land situated in Niue, and by the High Commissioner, in the case of any other land".
Section 475	By omitting from subsection (2) the words "a Resident Commissioner", and substituting the words "the High Commissioner, the Resident Commissioner, a".
Section 487 (as substituted by section 92 of the Cook Islands Amendment Act 1957)	By omitting from subsection (1) and also from subsection (2) the words "may, by Order in Council", and substituting in each case the words "in the case of land situated in Niue, may, by Order in Council, and the High Commissioner, in the case of any other land, may, by warrant,".
Section 488 (as substituted by section 92 of the Cook Islands Amendment Act 1957)	By inserting in subsection (3) and also in subsection (5), after the word "Council", the words "or warrant". By inserting in subsection (1), after the words, "an Order in Council", the words "or a warrant of the High Commissioner". By inserting in subsection (1), after the words "by Order in Council", the words "or, as the case may be, by warrant of the High Commissioner".
Section 490	By inserting in subsection (2), after the word "Council", the words "or warrant". By repealing this section, and substituting the following section: "490. Management and control of Native reservations —The management and control of any Native reservation shall, in the case of a reservation in the Cook Islands other than Niue, be as prescribed by an Act of the Legislative Assembly or by Ordinance, and, in the case of a reservation in Niue, be as prescribed by Ordinance."
Section 510	By repealing paragraph (a), and substituting the following paragraph: "(a) The Resident Commissioner of Niue, or any Resident Agent:".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 513	By omitting from subsection (3) the word "regulations", and substituting the word "enactment".
Section 573D (as inserted by section 14 of the Cook Islands Amendment Act 1963)	By repealing subsection (2), and substituting the following subsection: "(2) In order to satisfy itself as to the matters mentioned in paragraph (f) of subsection (1) of this section, the Court shall call for a report thereon— "(a) In the case of an application made in the Cook Islands other than Niue, by the Minister in Charge of the Justice Department, or by an officer of the Cook Islands Public Service nominated for the purpose by that Minister: "(b) In the case of an application made in Niue, by the Resident Commissioner or by an officer of the Cook Islands Public Service nominated for the purpose by the Resident Commissioner."
Section 581	By repealing this section, and substituting the following section: "581. Treatment of persons detained— The custody, care, treatment, visitation, and discipline of all persons so committed to medical custody shall be as prescribed by enactment."
Section 589	By omitting from subsection (1) the words "a Resident Commissioner or", and substituting the words "the Resident Commissioner of Niue, or before a". By omitting from subsection (1) the word "European".
Section 590	By omitting the words "Resident Commissioner", and substituting the words "High Commissioner, or the Resident Commissioner as the case may require". By omitting the words "(in the case of a charge of murder or manslaughter)", and substituting the words "(where the charge is one of murder or manslaughter brought in the High Court in Niue)".

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 592	By repealing subsection (2), and substituting the following subsection: “(2) In the case of a charge of murder or manslaughter, any person so detained in Niue may be at any time discharged by the Governor-General, and any person so detained in the Cook Islands other than Niue may be at any time discharged by the High Commissioner”.
Section 593	By omitting from subsection (2) the words “Resident Commissioner”, and substituting the words “High Commissioner or the Resident Commissioner”. By omitting from subsection (2) the words “the Cook Islands”, and substituting the word “Niue”.
Section 606	By inserting in subsection (1), before the words “if satisfied”, the words “in the case of land situated in Niue, and the High Commissioner, in the case of any other land”.
Section 607	By inserting in subsection (1), before the words “may by warrant”, the words “in the case of land situated in Niue, and the High Commissioner, in the case of any other land”.
Section 611	By inserting in subsection (3), after the word “Minister”, the words “in the case of land situated in Niue, and the High Commissioner, in the case of any other land”. By omitting from subsection (4) the words “Resident Commissioner”, and substituting the words “High Commissioner, or the Resident Commissioner, as the case may require”.
Section 613	By inserting, after the word “Minister”, the words “in the case of a road situated in Niue, and the High Commissioner, in the case of any other road”.
Section 614 (as amended by section 95 (1) of the Cook Islands Amendment Act 1957)	By repealing this section, and substituting the following section: “614. Warrants as to roads to be gazetted—(1) Every warrant of the Minister under this Part of this Act shall be under his hand and the Seal of Niue, and

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 614 (as amended by section 95 (1) of the Cook Islands Amendment Act 1957)— <i>continued</i>	shall be published in the <i>New Zealand Gazette</i> , and shall take effect according to its tenor upon such publication or upon any later date specified in that behalf in the warrant. “(2) Every warrant of the High Commissioner under this Part of this Act shall be under the Seal of the Cook Islands, and shall be published in the <i>Cook Islands Gazette</i> , and shall take effect according to its tenor upon such publication or upon any later date specified in that behalf in the warrant.”
Section 619	By inserting in subsection (1), before the words “When any”, the words “Subject, in relation to the Cook Islands other than Niue, to the provisions of the Constitution”. By inserting in subsection (2), after the words “this section”, the words “but subject, in relation to the Cook Islands other than Niue, to the provisions of the Constitution”.
Section 622	By repealing subsection (4), and substituting the following subsection: “(4) The Acts Interpretation Act 1924 shall, so far as applicable and subject to this Act, apply to all Acts of the Legislative Assembly and to all Ordinances and bylaws, whether made before or after the commencement of this subsection, in the same manner as it applies to Acts of the Parliament of New Zealand.”
Section 627	By inserting in subsection (2), before the words “The High Court”, the words “Except where the cause of action arose in the Cook Islands other than Niue”.
Section 635	By inserting in subsection (2), before the words “The High Court”, the words “Except where the cause of action arose in the Cook Islands other than Niue”.
Section 653	By omitting from subsection (1) the words “any Resident Commissioner”, and substituting the words “the High Commissioner, the Resident Commissioner, or any”.

FIRST SCHEDULE—*continued*AMENDMENTS OF PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF
COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK
ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Section Amended	Amendment
Section 657A (as inserted by section 94 of the Cook Islands Amendment Act 1957)	<p>By repealing paragraph (a) and paragraphs (c) to (g) of subsection (5).</p> <p>By omitting from paragraph (h) of subsection (5) the words "Justices of the Peace for the Cook Islands other than Niue and".</p> <p>By omitting from paragraph (a) of subsection (6) the words "the Resident Commissioner of the Cook Islands or".</p> <p>By repealing paragraphs (b) and (c) of subsection (6).</p> <p>By repealing paragraph (d) of subsection (6), and substituting the following paragraphs:</p> <p style="padding-left: 2em;">“(d) In the case of any Magistrate within the meaning of section 278 of this Act or of any Sheriff, before the Chief Judge or any other Judge of the High Court or the High Commissioner or the Resident Commissioner of Niue or before any other person specified by the High Commissioner or the Resident Commissioner in any particular case:</p> <p style="padding-left: 2em;">“(e) In the case of any Justice of the Peace for Niue, before the Chief Judge or any other Judge of the High Court or before the Resident Commissioner or before any other person specified by the Resident Commissioner in any particular case.”</p>
Second Schedule (as amended by section 95 (3) of the Cook Islands Amendment Act 1957)	By omitting the words "Resident Commissioner of the Cook Islands", and substituting the words "High Commissioner of the Cook Islands, Resident Commissioner of Niue".

Section 3 (2)

SECOND SCHEDULE

AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)

Enactment Amended	Amendment
1913, No. 63—The Customs Act 1913 (1957 Reprint, Vol. 3, p. 552)	<p>By inserting, after section 302, the following section:</p> <p>“302A. Request and consent of Government of Cook Islands—No Order in Council under the provisions of this Part of this Act made after the commencement of the Cook Islands Constitution Act 1964 shall have any force or effect in the Cook Islands other than Niue, unless it is made at the request and with the consent of the Government of the Cook Islands made and given in the manner provided in Article 88 of the Constitution of the Cook Islands (as set out in the Schedule to the Cook Islands Constitution Act 1964).”</p>
1921, No. 14—The Cook Islands Amendment Act 1921 (Reprinted 1958, Vol. 2, p. 1036)	<p>By omitting from section 13 (1) the words “Order in Council”, and substituting the words “enactment in that behalf”.</p> <p>By omitting from section 13 (1) the words “that Order”, and substituting the words “that enactment”.</p> <p>By repealing section 15, and substituting the following section:</p>
1946, No. 30—The Cook Islands Amendment Act 1946 (Reprinted 1958, Vol. 2, p. 1038)	<p>“15. Sale of island products on behalf of planters—Provision may be made by enactment for the making of agreements between the Minister responsible for agriculture or the Resident Commissioner, as the case may require, and any planters in the Cook Islands other than Niue or in Niue, as the case may be, for the sale by that Minister or the Resident Commissioner, on behalf of such planters of copra and other products of the Cook Islands, and for the carrying out and enforcing of such agreements.”</p> <p>By repealing section 23 (1), and substituting the following subsection:</p> <p>“(1) The practice and procedure of the Land Appellate Court, and the terms and conditions on which appeals to that Court may be brought, prosecuted, or withdrawn, and the fees payable in respect of the proceedings of that Court shall be as prescribed by enactment.”</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1946, No. 30—The Cook Islands Amendment Act 1946— <i>continued</i>	<p>By omitting from section 23 (2) the word “rules” wherever it occurs, and substituting in each case the word “enactment”.</p> <p>By inserting in section 34 (2), after the word “Minister”, the words “in charge of the Justice Department”.</p> <p>By omitting from section 54 (2) the words “the Resident Commissioner shall”, and substituting the words “the Minister responsible for agriculture or, as the case may be, the Resident Commissioner shall”.</p> <p>By omitting from section 54 (2) the words “by the Resident Commissioner, and the Resident Commissioner may”, and substituting the words “by the Minister or the Resident Commissioner, as the case may be, and the Minister or the Resident Commissioner, as the case may be, may”.</p> <p>By omitting from section 55 (1), the words “the Resident Commissioner” and substituting the words “the Minister responsible for agriculture (in this Part of this Act referred to as the Minister) in the case of land situated in the Cook Islands other than Niue, and the Resident Commissioner, in the case of land situated in Niue”.</p> <p>By omitting from subsection (2) of section 55, and also from subsections (3), (4), (5), (6), (7), (8), (9), and (10) of that section the words “Resident Commissioner” wherever they occur, and substituting in each case the words “Minister or the Resident Commissioner, as the case may be”.</p> <p>By omitting from section 55 (3) the words “to the control of the Public Service Commissioner”, and substituting the words “in the case of land situated in Niue, to the control of the Commission, and, in the case of any other land, to the control of the Secretary of the Premier’s Department”.</p> <p>By omitting from section 56 the words “Resident Commissioner” wherever they occur, and substituting in each case the words “Minister or the Resident Commissioner, as the case may be”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1946, No. 30—The Cook Islands Amendment Act 1946— <i>continued</i>	<p>By omitting from subsection (1) of section 57, and also from subsection (2) of that section, the words “Resident Commissioner”, and substituting in each case the words “Minister or the Resident Commissioner”.</p> <p>By omitting from section 58 (1) the words “any regulations under this Part of this Act or under the principal Act”, and substituting the words “the provisions of any enactment”.</p> <p>By omitting from subsection (1) of section 58, and also from subsection (2) of that section, the words “Resident Commissioner”, and substituting in each case the words “Minister or the Resident Commissioner, as the case may be”.</p> <p>By omitting from subsection (1) of section 59, and also from subsections (2) and (4) of that section, the words “Resident Commissioner” wherever they occur, and substituting in each case the words “Minister or the Resident Commissioner, as the case may require”.</p>
1950, No. 92—The Cook Islands Amendment Act 1950 (Reprinted 1958, Vol. 2, p. 1041)	<p>By adding to section 60 the words “in Niue”.</p> <p>By inserting in section 3, after the word “Minister”, the words “in the case of antiquities in Niue, and the High Commissioner in any other case”.</p> <p>By omitting from section 3 the words “he deems”, and substituting the words “the Minister or, as the case may be, the High Commissioner deems”.</p> <p>By omitting from section 3 the words “Cook Islands”, and substituting the words “Niue or, as the case may be, the people of the Cook Islands other than Niue”.</p> <p>By omitting from section 4 the words “the Cook Islands” wherever they occur, and substituting in each case the word “Niue”.</p> <p>By adding to section 4, as subsection (2), the following subsection: “(2) It shall not be lawful to remove from the Cook Islands other than Niue any Native antiquities without first offering the same for sale to the High Commissioner on behalf of Her Majesty for the benefit of the people of the Cook Islands other than Niue.”</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1950, No. 92—The Cook Islands Amendment Act 1950— <i>continued</i>	<p>By omitting from section 6 (1) the words “the Cook Islands”, and substituting the words “Niue or, without the consent of the High Commissioner, exports from the Cook Islands other than Niue”.</p> <p>By omitting from the proviso to subsection (3) of section 6 the words “may, after inquiry, cancel the forfeiture if he thinks fit”, and substituting the words “in the case of antiquities entered for export from Niue, and the High Commissioner in any other case, may, after inquiry, cancel the forfeiture if the Minister or, as the case may be, the High Commissioner thinks fit”.</p> <p>By omitting from section 7 the words “the Cook Islands”, and substituting the word “Niue”.</p> <p>By adding to section 7 the words “or from the Cook Islands other than Niue if he has previously obtained the permission in writing of the High Commissioner”.</p> <p>By omitting from section 8 (1) the words “may, if he thinks fit”, and substituting the words “or, as the case may be, the High Commissioner may, if he thinks fit”.</p> <p>By omitting from section 8 (1) the words “Minister directs”, and substituting the words “Minister or, as the case may be, the High Commissioner directs”.</p> <p>By inserting in section 9, after the word “Minister”, the words “in the case of an article in Niue, and by the High Commissioner in any other case”.</p> <p>By adding to section 10, as subsection (2), the following subsection: “(2) Regulations made under this section after the commencement of the Cook Islands Constitution Act 1964 shall be in force in Niue only.”</p> <p>By omitting from section 19 (f) (as amended by section 95 (3) of the Cook Islands Amendment Act 1957) the words “the Minister or of the Resident Commissioner of the Cook Islands”, and substituting the words “the High Commissioner”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1956, No. 47—The Superannuation Act 1956 (1957 Reprint, Vol. 15, p. 409)	<p>By repealing paragraph (a) of subsection (9) of section 50 (as substituted by section 2 of the Superannuation Amendment Act 1958), and substituting the following paragraph:</p> <p>“(a) High Commissioner of the Cook Islands:”.</p>
1957, No. 103—The Cook Islands Amendment Act 1957 (Reprinted 1958, Vol. 2, p. 1049)	<p>By inserting in the same subsection, after paragraph (d), the following paragraphs:</p> <p>“(dd) Secretary of the Premier’s Department of the Cook Islands:</p> <p>“(ddd) A member of the staff of the High Commissioner of the Cook Islands:”.</p> <p>By repealing section 2, and substituting the following section:</p> <p>“2. Interpretation—In this Part of this Act, unless the context otherwise requires,—</p> <p>“The Cook Islands’ means all the islands and territories situate within the boundary lines specified in the First Schedule to the principal Act; but does not include the Island of Niue:</p> <p>“‘Cook Islands Public Service’ has the meaning assigned thereto by section 76 of this Act:</p> <p>“References to a Minister are references to a Minister of the Government of the Cook Islands.”</p> <p>By omitting from subsection (1) of section 20, and also from subsections (2) and (3) of that section, the words “Resident Commissioner” wherever they occur, and substituting in each case the words “Secretary of the Premier’s Department”.</p> <p>By omitting from section 22 (2) the words “Resident Commissioner”, and substituting the words “Minister in charge of the Department of Health”.</p> <p>By omitting from section 24 (2) the words “Resident Commissioner”, and substituting the words “Minister in charge of the Department of Health”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>By omitting from the same subsection the words “and be paid into the Cook Islands Assembly Account or into the Cook Islands Supplementary Account, as the Minister directs”.</p> <p>By omitting from section 25 the words “Resident Commissioner”, and substituting the words “Minister in charge of the Department of Health”.</p> <p>By omitting from section 26 (5) the words “and shall be debited to the Cook Islands Assembly Account or to the Cook Islands Supplementary Account, as the Minister directs”.</p> <p>By omitting from section 30 the word “Commission”, and substituting the words “Secretary of the Premier’s Department”.</p> <p>By omitting from subsection (1) of section 31, and also from subsections (2) and (3) of that section, the word “Minister”, and substituting in each case the words “Minister in charge of the Department of Education”.</p> <p>By omitting from section 31 (3) the word “Commission”, and substituting the words “Secretary of the Premier’s Department”.</p> <p>By repealing section 31 (4).</p> <p>By repealing subsections (1) to (4) of section 51, and substituting the following subsections:</p> <p>“(1) The constitution, membership, functions, and powers of an Island Council established in any island of the Cook Islands pursuant to any enactment (whether established before the commencement of this subsection by Ordinance or established after the commencement of this subsection by Act of Legislative Assembly) shall be as prescribed from time to time by enactment.</p> <p>“(2) Any bylaw of an Island Council made pursuant to powers so conferred which is in any respect repugnant to the provisions of any enactment (not being a bylaw) in force in the Cook Islands (whether made before or after the bylaw) shall be read subject to that enactment, and shall, to the extent of that repugnancy and not otherwise, be and remain absolutely void and inoperative:</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>“Provided that, except to the extent to which it is repugnant to any such enactment, no bylaw and no provision of any bylaw shall be deemed to be repugnant for the purposes of this subsection solely on the ground that it deals with a matter already dealt with by any such enactment or is repugnant to the law of England as established in the Cook Islands by section 615 of the principal Act.</p> <p>“(3) No bylaw made by an Island Council shall become law until it has been assented to by the High Commissioner, who in relation to any such bylaw presented to him for his assent, shall have the same powers as are conferred on the High Commissioner by Article 44 of the Constitution in relation to Bills passed by the Legislative Assembly, and the provisions of that Article and of Article 45 of the Constitution, as far as they are applicable and with the necessary modifications, shall apply as if references in those Articles to a Bill or to an Act were references to a bylaw, and as if references in Article 44 to the Legislative Assembly were references to an Island Council.”</p> <p>By repealing section 52 (1), and substituting the following subsections:</p> <p>“(1) Any bylaw made by an Island Council may be presented to the High Commissioner for his assent by transmitting to him by telegram a true copy thereof.</p> <p>“(1A) The High Commissioner may, by telegram to the Resident Agent, exercise in relation to any bylaw made by an Island Council any of the powers conferred on the High Commissioner by Article 44 of the Constitution, as applied by section 51 of this Act.”</p> <p>By omitting from section 52 (2) the words “paragraph (b) of subsection one”, and substituting the words “subsection (1A)”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>By omitting from section 52 (2) the words “section forty-two of this Act”, and substituting the words “Article 44 of the Constitution”.</p> <p>By omitting from section 52 (2) the words “that section”, and substituting the words “that Article”.</p> <p>By inserting in section 53 (2) (a), before the words “Any Ordinance”, the words “Any Act of the Legislative Assembly”.</p> <p>By inserting in section 53 (4), before the word “Ordinances”, the word “Acts”.</p> <p>By inserting in section 53 (5), before the word “Ordinance”, the word “Act”.</p> <p>By inserting in section 76, before the definition of the term “Cook Islands Public Service”, the following definition:</p> <p>“‘Administering authority’ means—</p> <p> “(a) In relation to an employee in the service of the Government of the Cook Islands other than Niue, the Secretary of the Premier’s Department:</p> <p> “(b) In relation to an employee in the service of the Government of Niue, the State Services Commission constituted under the State Services Act 1962:”.</p> <p>By inserting in the definition of the term “Cook Islands Public Service” in section 76, after paragraph (e), the following paragraph:</p> <p> “(ee) A Justice of the Peace for Niue:”.</p> <p>By omitting from paragraph (f) of the same definition the words “An elected member”, and substituting the words “A member”.</p> <p>By inserting in the same definition, after paragraph (f), the following paragraph:</p> <p> “(ff) The Speaker of the Legislative Assembly of the Cook Islands:”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
<p>1957, No. 103—The Cook Islands Amendment Act 1957—<i>continued</i></p>	<p>By inserting in the same definition, after paragraph (h), the following paragraphs:</p> <p>“(hh) A member of the staff of the High Commissioner of the Cook Islands, unless he is an employee of the Cook Islands Public Service in some other capacity:</p> <p>“(hhh) A member of the Cook Islands Public Service Board of Appeal:”.</p> <p>By repealing paragraph (i) of the same definition.</p> <p>By omitting from subsection (1) of section 77, and also from subsections (2) and (3) of that section, the word “Commission”, and substituting in each case the words “administering authority”.</p> <p>By inserting in section 77 (2), after the words “this Act”, the words “or, as the case may require, of any Act of the Legislative Assembly of the Cook Islands”.</p> <p>By repealing section 78 (1), and substituting the following subsection:</p> <p>“(1) The Governor-General in Council, in the case of an employee in the service of the Government of Niue, and the High Commissioner of the Cook Islands in any other case, acting in each case on the recommendation of the administering authority, may declare that any specified position or class of position in the Cook Islands Public Service shall cease to be a position in that Service, and thereupon any person then holding that position or any position in that class shall cease to be an employee of the Cook Islands Public Service, and shall thereafter hold his appointment during the pleasure of the Minister, in the case of an employee in the service of the Government of Niue, and during the pleasure of the Premier of the Cook Islands in any other case, and upon such terms and conditions as the Minister or the Premier, as the case may be, directs from time to time.”</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>By inserting in section 78 (2), after the word “Minister” wherever it occurs, the words “or the Premier, as the case may be”.</p> <p>By inserting in section 78 (3), after the word “Minister”, the words “in the case of an employee in the service of the Government of Niue, and the High Commissioner of the Cook Islands, on the recommendation of the Premier, in the case of any other employee”.</p> <p>By omitting from the same subsection the word “Commission” wherever it occurs, and substituting in each case the words “administering authority”.</p> <p>By omitting from subsection (1) of section 80, and also from subsections (2) and (5) of that section, the word “Commission”, and substituting in each case the words “administering authority”.</p> <p>By omitting from subsection (1) of section 81, and also from subsections (2) and (3), of that section, the words “the Commission”, and substituting in each case the words “the administering authority”.</p> <p>By adding to section 81 (2) the words “or, as the case may be, of any Act of the Legislative Assembly of the Cook Islands relating to employees in the service of the Government of the Cook Islands other than Niue”.</p> <p>By repealing section 82 (1), and substituting the following subsection: “(1) The State Services Commission (in this section referred to as the Commission) may, with the approval of the Governor-General, make regulations as to the pay, allowances, discipline, control, and management of the Cook Islands Public Service in relation to the service of the Government of Niue. Any such regulations may be made either generally or with respect to any particular case or class of cases.”</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>By repealing section 83 (1), and substituting the following subsection:</p> <p>“(1) Subject, in the case of employees in the service of the Government of Niue, to the provisions of any regulations made under section 82 of this Act, and, in the case of other employees, to the provisions of any enactment in that behalf for the time being in force, employees of the Cook Islands Public Service shall receive such pay and allowances as the administering authority thinks fit.”</p> <p>By omitting from section 83 (2) the words “the Cook Islands Assembly Account, and, so far as those appropriations do not extend, then out of the Cook Islands Supplementary Account”.</p> <p>By omitting from section 83 (3) the words “and, so far as those appropriations do not extend, then out of the Niue General Account”.</p> <p>By omitting from section 83A (1) (as inserted by section 17 of the Cook Islands Amendment Act 1962), and also from subsection (2) of the same section, the word “Commission” wherever it occurs, and substituting in each case the words “administering authority”.</p> <p>By omitting from subsection (1) of section 85 (as substituted by section 18 of the Cook Islands Amendment Act 1962 and amended by section 3 of the State Services Act 1962), and also from subsections (4) and (6) of the same section, the words “State Services Commission”, and substituting in each case the words “administering authority”.</p> <p>By omitting from section 85A (3) (which section was substituted by section 19 of the Cook Islands Amendment Act 1962 and amended by section 3 of the State Services Act 1962) the words “State Services Commission”, and substituting the words “administering authority”.</p> <p>By repealing paragraph (a) of subsection (5) of section 85A (as so substituted), and substituting the following paragraph:</p> <p>“(a) The High Commissioner of the Cook Islands:”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1957, No. 103—The Cook Islands Amendment Act 1957— <i>continued</i>	<p>By inserting in the same subsection, after paragraph (c), the following paragraphs:</p> <p>“(cc) The Secretary of the Premier’s Department:</p> <p>“(ccc) A member of the staff of the High Commissioner of the Cook Islands:”.</p>
1960, No. 32—The Cook Islands Amendment Act 1960	<p>By omitting from the definition of the term “Treasurer” in section 2 the words “the Treasurer of the Cook Islands appointed under section 17 of the Cook Islands Amendment Act 1957”, and substituting the words “the officer of the Cook Islands Public Service holding the office of Financial Secretary”.</p> <p>By omitting from section 3 (2) (b) (which section was substituted by section 26 of the Cook Islands Amendment Act 1963) the words “pursuant to subsection (6) of section 15 of the Cook Islands Amendment Act 1957 (as added by section 20 of the Cook Islands Amendment Act 1963)”, and substituting the words “from the Cook Islands Government Account”.</p> <p>By omitting from section 3 (4) (which section was substituted as aforesaid) the words “pursuant to subsection (6) of section 15 of the principal Act (as added as aforesaid)”, and substituting the words “from the Cook Islands Government Account”.</p> <p>By omitting from section 5 the words “Minister with the concurrence of the Minister of Finance”, and substituting the words “Minister in charge of finance”.</p> <p>By omitting from section 6 (1) (c) the word “Minister”, and substituting the words “Premier of the Cook Islands”.</p> <p>By omitting from section 6 (2) the word “Minister”, and substituting the words “Minister in charge of the Department of Social Development”.</p> <p>By adding to section 20 the words “and as if for the words ‘the Minister in charge of finance’ in section 5 there were substituted the words ‘the Minister of Island Territories with the concurrence of the Minister of Finance’”.</p>

SECOND SCHEDULE—*continued*AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROVISIONS OF COOK ISLANDS CONSTITUTION ACT 1964 (AS AMENDED BY THE COOK ISLANDS CONSTITUTION AMENDMENT ACT 1965)—*continued*

Enactment Amended	Amendment
1961, No. 15—The Cook Islands Amendment Act 1961	<p>By inserting in the definition of the term “intoxicating liquor” in section 3, before the words “any Ordinance”, the words “any Act of the Legislative Assembly of the Cook Islands or”.</p> <p>By inserting in section 4 (1), after the words “Legislative Assembly of the Cook Islands”, the words “may by Act”.</p> <p>By adding to section 4 (2) the words “in the case of an authority constituted in Niue, and by the Premier of the Cook Islands, in the case of an authority constituted in the Cook Islands other than Niue”.</p> <p>By inserting in section 7 (2), before the word “Ordinance”, the words “Act or”.</p> <p>By inserting in section 9 (1), before the word “Ordinance”, the words “Act or”.</p> <p>By inserting in section 10 (1) (b), before the word “Ordinance”, the words “Act or”.</p> <p>By inserting in subsection (1) of section 12, and also in subsection (2) of that section, before the word “Ordinance”, the words “Act or”.</p>
1964, No. 68—The Civil Aviation Act 1964	<p>By inserting in section 13 (1), before the word “Ordinance”, the words “Act or”.</p> <p>By inserting in section 28 (3), after the words “Minister of Island Territories”, the words “in the case of any person resident in Niue or in the Tokelau Islands, and with the Minister of the Government of the Cook Islands who is responsible for civil aviation in the case of any person resident in the Cook Islands other than Niue”.</p> <p>By adding to section 28 the following subsection: “(4) For the purposes of the application of this Act to the Cook Islands other than Niue, every reference in this Act to any Minister shall be construed as a reference to the Minister of the Government of the Cook Islands who is responsible for civil aviation.”</p>

This Act is administered in the Department of Island Territories.