

**Version
as at 28 October 2021**

Cook Islands Act 1915

Public Act 1915 No 40
Date of assent 11 October 1915

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Note

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

This Act is administered by the Ministry of Foreign Affairs and Trade.

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An Act to make better provision with respect to the government and laws of the Cook Islands

Preamble

Whereas by Order in Council dated 13 May 1901, and made under the Colonial Boundaries Act 1895, it was ordered by His Majesty the King (with the consent of the General Assembly, testified by resolution of both Houses of the said General Assembly) that on and after a date to be appointed by the Governor by Proclamation the Islands of the Cook Group and all other the islands and territories then or thereafter forming part of His Majesty's dominions situate within the boundary lines set forth in Schedule 1 should form part of New Zealand:

And whereas by Proclamation dated 10 June 1901 the Governor appointed 11 June 1901 to be the date on and after which the said Order in Council should come into effect:

And whereas it is expedient to make better provision with respect to the government and laws of the said islands.

1 Short Title and commencement

- (1) This Act may be cited as the Cook Islands Act 1915.
- (2) This Act shall come into operation on a day to be notified by the Governor by Proclamation in the *New Zealand Gazette*.
- (3) A Proclamation under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication The maker must publish it in the *Gazette*

LA19 ss 73, 74(1)(a),
Sch 1 cl 14

Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 1(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

2 Interpretation

- (1) In this Act, except where a contrary intention appears,—

aircraft has the same meaning as in the Civil Aviation Act 1964.

Attorney-General includes the Solicitor-General

Collector of Customs or **Collector** means any officer appointed as Collector of Customs at any port or in respect of any district and includes the Comptroller of Customs; and also includes the chief officer of Customs at any port or other place, and any proper officer acting for the time being in place of the Collector either generally or in respect of any of his powers or functions, whether during any vacancy in the office of Collector or otherwise

Constable means an officer of police of the Cook Islands Public Service

the Constitution means the Constitution of the Cook Islands as set out in the Schedule to the Cook Islands Constitution Act 1964

the Cook Islands means all the islands and territories situate within the boundary lines set out in Schedule 1 but does not include the Island of Niue

Cook Islands Public Service has the meaning assigned thereto by section 76 of the Cook Islands Amendment Act 1957

customary land means land which, being vested in the Crown, is held by Natives or the descendants of Natives under the Native customs and usages of the Cook Islands

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

European means any person whatever other than a Native, and includes a body corporate

High Commissioner means the High Commissioner of the Cook Islands; and includes his Deputy lawfully acting in place of the High Commissioner

High Court means the High Court of the Cook Islands

judgment includes any judicial decree, order, or determination, whether in an action or in any other judicial proceeding, whether civil or criminal

Legislative Assembly means the Legislative Assembly of the Cook Islands

Medical Officer means the Chief Medical Officer of the Cook Islands; and includes any Medical Officer who is an employee of the Cook Islands Public Service

Native means a person belonging to any of the Polynesian races (including the Maori race), and includes a half-caste and a person intermediate in blood between a half-caste and a person of pure descent from any such race

Native land means customary land or Native freehold land, as herein defined

New Zealand means the Dominion of New Zealand exclusive of the Cook Islands

offence includes all offences punishable by way of criminal proceedings under this or any other enactment

prescribed means prescribed by regulations

Regulations means regulations made by the Governor-General in Council

Resident Agent means the Resident Agent appointed under this Act for any island

Secretary means the Secretary of Foreign Affairs

Superannuation Acts means the Acts by which the superannuation funds are established and regulated

Superannuation funds means the Government Superannuation Fund.

(2) In this Act, unless the context otherwise requires,—

- References to a Minister are references to a Minister of the Government of the Cook Islands:
- References to a Department are references to a Department of the Government of the Cook Islands.

Section 2(1) **aerodrome** and **aircraft**: repealed, on 20 September 2007, by section 4(1) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **aircraft**: inserted, on 20 September 2007, by section 4(1) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **alienation**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Asiatic**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **bylaw**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Collector of Customs**: replaced, on 7 June 1965, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

Section 2(1) **Commission**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **the Constitution**: inserted, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 2(1) **the Constitution**: amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 2(1) **the Cook Islands**: amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 2(1) **Cook Islands Public Service**: replaced, on 1 September 1958, by section 95(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Section 2(1) **Cook Islands Treasury**: repealed, on 1 September 1958, by section 95(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Section 2(1) **Crown land**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **enactment**: replaced, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 2(1) **European land**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **High Commissioner**: inserted, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 2(1) **High Commissioner**: amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 2(1) **Land Appellate Court**: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Section 2(1) **Land Court**: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Section 2(1) **Legislative Assembly**: inserted, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 2(1) **Medical Officer**: replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 2(1) **Minister**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Native custom**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Native freehold land**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **New Zealand Public Service**: repealed, on 1 September 1958, by section 95(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Section 2(1) **order**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Ordinance**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **public place**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Registrar**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Resident Commissioner**: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 2(1) **Rules of Court**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(1) **Secretary**: replaced, on 8 November 1974, by section 2(2) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 2(1) **Superannuation funds**: amended, on 27 November 1947, pursuant to section 90(1) of the Superannuation Act 1947 (1947 No 57).

Section 2(1) **will**: repealed, on 20 September 2007, by section 4(2) of the Cook Islands Amendment Act 2007 (2007 No 49).

Section 2(2): replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

3 Application

Except so far as a contrary intention appears this Act shall apply to the Cook Islands only, and not to New Zealand.

4 Adjacent islands

Each island forming part of the Cook Islands shall for all purposes be deemed to include all smaller islands lying within 10 miles of the coasts thereof.

Part 1

Executive government of the Cook Islands

5 Minister for the Cook Islands

[Repealed]

Section 5: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

6 Secretary for the Cook Islands

[Repealed]

Section 6: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

7 Officers assisting the Secretary

[Repealed]

Section 7: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

8 Secretary and other officers belonging to New Zealand Public Service

[Repealed]

Section 8: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

9 Resident Commissioner of Rarotonga

[Repealed]

Section 9: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

10 Resident Commissioner of Niue

[Repealed]

Section 10: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

11 Deputy Resident Commissioners

[Repealed]

Section 11: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

12 Resident Agents

[Repealed]

Section 12: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

13 Cook Islands Public Service

[Repealed]

Section 13: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

14 Concurrent offices

[Repealed]

Section 14: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

15 Delegation of power of appointment to Resident Commissioners

[Repealed]

Section 15: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

16 Regulations as to Cook Islands Public Service

[Repealed]

Section 16: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

17 Payment from Public Account and Cook Islands Treasury

[Repealed]

Section 17: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

18 Appointment of acting officers by Resident Commissioner

[Repealed]

Section 18: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

19 Suspension of officers

[Repealed]

Section 19: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

20 Appointment of New Zealand officers to Cook Islands Public Service.*[Repealed]*

Section 20: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

21 Concurrent offices in both services*[Repealed]*

Section 21: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

22 Stations of officers belonging to both services*[Repealed]*

Section 22: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

23 Contributions to superannuation fund*[Repealed]*

Section 23: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

**24 Transfer from New Zealand Service to Cook Islands Service.
Supernumerary officers***[Repealed]*

Section 24: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

25 Pay of supernumerary officers*[Repealed]*

Section 25: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

26 Appointment of supernumerary officers to New Zealand Service*[Repealed]*

Section 26: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

27 Contributions of supernumerary officers to superannuation fund*[Repealed]*

Section 27: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

28 Computation of length of service in Cook Islands*[Repealed]*

Section 28: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

29 Public Service Act 1912, not applicable

[Repealed]

Section 29: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

30 Superannuation Acts not applicable

[Repealed]

Section 30: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

The Public Revenues of the Cook Islands

31 Moneys forming part of Cook Islands revenue

[Repealed]

Section 31: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

32 Cook Islands Account and Niue Island Account.

[Repealed]

Section 32: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

33 Expenditure of Cook Islands

[Repealed]

Section 33: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

34 Regulations as to revenue and expenditure

[Repealed]

Section 34: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

35 Expenditure by Resident Commissioners

[Repealed]

Section 35: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

36 Revenues raised by Island Ordinances

[Repealed]

Section 36: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

*The Seal of the Cook Islands***37 The Seal of the Cook Islands***[Repealed]*

Section 37: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

*Public Health***38 Chief Medical Officer of Rarotonga***[Repealed]*

Section 38: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

39 Chief Medical Officer of Niue*[Repealed]*

Section 39: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

40 Assistant Medical Officers*[Repealed]*

Section 40: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

41 Qualification of Medical Officers*[Repealed]*

Section 41: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

42 Duties of Medical Officers*[Repealed]*

Section 42: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

43 Hospitals and other institutions of public health*[Repealed]*

Section 43: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

*Prisons and Police***44 Establishment of prisons***[Repealed]*

Section 44: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

45 Island may be appointed as a prison

[Repealed]

Section 45: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

46 Gaoler to be appointed by the Governor

[Repealed]

Section 46: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

47 Removal from one prison to another

[Repealed]

Section 47: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

48 Temporary confinement elsewhere than in prison

[Repealed]

Section 48: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

49 Compulsory labour in lieu of imprisonment

[Repealed]

Section 49: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

50 Appointment of police

[Repealed]

Section 50: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Education

51 Establishment of public schools

[Repealed]

Section 51: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Communication between the Islands

52 Acquisition and use of ship for the public service

[Repealed]

Section 52: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

*Regulations***53 Governor in Council may make regulations for the peace, order, and good government of the Cook Islands***[Repealed]*

Section 53: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

54 Regulations must be consistent with statute law*[Repealed]*

Section 54: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

55 Regulations may impose taxation*[Repealed]*

Section 55: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

56 Penalties for breaches of regulations*[Repealed]*

Section 56: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

57 Control of imports and exports*[Repealed]*

Section 57: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

58 Application of regulations*[Repealed]*

Section 58: repealed, on 1 April 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

**Part 2
Island Councils***Constitution of Island councils***59 Island Councils of Rarotonga and Niue***[Repealed]*

Section 59: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

60 Governor in Council may establish other Island Councils

[Repealed]

Section 60: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

61 Abolition of Island Councils

[Repealed]

Section 61: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

62 Membership of Island Councils

[Repealed]

Section 62: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

63 Payment of members of Island Councils

[Repealed]

Section 63: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

64 Regulations as to elective membership.

[Repealed]

Section 64: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

65 Nominated members of Island Councils

[Repealed]

Section 65: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

66 *Ex officio* members of Island Councils

[Repealed]

Section 66: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

67 Qualification for *ex officio* membership

[Repealed]

Section 67: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

68 Women may be members or electors of Island Councils

[Repealed]

Section 68: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

69 Resident Commissioners and Resident Agents to be members of Island Councils*[Repealed]*

Section 69: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

*Island Ordinances***70 Legislative powers of Island Councils***[Repealed]*

Section 70: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

71 Ordinances must not be repugnant to Acts of Parliament*[Repealed]*

Section 71: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

72 Maximum penalties imposed by Ordinances*[Repealed]*

Section 72: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

73 Duties of Customs not to be imposed*[Repealed]*

Section 73: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

74 Appropriation of revenues*[Repealed]*

Section 74: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

75 Borrowing of money*[Repealed]*

Section 75: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

76 Saving of rights of Crown*[Repealed]*

Section 76: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

77 Courts of justice

[Repealed]

Section 77: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

78 Ordinances may deal with matters already dealt with by Acts

[Repealed]

Section 78: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

79 Assent to Ordinances.

[Repealed]

Section 79: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

80 Reservation of Ordinances

[Repealed]

Section 80: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

81 Assent of Resident Commissioner

[Repealed]

Section 81: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

82 Commencement of Ordinances so assented to

[Repealed]

Section 82: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

83 Transmission of reserved Ordinances to Minister

[Repealed]

Section 83: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

84 Assent of Governor

[Repealed]

Section 84: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

84A

[Repealed]

Section 84A: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

84B*[Repealed]*

Section 84B: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

85 Commencement of Ordinances so assented to*[Repealed]*

Section 85: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

85A*[Repealed]*

Section 85A: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

86 Mode of Governor's assent*[Repealed]*

Section 86: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

87 Transmission of Ordinances after assent of Resident Commissioner*[Repealed]*

Section 87: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

88 Disallowance of Ordinances*[Repealed]*

Section 88: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

89 Effect of disallowance*[Repealed]*

Section 89: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

90 Language of Ordinances*[Repealed]*

Section 90: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

91 Validity of Ordinances*[Repealed]*

Section 91: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Procedure of Island Councils

92 Meetings of Island Councils

[Repealed]

Section 92: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

93 President of Council

[Repealed]

Section 93: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

94 Election of temporary President

[Repealed]

Section 94: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

95 President's right of voting

[Repealed]

Section 95: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

96 Quorum of Council

[Repealed]

Section 96: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

97 Presence of President necessary

[Repealed]

Section 97: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

98 Rules of procedure

[Repealed]

Section 98: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

99 Disorderly conduct at meetings

[Repealed]

Section 99: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

100 Clerks of Island Councils

[Repealed]

Section 100: repealed, on 25 September 1959, by section 96(1) of the Cook Islands Amendment Act 1957 (1957 No 103).

Part 3

The High Court of the Cook Islands

Constitution of the High Court

101 High Court established

[Repealed]

Section 101: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

102 Identity of High Court with former of the same name

[Repealed]

Section 102: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

103 Judges of the High Court

[Repealed]

Section 103: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

104 Tenure and salaries of Judges

[Repealed]

Section 104: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

105 Stations of Judges

[Repealed]

Section 105: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

106 Acting Judges of the High Court

[Repealed]

Section 106: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

107 Powers of Judges

[Repealed]

Section 107: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

108 Commissioners of the High Court

[Repealed]

Section 108: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

108A Justices of the Peace

[Repealed]

Section 108A: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

109 Registrars of the High Court

[Repealed]

Section 109: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

110 Deputy Registrars

[Repealed]

Section 110: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

111 Administrative officers

[Repealed]

Section 111: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

112 Seal of the High Court

[Repealed]

Section 112: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

113 Records of the High Court

[Repealed]

Section 113: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Jurisdiction of the High Court

Heading: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

114 Jurisdiction of the High Court

[Repealed]

Section 114: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

115 Injunction, certiorari, mandamus, and prohibition

[Repealed]

Section 115: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

116 Habeas corpus*[Repealed]*

Section 116: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

117 Custody of minors*[Repealed]*

Section 117: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

118 Rules of High Court*[Repealed]*

Section 118: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

119 Procedure so far as not governed by rules of Court*[Repealed]*

Section 119: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

120 Forms*[Repealed]*

Section 120: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

121 Summons to witnesses*[Repealed]*

Section 121: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

122 Default of witness*[Repealed]*

Section 122: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

123 Commissioners to take evidence*[Repealed]*

Section 123: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

124 Evidence by affidavit sworn out of the Cook Islands*[Repealed]*

Section 124: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

125 Witnesses may be ordered out of Court

[Repealed]

Section 125: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

126 Affidavits in the Cook Islands

[Repealed]

Section 126: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

127 Evidence by affidavit

[Repealed]

Section 127: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

128 Right of audience in the High Court

[Repealed]

Section 128: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

129 Costs

[Repealed]

Section 129: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

130 Security for costs

[Repealed]

Section 130: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

131 Court fees

[Repealed]

Section 131: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

132 Minutes of judgments

[Repealed]

Section 132: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

133 Amendments

[Repealed]

Section 133: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

134 Rehearing*[Repealed]*

Section 134: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

134A Rehearing of criminal proceedings*[Repealed]*

Section 134A: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

*Execution of judgments***135 Writs of sale and possession***[Repealed]*

Section 135: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

136 Effect of writ of possession*[Repealed]*

Section 136: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

137 Effect of writ of sale*[Repealed]*

Section 137: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

138 Issue of writs of sale or possession*[Repealed]*

Section 138: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

139 Charging orders*[Repealed]*

Section 139: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

140 Stay of execution*[Repealed]*

Section 140: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

141 Judgment summons*[Repealed]*

Section 141: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

142 Enforcement of judgments of High Court in High Court of New Zealand

- (1) Any person in whose favour any judgment whereby any sum of money is made payable has been obtained in civil proceedings in the High Court of the Cook Islands may cause a memorial thereof, authenticated by the seal of the High Court, to be filed in any office of the High Court of New Zealand.
- (2) Judicial notice may be taken by the High Court of the seal of the High Court so affixed to any such memorial.
- (3) Every such memorial shall set forth the names and additions of the parties to the proceeding in which such judgment was given, the form or nature of the proceeding, the date on which the said judgment was given, and the amount payable thereunder.
- (4) Every such memorial being so filed shall thenceforth be a record of such judgment, and execution may issue thereon with the leave of the High Court, in the same manner as if the like judgment had been given by the High Court, subject, however, to such terms and conditions as the High Court may think fit to impose.
- (5) Leave to issue such execution may be given by the High Court on the application of the party by whom the memorial was filed, and either *ex parte* or on notice to the party against whom execution is to be issued, as the High Court thinks fit.
- (6) Such leave shall not be granted unless the High Court is satisfied, by affidavit or otherwise,—
 - (a) that the person against whom execution is to be issued was resident or present in the Cook Islands at the commencement of the proceedings in which the judgment was given; or
 - (b) that the cause of action in such proceedings or some material part of that cause of action arose in the Cook Islands.
- (7) Every such affidavit shall, if made in the Cook Islands, be sworn before a Judge of the High Court or a Commissioner of the High Court.

Section 142: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Absconding debtors

143 Order of arrest of absconding debtor

[Repealed]

Section 143: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

144 Security to be given*[Repealed]*

Section 144: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

145 Enforcement of security*[Repealed]*

Section 145: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

146 Arrest in actions for penalties*[Repealed]*

Section 146: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

147 Enforcement of security in actions for penalties*[Repealed]*

Section 147: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

*Contempt of the High Court***148 Contempt of Court defined***[Repealed]*

Section 148: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

149 Punishment of contempt*[Repealed]*

Section 149: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

150 Jurisdiction of High Court*[Repealed]*

Section 150: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

151 Contempt in the face of the Court*[Repealed]*

Section 151: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

152 Discharge of persons in contempt*[Repealed]*

Section 152: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Part 4

The High Court of New Zealand

Part 4 heading: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Jurisdiction of the High Court in the Cook Islands

Heading: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

153 Civil jurisdiction of High Court extends to Cook Islands

- (1) Notwithstanding anything in this Act, the civil jurisdiction of the High Court of New Zealand shall extend to the Cook Islands, and may be exercised in New Zealand in respect of those islands in the same manner in all respects as if those islands were for all purposes part of New Zealand.
- (2) Any action or other civil proceeding in the High Court which relates in any manner to the Cook Islands and which might have been instituted in the High Court of those islands may, on the application of any party thereto, be stayed by the High Court in its discretion, on such terms as the Court thinks fit, if in the opinion of that Court, having regard to the interest of all parties thereto, the action or other proceeding could more conveniently be instituted in the High Court.
- (3) No writ of summons or other originating civil process in the High Court shall be served in the Cook Islands without the leave of a Judge of that Court, and the order by which such leave is granted may determine the time within and the place at which a defendant is to file his statement of defence, and the sittings of the Court at which the action is to be heard, or may give such other directions with respect to the procedure on such writ or process as may be appropriate to the case.

Section 153: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

154 Jurisdiction under the Declaratory Judgments Act 1908

[Repealed]

Section 154: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

154A Place for filing proceedings

Any proceedings in the High Court of New Zealand in the jurisdiction conferred on it by section 153 or section 154 shall be filed in the office of the High Court at Auckland.

Section 154A: inserted, on 26 October 1967, by section 2(1) of the Cook Islands Amendment Act 1967 (1967 No 23).

Section 154A: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

155 Criminal jurisdiction of High Court in respect of Cook Islands

- (1) Notwithstanding anything in this Act, the criminal jurisdiction of the High Court of New Zealand shall extend to offences committed in the Cook Islands, and may be exercised in New Zealand in respect of such offences accordingly in the same manner as if they were offences committed in New Zealand that are within the jurisdiction of the High Court of New Zealand.
- (2) Such jurisdiction shall be exercised only over offenders found in New Zealand.
- (3) In respect of any offence which is within the jurisdiction of the High Court under this section the like preliminary proceedings before Justices of the Peace or a District Court Judge may be taken in New Zealand as in the case of such offences committed in New Zealand.
- (3A) The charging document for any such offence shall be filed either in the District Court at Auckland or the office of the District Court appointed for the exercise of criminal jurisdiction which is nearest by the most practicable route to the place where the prosecutor believes that the defendant may be found.
- (4) The punishment to be imposed by the High Court for any such offence shall be that which is provided for that offence by the laws of the Cook Islands. Any person so liable to be imprisoned may be sentenced to imprisonment with or without hard labour as the High Court thinks fit.
- (5) No prosecution in New Zealand for an offence committed in the Cook Islands shall be commenced without the leave of the Attorney-General.

Section 155: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 155: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

Section 155(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 155(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 155(3A): inserted, on 26 October 1967, by section 2(2) of the Cook Islands Amendment Act 1967 (1967 No 23).

Section 155(3A): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

*Cases stated by the High Court or Land Court***156 High Court or Land Court may state a case for the Supreme Court**

[Repealed]

Section 156: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Appeals from the High Court and Land Court

157 Jurisdiction of Supreme Court on appeal from the High Court

[Repealed]

Section 157: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

158 Order granting leave to appeal

[Repealed]

Section 158: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

159 Transmission of record

[Repealed]

Section 159: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

160 Dismissal of appeal for non-prosecution

[Repealed]

Section 160: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

161 Procedure on appeal

[Repealed]

Section 161: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

162 Special leave to appeal may be granted by Supreme Court

[Repealed]

Section 162: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

163 Powers of the Supreme Court on appeal

[Repealed]

Section 163: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

164 Evidence on appeal

[Repealed]

Section 164: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

165 Stay of execution

[Repealed]

Section 165: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

166 Release of appellant from custody*[Repealed]*

Section 166: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

167 Appeal not to be allowed for irregularities in procedure*[Repealed]*

Section 167: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

168 Right of audience on appeal*[Repealed]*

Section 168: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

169 Transmission of order of Supreme Court on appeal*[Repealed]*

Section 169: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

170 No appeal to the Court of Appeal*[Repealed]*

Section 170: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

171 Certiorari, mandamus, and prohibition taken away*[Repealed]*

Section 171: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

172 Appeals to Supreme Court from Native Land Court*[Repealed]*

Section 172: repealed, on 12 October 1946, by section 40(1) of the Cook Islands Amendment Act 1946 (1946 No 30).

*Enforcement in the Cook Islands of judgments of New Zealand courts***173 Judgments of High Court or District Court in New Zealand may be enforced by the High Court**

- (1) Any person in whose favour any judgment whereby any sum of money is made payable has been obtained in the High Court of New Zealand or in a District Court in New Zealand in civil proceedings may cause a memorial thereof, authenticated by the seal of the High Court or of the District Court, as the case may be, to be filed in any office of the High Court of the Cook Islands.

- (2) Judicial notice may be taken by the High Court of the seal of the High Court or District Court so affixed to any such memorial.
- (3) Every such memorial shall set forth the names and additions of the parties to the proceeding in which the judgment was given, the form or nature of the proceeding, the date on which the judgment was given, and the amount payable thereunder.
- (4) Every such memorial being so filed shall thenceforth be a record of such judgment, and execution may issue thereon with the leave of the High Court in the same manner as if the like judgment had been given by the High Court, subject, however, to such terms and conditions as the High Court may think fit to impose.
- (5) Leave to issue such execution may be given by the High Court on the application of the party by whom the memorial was filed, and either *ex parte* or on notice to the party against whom execution is to be issued, as the High Court thinks fit.

Section 173: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 173: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

174 Enforcement of judgments of High Court by High Court by way of proceedings for contempt

- (1) When by any judgment of the High Court of New Zealand any person has been ordered to do or abstain from doing any act in the Cook Islands, other than the payment of money, the High Court may then or at any time thereafter direct a memorial of such judgment under the seal of the Court to be filed in the High Court of the Cook Islands.
- (2) On the filing of such memorial any disobedience to such judgment, whether before or after the filing of the memorial, shall be deemed to be a contempt of the High Court, and may be dealt with by that Court accordingly.

Section 174: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Miscellaneous

175 Commissioners of the High Court may be appointed in the Cook Islands

Sections 30 to 32 of the Senior Courts Act 2016 (relating to Commissioners to administer oaths) shall in New Zealand be construed and operate as if the Cook Islands were a place beyond the jurisdiction of the High Court of New Zealand, and Commissioners in the Cook Islands may be appointed by a Judge of the High Court of New Zealand accordingly.

Section 175: amended, on 1 March 2017, by section 183(b) of the Senior Courts Act 2016 (2016 No 48).

Section 175: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Part 5

Criminal offences

176 Treason

[Repealed]

Section 176: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

177 Inciting to mutiny

[Repealed]

Section 177: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

178 Murder

[Repealed]

Section 178: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

179 Manslaughter

[Repealed]

Section 179: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

180 "Omission" defined

[Repealed]

Section 180: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

181 Omissions dangerous to life

[Repealed]

Section 181: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

182 Omission to supply the necessities of life

[Repealed]

Section 182: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

183 Liability of persons having charge of dangerous things

[Repealed]

Section 183: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

184 Hastening death

[Repealed]

Section 184: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

185 Indirect cause of death

[Repealed]

Section 185: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

186 Attempted murder

[Repealed]

Section 186: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

187 Conspiracy and inciting to murder

[Repealed]

Section 187: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

188 Attempted suicide

[Repealed]

Section 188: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

189 Counselling suicide

[Repealed]

Section 189: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

190 Concealment of birth

[Repealed]

Section 190: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

191 Grievous bodily harm

[Repealed]

Section 191: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

192 Actual bodily harm*[Repealed]*

Section 192: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

193 Omissions resulting in bodily harm*[Repealed]*

Section 193: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

194 Indecent assault*[Repealed]*

Section 194: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

195 Assault*[Repealed]*

Section 195: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

196 Rape*[Repealed]*

Section 196: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

197 Carnal knowledge of girls under twelve years of age*[Repealed]*

Section 197: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

198 Carnal knowledge of girls under fifteen years of age*[Repealed]*

Section 198: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

199 Carnal knowledge of idiots or lunatics*[Repealed]*

Section 199: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

200 Adultery by married persons*[Repealed]*

Section 200: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

201 Adultery with married woman

[Repealed]

Section 201: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

202 Procuring miscarriage of woman or girl

[Repealed]

Section 202: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

203 Act of woman or girl procuring her own miscarriage

[Repealed]

Section 203: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

204 Supplying means of miscarriage

[Repealed]

Section 204: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

205 Bigamy

[Repealed]

Section 205: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

206 Buggery

[Repealed]

Section 206: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

207 Attempted buggery and indecent assaults on males

[Repealed]

Section 207: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

208 Incest

[Repealed]

Section 208: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

209 Indecent acts

[Repealed]

Section 209: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

210 Indecent documents*[Repealed]*

Section 210: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

211 Brothels*[Repealed]*

Section 211: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

212 Gaming-houses*[Repealed]*

Section 212: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

213 Gaming by Natives*[Repealed]*

Section 213: repealed, on 5 December 1962, by section 5 of the Cook Islands Amendment Act 1962 (1962 No 40).

214 Stealing children*[Repealed]*

Section 214: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

215 Riot*[Repealed]*

Section 215: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

216 Forcible entry*[Repealed]*

Section 216: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

217 Affrays*[Repealed]*

Section 217: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

218 Official corruption*[Repealed]*

Section 218: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

219 Perjury

[Repealed]

Section 219: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

220 Fabricating evidence

[Repealed]

Section 220: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

221 Conspiracy to pervert justice

[Repealed]

Section 221: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

222 Breaking prison

[Repealed]

Section 222: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

223 Escape

[Repealed]

Section 223: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

224 Rescue

[Repealed]

Section 224: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

225 Defamatory libel

[Repealed]

Section 225: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

226 Punishment of theft

[Repealed]

Section 226: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

227 Definition of theft

[Repealed]

Section 227: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

228 Ineffectual defences to charge of theft*[Repealed]*

Section 228: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

229 Extended definition of theft*[Repealed]*

Section 229: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

230 Obtaining money or goods by false pretences to be deemed theft*[Repealed]*

Section 230: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

231 Stealing documents*[Repealed]*

Section 231: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

232 Receiving stolen goods*[Repealed]*

Section 232: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

233 Robbery*[Repealed]*

Section 233: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

234 Breach of trust*[Repealed]*

Section 234: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

235 Menaces*[Repealed]*

Section 235: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

236 Witchcraft*[Repealed]*

Section 236: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

237 Obtaining credit by fraud

[Repealed]

Section 237: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

238 Accusation of criminal offences

[Repealed]

Section 238: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

239 Conspiracy to defraud

[Repealed]

Section 239: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

240 Obtaining execution of valuable securities by fraud

[Repealed]

Section 240: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

241 Burglary

[Repealed]

Section 241: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

242 Forgery

[Repealed]

Section 242: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

243 Extended definition of forgery

[Repealed]

Section 243: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

244 Making counterfeit coin

[Repealed]

Section 244: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

245 Lightening coin

[Repealed]

Section 245: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

246 Uttering counterfeit coin*[Repealed]*

Section 246: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

247 Arson*[Repealed]*

Section 247: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

248 Wilful mischief to property*[Repealed]*

Section 248: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

249 Provoking breach of the peace*[Repealed]*

Section 249: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

250 Disorderly conduct in public place*[Repealed]*

Section 250: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

251 Furious driving*[Repealed]*

Section 251: repealed, on 25 October 1963, by section 5 of the Cook Islands Amendment Act 1963 (1963 No 132).

252 Cattle trespass*[Repealed]*

Section 252: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

253 Obstructing public place*[Repealed]*

Section 253: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

254 Drunkenness*[Repealed]*

Section 254: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

255 Prostitution

[Repealed]

Section 255: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

256 Laying poison

[Repealed]

Section 256: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

257 Polluting water

[Repealed]

Section 257: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

258 Sale of unwholesome provisions

[Repealed]

Section 258: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

259 Insanitary premises

[Repealed]

Section 259: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

260 Wilful trespass

[Repealed]

Section 260: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

261 Cruelty to animals

[Repealed]

Section 261: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

262 Falsely trading as an incorporated company

[Repealed]

Section 262: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

263 Conspiracy

[Repealed]

Section 263: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

264 Attempts*[Repealed]*

Section 264: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

265 Inciting*[Repealed]*

Section 265: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

266 Parties to offences*[Repealed]*

Section 266: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

267 Common criminal purpose*[Repealed]*

Section 267: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

268 Counselling or procuring*[Repealed]*

Section 268: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

268A [Repealed]

Section 268A: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

268B [Repealed]

Section 268B: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

269 Common-law defences*[Repealed]*

Section 269: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

270 Common-law offences*[Repealed]*

Section 270: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

271 Sentence of death

[Repealed]

Section 271: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

272 Maximum fines and terms of imprisonment

[Repealed]

Section 272: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

273 Enforcement of fines

[Repealed]

Section 273: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

274 Imprisonment in Cook Islands

[Repealed]

Section 274: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

275 Transfer of convicted persons to New Zealand

- (1) Every person condemned to death and every person sentenced to imprisonment, or committed to prison, for 6 months or more may, by warrant under the hand of the High Commissioner and the Seal of the Cook Islands, be transferred to some prison in New Zealand named or described in the warrant.
- (2) On the issue of any such warrant the person named therein shall thereupon be taken in custody from the Cook Islands to New Zealand, and there forthwith delivered to the Superintendent of the prison named or described in the warrant.
- (3) The warrant shall be delivered to the said Superintendent together with a certificate under the hand of a Judge of the High Court and the seal of that Court setting forth the fact of the conviction or commitment of the person named in the warrant, the offence of which he was convicted or the reason of the commitment, and the sentence of the Court condemning him to death or, as the case may be, the term for which he has been so sentenced or committed.
- (4) Where, after any person condemned to death has been brought to New Zealand under the foregoing provisions of this section,—
 - (a) the sentence of death has been commuted to a sentence of imprisonment; or
 - (b) the High Court has on appeal substituted for the conviction for the offence in respect of which that person was condemned to death a conviction for some other offence and has imposed a sentence of imprisonment in respect thereof,—

the sentence of imprisonment may, by further warrant under the hand of the High Commissioner and the Seal of the Cook Islands, be carried into effect in some prison in New Zealand under the provisions of subsection (5).

- (5) Where any person brought to New Zealand under the provisions of this section is imprisoned in New Zealand under any of the foregoing provisions of this section,—
- (a) the period during which he has been in custody since the sentence was imposed in the Cook Islands until his delivery to the Superintendent in New Zealand shall for all purposes be computed as part of the term of his imprisonment:
 - (b) subject to the provisions of section 275A he shall be imprisoned in New Zealand in the same manner in all respects and shall be subject in all respects to the same laws, as far as applicable, as if he had been sentenced by the High Court of New Zealand to imprisonment for the like offence, or committed to prison by that Court on the like grounds.

(6) *[Repealed]*

(7) *[Repealed]*

Section 275: replaced, on 25 October 1956, by section 7 of the Cook Islands Amendment Act 1956 (1956 No 27).

Section 275: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 275(1): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 275(4): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 275(5)(b): amended, on 5 December 1962, by section 7(2)(a) of the Cook Islands Amendment Act 1962 (1962 No 40).

Section 275(5)(b): amended, on 5 December 1962, by section 7(2)(b) of the Cook Islands Amendment Act 1962 (1962 No 40).

Section 275(6): repealed, on 5 December 1962, by section 7(2)(b) of the Cook Islands Amendment Act 1962 (1962 No 40).

Section 275(7): repealed, on 5 December 1962, by section 7(2)(b) of the Cook Islands Amendment Act 1962 (1962 No 40).

275A Release of prisoners transferred to New Zealand

- (1) Where any person (in this section referred to as the offender) brought to New Zealand under the provisions of section 275 is imprisoned in New Zealand under the provisions of that section,—
- (a) the Minister of Justice—
 - (i) may at any time, by warrant signed by him, grant to the offender, not being an offender serving a sentence of life imprisonment, remission of any part of his sentence, not exceeding one-fourth of the term thereof, on the ground of his good conduct and industry;

- and, with the concurrence of the Minister of Foreign Affairs, may revoke any such remission, in whole or in part, before the offender is released, if the Minister of Justice is satisfied that the conduct or industry of the offender since the granting of the remission has been unsatisfactory or that the grant was made in error; and
- (ii) may, where he considers that the conduct of the offender has been exemplary during his sentence, or that the offender has during his sentence performed some outstanding act of service, grant to the offender, not being an offender serving a sentence of life imprisonment, in addition to any remission which may be granted to him under subparagraph (i), a special remission of part of his sentence, not exceeding one-twelfth of the term; and, with the concurrence of the Minister of Foreign Affairs, may revoke any such remission at any time before the offender is released:
- (aa) the Minister of Justice, with the concurrence of the Minister of Foreign Affairs, may, in the case of any offender who is a Native, direct by warrant signed by him that on the release of the offender he be allowed to remain in New Zealand:
 - (b) where an offender is granted a remission of any part of his sentence under paragraph (a), then,—
 - (i) if pursuant to this section he is to be released in New Zealand, the Minister of Justice, with the concurrence of the Minister of Foreign Affairs, may, by warrant, at any time before he is released, impose such special conditions of probation as he thinks fit in addition to those that apply by virtue of the provisions of section 38 of the Criminal Justice Act 1954:
 - (ii) if pursuant to this section he is to be returned to the Cook Islands, the Minister of Justice, with the like concurrence, may, by warrant, at any time before he is released for the purpose of returning him to the Cook Islands, direct that, until a date specified in the warrant (being a date not later than the date of expiry of the term of the original sentence), the offender shall be subject to supervision by a person to be nominated from time to time by the High Commissioner, and shall comply with the directions of that person with respect to such matters as are specified in the warrant:
 - (c) the provisions of section 33A of the Criminal Justice Act 1954 (as enacted by section 4 of the Criminal Justice Amendment Act 1961), as far as they are applicable but subject to the provisions of this section, shall apply with respect to the offender as if he had been sentenced to imprisonment by the High Court of New Zealand.
- (2) The Prisons Parole Board, on considering the case of any offender under section 33A of the Criminal Justice Act 1954 (as so enacted), shall have regard, in

addition to the matters specified in subsection (6) of that section, to such other matters of any kind whatsoever as it considers relevant in the circumstances of the case, and may, in its discretion, recommend that the offender—

- (a) be returned to the Cook Islands and released on his arrival there; or
 - (b) be returned in custody to the Cook Islands and continue to serve the sentence of imprisonment in some prison in the Cook Islands until a date specified by the Board (being, in the case of a prisoner undergoing a sentence of life imprisonment, such date as the Board thinks fit, and, in the case of any other prisoner, a date not later than 3 months after his return to the Cook Islands) and be released on the date so specified; or
 - (c) be released in New Zealand.
- (3) Any recommendation of the Prisons Parole Board under subsection (2) may be subject to such conditions as the Board thinks fit, including, if the Board thinks fit, a condition, in the case of a prisoner to whom paragraph (a) or paragraph (b) of that subsection applies, that, until a date specified by the Board (being, in the case of an offender undergoing a sentence of life imprisonment, such date as the Board thinks fit, and in any other case a date not later than the date of the expiry of the term of the original sentence), he shall be subject to supervision by a person to be nominated from time to time by the High Commissioner and shall comply with the directions of that person with respect to such matters as the Board specifies.
- (4) The provisions of the Criminal Justice Act 1954 relating to the release of an offender on probation shall not apply with respect to any offender who is to be returned to the Cook Islands pursuant to this section.
- (5) Where pursuant to this section any offender is released in New Zealand, the provisions of sections 35 to 39 of the Criminal Justice Act 1954, as far as they are applicable, shall apply as if he had been so released at or before the expiry of a term of imprisonment imposed by the High Court of New Zealand.
- (6) Where any offender who pursuant to this section is released in New Zealand desires to return to the Cook Islands before the expiration of the term of his probation, the Minister of Justice, on the application of the offender and with the concurrence of the Minister of Foreign Affairs, may cancel the probationary licence as from the date on which the offender leaves New Zealand, and by warrant direct that as from the date of the arrival of the offender in the Cook Islands until a date specified in the warrant (being not later than the date on which the term of probation would have expired if the probationary licence had not been cancelled) the offender shall be subject to supervision by a person to be nominated from time to time by the High Commissioner and shall comply with the directions of that person with respect to such matters as are specified in the warrant.
- (7) Every offender, if he is a Native, shall, as soon as he is entitled to be released or as soon thereafter as may be, unless he is to be released in New Zealand

under this section, be returned to the Cook Islands in pursuance of a warrant signed by the Minister of Justice, and in the meantime shall be detained in custody in some prison in New Zealand appointed by that warrant.

- (8) A recommendation of the Prisons Parole Board under this section may be given effect to in pursuance of a warrant signed by the Minister of Justice with the concurrence of the Minister of Foreign Affairs.
- (9) For the purposes of this section, cumulative terms of imprisonment shall be treated as one term.

Section 275A: inserted, on 5 December 1962, by section 7(1) of the Cook Islands Amendment Act 1962 (1962 No 40).

Section 275A: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 275A(1)(a): replaced, on 26 October 1967, by section 3(1) of the Cook Islands Amendment Act 1967 (1967 No 23).

Section 275A(1)(a)(i): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 275A(1)(a)(ii): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 275A(1)(aa): inserted, on 26 October 1967, by section 3(1) of the Cook Islands Amendment Act 1967 (1967 No 23).

Section 275A(1)(aa): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 275A(1)(b): replaced, on 26 October 1967, by section 3(1) of the Cook Islands Amendment Act 1967 (1967 No 23).

Section 275A(1)(b)(i): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 275A(2)(a): replaced, on 25 October 1963, by section 8(3) of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 275A(2)(b): replaced, on 25 October 1963, by section 8(3) of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 275A(2)(c): inserted, on 25 October 1963, by section 8(3) of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 275A(3): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 275A(3): amended, on 25 October 1963, by section 8(4) of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 275A(6): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 275A(6): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

Section 275A(7): amended, on 25 October 1963, by section 8(2)(b) of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 275A(8): amended, on 8 November 1974, pursuant to section 2(4)(a) of the Cook Islands Amendment Act 1974 (1974 No 80).

275B Person conditionally released from imprisonment, or portion of whose sentence is conditionally remitted, may be imprisoned

- (1) Any person who is released from imprisonment—
- (a) pursuant to a remission of part of his sentence under paragraph (a) of subsection (1) of section 275A or to a recommendation of the Prisons Parole Board under paragraph (c) of that subsection subject to any conditions imposed under that section, and is returned to the Cook Islands under that section (including a person who returns to the Cook Islands pursuant to subsection (6) of that section); or
 - (b) pursuant to a remission of part of his sentence under section 314B subject to any conditions imposed under that section,—

and who commits a breach of any such condition may be arrested by any constable without warrant and brought before a Judge of the High Court, and may be sentenced to imprisonment, in the case of a person who was undergoing a sentence of life imprisonment, for such period as the Court thinks fit, and in any other case for any period not exceeding the unexpired portion of the term of his original sentence.

- (2) For the purposes of this section, cumulative terms of imprisonment shall be treated as one term.

Section 275B: inserted, on 5 December 1962, by section 8 of the Cook Islands Amendment Act 1962 (1962 No 40).

276 Exile

[Repealed]

Section 276: amended, on 25 October 1963, by section 8(1) of the Cook Islands Amendment Act 1963 (1963 No 132).

277 Cumulative sentences

[Repealed]

Section 277: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 6

Criminal procedure

278 Magistrates

[Repealed]

Section 278: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

279 Jurisdiction of High Court

[Repealed]

Section 279: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

280 Felonies and misdemeanours

[Repealed]

Section 278: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

281 Arrest without warrant

[Repealed]

Section 281: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

282 Arrest on warrant of Magistrate

[Repealed]

Section 282: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

283 Committal by Magistrate for trial

[Repealed]

Section 283: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

Trial by the High Court

284 Information

[Repealed]

Section 284: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

285 Warrant or summons

[Repealed]

Section 285: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

286 Warrant after issue of summons

[Repealed]

Section 286: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

287 Prisoners brought before Judge of High Court before commencement of prosecution*[Repealed]*

Section 287: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

288 Remand*[Repealed]*

Section 288: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

289 Trial of accused in his absence*[Repealed]*

Section 289: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

*Assessors***290 Constitution of Court on criminal trials***[Repealed]*

Section 290: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

291 Judge with assessors*[Repealed]*

Section 291: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

292 Judge without assessors*[Repealed]*

Section 292: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

293 Judge with or without assessors as he thinks fit*[Repealed]*

Section 293: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

294 Order appointing assessors*[Repealed]*

Section 294: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

295 Number and qualifications of assessors

[Repealed]

Section 295: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

296 Default of assessors

[Repealed]

Section 296: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

297 Remuneration of assessors

[Repealed]

Section 297: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

298 Oath of assessors

[Repealed]

Section 298: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

299 Change of assessors

[Repealed]

Section 299: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

300 Discharge of assessors and new trial

[Repealed]

Section 300: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

301 Concurrence of assessors

[Repealed]

Section 301: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

302 Concurrence of Judge

[Repealed]

Section 302: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

303 Sentence

[Repealed]

Section 303: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

304 Concurrence of assessors not necessary except for conviction*[Repealed]*

Section 304: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

*Miscellaneous***305 Alternative and cumulative charges***[Repealed]*

Section 305: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

306 Relation between information and conviction*[Repealed]*

Section 306: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

307 Withdrawal of information*[Repealed]*

Section 307: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

308 Drawing up of conviction*[Repealed]*

Section 308: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

309 Defects of information, summons, or warrant*[Repealed]*

Section 309: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

310 Payment of witnesses*[Repealed]*

Section 310: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

310A Court may order convicted person to come up for sentence if called upon*[Repealed]*

Section 310A: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

311 Conviction without sentence*[Repealed]*

Section 311: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

312 Bail

[Repealed]

Section 312: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

313 Stay of proceedings by Minister

[Repealed]

Section 313: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

314 Search warrants

[Repealed]

Section 314: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

314A Transmission of certain warrants and orders by telegram

[Repealed]

Section 314A: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

314B Pardon and remission of sentence

[Repealed]

Section 314B: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Part 7
Law of evidence

315 Definitions

[Repealed]

Section 315: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

316 Discretionary power of admitting evidence

[Repealed]

Section 316: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

317 Discretionary power of rejecting evidence

[Repealed]

Section 317: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

318 All witnesses competent*[Repealed]*

Section 318: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

319 Evidence of parties and their husbands and wives*[Repealed]*

Section 319: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

320 Evidence of accused persons and their husbands and wives*[Repealed]*

Section 320: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

321 Cross-examination as to credit*[Repealed]*

Section 321: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

322 Criminating questions*[Repealed]*

Section 322: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

323 Evidence of prisoners*[Repealed]*

Section 323: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

324 Judicial notice*[Repealed]*

Section 324: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

325 Judicial notice*[Repealed]*

Section 325: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

326 Power to administer oaths

All Courts are hereby empowered to administer an oath to all such witnesses as are lawfully called or voluntarily come before them, or to take the affirmation of any such witness in lieu of such oaths.

327 Form of oath

Every oath, whether in a judicial proceeding or not, may be made in such form as the person making the same consents to, whether expressly or impliedly.

328 Making of oath

Except when the person making the oath so consents to any other form of oath, an oath shall, whether in a judicial or other proceeding, be made in one of the 2 forms following:

- (a) the person making the oath may, while holding in his hand a copy of the Bible, New Testament, or Old Testament, repeat the words of the oath as prescribed or allowed by law; or
- (b) the officer administering the oath may repeat the appropriate form of adjuration commencing with the words “Do you swear by Almighty God”, or words to the like effect, and concluding with the words of the oath as prescribed or allowed by law, and the person making the oath shall thereupon, while holding in his hand a copy of the Bible, Old Testament, or New Testament, indicate his assent to the oath so administered by uttering the words “I do”, or other words to the like effect.

329 Absence of religious belief

Where an oath has been duly made the fact that the person making the same had at the time of making the same no religious belief shall not for any purpose affect the validity of the oath.

330 Affirmation may be made in lieu of oath

- (1) Every person shall be entitled as of right to make his solemn affirmation instead of an oath in cases in which an oath is required or allowed by law, and such affirmation shall be of the same force and effect as an oath.
- (2) Every such affirmation shall commence with the words “I do solemnly, sincerely, and truly declare and affirm”, or words to the like effect, omitting any words of imprecation or calling to witness.

331 Evidence of children without oath

In any proceeding all witnesses who are or appear to be under the age of 12 years may be examined without oath, but any such witness shall in such case be required before being examined to make the following declaration: “I promise to speak the truth, the whole truth, and nothing but the truth”, or a declaration to the like effect; and such declaration shall be of the same force and effect as if the witness had taken an oath.

332 Necessity of oath

Subject to the provisions of this Act, all witnesses in any judicial proceeding, civil or criminal, shall be examined on oath.

Part 8

Extradition

Extradition from the Cook Islands to New Zealand

333 Arrest in Cook Islands of fugitive offenders from New Zealand

When a warrant has been lawfully issued by any competent authority in New Zealand for the arrest of any person and such person is suspected of being in the Cook Islands or of being about to come into the Cook Islands, a Judge of the High Court may, if satisfied in any manner that such warrant has been issued, and whether it has been produced to him or not, issue his warrant for the arrest of that person in the Cook Islands, and such warrant shall be addressed to such person or persons as the Judge thinks fit.

334 Order of return to New Zealand

On the arrest of any person in pursuance of a warrant so issued by a Judge of the High Court the person so arrested shall be forthwith brought before the High Court, which may, on the production of the original warrant issued in New Zealand, order the return of that person to New Zealand.

335 Refusal of order in case of hardship

The High Court may refuse to make any such order if, having regard to the nature of the charge made against such person or to the circumstances of the case, the Court is of opinion that the return of such person to New Zealand would be the cause of undue hardship or would otherwise be unjustifiable or inexpedient.

336 Imprisonment or release pending return

Pending the making of any such order of return, or pending the return of any such person to New Zealand, the High Court may either commit him to prison or admit him to bail in such manner and on such conditions as the Court thinks fit.

337 Release on security in lieu of return

- (1) Instead of making such an order of return, the High Court may release such person on bail conditioned for the payment of such sum or sums of money or the performance of such conditions with relation to the matters in respect of which the original warrant was issued in New Zealand as the High Court thinks fit.
- (2) On any breach of the conditions on which such person has been so released he may be again arrested in the Cook Islands under a warrant issued by a Judge of the High Court, and an order for his return to New Zealand may be made in the same manner as if he had not been so released.

338 Return to New Zealand in custody

Any person against whom an order of return to New Zealand has been so made shall, as soon as practicable thereafter, be taken from the Cook Islands to New Zealand in the custody of such person as a Judge of the High Court may approve, and shall on arrival in New Zealand be there delivered into the custody of an officer of police, to be dealt with in the same manner as if he had been arrested in New Zealand in pursuance of the original warrant issued there for his arrest.

Section 338: replaced, on 22 December 1980, by section 2 of the Cook Islands Amendment Act 1980 (1980 No 107).

339 Cancellation of order of return

If any person so ordered to be returned to New Zealand is not returned in accordance with the order within a reasonable time after the making thereof, the High Court may cancel the order for his return.

Extradition from New Zealand to the Cook Islands

340 Arrest in New Zealand of fugitive offenders from the Cook Islands

When a warrant has been lawfully issued by any competent authority in the Cook Islands for the arrest of any person, and such person is suspected of being in New Zealand or of being about to come into New Zealand, a Stipendary District Court Judge in New Zealand may, if satisfied in any manner that such warrant has been issued, and whether it has been produced to him or not, issue his warrant for the arrest of that person in New Zealand, and such warrant shall be addressed to such person or persons as the District Court Judge thinks fit.

Section 340: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

341 Order of return to the Cook Islands

On the arrest of any person in pursuance of any warrant so issued by a District Court Judge the person so arrested shall be forthwith brought before a District Court Judge in New Zealand, who may, on the production of the original warrant issued in the Cook Islands, order the return of that person to the Cook Islands.

Section 341: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

342 Judicial notice of signature to warrant

On making any such order the District Court Judge may take judicial notice of the signature to the warrant issued in the Cook Islands, and may receive such evidence as he thinks fit whether legally admissible in other proceedings or not.

Section 342: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

343 Refusal of order in case of hardship

A District Court Judge may refuse to make any such order if, having regard to the nature of the charge made against such person or to the circumstances of the case, the District Court Judge is of opinion that the return of such person to the Cook Islands would be the cause of undue hardship or would otherwise be unjustifiable or inexpedient.

Section 343: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

344 Imprisonment or release pending return

Pending the making of any such order of return, or pending the return of any such person to the Cook Islands, a District Court Judge may either commit him to prison or admit him to bail in such manner and on such conditions as the District Court Judge thinks fit.

Section 344: amended, on 1 December 1950, by section 15 of the Cook Islands Amendment Act 1950 (1950 No 92).

Section 344: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

345 Release on security in lieu of return

- (1) Instead of making such an order of return, the District Court Judge may release such person on bail conditioned for the payment of such sum or sums of money or the performance of such conditions with relation to the matter in respect of which the original warrant was issued in the Cook Islands as the District Court Judge thinks fit.
- (2) On any breach of the conditions on which such person has been so released he may be again arrested in New Zealand under a warrant issued by a District Court Judge, and an order for his return to the Cook Islands may be made in the same manner as if he had not been so released.

Section 345: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

346 Return to the Cook Islands in custody

Any person against whom an order of return to the Cook Islands has been so made shall, so soon as practicable thereafter, be taken from New Zealand to the Cook Islands in the custody of such person as a District Court Judge may approve, and shall on arrival in the Cook Islands be there delivered into lawful custody, to be dealt with in the same manner as if he had been arrested in the Cook Islands in pursuance of the original warrant issued there for his arrest.

Section 346: amended, on 22 December 1980, by section 3(1) of the Cook Islands Amendment Act 1980 (1980 No 107).

347 Cancellation of order of return

If any person so ordered to be returned to the Cook Islands is not returned in accordance with the order within a reasonable time after the making thereof, a

District Court Judge or a Judge of the High Court may cancel the order for his return.

Section 347: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 347: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

Removal from one island to another

348 Prisoners may be removed from one island to another

Any person in lawful custody on any ground whatever in any island forming part of the Cook Islands may be removed in custody to any other of such islands.

Section 348: amended, on 22 December 1980, by section 3(2) of the Cook Islands Amendment Act 1980 (1980 No 107).

349 Place of trial of offenders in the Cook Islands

[Repealed]

Section 349: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

Application of Extradition Act to Cook Islands

Heading: inserted, on 6 October 1965, by section 18(1) of the Extradition Act 1965 (1965 No 44).

349A Extradition Act in force in Cook Islands

- (1) Subject to the provisions of this Act, the Extradition Act 1965, so far as it is applicable, shall extend to and be in force in the Cook Islands
- (2) In the application of the Extradition Act 1965 to the Cook Islands, unless the context otherwise requires,—
 - (a) every reference in that Act to New Zealand shall be read as a reference to the Cook Islands:
 - (b) every reference in that Act to the Court, or to the High Court or a Judge thereof, or to a District Court Judge or Justice, shall be read as a reference to the High Court of the Cook Islands or a Judge of that Court:
 - (c) every reference in that Act to the Minister of Justice shall be read, in relation to the Cook Islands, as a reference to the Minister in Charge of the Justice Department of the Cook Islands:
 - (d) the reference in the definition of the expression **extradition offence** in subsection (1) of section 2 of that Act to the crimes described in Schedule 1 to that Act shall be read as a reference to such of the criminal offences described in Part 5 of this Act as correspond to the crimes described in Part 1 of that Schedule, and also as a reference to such of the enactments specified in Part 2 of that Schedule as are in force in the Cook Islands:

- (e) the references in subsection (2) of section 2 of that Act to sections 310, 311, and 312 of the Crimes Act 1961 shall be read as references to sections 263, 264, 265, 268, and 268B of this Act, as the case may require:
- (f) the references in subsections (3) and (4) of section 5 of that Act (as amended by section 5(2) of the Criminal Justice Amendment Act 1969) to Part 5A of the Criminal Justice Act 1954 and Part 4 of the Mental Health Act 1969 shall be read as references to sections 591 and 593 of this Act, as the case may require:
- (g) the references in sections 8 and 15 of that Act to the preliminary hearing of an information for an indictable offence shall be read as references to the trial of an offence punishable by the High Court in the ordinary course of its criminal jurisdiction and procedure:
- (h) the reference in section 8 of that Act to the Summary Proceedings Act 1957 shall be read as a reference to this Act, and the reference in that section (as amended by section 5(2) of the Criminal Justice Amendment Act 1969) to Part 5A of the Criminal Justice Act 1954 shall be construed as a reference to sections 590, 592, and 593 of this Act:
- (i) no Order in Council made under that Act shall have any force or effect in the Cook Islands 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).

Section 349A: inserted, on 6 October 1965, by section 18(1) of the Extradition Act 1965 (1965 No 44).

Section 349A: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 349A(1): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 349A(2): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 349A(2)(a): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 349A(2)(b): amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

Section 349A(2)(c): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 349A(2)(d): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

In subsection (2)(f) the words in double square brackets have been substituted for the words “to sections 31 and 38 of the Mental Health Act 1911” pursuant to section 5(2) and (3) of the Criminal Justice Amendment Act 1969.

In subsection (2)(h) the words in double square brackets have been substituted for the words “to sections 32, 34, and 35 of the Mental Health Act 1911” pursuant to section 5(2) and (3) of the Criminal Justice Amendment Act 1969.

Part 9

Crown suits

[Repealed]

Part 9: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

350 Crown proceedings in the Cook Islands

[Repealed]

Section 350: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

351 Authority of Attorney-General and Solicitor-General

[Repealed]

Section 351: repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

352 Prosecution of claim by His Majesty

[Repealed]

Section 352: repealed, on 23 November 1950, by section 32(2) of the Crown Proceedings Act 1950 (1950 No 54).

353 Warrant to sue in the name and on behalf of His Majesty

[Repealed]

Section 353: repealed, on 23 November 1950, by section 32(2) of the Crown Proceedings Act 1950 (1950 No 54).

Part 10

Crown land

[Repealed]

Part 10: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

354 All land in the Cook Islands vested in Her Majesty

[Repealed]

Section 354: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

355 Grants of Crown land

[Repealed]

Section 355: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

356 Reserves of Crown land for public purposes*[Repealed]*

Section 356: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

357 Taking of land for public purposes*[Repealed]*

Section 357: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

358 Revocation of warrant taking land*[Repealed]*

Section 358: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

359 Compensation for land taken*[Repealed]*

Section 359: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

360 Resumption of Crown land for public purposes*[Repealed]*

Section 360: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

361 Reservation of land so taken or resumed*[Repealed]*

Section 361: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

362 Purchase of land for public purposes*[Repealed]*

Section 362: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

363 Control of Crown land by High Commissioner*[Repealed]*

Section 363: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

364 Public purposes defined*[Repealed]*

Section 364: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

365 Saving of reserves under the Cook Islands Government Act 1908

[Repealed]

Section 365: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

366 Validation of Crown purchases

[Repealed]

Section 366: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

**Part 11
The Land Court**

[Repealed]

Part 11: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Constitution of the Land Court

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

367 Native Land Court established

[Repealed]

Section 367: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

368 Native Land Court identical with Cook Islands Land Titles Court

[Repealed]

Section 368: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

369 Judges of Native Land Court

[Repealed]

Section 369: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

370 Appointment and tenure

[Repealed]

Section 370: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

371 Registrars of the Land Court

[Repealed]

Section 371: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

372 Deputy Registrars*[Repealed]*

Section 372: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

373 Offices of Land Court*[Repealed]*

Section 373: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

374 Records*[Repealed]*

Section 374: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

375 Seal of the Land Court*[Repealed]*

Section 375: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

376 Deputy of Chief Judge*[Repealed]*

Section 376: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

377 Administrative officers*[Repealed]*

Section 377: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

378 Rules of Court*[Repealed]*

Section 378: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

379 Applications to Court*[Repealed]*

Section 379: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

380 Exercise of supplementary jurisdiction*[Repealed]*

Section 380: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

381 Powers of Judges

[Repealed]

Section 381: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

382 Sittings of Court

[Repealed]

Section 382: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

383 Summoning of witnesses

[Repealed]

Section 383: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

384 Costs

[Repealed]

Section 384: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

385 Security for costs

[Repealed]

Section 385: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

386 Costs may be charged on land

[Repealed]

Section 386: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

387 Right of audience

[Repealed]

Section 387: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

388 Amendments of defects

[Repealed]

Section 388: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

389 Amendments of records

[Repealed]

Section 389: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

390 Rehearing*[Repealed]*

Section 390: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

390A Amendment of orders after title ascertained*[Repealed]*

Section 390A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

391 Annulment of orders obtained by fraud*[Repealed]*

Section 391: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

392 Enforcement of orders of Land Court by High Court*[Repealed]*

Section 392: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

393 Enforcement of charges*[Repealed]*

Section 393: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Orders

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

394 Drawing up of orders*[Repealed]*

Section 394: repealed, on 12 October 1946, by section 48(10) of the Cook Islands Amendment Act 1946 (1946 No 30).

395 Partition orders*[Repealed]*

Section 395: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

396 Orders in respect of deceased persons*[Repealed]*

Section 396: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

397 Orders bind all persons interested

[Repealed]

Section 397: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

398 Orders to be in duplicate

[Repealed]

Section 398: repealed, on 4 August 1965, by section 58 of the Cook Islands Amendment Act 1964 (1964 No 70).

399 Validity of orders

[Repealed]

Section 399: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Contempt of the Land Court

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

400 Contempt of Court defined

[Repealed]

Section 400: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

401 Penalty for contempt

[Repealed]

Section 401: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

402 Jurisdiction in contempt

[Repealed]

Section 402: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

403 Contempt in face of the Court

[Repealed]

Section 403: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

404 Arrest on warrant

[Repealed]

Section 404: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

405 Conviction by Land Court*[Repealed]*

Section 405: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

406 Enforcement of fine*[Repealed]*

Section 406: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

407 Discharge of persons in contempt*[Repealed]*

Section 407: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

408 Jurisdiction in contempt may be exercised at any time or place*[Repealed]*

Section 408: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

Additional jurisdiction

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

409 Miscellaneous jurisdiction of Land Court*[Repealed]*

Section 409: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

409A Access to Native land*[Repealed]*

Section 409A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

410 High Commissioner may confer jurisdiction on Land Court*[Repealed]*

Section 410: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Surveys

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

411 Land Court may order surveys

[Repealed]

Section 411: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

412 Entry for purpose of survey

[Repealed]

Section 412: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Pending and former proceedings

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

413 Pending proceedings may be continued

[Repealed]

Section 413: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

414 Operation of orders heretofore made

[Repealed]

Section 414: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

415 Drawing up of orders heretofore made

[Repealed]

Section 415: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

416 Validation of former orders

Section 416: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 12

Customary land

[Repealed]

Part 12: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

417 Declaring land to be free from customary title

[Repealed]

Section 417: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

418 Validity of dispositions of land by the Crown

[Repealed]

Section 418: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

419 Native customary title limited by high-water mark

[Repealed]

Section 419: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

420 For certain purposes customary land to be deemed Crown land

[Repealed]

Section 420: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

421 Investigation of title to customary land

[Repealed]

Section 421: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

422 Native customs to be recognised

[Repealed]

Section 422: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

423 Freehold orders

[Repealed]

Section 423: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

424 Effect of freehold orders

[Repealed]

Section 424: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

425 Tenancy in common

[Repealed]

Section 425: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

426 Ariki land

[Repealed]

Section 426: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

427 Freehold orders in favour of persons deceased

[Repealed]

Section 427: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

428 Land the title to which has been heretofore investigated declared to be freehold land

[Repealed]

Section 428: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 13

Partition and exchange of Native land

[Repealed]

Part 13: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Partition orders

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

429 Jurisdiction to partition Native land

[Repealed]

Section 429: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

430 Partition orders

[Repealed]

Section 430: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

431 Apportionment of encumbrances on partition

[Repealed]

Section 431: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

432 Mode of partition*[Repealed]*

Section 432: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

433 Land to be partitioned into suitable areas*[Repealed]*

Section 433: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

434 Combination of several areas of land for purpose of partition*[Repealed]*

Section 434: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

435 Payments by way of equality of partition*[Repealed]*

Section 435: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

436 Trustees on partition*[Repealed]*

Section 436: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

437 Encumbrances or undivided interests on partition*[Repealed]*

Section 437: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Orders of exchange

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

438 Jurisdiction to effect exchange of Native land*[Repealed]*

Section 438: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

439 Exchange of freehold interests only*[Repealed]*

Section 439: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

440 Conditions of exchange

[Repealed]

Section 440: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

441 Exchange for Crown land

[Repealed]

Section 441: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

442 Effect of order of exchange

[Repealed]

Section 442: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

443 Payment for equality of exchange

[Repealed]

Section 443: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

444 Land obtained in exchange becomes Native land

[Repealed]

Section 444: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 14

Native succession

[Repealed]

Part 14: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

445 Wills of Natives

[Repealed]

Section 445: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

446 Succession to deceased Natives

[Repealed]

Section 446: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

447 Native land not to vest in administrators

[Repealed]

Section 447: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

448 Succession orders*[Repealed]*

Section 448: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

449 Effect of succession order*[Repealed]*

Section 449: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

450 Revocation of succession orders*[Repealed]*

Section 450: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

451 No action without succession order*[Repealed]*

Section 451: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

452 No alienation without succession order*[Repealed]*

Section 452: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

453 Native land not assets for payment of debts*[Repealed]*

Section 453: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

454 Estate of Native other than land to be assets for payment of debts*[Repealed]*

Section 454: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

455 Interest in Native land to include all things growing on or attached to land*[Repealed]*

Section 455: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 15

Adoption of children by Natives

[Repealed]

Part 15: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

456 Adoption by Native custom invalid

[Repealed]

Section 456: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

457 Validity of adoption heretofore registered

[Repealed]

Section 457: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

458 Orders of adoption

[Repealed]

Section 458: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

459 Applications for adoption

[Repealed]

Section 459: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

460 Who may be adopted

[Repealed]

Section 460: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

461 Conditions of adoption

[Repealed]

Section 461: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

462 Consent of natural parents required

[Repealed]

Section 462: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

463 Adoptions by more than one person

[Repealed]

Section 463: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

464 Annulment of orders of adoption*[Repealed]*

Section 464: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

465 Effect of adoption*[Repealed]*

Section 465: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

465A Effect of orders of adoption on interests in Native land*[Repealed]*

Section 465A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 16**Alienation of Native land***[Repealed]*

Part 16: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Restrictions on alienation

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

466 Removal of restrictions on alienation*[Repealed]*

Section 466: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

467 Alienation of customary land prohibited*[Repealed]*

Section 467: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

468 Alienation in fee simple prohibited*[Repealed]*

Section 468: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

469 Alienation for a longer period than 60 years prohibited*[Repealed]*

Section 469: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

470 Alienation by way of security prohibited

[Repealed]

Section 470: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

471 Alienation of things growing on or attached to land deemed an alienation of land

[Repealed]

Section 471: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

472 Disposition of life interest to be deemed an alienation of land

[Repealed]

Section 472: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

473 Assignment of rents or profits prohibited

[Repealed]

Section 473: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

474 Alienation by trustees of Native land

[Repealed]

Section 474: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Execution of instruments of alienation

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

475 Alienations must be in writing

[Repealed]

Section 475: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

476 Execution of instruments out of the Cook Islands

[Repealed]

Section 476: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

476A Execution of renewals of leases

[Repealed]

Section 476A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Confirmation

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

477 Confirmation necessary

[Repealed]

Section 477: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

478 Application for confirmation

[Repealed]

Section 478: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

479 Orders of confirmation

[Repealed]

Section 479: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

480 Effect of confirmation

[Repealed]

Section 480: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

481 Confirmation of inconsistent instruments

[Repealed]

Section 481: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

482 Conditions of confirmation

[Repealed]

Section 482: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

483 Alienation in pursuance of confirmed contracts

[Repealed]

Section 483: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

484 Alteration of instruments on confirmation

[Repealed]

Section 484: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

485 Validity and operation of confirmed instruments

[Repealed]

Section 485: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

486 Alienations to the Crown

[Repealed]

Section 486: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Native reservations

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

487 Establishment of Native reservations

[Repealed]

Section 487: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

488 Revocation or variation of reservation

[Repealed]

Section 488: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

489 Reservations inalienable

[Repealed]

Section 489: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

490 Management and control of Native reservations

[Repealed]

Section 490: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Miscellaneous

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

491 Native land not to be taken in execution

[Repealed]

Section 491: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

492 Payment into Land Court of rents and other proceeds of alienation*[Repealed]*

Section 492: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

**Part 17
Trustees for Natives***[Repealed]*

Part 17: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

493 Definition of person under disability*[Repealed]*

Section 493: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

494 Trustee orders*[Repealed]*

Section 494: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

495 Matters to be set forth in trustee orders*[Repealed]*

Section 495: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

496 Appointment of new trustees*[Repealed]*

Section 496: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

497 Orders restricting powers of trustees*[Repealed]*

Section 497: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

498 Cancellation of trustee orders*[Repealed]*

Section 498: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

499 Determination of trustee orders*[Repealed]*

Section 499: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

500 Trust property not to vest in trustee

[Repealed]

Section 500: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

501 Administration of property by trustee

[Repealed]

Section 501: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

502 Alienation of property by trustee

[Repealed]

Section 502: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

503 Powers of trustee

[Repealed]

Section 503: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

504 Expenditure of revenues of trust property

[Repealed]

Section 504: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

505 Enforcement of trusts

[Repealed]

Section 505: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

506 Co-trustees must act jointly

[Repealed]

Section 506: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

507 Remuneration of trustees

[Repealed]

Section 507: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 18

Marriage

[Repealed]

Part 18: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

508 Prohibited degrees of consanguinity

[Repealed]

Section 508: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

509 Marriages to take place before marriage officer

[Repealed]

Section 509: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

510 Marriage officer defined

[Repealed]

Section 510: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

511 Appointment of marriage officers

[Repealed]

Section 511: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

512 Offence

[Repealed]

Section 512: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

513 Notice of marriage

[Repealed]

Section 513: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

514 Mode of solemnisation

[Repealed]

Section 514: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

515 Record of marriage

[Repealed]

Section 515: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

516 Signature of record

[Repealed]

Section 516: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

517 Transmission of records

[Repealed]

Section 517: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

518 Minimum age of marriage

[Repealed]

Section 518: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

519 Marriage of minors

[Repealed]

Section 519: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

520 Offence by marriage officer

[Repealed]

Section 520: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

521 Signature of false record by party or witness

[Repealed]

Section 521: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

522 Misrepresentation as to facts to procure marriage

[Repealed]

Section 522: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

523 Legitimation *per subsequens matrimonium*

[Repealed]

Section 523: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 19

Divorce

524 Jurisdiction of High Court

[Repealed]

Section 524: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

525 Limitation of jurisdiction

[Repealed]

Section 525: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

526 Nullity of marriage

[Repealed]

Section 526: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

527 Grounds of divorce

[Repealed]

Section 527: repealed, on 5 December 1921, by section 10(2) of the Cook Islands Amendment Act 1921 (1921 No 14).

528 Grounds of refusal of divorce

[Repealed]

Section 528: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

529 Domicile of deserted wife

[Repealed]

Section 529: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

530 *[Repealed]*

Section 530: repealed, on 5 December 1921, by section 10(2) of the Cook Islands Amendment Act 1921 (1921 No 14).

531 Co-respondent as a party

[Repealed]

Section 531: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

532 Intervention

[Repealed]

Section 532: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

533 Agreement no bar to divorce

[Repealed]

Section 533: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

534 No appeal to High Court

[Repealed]

Section 534: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

535 Remarriage of divorced persons

[Repealed]

Section 535: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

536 Costs

[Repealed]

Section 536: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

537 Order for maintenance of divorced wife

[Repealed]

Section 537: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

538 Order as to custody of children

[Repealed]

Section 538: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

539 Molestation of divorced wife by her husband

[Repealed]

Section 539: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

540 Jurisdiction of High Court

- (1) The jurisdiction of the High Court of New Zealand under the Matrimonial Proceedings Act 1963 shall extend to the Cook Islands in the same manner as if those islands constituted for all purposes part of New Zealand, and a domicile

in the Cook Islands shall for the purposes of such jurisdiction be deemed to be a domicile in New Zealand accordingly.

- (2) In the exercise of such jurisdiction the High Court shall, in respect of the grounds of divorce and in respect of all other matters, act in accordance with the Matrimonial Proceedings Act 1963 and not in accordance with this Act.

Section 540: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 540: amended, on 1 January 1965, pursuant to section 90(1) of the Matrimonial Proceedings Act 1963 (1963 No 71).

Part 20

Maintenance and affiliation

[Repealed]

Part 20: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

541 Interpretation

[Repealed]

Section 541: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Maintenance and affiliation orders

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

542 Jurisdiction of High Court

[Repealed]

Section 542: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

543 Applications

[Repealed]

Section 543: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

544 Jurisdiction discretionary

[Repealed]

Section 544: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

545 Affiliation orders

[Repealed]

Section 545: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

546 Evidence

[Repealed]

Section 546: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

547 Maintenance order in favour of illegitimate child

[Repealed]

Section 547: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

548 Maintenance order against father in favour of child

[Repealed]

Section 548: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

549 Maintenance order against mother in favour of child

[Repealed]

Section 549: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

550 Maintenance order against husband in favour of wife

[Repealed]

Section 550: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

551 Maintenance order against wife in favour of husband

[Repealed]

Section 551: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

552 Maintenance order against any person in favour of father or mother

[Repealed]

Section 552: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

553 Disobedience to maintenance order

[Repealed]

Section 553: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

554 Maintenance money a debt

[Repealed]

Section 554: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

555 Order in favour of non-residents*[Repealed]*

Section 555: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

556 Order against non-residents*[Repealed]*

Section 556: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

557 Orders *in absentia**[Repealed]*

Section 557: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

558 Repeated applications*[Repealed]*

Section 558: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

559 Payments not to be made in advance*[Repealed]*

Section 559: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

560 Cancellation, variation, and suspension of orders*[Repealed]*

Section 560: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

561 Payment of maintenance money*[Repealed]*

Section 561: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

562 Security for obedience to maintenance orders*[Repealed]*

Section 562: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

563 Operation of agreements

Section 563: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

564 Purport and duration of maintenance orders

[Repealed]

Section 564: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

565 Order for past maintenance

[Repealed]

Section 565: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Offences

Heading: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

566 Leaving Cook Islands while maintenance money in arrear an offence

[Repealed]

Section 566: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

567 Leaving Cook Islands after affiliation order and before birth of child an offence

[Repealed]

Section 567: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

568 Leaving Cook Islands with intent to disobey maintenance order an offence

[Repealed]

Section 568: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

569 Leaving Cook Islands while failing to maintain wife an offence

[Repealed]

Section 569: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

570 Leaving Cook Islands while failing to maintain child an offence

[Repealed]

Section 570: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

571 Leaving Cook Islands with intent to desert wife or child an offence

[Repealed]

Section 571: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

572 Attempting to leave the Cook Islands*[Repealed]*

Section 572: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573 Evidence of intent*[Repealed]*

Section 573: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 20A**Adoption of children by Europeans and Native spouses of Europeans***[Repealed]*

Part 20A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573A High Court may make adoption orders*[Repealed]*

Section 573A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573B Persons who may apply for adoption order*[Repealed]*

Section 573B: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573C Who may be adopted*[Repealed]*

Section 573C: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573D Restrictions on making adoption orders*[Repealed]*

Section 573D: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573E Consents to adoptions*[Repealed]*

Section 573E: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573F Effect of order of adoption*[Repealed]*

Section 573F: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

573G Annulment of order of adoption

[Repealed]

Section 573G: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 21
Persons of unsound mind

Orders of medical custody

A person detained under an order of medical custody made under this Part is a patient within the meaning of the Tokelau Divorce Regulations 1975. *See* SR 1975/262/4 (5).

574 Application by Medical Officer to High Court

[Repealed]

Section 574: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

575 Medical certificates as to persons of unsound mind

[Repealed]

Section 575: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

576 Order of medical custody

[Repealed]

Section 576: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

577 Renewal of order

[Repealed]

Section 577: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

578 Cancellation of order

[Repealed]

Section 578: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

579 Discharge from custody

[Repealed]

Section 579: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

580 Arrest and detention of persons committed to medical custody

[Repealed]

Section 580: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

581 Treatment of persons detained

[Repealed]

Section 581: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

582 Removal from the Cook Islands to New Zealand

When an order of medical custody has been so made against any person the High Court may, at the same time or at any time thereafter while the order remains in force, issue under the seal of the Court a warrant for the removal of that person from the Cook Islands to New Zealand.

583 Conditions of removal

No such warrant shall be issued unless the Court is satisfied, on the certificate by 2 Medical Officers, or by one Medical Officer and a graduate of the Central Medical School at Suva, Fiji, and on the examination of the person alleged to be of unsound mind, that his removal from the Cook Islands to New Zealand is necessary in his own interest or for the safety of other persons.

Section 583: replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

584 Method of removal

On the issue of any such warrant for the removal of any person to New Zealand he may be taken to New Zealand in the custody of any person appointed in that behalf by a Medical Officer in any ship belonging to Her Majesty or in any British ship or in any aircraft which is approved by the Chief Medical Officer or 2 Medical Officers as suitable for the purpose.

Section 584: amended, on 25 October 1963, by section 17 of the Cook Islands Amendment Act 1963 (1963 No 132).

Section 584: amended, on 20 August 1923, by section 5(4) of the Cook Islands Amendment Act 1923 (1923 No 9).

585 Persons so removed to New Zealand to be brought before a District Court Judge

On the arrival in New Zealand of any such person, he shall be forthwith brought before a District Court Judge, together with a warrant for his removal to New Zealand and a certificate, authenticated by seal of the High Court, by 2 Medical Officers, or by one Medical Officer and a graduate of the Central Medical School at Suva, Fiji, certifying that the person so committed is of unsound mind, and setting forth such particulars as to the physical and mental

condition of that person as the person or persons giving the certificate think necessary.

Section 585: replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 585: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

586 District Court Judge may make a reception order

The District Court Judge may thereupon, without further application or evidence, make in respect of the person so brought before him a reception order under the Mental Health Act 1969 in the same manner, so far as applicable, as if an application for a reception order had been made in accordance with that Act, and the reception order so made shall be deemed for all purposes to be a reception order made under that Act, and shall have effect accordingly.

Section 586: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

Section 586: amended, on 1 April 1970, pursuant to section 129(1) of the Mental Health Act 1969 (1969 No 16).

587 Administration of estates of persons of unsound mind

- (1) Part 7 of the Mental Health Act 1969 (relating to the administration of the estates of persons of unsound mind), shall in New Zealand extend and apply to property (other than interests in Native land) situated in the Cook Islands and belonging to a European of unsound mind.
- (2) The High Court shall have no jurisdiction to appoint a manager of the person or estate of a lunatic.

Section 587(1): amended, on 1 April 1970, pursuant to section 129(1) of the Mental Health Act 1969 (1969 No 16).

Section 587(2): amended, on 1 April 1970, pursuant to section 129(7) of the Mental Health Act 1969 (1969 No 16).

588 Warrant for arrest of persons of unsound mind

[Repealed]

Section 588: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

589 Arrest of persons of unsound mind without warrant

[Repealed]

Section 589: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

*Criminal lunatics***590 Insane persons not to be tried for offences***[Repealed]*

Section 590: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

591 Detention of accused persons acquitted on ground of insanity*[Repealed]*

Section 591: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

592 Discharge*[Repealed]*

Section 592: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

593 Orders of medical custody of criminal lunatics

- (1) When any person is so detained, whether in the case of a charge of murder or manslaughter or otherwise, the High Court shall have the same jurisdiction to make an order of medical custody or to issue a warrant for removal to New Zealand as in the case of any other person of unsound mind.
- (2) An order of medical custody so made shall supersede the order for detention during the pleasure of the High Commissioner.

Section 593(2): replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

594 The defence of insanity in criminal prosecutions*[Repealed]*

Section 594: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

Part 22
Intoxicating liquor**595 Manufacture of intoxicating liquor prohibited***[Repealed]*

Section 595: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

596 Importation of intoxicating liquor prohibited*[Repealed]*

Section 596: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

597 Persons in New Zealand concerned in importation of intoxicating liquor into Cook Islands guilty of an offence.

[Repealed]

Section 597: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

598 Sale of intoxicating liquor prohibited

[Repealed]

Section 598: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

599 Giving intoxicating liquor to a Native prohibited

[Repealed]

Section 599: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

600 Soliciting or receiving orders for intoxicating liquor prohibited

[Repealed]

Section 600: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

601 Packages of intoxicating liquor to be marked as such

[Repealed]

Section 601: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

602 Resident Commissioner may import liquor for sale or for public purposes

[Repealed]

Section 602: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

603 "Intoxicating liquor" defined

[Repealed]

Section 603: amended, on 18 October 1961, by section 16(1)(a) of the Cook Islands Amendment Act 1961 (1961 No 15).

Part 23

Roads

[Repealed]

Part 23: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

604 Road defined

[Repealed]

Section 604: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

605 Existing roads

[Repealed]

Section 605: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

606 Proclamation of existing roads

[Repealed]

Section 606: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

607 Proclamation of new roads

[Repealed]

Section 607: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

608 Roads not to vest in the Crown

[Repealed]

Section 608: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

609 Maintenance and control of roads

[Repealed]

Section 609: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

610 Effect of freehold order on roads

[Repealed]

Section 610: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

611 Roads laid out on partition or investigation of title

[Repealed]

Section 611: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

612 Dedication of roads by Natives

[Repealed]

Section 612: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

613 Closing of roads

[Repealed]

Section 613: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

614 Warrants as to roads to be gazetted

[Repealed]

Section 614: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Part 24

The laws of the Cook Islands: general provisions

Application of the laws of New Zealand

615 Law of England as in the year 1840 to be in force in the Cook Islands

[Repealed]

Section 615: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

616 Jurisdiction of the High Court

[Repealed]

Section 616: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

617 Common law and equity to be administered concurrently

[Repealed]

Section 617: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

618 Statute law of New Zealand not applicable to Cook Islands

[Repealed]

Section 618: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

619 When enactment in force in Cook Islands, amendments and regulations to be in force also

[Repealed]

Section 619: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

620 Other enactments in force in Cook Islands to be read subject to this Act*[Repealed]*

Section 620: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

621 Criminal procedure in Cook Islands*[Repealed]*

Section 621: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

622 Acts Interpretation Act in force in Cook Islands*[Repealed]*

Section 622: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

623 Administration Act 1908, in force in Cook Islands*[Repealed]*

Section 623: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

624 Arbitration Act in force in Cook Islands*[Repealed]*

Section 624: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

625 Bills of Exchange Act in force in Cook Islands*[Repealed]*

Section 625: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

626 Chattels Transfer Act in force in Cook Islands*[Repealed]*

Section 626: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

627 Copyright Act in force in Cook Islands

- (1) The Copyright Act 1962 shall apply to the Cook Islands in the same manner in all respects as if the Cook Islands were for all purposes part of New Zealand, and the term **New Zealand** as used in that Act shall, both in New Zealand and in the Cook Islands, be construed as including the Cook Islands accordingly.
- (2) *[Repealed]*
- (3) Offences punishable on summary conviction under that Act shall, if committed in the Cook Islands, be punishable by the High Court in the ordinary course of its criminal jurisdiction.

Section 627(1): amended, on 1 April 1963, pursuant to section 68(2)(a) of the Copyright Act 1962 (1962 No 33).

Section 627(2): repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

628 Deaths by Accidents Compensation Act in force in Cook Islands

[Repealed]

Section 628: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

629 Demise of the Crown Act in force in Cook Islands

[Repealed]

Section 629: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

630 Parts of Infants Act in force in Cook Islands

[Repealed]

Section 630: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

631 Marine Insurance Act in force in Cook Islands

[Repealed]

Section 631: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

632 Mercantile Law Act in force in Cook Islands

- (1) The Mercantile Law Act 1908 shall extend to and be in force in the Cook Islands.
- (2) Both in the application of that Act to the Cook Islands and in its application to New Zealand the term **New Zealand** as used in that Act shall be deemed to include the Cook Islands as being part of New Zealand.

633 *[Repealed]*

Section 633: repealed, on 27 November 1970, by section 2(1)(a) of the Cook Islands Amendment Act 1970 (1970 No 56).

634 Partnership Act in force in Cook Islands

[Repealed]

Section 634: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

635 Patents Act, Designs Act, Trade Marks Act, and Merchandise Marks Act in force in Cook Islands

- (1) The Patents Act 1953, the Designs Act 1953, the Trade Marks Act 1953, and the Merchandise Marks Act 1954 shall apply to the Cook Islands in the same manner in all respects as if the Cook Islands were for all purposes part of New

Zealand, and the term **New Zealand** as used in those Acts shall, both in New Zealand and in the Cook Islands, be construed as including the Cook Islands accordingly.

- (2) *[Repealed]*
- (3) Offences punishable on summary conviction under those Acts shall, if committed in the Cook Islands, be punishable by the High Court in the ordinary course of its criminal jurisdiction.
- (4) All patents in force in New Zealand at the commencement of this Act shall extend to and be in force in the Cook Islands in the same manner as in New Zealand.
- (5) All designs and trade marks registered in New Zealand at the commencement of this Act shall have the same protection in the Cook Islands as in New Zealand.

Section 635(1): amended, on 15 July 1955, by section 23(2)(a) of the Merchandise Marks Act 1954 (1954 No 43).

Section 635(1): amended, on 15 July 1955, by section 23(2)(b) of the Merchandise Marks Act 1954 (1954 No 43).

Section 635(2): repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 635(3): amended, on 15 July 1955, by section 23(2)(b) of the Merchandise Marks Act 1954 (1954 No 43).

636 Post Office Act in force in Cook Islands

- (1) The Post Office Act 1959 shall apply to the Cook Islands in the same manner in all respects as if those islands were for all purposes part of New Zealand, subject, however, to the following modifications.
- (2) Every offence against that Act committed in the Cook Islands shall be punishable in those islands by the High Court in the ordinary course of its criminal jurisdiction.
- (3) All powers conferred upon a District Court Judge by that Act may be exercised in the Cook Islands by the High Court.
- (4) The term **New Zealand** as used in that Act shall, both in New Zealand and in the Cook Islands, be construed as including the Cook Islands.

Section 636(1): amended, on 1 January 1960, pursuant to section 250(1) of the Post Office Act 1959 (1959 No 30).

Section 636(3): amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

637 Property Law Act in force in Cook Islands

[Repealed]

Section 637: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

638 Sale of Goods Act in force in Cook Islands

[Repealed]

Section 638: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

639 Trustee Act in force in Cook Islands

[Repealed]

Section 639: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

640 Wills Act Amendment Act 1852 in force in Cook Islands

[Repealed]

Section 640: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

640A Merchant Shipping Act (UK) not to apply to Cook Islands

[Repealed]

Section 640A: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

641 Limitation of actions

- (1) The law of the Cook Islands as to prescription and the limitation of actions shall be the same as that which is in force for the time being in New Zealand.
- (2) For the purposes of the law as to prescription and the limitation of actions New Zealand shall in the Cook Islands be deemed to be parts beyond the seas, and the Cook Islands shall in New Zealand be deemed to be parts beyond the seas.
- (3) No right, title, estate, or interest in Native land shall be acquired or lost by prescription or limitation.
- (4) For the purposes of the law of prescription and the limitation of actions no account shall be taken of time which has elapsed before the commencement of this Act.

Miscellaneous rules of law

642 Legal status of married women

[Repealed]

Section 642: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

643 Joint liability

[Repealed]

Section 643: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

644 Contracts of guarantee*[Repealed]*

Section 644: repealed, on 23 November 1982, by section 2 of the Cook Islands Amendment Act 1982 (1982 No 65).

645 Contracts by Natives*[Repealed]*

Section 645: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

646 Securities given by Natives*[Repealed]*

Section 646: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

647 Employer's liability*[Repealed]*

Section 647: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

648 Liability of owners of dogs*[Repealed]*

Section 648: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

649 Distress for rent abolished*[Repealed]*

Section 649: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

650 Calendar of the Cook Islands*[Repealed]*

Section 650: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

651 Time of day in Cook Islands*[Repealed]*

Section 651: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

652 Statutory references to time*[Repealed]*

Section 652: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

653 Statutory declarations

- (1) Any Judge or Registrar of the High Court or of the Land Court or any Judge of the Land Appellate Court, or the High Commissioner, or any Resident Agent, Collector of Customs, Medical Officer, Commissioner of the High Court, or Solicitor of the High Court, may in the Cook Islands take and receive in any matter the declaration of any person voluntarily making the same before him in the form in Schedule 2.
- (2) If any declaration so made is false in any material particular, the person wilfully making such false declaration shall be guilty of an offence punishable by imprisonment for 2 years.
- (3) Any declaration made in the Cook Islands under and in accordance with this section shall be deemed to be a statutory declaration within the meaning of that term as used in any enactment in force in the Cook Islands or in New Zealand.

Section 653: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Section 653(1): amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 653(1): amended, on 17 November 1964, pursuant to section 57(4) of the Cook Islands Amendment Act 1964 (1964 No 70).

Section 653(1): amended, on 12 October 1946, by section 53 of the Cook Islands Amendment Act 1946 (1946 No 30).

653A Execution of documents in Cook Islands for use in New Zealand

Where in any enactment (whether in force in the Cook Islands or not) it is provided that any document executed outside New Zealand shall be admissible in New Zealand before any Court or any person acting judicially or be accepted for registration or deposit in New Zealand if the execution thereof is witnessed by a notary public, Commonwealth representative, Consular officer, or overseas representative of the Government of New Zealand, or any person holding any other specified office, it shall be a sufficient compliance with that provision, in the case of a document executed in the Cook Islands, if the execution is witnessed by the High Commissioner or by a Judge, or Commissioner, or a Registrar of the High Court.

Section 653A: inserted, on 26 October 1967, by section 5 of the Cook Islands Amendment Act 1967 (1967 No 23).

654 Taxes on Native land

[Repealed]

Section 654: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

655 Bankruptcy

- (1) Bankruptcy in New Zealand shall have the same effect in respect to property situated in the Cook Islands as if that property was situated in New Zealand.

- (2) Nothing in this section shall apply to the interest of a Native or descendant of a Native in Native land or to the interest of any person in customary land.

Section 655(2): amended, on 1 December 1950, by section 11(3) of the Cook Islands Amendment Act 1950 (1950 No 92).

656 Warrants of arrest

[Repealed]

Section 656: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

657 Trespass *ab initio*

[Repealed]

Section 657: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Oath of Allegiance and Judicial Oath

657A Certain officers to take Oath of Allegiance and Judicial Oath

- (1) The oath in this section referred to as the Oath of Allegiance shall be in the form following, that is to say:

“I, , swear that I will be faithful and bear true allegiance to Her [*or His*] Majesty [*Specify the name of the reigning Sovereign, as thus: Queen Elizabeth the Second*], Her [*or His*] heirs and successors, according to law. So help me God.”

- (2) The oath in this section referred to as the Judicial Oath shall be in the form following, that is to say:

“I, , swear that I will well and truly serve Her [*or His*] Majesty [*Specify as above*], Her [*or His*] heirs and successors, according to law, in the office of ; and I will do right to all manner of people after the laws and usages of the Cook Islands, without fear or favour, affection or ill will. So help me God.”

- (3) Every person required to take the Oath of Allegiance and the Judicial Oath shall be entitled as of right to make his affirmation, instead of taking an oath.
- (4) Every such affirmation shall be as follows: “I, , sincerely promise and affirm”, and shall then proceed with the words of the oaths prescribed by subsections (1) and (2), omitting any words of imprecation or calling to witness.
- (5) The Oath of Allegiance and the Judicial Oath shall be taken by each of the following officers (being persons appointed to those offices after the commencement of this section) as soon as may be after his acceptance of office:

(a) *[Repealed]*

(b) *[Repealed]*

(c) *[Repealed]*

(d) *[Repealed]*

(e) *[Repealed]*

- (f) *[Repealed]*
 - (g) *[Repealed]*
 - (h) *[Repealed]*
 - (i) every person holding an office by virtue of which he is a District Court Judge within the meaning of section 278:
 - (j) sheriffs.
- (6) The oaths to be taken under this section may be taken either in the Cook Islands or in New Zealand, and shall be taken before the following persons in such manner as the person administering the oath sees fit to adopt:
- (a) *[Repealed]*
 - (b) *[Repealed]*
 - (c) *[Repealed]*
 - (d) In the case of any District Court Judge within the meaning of section 278 or of any Sheriff, before the Chief Judge or any other Judge of the High Court or the High Commissioner, or before any other person specified by the High Commissioner in any particular case.
 - (e) substituted by s 3(1) of the Cook Islands Amendment Act 1965, and repealed by s 2(1) of the Cook Islands Amendment Act 1966.
- (7) If any person mentioned in subsection (5) declines or neglects, when the oaths required to be taken by him under this section are duly tendered, to take those oaths, he shall if he has already entered on his office vacate the same, and if he has not entered on the same be disqualified from entering on the same; but no person shall be compelled in respect of the same appointment to the same office to take any oath more than once:

provided that no proceedings before any such person may be questioned in any Court solely on the ground that that person has failed to take the oaths prescribed by this section.

Section 657A: inserted, on 25 October 1957, by section 94 of the Cook Islands Amendment Act 1957 (1957 No 103).

Section 657A: amended, on 1 April 1980, pursuant to section 18 of the District Courts Amendment Act 1979 (1979 No 125).

Section 657A(5)(a) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(b): repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 657A(5)(c) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(d) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(e) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(f) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(g) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(5)(h): repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 657A(6)(a): repealed, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 657A(6)(b) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(6)(c) repealed, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Section 657A(6)(d): replaced, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Section 657A(6)(e) inserted, on 7 June 1965, by section 3(1) of the Cook Islands Amendment Act 1965 (1965 No 1).

Repeals and validation

658 Repeal of all existing laws of the Cook Islands

[Repealed]

Section 658: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

659 Enactments specifically repealed

[Repealed]

Section 659: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

660 Validation of Ordinances

[Repealed]

Section 660: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Schedule 1

Boundary lines enclosing the Cook Islands

s 2

A line commencing at a point at the intersection of the 23rd degree of south latitude and the 156th degree of longitude west of Greenwich, and proceeding due north to the point of intersection of the 8th degree of south latitude and the 156th degree of longitude west of Greenwich; thence due west to the point of intersection of the 8th degree of south latitude and the 167th degree of longitude west of Greenwich; thence due south to the point of intersection of the 17th degree of south latitude and the 167th degree of longitude west of Greenwich; thence due west to the point of intersection of the 17th degree of south latitude and the 170th degree of longitude west of Greenwich; thence due south to the point of intersection of the 23rd degree of south latitude and the 170th degree of longitude west of Greenwich; and thence due east to the starting point at the intersection of the 23rd degree of south latitude and the 156th degree of longitude west of Greenwich.

Schedule 2

Form of declaration

s 653

I, A B [*insert place of abode and occupation or description*], do solemnly and sincerely declare that [*insert facts*]. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the Parliament of New Zealand entitled the Cook Islands Act 1915.

Declared at in the Cook Islands this day of 19 before me—

C D,

Judge of the High Court of the Cook Islands [*or High Commissioner of the Cook Islands, Collector of Customs, Medical Officer of the Cook Islands, Solicitor of the High Court of New Zealand, or otherwise as the case may be*].

Schedule 2: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

Schedule 2: amended, on 1 January 1967, by section 2(1) of the Cook Islands Amendment Act 1966 (1966 No 39).

Schedule 3

Enactments repealed

[Repealed]

s 659

Schedule 3: repealed, on 20 September 2007, by section 5 of the Cook Islands Amendment Act 2007 (2007 No 49).

Consolidation notes

1 General

This is a consolidation of the Cook Islands Act 1915 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 About this consolidation

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

3 Amendments incorporated in this consolidation

Secondary Legislation Act 2021 (2021 No 7): section 3

Senior Courts Act 2016 (2016 No 48): section 183(b)

Criminal Procedure Act 2011 (2011 No 81): section 413

Cook Islands Amendment Act 2007 (2007 No 49)