

**2007-09-20**  
**Cook Islands Amendment Act 1921**

Public Act    1921 No 14  
Date of assent    5 December 1921

Cook Islands Amendment Act 1921: repealed, on 20 September 2007, by section 7(1) of the Cook Islands Amendment Act 2007 (2007 No 49).

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**An Act to amend the Cook Islands Act 1915**

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

**1    Short Title**

This Act may be cited as the Cook Islands Amendment Act 1921, and shall be read together with and deemed part of the

Cook Islands Act 1915 (hereinafter referred to as the principal Act).

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3

Section 2 was repealed, as from 1 April 1959, by section 96(1) Cook Islands Amendment Act 1957 (1957 No 103). *See* regulation 2 Cook Islands Amendment Act Commencement Order 1959 (SR 1959/62).

4

Section 4 was repealed, as from 27 November 1970, by section 2(1)(b) Cook Islands Amendment Act 1970 (1970 No 56).

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Section 5 was repealed, as from 27 November 1970, by section 2(1)(b) Cook Islands Amendment Act 1970 (1970 No 56).

6

Section 6 was repealed, as from 27 November 1970, by section 2(1)(b) Cook Islands Amendment Act 1970 (1970 No 56).

7

Section 7 was repealed, as from 27 November 1970, by section 2(2)(a) Cook Islands Amendment Act 1970 (1970 No 56).

**8 Adoption by Native custom before 1 April 1916 by parent dying before 5 December 1921**

In any case where, prior to the date of the coming into operation of the principal Act, any child was adopted by Native custom and since that date and before the passing of this Act the adopting parent has died, such adoption shall, notwithstanding anything to the contrary in the principal Act, for all purposes have the same operation and effect as that which is attributed by Native custom to adoption by Native custom.

**9 Order of adoption where child already adopted by Native custom before 5 December 1921**

- (1) Notwithstanding anything in Part 15 of the principal Act, the Land Court, on application made to it by the adopting parent at any time within 2 years from the passing of this Act, may, if it thinks fit, make an order for the adoption of a child by a Native in any case where the Court is satisfied that such child was adopted by Native custom at any time prior to the passing of this Act.

- (2) Nothing in paragraphs (a) and (b) of section 461 of the principal Act shall apply in the case of an application for an order under this section.
- (3) An order of adoption may be made under this section notwithstanding that the person in respect of whom it is made is then over the age of 21 years.
- (4) Every order duly made under this section shall for all purposes have the same force and effect as an order of adoption lawfully made under Part 15 of the principal Act, and the person named therein as the adopted child shall be deemed to have been lawfully adopted as from the date of his adoption by Native custom, or, where that date has not been proved to the satisfaction of the Court, from such date as may be specified in the order.
- (5) Section 464 of the principal Act shall apply to every adoption under this section.

In subsection (1) the words “the Land Court” were substituted, as from 4 August 1965, for the words “the Native Land Court” pursuant to section 57(4) Cook Islands Amendment Act 1964 (1964 No 70). See regulation 2 Cook Islands Constitution Act Commencement Order 1965 (SR 1965/128).

## **10 Grounds of divorce and jurisdiction of High Court**

- (1) Any married person (hereinafter called the petitioner) who, at the time of the institution of the suit, has been domiciled in the Cook Islands for not less than 2 years may take proceedings in the High Court for the dissolution of his or her marriage with the other party to the marriage (hereinafter called the respondent) on any ground that is for the time being a ground for the dissolution of a marriage in New Zealand.
- (1A) For the purposes of subsection (1) of this section, a domicile in Niue at any time before the commencement of the Niue Act 1966 shall be deemed to be a domicile in the Cook Islands.
- (2) Section 527 and section 530 of the principal Act are hereby repealed.

Subsection (1A) was inserted, as from 1 January 1967, by section 2(2) Cook Islands Amendment Act 1966 (1966 No 39).

**11**

**12**

Section 11 was repealed by section 16(1)(b) Cook Islands Amendment Act 1961 (1961 No 15). See regulation 2 Cook Islands Amendment Act Commencement

Order 1964 (SR 1964/24) as to that Act coming into force in the Cook Islands as from 1 March 1964.

**13**

Section 13 was repealed, as from 27 November 1970, by section 2(1)(b) Cook Islands Amendment Act 1970 (1970 No 56).

**14**

Section 14 was repealed, as from 26 October 1967, by section 6(a) Cook Islands Amendment Act 1967 (1967 No 23).

**15 Sale of island products on behalf of planters**

Provision may be made by enactment for the making of agreements between the Minister responsible for agriculture and any planters in the Cook Islands for sale by that Minister on behalf of those planters of copra and other products of the Cook Islands, and for the carrying out and enforcing of such agreements.

The original section was substituted, as from 7 June 1965, by section 3(2) Cook Islands Amendment Act 1965 (1965 No 1).

This section was further substituted, as from 1 January 1967, by section 2(2) Cook Islands Amendment Act 1966 (1966 No 39).

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**Notes****1 General**

This is an eprint of the Cook Islands Amendment Act 1921. It incorporates all the amendments to the Cook Islands Amendment Act 1921 as at 20 September 2007. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

**2 About this eprint**

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

**3 List of amendments incorporated in this eprint (most recent first)**

Cook Islands Amendment Act 2007 (2007 No 49): section7(1)

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