

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
4th October, 1904*

Hon. Mr. Mills.

**COOK AND OTHER ISLANDS GOVERNMENT ACT
AMENDMENT.**

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Principal Act made permanent.</p> <p>3. Regulation of reserves for pearl-shell, &c., fisheries.</p> | <p>4. Arikis' Courts abolished on appointment of Resident Agent.</p> <p>5. Constitution of Island Councils.</p> |
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A BILL INTITULED

AN ACT to amend "The Cook and other Islands Government Act, 1901." Title.

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

1. The Short Title of this Act is "The Cook and other Islands Government Act Amendment Act, 1904"; and it shall form part of and be read together with "The Cook and other Islands Government Act, 1901" (hereinafter referred to as "the principal Act"). Short Title.

2. Section seven of "The Cook and other Islands Government Act Amendment Act, 1902" (limiting the duration of the principal Act), is hereby repealed, and the principal Act shall continue in force and be deemed to have continued in force as if such limit had not been imposed. Principal Act made permanent.

3. With respect to any Crown lands proclaimed under section fifteen of the principal Act as a reserve for public pearl-shell fishing or public turtle fishing the following provisions shall apply:— Regulation of reserves for pearl-shell, &c., fisheries.

(a.) The persons administering the reserve may from time to time make regulations—

(i.) Regulating the use of diving-machines, and prescribing the conditions under which licenses may be granted for the use of such machines;

(ii.) Fixing a close season, during which it shall not be lawful to fish for pearl-shell or for turtle over the reserve;

(iii.) Prohibiting fishing for pearl-shell or for turtle by any person other than the holder of a license granted by or under the authority of the persons administering the reserve;

(iv.) Prescribing the form of such licenses, and the conditions under which they are issued ;

(v.) Fixing the several license fees payable on any such license by aboriginal natives and by other persons :
 Provided that no license fee shall be payable by any aboriginal native of the island wherein the reserve is situate ; 5

(vi.) Providing for the cancellation of any such license for the breach of any such regulation.

(b.) Such regulations may impose a fine not exceeding *five* 10 pounds in respect of any breach thereof.

(c.) Such regulations shall not come into operation until approved by the Governor, and when so approved shall be published in the *Cook Islands Gazette*.

Arikis' Courts
abolished on
appointment of
Resident Agent.

4. (1.) On and after the *thirty-first* day of March, one thousand nine hundred and *five*, the Arikis' Courts in any of the said islands to which a European Resident Agent has been appointed by the Governor shall be abolished. 15

(2.) The jurisdiction and powers of the Arikis' Courts or a Judge thereof in any such island shall thereafter be exercised by such Resident Agent therein. 20

(3.) All references in any Ordinances of the said islands to the Arikis' Court or a Judge thereof shall in any such island be deemed to be references to such Resident Agent therein.

(4.) The foregoing provisions shall, on and after a date to be fixed by the Governor, apply to any of the said islands to which a European Resident Agent is appointed after the coming into operation thereof. 25

Constitution of
Island Councils.

5. (1.) On and after the *thirty-first* day of March, one thousand nine hundred and *five*, each of the existing Island Councils shall consist of nine members, and shall be constituted as follows :— 30

(a.) The Resident Agent shall be *ex officio* a member and President thereof ;

(b.) The Arikis of the island shall be *ex officio* members thereof.

(c.) The remaining members shall be elected by the adult Natives of the island for a term not exceeding three years. 35

(2.) This section shall not apply to the Island of Niue.