

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Tuesday, the 20th Day of September 1966

COOK ISLANDS AMENDMENT BILL

Proposed Amendments

Hon. Mr HANAN, in Committee, to move the following amendments:

New Clauses

To insert, after *clause 2*, the following clauses:

2A. Further amendments and repeals consequential on provisions of Cook Islands legislation—(1) Section 76 of the Cook Islands Amendment Act 1957 is hereby amended by repealing the definitions of the terms “Cook Islands Public Service” and “employee”, and substituting the following definitions:

“‘Cook Islands Public Service’ means the Cook Islands Public Service constituted by Article 72 of the Constitution:

“‘Employee’, in relation to the Cook Islands Public Service, means a person who is an employee of that Service under the law for the time being in force in the Cook Islands:”.

(2) The following enactments are hereby repealed:

(a) Sections 77, 78, 79, 80, 81, 82, 83A, 84, and 84A of the Cook Islands Amendment Act 1957:

(b) Section 17 of the Cook Islands Amendment Act 1962:

(c) Section 55 of the Cook Islands Amendment Act 1964:

(d) So much of the Second Schedule to the Cook Islands Amendment Act 1965 as relates to the following provisions of the Cook Islands Amendment Act 1957:

(i) The definition of the term “Cook Islands Public Service” in section 76:

(ii) Sections 77, 78, 80, 81, 82, and 83A.

2B. Security for housing advances—Section 8 of the Cook Islands Amendment Act 1960 is hereby amended by omitting from the proviso to subsection (1) the words “two hundred pounds”, and substituting the words “four hundred pounds”.

Second Schedule: By omitting so much thereof as relates to the definition of the term "Cook Islands Public Service" in section 76 of the Cook Islands Amendment Act 1957.

By omitting so much thereof as relates to sections 77, 78, 80, 81, 82, and 83A of the Cook Islands Amendment Act 1957.

Third Schedule: To add to Part II the following words:

1966, No. 16—The Republic of Malawi Act 1966: Subsection (2) of section 3.

1966, No. 25—The International Finance Agreements Amendment Act 1966: Subsection (2) of section 5.

EXPLANATORY NOTE

Clause 2A, subclause (1): The new definition of "Cook Islands Public Service" and "employee" are consequential on the provisions of the Public Service Act 1965 of the Legislative Assembly of the Cook Islands, which now defines those terms for the purposes of the law of the Cook Islands.

Clause 2A, subclause (2): The above-mentioned Act provides that sections 77, 78, 79, 80, 81, 82, and 83A of the Cook Islands Amendment Act 1957 no longer form part of the law of the Cook Islands, and the effect of the Civil List Ordinance Amendment Act 1965 is that section 84A also is no longer in force in the Cook Islands.

These sections may now be considered as spent in New Zealand, and this clause formally repeals them and consequentially repeals later amending sections.

Clause 2B: Section 8 (1) of the Cook Islands Amendment Act 1960 empowers the Housing Improvement Board to make advances for housing purposes, and the Board has a discretion to make an advance not exceeding two hundred pounds without security.

In the exercise of its legislative powers under the Constitution, the Legislative Assembly of the Cook Islands has amended this provision, in relation to the Cook Islands, by increasing this amount to four hundred pounds.

This amendment is a formal one only, making the same amendment in section 8 (1) of the Act.

Second Schedule: The omissions proposed to be made are consequential on the proposed new *clause 2A*. The items proposed to be omitted amend sections of the Cook Islands Amendment Act 1957 which are now to be repealed by that clause.

Third Schedule: These further repeals are consequential on the proposed amendment to the Niue Bill adding the Republic of Malawi Act 1966 and sections 3 (3) and 4 (6) of the International Finance Agreements Amendment Act 1966 to the list of enactments that are reserved enactments in Niue.

The Bill as introduced was requested and consented to by the Government of the Cook Islands in accordance with Article 46 of the Constitution of the Cook Islands. The amendments proposed in this Supplementary Order Paper have also been referred to the Government of the Cook Islands and have been requested and consented to in accordance with that Article.
