

Serial Number 1946/32



**THE COOK ISLANDS FRUIT CONTROL REGULATIONS 1937,
AMENDMENT NO. 2**

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 20th day of
March, 1946

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL

PURSUANT to the Cook Islands Act, 1915, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Cook Islands Fruit Control Regulations 1937, Amendment No. 2.

(2) These regulations shall be read together with and deemed part of the Cook Islands Fruit Control Regulations 1937* (hereinafter referred to as the principal regulations).

(3) These regulations shall not be in force in the Island of Niue.

2. Regulation 6 of the principal regulations is amended by inserting in paragraph (f), immediately after the words "fruit disposed of", the following words: "the way in which the fruit is packed or loosely delivered when taken delivery of by the Minister in the Cook Islands".

3. The said Regulation 6 is further amended by inserting, next following paragraph (h) thereof, the following additional paragraph:—

"(ha) In establishment of the Surplus Fruit Accounts referred to in Regulation 8A hereof."

4. The principal regulations are amended by inserting, next after Regulation 8 thereof, the following additional regulation:—

"REGULATION 8A.—SURPLUS FRUIT ACCOUNTS

"(1) In respect of any island from which fruit is exported that has been loosely packed or not packed when taken delivery of by the Minister and from which cases have been exported of fruit the proceeds of which cannot be identified as supplied by any specific owner for purposes of distribution under paragraph (f) of Regulation 6 hereof

* Statutory Regulations 1936-7, Serial number 1937/136, page 489.

Amendment No. 1: Statutory Regulations 1940, Serial number 1940/145, page 503.

of moneys received in respect of the sale of such fruit the Minister may pay to an account to be known as 'The [*Name of island*] Surplus Fruit Account' any sum so received which would otherwise be distributed to owners under the said paragraph (f) or may pay the same to an account theretofore established for that island under clause (2) of this regulation.

"(2) In respect of any island from which fruit is exported which has been loosely packed or not packed when taken delivery of by the Minister and for which a distribution under paragraph (f) of Regulation 6 hereof has been made at a rate excluding fractions of a penny per case, such fractions having been included in similar distributions for fruit case-packed for export, the Minister may pay to an account to be known as 'The [*Name of island*] Surplus Fruit Account' any amount representing such excluded fractions or may pay the same to an account theretofore established for that island under clause (1) of this regulation.

"(3) The moneys of the Rarotonga Surplus Fruit Account may be expended at any time on such purposes of general benefit to growers or owners of fruit in Rarotonga or of public benefit to Rarotonga as may be agreed upon unanimously by the Cook Islands Fruit Advisory Committee.

"(4) The moneys of the Surplus Fruit Account of any island other than Rarotonga may be expended at any time on such purposes of general benefit to growers or owners of fruit on that island or of public benefit to that island as may be agreed upon unanimously by the Resident Agent thereof and two Maori representatives, being registered growers resident in the island, elected from time to time for that purpose by the Maori registered growers resident in the island in such manner as the Resident Agent may prescribe.

"(5) Every Surplus Fruit Account shall be kept in the Cook Islands Treasury and may be invested by deposit in the Post Office Savings-bank, and clauses (1), (2), and (3) of Regulation 9 hereof shall apply thereto."

W. O. HARVEY,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 4th day of April, 1946.

These regulations are administered in the Department of Island Territories.