

Cook Islands Native Companies Regulations, 1923.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of September, 1923.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority conferred on him by section fifty-three of the Cook Islands Act, 1915, to make all such regulations as he thinks necessary for the peace, order, or good government of the Cook Islands, and of every other power and authority enabling him in that behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations with respect to Native companies; and, with the like advice and consent, doth declare that the regulations hereby made shall come into operation on the first day of October, one thousand nine hundred and twenty-three.

REGULATIONS.

1. THESE regulations may be cited as the Cook Islands Native Companies Regulations, 1923.

2. In these regulations, unless a different intention appears,—

“Directors” means and includes all persons by whatsoever name called having the general control or management of the business or affairs of a Native company :

“Manager” means and includes any officer of a Native company, however designated, having the management of the business or affairs of a Native company, whether under the control of directors or not; but does not include a person who is merely secretary :

“Member” means any person who is directly a member of a Native company, or who, through any other member, may have any liability or receive any benefit from the operations of such Native company :

“Native company” or “company” means a company, association, or partnership (whether incorporated or not) consisting of ten or more members five of whom at least are Natives :

“Registrar” means the Registrar of Native Companies under these regulations, and includes an Assistant Registrar.

3. (1.) No Native company shall be formed for the purpose of carrying on any business, or shall continue to carry on business, that has for its object the acquisition of gain by the company, or by the individual members thereof, unless it is registered as a Native company under these regulations.

(2.) Failure to so register shall be an offence on the part of every member of such company, and shall be punishable by a fine not exceeding £50.

(3.) Notwithstanding registration under these regulations, the members of any Native company not registered under the Companies Act, 1908, or formed in pursuance of some Act of the Imperial Parliament or of the General Assembly of New Zealand, or by Royal Charter, or Letters Patent, shall remain jointly and severally liable for the whole of the debts of such Native company.

4. The Resident Commissioner may from time to time—

- (a.) Appoint a Registrar of Native Companies ;
- (b.) Determine the place or places at which offices for the registration of Native companies are to be established ;
- (c.) Appoint Assistant Registrars as he thinks fit ;
- (d.) Appoint such officers and clerks as he thinks necessary for the registration of Native companies under these regulations ;
- (e.) Make such rules and regulations as he thinks fit prescribing the duties and powers of a Registrar, Assistant Registrar, officers, and clerks as aforesaid ;
- (f.) Direct a seal or seals to be prepared for the authentication of any document required for or in connection with the registration of any Native company.

5. The Registrar shall keep at each office for the registration of Native companies a register, in which there shall be recorded all matters required by these regulations to be recorded.