

Cook Islands Roman Catholic Lands Order, 1935.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 12th day of July, 1935.

Present :

THE HON. SIR ALFRED RANSOM PRESIDING IN COUNCIL.

WHEREAS the lands described in the first column of the Schedule hereto are lands in the Cook Islands belonging to the Roman Catholic Mission of the Cook Islands :

And whereas such lands have been acquired in the several names respectively appearing in the second column of the said Schedule opposite to the descriptions of the said several lands contained in the first column of the said Schedule :

And whereas it is expedient that all such lands shall be vested in the Roman Catholic Administrator for the time being of the Roman Catholic District of the Cook Islands as a corporation sole, and that the said corporation sole shall have power to acquire other lands hereafter :

Now, therefore, 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, and in pursuance and exercise of the powers conferred upon him by the Cook Islands Act, 1915, and of all other powers and authorities enabling him in that behalf, doth hereby order as follows :—

1. These regulations may be cited as the Cook Islands Roman Catholic Lands Order, 1935, and they shall come into force on the date of the publication hereof in the *New Zealand Gazette*.

2. These regulations shall not apply to the Island of Niue.

3. For the purposes of this Order—

“Roman Catholic District of the Cook Islands” shall mean, as the case may require, the Diocese, Vicariate Apostolic, Prefecture Apostolic, or other like administrative territorial division of the Roman Catholic Church which comprises the Cook Islands, or the Cook Islands other than Niue, and whether or not it includes also any other territory :

“Roman Catholic Administrator” shall mean the Bishop, the Vicar Apostolic, the Prefect Apostolic, or any other ecclesiastic who shall for the time being have control of and be charged with the administration of the Roman Catholic District of the Cook Islands :

“Land” shall include all estates and interests, whether freehold or chattel, in real property.

4. The Roman Catholic Administrator is hereby constituted a corporation sole, under the name of the Roman Catholic Administrator, with perpetual succession, and an official seal, for the purpose of acquiring and holding land, and with power to sell, mortgage, lease, exchange, grant easements over or other rights in or otherwise alienate any land or interest therein as fully as a person beneficially entitled might do.

5. The appointment of the Roman Catholic Administrator, and his official seal, and the signature of the person for the time being holding the office of Roman Catholic Administrator, shall be judicially taken notice of without further proof.

6. Where the Roman Catholic Administrator is authorized to enter into any contract or exercise any power, such authority may be exercised as follows :—

Any contract which if made between private persons, or any power which if exercised by private persons,—

Firstly, must be by deed or in writing under seal :

Secondly, must be in writing signed by the parties thereto or the persons executing the power :

Thirdly, may be made or exercised verbally, without writing :