

IN THE HIGH COURT OF THE COOK ISLANDS  
HELD AT RAROTONGA  
(CIVIL DIVISION)

No. 29/99

IN THE MATTER of the Declaratory  
Judgments Act 1994

AND

IN THE MATTER of Sections 106A and  
106B of the Electoral  
Act 1998 (as inserted  
by Section 7 of the  
Electoral Amendment  
Act 1999)

BETWEEN

TEREPAI MAOATE of  
Rarotonga, Leader of  
the Democratic Alliance  
Party

Applicant

AND

THE ATTORNEY GENERAL

Respondent

SUPPLEMENTARY JUDGMENT OF QUILLIAM C.J.

Since the delivery of the Judgment in this case I have been informed by counsel that the order made has implications which were not anticipated in respect of s. 106D of the Electoral Amendment Act 1999.

I do not have a copy of the Amendment and have seen only those sections referred to by counsel. I was therefore unaware of any wider implications than those referred to in the submissions received.

Counsel are agreed that the order made should now be varied by deleting the reference in it to s. 106 A, and, in any event, such an amendment to it would appear to come within the "slip rule".

Accordingly there will be a supplementary order deleting from the Judgment the declaration that s. 106A is invalid and unenforceable. The Judgment and order will remain in other respects unchanged.

*Quilliam C.J.*  
29/4/99 (NZ)