



ANALYSIS.

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1966, No.4

An Act to provide for the establishment of a house of ariki and for the rights, powers, functions and duties of the house and the members thereof

WHEREAS by the Constitution of the Cook Islands as set forth in the Second Schedule to the Cook Islands Constitution Amendment Act 1965 provision is made for a House of Ariki of the Cook Islands and whereas by the Constitution certain provisions relating to the establishment of the House were left to be prescribed by law and whereas it is now desired to complete the establishment of the House of Ariki and to enact the provisions necessary for that purpose.

BE IT ENACTED THEREFORE by the Legislative Assembly of the Cook Islands in session, assembled and by the authority of the same, as follows:

1. Short Title and Commencement - (1) This Act may be cited as the House of Ariki Act 1966.

(2) This Act shall be deemed to have come into force on the first day of January 1966.

2. Interpretation

"Ariki" means a person who has been invested with the title rank or office of Ariki in accordance with ancient custom prevailing in each of the Cook Islands or in a group of two or more of the Cook Islands and shall include in the case of an Ariki who is under eighteen years of age such person appointed by the family of the Ariki to be trustee for such Ariki while under eighteen years of age provided where there are more Ariki than one on any Island or group of Islands represented in the House of Ariki the trustee shall have been approved also by the remaining Ariki or Ariki and if there are more than two by a majority of the remaining Ariki:

"Constitution" means the Constitution of the Cook Islands as contained in the Second Schedule to the Cook Islands Constitution Amendment Act 1965 together with any amendments to such Constitution:

"Executive Council" means the Executive Council of the Cook Islands pursuant to the Constitution:

"High Court" means the High Court of the Cook Islands pursuant to the Constitution:

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- "House" means the House of Arikis and "House of Arikis" means the House of Arikis provided by the Constitution;
- "Imprisonment" includes the detention of a person by lawful authority whether called imprisonment or not;
- "Land Court" means the Land Court of the Cook Islands pursuant to the Constitution;
- "Legislative Assembly" means the Legislative Assembly of the Cook Islands;
- "Member" means a member of the House;
- "Minister" means a member of the Cabinet of the Cook Islands pursuant to the Constitution;
- "Premier" means the Premier of the Cook Islands pursuant to the Constitution.

3. Establishment of the house of arikis - Subject to the provisions of the Constitution the establishment, rights, powers, functions and duties of the House of Arikis and of the members and officers thereof shall be as set forth in this Act.

4. Composition of the house of arikis - (1) The House shall comprise the following members:-

- (a) One Ariki representing the Island of Aitutaki and the Island of Manuae;
- (b) One Ariki representing the Island of Atiu;
- (c) One Ariki representing the Island of Mangaia;
- (d) One Ariki representing the Island of Manihiki and one representing the Island of Rakahanga provided that if at any time either of such islands shall not be represented in the House then the Ariki representing the other island in the House shall represent both islands until an Ariki is appointed from and to represent the island for the time being not represented;
- (e) One Ariki representing the Island of Mauke;
- (f) One Ariki representing the Island of Mitiaro;
- (g) One Ariki representing the Island of Penrhyn;
- (h) One Ariki representing the Island of Pukapuka and the Island of Nassau;
- (i) Six Arikis representing the Island of Rarotonga and the Island of Palmerston.

(2) The members of the House shall be appointed by the High Commissioner. In each case the member appointed shall be an Ariki of the island or group of islands he is to represent.

(3) If there is for the time being only one Ariki for any of the island or group of islands specified in paragraph (a) to (h) inclusive of subsection one of this section that ariki shall be appointed to be a member of the House as representing that island or group, but if there are two or more arikis for any such island or group the High Commissioner shall appoint the Ariki for that island or group who is nominated for appointment as provided in subsection five of this section.

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(4) If there are for the time being not more than six Arikis for the group of islands comprising Rarotonga and Palmerston those arikis shall be appointed to be members of the House as representing that group; but if there are more than six the High Commissioner shall appoint the arikis for that group who are nominated for appointment as provided in subsection five of this section.

(5) In any case where there are more Arikis on any island or group of islands than the number required to represent that island or group in the House as provided in subsection one of this section the Arikis of that island or group shall nominate the Ariki or Arikis who is or are to represent the island or group in the House subject to the following provisions:-

- (a) The office of Ariki representing the island or group shall rotate so that at the end of each term the Ariki for the time being occupying the office shall retire and his place taken for the following term by one of the remaining Arikis until each ariki on the Island or Group has served a term in the House when the first Ariki shall be nominated again and so on;
- (b) In the event of any Ariki becoming disqualified to be a member or being unable or unwilling to accept nomination to the House at any time the next Ariki entitled to be nominated shall be eligible and the right to be nominated shall rotate accordingly;
- (c) For the purpose of deciding the first nomination to the House the High Commissioner shall fix a time and place for a meeting of Arikis in the island or group concerned and notice of such meeting shall be given to each Ariki of such Island or group of Islands;
- (d) At such meeting the Arikis shall decide on one of their number to be Chairman provided that until a Chairman shall be so appointed the duties of Chairman shall be carried out by the Senior Government representative for the time being on the island on which the meeting is held;
- (e) Each Ariki at such meeting including the Chairman if an Ariki shall have one vote only. The Senior Government representative shall have no vote. In the event of an equality of votes the decision as to nomination of an Ariki for the House or the order in which the right to nomination shall rotate shall be decided by lot. If for any reason an Ariki shall be unable to be present at such meeting he shall be entitled to authorise in writing including by telegram a representative who according to custom could be elected to such Ariki title to attend and vote on his behalf on any matter forming the business of the meeting.

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The business of the meeting may be dealt with by the Ariki or Arikis present notwithstanding the absence of any Ariki or the representative of any absent Ariki:

- (f) If on any subsequent occasion any question as to nomination or rotation of the right to nomination of an Ariki to the House for any Island or Group shall arise the High Commissioner may of his own motion and shall if so requested by any Ariki of the island or group concerned fix a time and place for a meeting of Arikis of such island or group to consider and decide the matter following the procedure provided in the case of the first meeting where applicable. In all other cases for which no procedure is provided the meeting shall determine its own procedure.

5. Term of membership -

- (1) Membership of the House shall be one year commencing on the 1st day of July in each year and expiring on the 30th day of June in the following year.
- (2) If for any reason a successor to any member shall not have been appointed by the first day of January in any year the member in office shall continue in office until a successor shall have been appointed.

(3) If for any reason a member shall cease to be a member of the House during his term of office the vacancy shall be filled in the same manner as an appointment to that office and the appointee shall hold office for the unexpired portion of the term of office of his predecessor and in the case of any nominations and appointments pursuant to subsection five of section four the appointment of any member for the unexpired portion of a term pursuant to this subsection shall not disqualify such member from appointment for the next ensuing full term or be deemed to have altered the order of rotation if any which might otherwise affect such member.

[Amended Act 1967/10]

6. Qualification for appointment of members of the house of arikis - No person shall be appointed as a member of the House -

- (a) unless he is an Ariki of the age of eighteen years or over and
- (b) if he has at any time been absent from the Cook Islands for three years or more unless he shall have actually resided in the Cook Islands not less than three calendar months immediately prior to his appointment as a member of the House and
- (c) unless his usual place of abode is in the Cook Islands

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- (d) If any of the circumstances to which subsection one of section seven of this Act refers apply or have applied to him unless and until a committee appointed pursuant to paragraph (b) of subsection one of section thirteen of this Act shall have decided that he is qualified to be a member on the grounds:-
- (i) That the circumstances no longer apply or no longer need apply and
 - (ii) That he is fit to be a member and where applicable
 - (iii) That he has purged his disqualification.

7. Disqualification of members of House of Ariki - (1)
 The appointment of any Ariki to the House shall without more be terminated and his seat vacated -

- (a) If he fails to take the Oath of Allegiance under Article 10 of the Constitution, or
- (b) If he dies or for any reason is no longer an Ariki, or
- (c) If he resigns by written notice signed by him delivered to the High Commissioner, or
- (d) If he ceases to have his usual place of abode in the Cook Islands, or
- (e) If without permission of the House given before or after the event he fails to give his attendance at meetings of the House when required, or
- (f) If he takes any oath or makes any declaration or acknowledgment of allegiance or adherence to any foreign state or power, or
- (g) If he does or concurs in or adopts any act whereby he may become a subject or citizen of any foreign state or power or entitled to the rights, privileges or immunities of a subject or citizen of any foreign state or power, or
- (h) If he becomes Bankrupt under any law in force in the Cook Islands and has not been discharged, or
- (i) If he is convicted in the Cook Islands the Dominion of New Zealand or the Commonwealth of Australia of any offence punishable by death or imprisonment for a term of one year or upwards or is convicted of an offence under section seventeen subsection two of this Act or is convicted in the Cook Islands of a corrupt practice in respect of any law for the time being in force relating to elections, or
- (j) If he becomes of unsound mind and is so certified by two Medical Officers or by one Medical Officer and a graduate of the Central Medical School at Suva, Fiji, or
- (k) If with his consent he is nominated as a candidate for election to the Legislative Assembly of the Cook Islands.

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- (2) (a) If circumstances arise such as are referred to in subsection one paragraphs (h) and (i) of this section and if the Ariki concerned has a right of appeal against the decision or conviction (either with leave of the Court or appropriate authority or without such leave) he shall forthwith cease to perform his functions as a member of the House but subject to paragraph (b) of this subsection shall not vacate his seat until the expiration of a period of thirty days or such longer period or periods as shall be fixed by the President of the House from time to time up to but not beyond the term of office of the Ariki concerned;
- (b) If on the determination of any appeal such circumstances continue to exist and no further appeal is available to the Ariki or if by reason of the expiration of any period for entering an appeal or notice thereof or the refusal of leave to appeal or for any other reason it ceases to be open to the Ariki to appeal he shall forthwith vacate his seat;
- (c) If at any time before an Ariki vacates his seat such circumstances as aforesaid cease to exist his seat shall not become vacant on the expiration of the period or periods referred to in subsection two paragraph (a) of this section and he may resume the performance of his functions as a member of the House;
- (d) (i) The Registrar of the Court in the Cook Islands in which any Ariki has been adjudged bankrupt or convicted of any offence or practice referred to in paragraph (i) of subsection one of this section shall within seven clear working days after the adjudication or conviction notify the fact to the President of the House or to the High Commissioner if there is no President or the President is absent from the Cook Islands;
- (ii) Every Registrar who fails to send any notice required by this paragraph commits an offence and shall be liable on conviction in the High Court in the ordinary course of its criminal jurisdiction to a fine not exceeding five pounds for every day he fails to send the notice.

8. Functions of the house of arikis - The House shall have the following functions:-

- (1) It shall consider such matters relative to the welfare of the people of the Cook Islands as may be submitted to it by the Legislative Assembly for its

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consideration, and it shall express its opinion and make recommendations thereon to the Legislative Assembly; and

(2) It may of its own motion make recommendations to the Legislative Assembly upon any question affecting the customs or traditions of the Cook Islands or any of them or of the inhabitants thereof provided that before considering any such motion the President of the House shall invite the Premier or any minister or person the Premier shall appoint to be present and take part in the proceedings as if present pursuant to section ten subsection three of this Act.

(3) Any recommendation to the Legislative Assembly by the House shall be accompanied where applicable by an explanatory note of the reasons for the recommendation and when any recommendation is not a unanimous decision of the members of the House there shall also be added to the explanatory note a concise statement of the reasons of the minority of members of the House opposing the recommendation. If for any reason any explanatory note has not been supplied the President of the House shall supply one when so requested by the Premier.

(4) The House shall not deliberate on any matter or bill or part thereof which concerns the imposition of Taxes or the appropriation or expenditure of the funds or any part thereof of the Government of the Cook Islands unless requested so to do by the Legislative Assembly.

9. Members to take Oath of Allegiance - Except for the purpose of enabling this section to be complied with no member of the House shall be permitted to sit or vote therein until he has taken and subscribed the following oath before the High Commissioner namely:

I,, swear by Almighty God that I will be faithful and bear true allegiance to Her (or His) Majesty (specify the name of the reigning sovereign as thus: Queen Elizabeth the Second) as Head of State of the Cook Islands, Her (or His) heirs and successors according to Law, and that I will justly and faithfully carry out my duties as a member of the House of Arikis of the Cook Islands. So help me God.

10. Attendance of the premier and other persons at House of Arikis - (1) The Premier may at any time attend and address the House.

(2) A Minister or person appointed in that behalf by a Minister may attend the proceedings of the House when any matter for which the Minister is responsible is under consideration by the House.

(3) The President of the House when in his opinion any matter before the House makes it desirable, may

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invite any member of the Legislative Assembly to attend meetings of the House relating to that matter.

(4) A person attending proceedings of the House by virtue of the provisions of subclause two or subsection three of this section shall be entitled to take part in the proceedings of the House relating to the matter for which the member has responsibility or in respect of which he was invited to attend, as the case may be as if he were a member of the House:

Provided that he shall not be entitled to vote in the House or any of its committees.

11. Procedure - (1) The House shall meet at Rarotonga at least once in every period of twelve months.

(2) The House shall meet in session at Rarotonga at such time or times as the Legislative Assembly sit in session provided that if the Legislative Assembly hold more sessions than one in any period of 12 months it shall not be necessary to summon the House on the occasion of each session of the Legislative Assembly so long as the House shall meet at least once during the period of twelve months following the date of the previous meeting.

(3) The House shall meet at such other times and at such places as it shall be summoned by the High Commissioner as provided in subsection four hereof.

(4) All meetings of the House shall be summoned by the High Commissioner acting on the advice of the Premier. The House may be prorogued at any time by the High Commissioner acting on the advice of the Premier by notice published in the Cook Islands Gazette and if at any time the office of Premier shall be vacant the High Commissioner may at his discretion prorogue the House by notice as aforesaid.

(5) The House shall be presided over by one of its members who shall be elected by the members of the House pursuant to the Standing Orders of the House.

(6) Such presiding member shall be called and referred to as the President of the House of Arikis and shall hold office until his term as a member of the House expires or until a new president shall be elected by the members of the House which ever event shall first happen. In the event of the temporary absence of the President at any time the House may appoint a vice president pursuant to Standing Orders of the House to act in the place of President until his return.

(7) No business shall be transacted at any meeting or sitting of the House if the number of members present is less than eight.

(8) Subject to the provisions of the Constitution and to the provisions of this Act the House may from time to time make, amend and repeal Standing Orders for the regulation and orderly conduct of its proceedings and the despatch of business provided that until such time as the House shall make or adopt Standing Orders the Standing Orders set forth in the Schedule to this Act shall be the Standing Orders of the House.

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(9) Subject to the provisions of the Constitution and the provisions of this Act the House shall determine its own procedure.

(10) The House shall not be disqualified for the transaction of business by reason of any vacancy among its members and any proceedings therein shall be valid notwithstanding that some person who was not entitled to do so sat or voted in the House or otherwise took part in the proceedings.

12. Privileges of the House of Arikis and its members - (1) The House, its President, members and officers, persons entitled to speak therein and persons publishing by or under the authority of the House any report, paper, vote or proceeding shall have and be entitled to the same privileges and immunities as are provided by Article 36 of the Constitution for the Legislative Assembly, its Speaker, members and officers, persons entitled to speak therein, and persons publishing by or under the authority of the Legislative Assembly any report, paper, vote or proceeding provided that reference to the Speaker of the Legislative Assembly where it occurs in Article 36 of the Constitution shall be read as and deemed to be reference to the President of the House.

(2) The validity of any proceedings in the House or in any Committee thereof shall not be questioned in any Court.

13. Appointment of Committee to hear disputed questions as to Arikis or Members of the House of Arikis - (1) Should there be at any time any question as to whether an Arikis is qualified to be a member of the House or has become disqualified from being a member the question shall be referred for decision to a committee consisting of the Chief Judge of the Land Court and four assessors appointed by the Executive Council an Arikis may be an assessor but shall not be so appointed if a member of the House in any case where the question is whether the appointment of a member is terminated and his seat vacated pursuant to any of the provisions of Section seven of this Act.

(2) The Committee appointed under the preceding subsection shall proceed in such manner as seems just and convenient and shall have all the powers and status of the Land Court and of the Chief Judge thereof in respect of the conduct of proceedings, maintaining order, contempt of Court citing and representation of parties interested in the question summoning witnesses and payment of their expenses, hearing evidence, awarding

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costs amending defects in the proceedings and adjourning. The Committee shall have power to administer oaths to witnesses in the same manner and to the same effect as is conferred upon a court within the meaning of Section 315 of the Cook Islands Act 1915.

- (3) (a) All hearings of the Committee shall be open to the public provided that if for any reason the Committee shall decide that all or any persons shall be excluded from the place in which the hearing is held for the whole or any part of the proceedings those persons shall be excluded accordingly provided the power conferred by this subsection shall not be exercised for the purpose of excluding any party to the proceedings or any barrister or solicitor or accredited reporter.
- (b) In any case in which the Committee may give any direction under paragraph (a) of this subsection and whether or not it gives such a direction the Committee may make an order forbidding the publication of any report or account of the whole or any part of the evidence adduced and the breach of any order made under this subsection or any evasion or attempted evasion of it shall be deemed to be contempt of Court under the meaning of Section 400 of the Cook Islands Act 1915 and shall be punishable by the High Court of the Cook Islands in the ordinary course of its criminal jurisdiction.
- (4) The Chief Judge of the Land Court shall preside at all hearings of the Committee.
- (5) The absence of an assessor at any time during a hearing shall not invalidate the proceedings of the Committee provided the number of assessors present is not reduced below two.
- (6) The decision of the Committee shall be final and shall not be questioned in any Court.
- (7) If at any time the opinions of the Committee shall be equally divided on any question the opinion of the Chief Judge shall prevail.
- (8) So long as any member of the Committee acts bona fide in the discharge of his duties no action shall lie against him for anything he may do, report or say in the course of the deliberations of the Committee.

14. Clerk of the House of Arikis - (1) There shall be appointed by the Executive Council an officer of the Public Service to be clerk of the House who shall be responsible for arranging the business for and keeping a record of the proceedings of the House and any Committee thereof and for performing with respect to the House and any Committee thereof such secretarial and other functions as may be required.

(2) A copy of the proceedings relating to each sitting of the House shall be transmitted to the secretary of the department of the Premier.

(3) There may be appointed from time to time under the Public Service Act 1965 such other officers and employees as are required to be appointed under that Act for the purpose of this Act.

15. Salary and allowance of the members of the House of Arikis - (1) There shall be paid to the members and President of the House such sum or sums, allowances and travelling expenses as the Executive Council shall from time to time determine:

Provided that such sum or sums, allowances and travelling expenses shall be sufficient to enable any member or member elect of the House to attend and take his seat.

(2) There shall be paid to the Arikis who are not members of the House for any year such sum or sums, allowances and travelling expenses as the Executive Council shall from time to time determine.

(3) There shall be paid to the President of the House in addition to any sum or sums paid to the President pursuant to subsection (1) of this section, an allowance of fifty dollars per annum.

[Amended Act 1970-71/26]

16. Source of payments authorised by this Act - All expenditure authorised by any of the provisions of this Act shall be a charge on the Cook Islands Government Account.

17. Members not to vote on or discuss matters in which they have a pecuniary interest - (1) A member shall not vote or take part in the discussion of any matter in the House or before a committee of the House in which he has directly or indirectly any pecuniary interest apart from any interest in common with the Public:

Provided that nothing in this section shall apply to the following matters:-

- (a) Any payment to or for the benefit of a member where it is legally payable and the amount or rate of the payment has already been fixed or
- (b) Any contract of insurance insuring members against personal accident or
- (c) An election or appointment of a member to any office notwithstanding that remuneration or allowance is or may be payable in respect of that office.

(2) Where a member knowingly offends against this section -

- (a) He shall be liable to a fine not exceeding fifty pounds and

- (b) On conviction his term as a member of the House of Arikis shall terminate and his seat be vacated
- (c) An offence under this section shall be punishable by the High Court of the Cook Islands in the ordinary course of the criminal jurisdiction of that Court.

18. Languages - (1) All debates and discussions of the House shall be conducted in the Maori Language as spoken in Rarotonga and also in the English language.

(2) Every report recommendation or resolution of the House shall be in the Maori language as spoken in Rarotonga and also in the English language:

Provided that the House may by resolution determine that any report, recommendation or resolution maybe in the English language only.

(3) The records of proceedings of the House or in Committees thereof shall be in the English language and such of these records as are specified in the Standing Orders of the House shall also be in the Maori language as spoken in Rarotonga.

(4) Where there is any conflict between the Maori Version and the English Version of any report recommendation resolution or record the English Version shall prevail.

19. Regulations - (1) The High Commissioner may from time to time by Order in Executive Council make such regulations as may in his opinion be necessary for giving full effect to the provisions of this Act and for the due administration thereof.

(2) Regulations made under this section may prescribe for offences against the regulations not exceeding imprisonment for a term of three months or a fine not exceeding fifty pounds or both.

(3) All regulations under this section shall be laid before the Legislative Assembly within twentyeight days after the date of the making thereof if the Legislative Assembly is then in session and if not shall be laid before the Legislative Assembly within twentyeight days after the date of commencement of the next ensuing session.

20. Notices - Any notice required to be sent by any of the provisions of this Act by or to the High Commissioner may be sent by telegram or where by reason of lack of communication between any island and the island of Rarotonga this cannot be done then by such means and in such manner as the High Commissioner acting on the advice of the Premier shall decide.

PART II

Koutu Nui

21. Interpretation - In this Part unless the context otherwise requires -

"Kavana" means a person entitled to hold office as a kavana in accordance with custom in the Cook Islands:

"Mataiapo" means a person entitled to hold office as a mataiapo in accordance with custom in the Cook Islands:

"Rangatira" means a person entitled to hold office as a rangatira in accordance with custom in the Cook Islands.

[Added Act 1972/7]

22. Koutu Nui - The kavana, mataiapo and rangatira of the Cook Islands may meet together at such times and at such places as they shall determine and when so meeting together they shall be known as the Koutu Nui.

[Added Act 1972/7]

SCHEDULE

Section 11(8)

STANDING ORDERS OF THE HOUSE OF
ARIKIS

1. Commencement of these Standing Orders - These Standing Orders of the House of Arikis are made in pursuance of Article 11A paragraph (5) of the Constitution of the Cook Islands in the Second Schedule of the Cook Islands Constitution Amendment Act 1965 and in pursuance of Section 11 subsection (8) of the House of Arikis Act 1966 and shall come into force on the date appointed for the commencement of the House of Arikis Act 1966.

2. Interpretation - In these Standing Orders, if not inconsistent with the context, -

"Act" means the House of Arikis Act 1966:

"Assembly" means the Legislative Assembly of the Cook Islands established in accordance with the Constitution:

"Clerk" means the Clerk of the House appointed in accordance with Section 14 of the Act:

"Constitution" means the Constitution of the Cook Islands contained in the Second Schedule of the Cook Islands Constitution Amendment Act 1965:

"House" means the House of Arikis:

"Member" means any Member of the House appointed pursuant to the Constitution and to Section 4 (2) of the Act:

"President" means the President of the House elected pursuant to these Standing Orders.

3. In cases not provided for the President to decide - In all cases not hereinafter provided for these Standing Orders shall be interpreted by the President of the House in the light of the relevant practice of the House of Representatives of New Zealand and the House of Commons of the United Kingdom of Great Britain and Northern Ireland.

4. Suspension of Standing Orders - (1) Any Standing Order or other Order of the House may be suspended wholly or in part on Motion with or without notice.

(2) Such Motion shall not interrupt any debate and shall state the object of, or reason for the proposed suspension, and no amendment may be moved to such Motion.

(3) No Member of the House shall move the suspension of any Standing Order or other Order of the House either wholly or in part, except for allowing some recommendation or other matter in charge of such member to proceed or be

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dealt with, without compliance wholly or in part as the case may be with such Standing Order or other Order.

PART II - MEETINGS

5. Time and place of meetings - Meetings of the House shall be called by Notice as provided in Section 11 (4) of the Act, at such times and places in Rarotonga as the High Commissioner may from time to time appoint in that behalf (not being less than once annually) and shall be prorogued and dissolved in the manner prescribed in Section 11(4) of the Act.

6. Notice of Meeting - Before the commencement of a new meeting the Clerk shall send to each Member a written notice directing attention to the notice issued as provided in Order 5.

7. Adjournment of meeting - During any meeting the House may adjourn for such period as it may determine.

8. Continuation after adjournment - If the House has been adjourned sine die, the High Commissioner shall decide the date and hour of the commencement of the next meeting and the Clerk shall send to each member a written notice of the day and hour appointed for the next meeting and shall, if practicable, attach thereto a copy of the Order Paper for the said meeting.

PART III - THE PRESIDENT AND MEMBERS OF THE HOUSE

9. Oath of Allegiance - On the occasion of the first meeting of the House on each Member taking his seat and on the occasion of each new member taking his seat for the first time in the House the Clerk shall administer to each member or such new member as the case may be before the High Commissioner the Oath prescribed by Article 9 of the Constitution and by Section 9 of the Act and no member shall resume or return to his seat unless and until he has taken and subscribed such Oath.

10. President of House to be elected - On the first day of the first meeting of the House in any year the members having met at the time and place appointed by the High Commissioner and after the Clerk shall have administered the Oath of Allegiance to such members as shall not have previously taken or subscribed to it the House shall elect a President pursuant to Section 11(5) of the Act.

11. Clerk to act as chairman for election of president - For the purpose of election of a President of the House the Clerk shall act as Chairman and in any debate at such election shall decide which member is entitled to speak.

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12. Time limit of speech - The speech of any member in any debate at such election shall be relevant to the question of election and shall not exceed five minutes.

13. Equality of votes - In the case of an equality of votes in any division or upon any vote connected with the election of a president the question shall be decided by a secret ballot or ballots conducted by the Clerk of the House. If there is still an equality of votes the question shall be decided by lot.

14. A member proposed - (1) A member addressing himself to the Clerk and being called upon by him shall propose some other member then present to the House for its President and shall move that such member "do take the Chair of this House as President" which motion must be seconded.

(2) If only one member be proposed and seconded as President such member shall be called to the Chair by the House without any question being put.

(3) Such member on being called to the Chair stands up in his place and expresses his sense of the honour proposed to be conferred upon him and submits himself to the judgment of the House.

(4) Being again unanimously called to the Chair the member shall be taken out of his place by the members who proposed and seconded him and by them conducted to the Chair.

(5) Having been so conducted to the Chair the member so elected standing on the upper step returns his acknowledgements to the House and thereupon sits down in the Chair.

(6) The President having been congratulated by members the House shall adjourn for such period as will enable the President elect to present himself to the High Commissioner.

(7) Before the House shall resume the President elect attended by his proposer and seconder and other members shall present himself to the High Commissioner who will then confirm the choice of the House.

(8) Upon resumption at the next sitting of the House the President will report that he had waited upon the High Commissioner who had been pleased to confirm the choice the House had made of him to be their President.

15. Two members proposed - If two members be proposed for the office of President -

(a) A motion shall be made and seconded with respect to each such member, "That (such member) do take the Chair of this House as President", and each member so proposed shall, standing in his place, submit himself to the judgment of the House.

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- (b) The Clerk shall then put the question, "That (the member first proposed) do take the Chair of this House as President", which is resolved in the affirmative or negative, like other questions.
- (c) If such question is resolved in the affirmative the member first proposed is thereupon taken out of his place by his proposer and seconder and conducted to the Chair.
- (d) If such question is resolved in the negative the Clerk shall then put the question, "That (the member next proposed) do take the Chair of the House as President"; and if it be resolved in the affirmative the member next proposed shall be taken out of his place by his proposer and seconder and conducted to the Chair.
- (e) If such question is resolved in the negative the Clerk shall call for further nominations.
- (f) After the member elected has been conducted to the Chair the same procedure shall be followed as in the case of an uncontested election to the office of President.

16. More than two members proposed - If there be more than two members proposed and seconded for the office of President each such member standing in his place shall submit himself to the judgment of the House, and votes shall be taken for each candidate separately in the order in which they were proposed. Members shall record their votes while in their places. The Clerk shall order the doors to be locked during the taking of the votes, and every member then present shall vote. The candidate who has the smallest number of votes shall retire, and the votes shall be taken for the remaining candidates separately until the number of candidates shall be reduced to two. The names of the two remaining candidates shall be submitted in the order in which they were first proposed, and thereupon a separate vote of the members then present shall be taken; and the one having the highest number of votes shall be declared elected:

Provided always that if, at any stage of an election under this Standing Order, any member shall receive an absolute majority of the votes of the members present such member shall be declared to be elected forthwith. The member thus elected shall be conducted to the Chair, and the same procedure shall thereafter be followed as in the case of an uncontested election.

17. Tenure of office of President - The President of the House shall hold office until his appointment to the House terminates or his seat becomes vacant whichever event first happens.

18. Vacancy in office of President - (1) If the office of President becomes vacant during any period of twelve months for which the members have been appointed the Clerk shall report the same to the House at its next

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sitting and the House shall proceed forthwith to the election of a new President in the manner hereinbefore prescribed by these Standing Orders.

(2) If at any time the President shall be temporarily absent from the House the House may elect a vice president to preside and carry out the duties of the President until such time as the President shall return or until his appointment shall be terminated whichever event shall first happen.

19. Provision for proposing absent member - (1) Notwithstanding anything contained in the foregoing Standing Orders, in any case where a member is unavoidably absent and it is desired to propose him as President, evidence of his consent to being so proposed having been produced to the satisfaction of the Clerk, a motion may be made and seconded. "That (such absent member) do take the Chair of this House as President", and such motion shall thereupon be treated in all respects as if it were a motion duly made under the foregoing Standing Orders respecting a member actually present; and such absent member shall be deemed to have submitted himself to the judgment of the House.

(2) If such motion be resolved in the affirmative or if, in the case of a contested election, such absent member shall receive an absolute majority of the votes of the members present, the House stand adjourned till next convenient sitting day, and such proceedings shall be taken meanwhile as may be approved by the High Commissioner for the purpose of enabling His Excellency to confirm the choice of the House and such proceedings shall be reported to the House at its next sitting.

20. Form of address to President - The person presiding as provided in Order 14 shall be the President of the House and shall be addressed as "Mr President" during sittings of the House.

21. President to have Casting Vote only - The President shall not have a deliberative vote, but in case of an equality of votes, he shall have a casting vote.

22. Seats of members in House - The Clerk shall allocate a seat in the House to each member, provided that should any question arise with regard to the position of any seat such question shall be decided by the President.

23. Member to speak from seat - A member may speak only from the seat allocated to him.

24. Quorum - No business shall be transacted at any meeting of the House if the number of members present is less than eight.

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25. If quorum not present in House - If at any time the attention of the President is directed to the fact that a quorum is not present in the House, he shall direct members to be summoned, and if at the end of five minutes a quorum is not present, he shall adjourn the House without question put.

26. Majority Decision - Every Question before the House shall be decided by a majority of the votes of the members present.

27. Every member to vote unless he has a pecuniary interest - Every member present in the House when any Question is put to the House shall vote thereon; provided that a member shall not discuss or vote on any Question in which he has a pecuniary interest within the meaning of Section 17 of the Act, and if he should vote on such a Question his vote may on Motion be disallowed.

28. Form of reference to members in House - Where convenient, and while the House is sitting, a member shall be referred to as the "Honourable Member";

Provided that this Order shall not be taken as authorising the use of the style "Honourable" in relation to a member in any other context or outside the House.

29. Employment of member in professional capacity - No member shall appear before the House or any Committee thereof as Counsel for any party or in any capacity for which he is to receive a fee or reward in any matter to be deliberated by the House or Committee.

PART IV - DUTIES OF CLERK WITH REFERENCE
TO RECORDS

30. Business Paper - The Clerk shall send to each member a copy of the Business Paper for each meeting, if practicable, fourteen days before the meeting; and he shall, whenever the circumstances require, circulate a Supplementary Business Paper.

31. Order Paper - Before each sitting the Clerk shall distribute to members a Paper, to be known as the Order Paper, stating the business of the day.

32. Order Book - The Clerk shall keep a book to be called the Order Book in which he shall enter all matters intended for discussion at each meeting. The Order Book shall be open to the inspection of members at all reasonable hours.

33. Custody of Records - The Clerk shall have the custody of all records and other documents belonging to the House which shall be open to inspection by members and other persons under such arrangements as may be approved by the President.

34. Minutes - The Clerk shall keep minutes of the proceedings of the House and of Committees of the Whole House and shall record therein the names of all members attending and all decisions of the House. He shall circulate a copy of such minutes in English and Maori as soon as possible after the conclusion of each meeting.

35. Record of members - The Clerk shall keep a record of all members and shall enter therein the name of each member, the date of his appointment, the date of his taking his seat in the House, and, on his ceasing to be a member, the date and the cause thereof.

36. Record of speech to be sent to member - A copy of the record of each member's speech shall be sent to him by the Clerk for correction before it is published. If the member fails to return the copy to the Clerk within seven days from the date upon which it was despatched to him the speech may be published without correction.

37. Record of speech disputed by member - If a member disputes the correctness of the record of any speech or seeks to make any material change in the record, the President shall rule thereon and shall direct publication of the speech in accordance with his ruling which shall be communicated to the member and shall be final.

38. Official Report to be prepared - An official report of the proceedings of the House which shall be as nearly as possible verbatim shall be prepared under the supervision of the Clerk.

39. Official Report to be published - The official report prepared in accordance with Order 38 shall be published in such form as the President may direct, and a copy thereof shall be sent to each member as soon as practicable after the conclusion of each meeting.

PART V - OPENING OF HOUSE ADDRESSES

40. President to open House - On the day and at the time and place appointed, as provided in Order 5 for a meeting of the House the President shall, in the presence of members, take his seat as President of the House and shall call for prayers to be said. The President shall then address the House upon such general matters as may appear to him fitting and in keeping with the occasion of the opening of the House.

41. Members may speak to President's address in Reply - Upon conclusion of the President's Address each member shall be entitled to speak (each speech lasting not longer than twenty minutes) in general terms on current affairs:

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Provided that matters noted in the Business Paper for the meeting shall not be directly discussed or brought into the debate.

42. Conclusion of Addresses - The opening addresses shall be concluded when each member has had the opportunity to speak without Question put. The addresses shall unless otherwise ordered take preference over all other business and until disposed of shall be set down each day as an order of the day as at the commencement of the next sitting.

PART VI - SITTING OF THE HOUSE

43. Days for sitting - Subject to the provisions of Order 5, the House shall sit on such days as it shall decide:

Provided that every adjournment of sittings of the House, unless otherwise provided, shall be to the next day other than a Saturday, Sunday or Public Holiday; and

Provided further that the President may at any time suspend a Sitting.

44. Hours of normal sitting - Each Sitting shall commence at 9 a.m. and, unless the House has previously adjourned, and subject to the provisions of Order 53 shall end at 1 p.m.

45. Procedure if Closure moved or proceedings for closure in progress - On the interruption of business under the provisions of Order 44, the Closure may be moved, and if it is moved or if proceedings under Order 120 are already in progress at three minutes to 1 p.m., the President shall not interrupt the business until the Question consequent upon the moving of the Closure and any further Question provided for in the said Order have been decided. Thereafter the House shall be adjourned by the President without Question put.

PART VII - ADJOURNMENT OF DEBATE

46. Debate may be adjourned - A debate may be adjourned either to a later hour on the same day or to another day. The Question for the adjournment of the debate shall be put forthwith and determined without Amendment or debate.

47. Member moving adjournment entitled to speak first - The Member upon whose motion any debate shall be adjourned shall be entitled, if he claims the right, to speak first on the resumption of the debate.

PART VIII - PROCEDURE IF MOTION FOR
ADJOURNMENT ON ORDER PAPER

48. Business shall be interrupted if motion on Order Paper - On any day on which the Order contains the item "Motion for the Adjournment", business of the House shall be interrupted at 12.30 p.m. in the manner provided in Orders 44 and 45 and thereupon, or at the conclusion of business before that time, upon a Motion being moved by any member "That the House do now adjourn", there may be a debate in which any matter for which the House is responsible may be raised by a member who has obtained the right to raise the matter on the Motion for the Adjournment of the House on that day.

49. Right to raise matter on motion for Adjournment - The right to raise such matter on the Motion for the Adjournment of the House as provided in Order 48 shall be determined by ballot by the President prior to the Sitting and shall not be allotted to more than one Member for each Sitting. (See Order 116 for relevancy.)

50. No division on motion for Adjournment - There shall be no division on the Motion for the Adjournment moved in accordance with Order 48.

51. Time limit for debate on Motion for Adjournment - The speech of a Mover of a Motion for the Adjournment as provided in Order 48, and the speech of any other speaker to the Motion, shall not exceed ten minutes; and at 1 p.m., or at the conclusion of the debate if before that time, the President shall adjourn the House without Question put.

PART IX - PROCEDURE FOR ADJOURNMENT ON
DEFINITE MATTER OF URGENT BUSINESS

52. Member wishing to move adjournment to notify President - A member wishing to ask leave to move the adjournment of the House on a definite matter of urgent public business shall, before commencement of the Sitting, submit to the President a written notification of the matter which he wishes to discuss.

53. Manner of asking leave of House - Subject to the provisions of Order 52, any member may rise in his place at the time appointed under the provisions of Order 56 and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent business. (See Order 116 for relevancy.)

54. Procedure for adjournment if leave granted - If the matter raised in the House as provided in Order 53 is considered by the President to be urgent, of public importance and in order, and either leave of the House is

given without a dissentient voice, or, if it is not given, at least ten Members support the request, the desired Motion for the adjournment shall stand over until 3 p.m. of the same day, when the House shall sit and the Member shall open the debate by moving the adjournment of the House. The President shall adjourn the House at 5 p.m. without Question put.

55. Only one motion permitted at one sitting - No more than one Motion for the adjournment of the House under the provisions of Orders 52, 53 and 54 shall be moved at one Sitting.

PART X - ARRANGEMENT OF BUSINESS

56. Order of business - The business of each Sitting as decided by the Business Committee (see Part 23) shall be set out in the Order Paper, and shall, wherever possible, and except as provided in Part 5 - "Opening of House - Address in Reply", be transacted in the following order:-

- (a) Formal entry of the President:
- (b) Prayers:
- (c) Swearing in of new Members:
- (d) Announcements by the President:
- (e) Obituary speeches:
- (f) Personal explanations (See Order 80):
- (g) Presentation of Papers (See Order 60):
- (h) Consideration of Papers (See Order 62):
- (i) Notices of Motion and Notices of Question (including Notice on Grounds of Urgency, Order 68):
- (j) Motion for adjournment on a definite matter of urgent business (See Order 53):
- (k) Report of Select Committees (See Order 190):
- (l) Presentation of Matter referred by Assembly:
- (m) Motions for Introduction of Recommendations to Assembly (See Order 147):
- (n) Consideration of Written Replies to Questions (See Order 72 and 73):
- (o) Motions (See Order 88):
- (p) Motions for the adjournment of the House other than (j) above.

57. Alterations in Order of Business - By leave of the President, the Order of Business set out in the Order Paper may be altered on any particular day.

58. Arrangement of Business - Assembly business shall have precedence over any other business.

PART XI -

59. Papers - by Whom Presented - A Paper may be presented to the House by the President or any Member. It shall deal only with matters of a traditional and customary nature.

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60. Presentation of Papers - (1) As soon as sufficient copies of a Paper for distribution to Members have been received in the office of the Clerk or, if distribution of copies is not practicable a copy of such Paper is available for laying on the Table, notice of the presentation of the Paper may be placed on the Order Paper, and as soon as the President announces "Presentation of Papers" the person in charge of any Papers ready for presentation shall without motion lay the Paper on the Table of the House.

(2) If so desired by the person presenting the Paper, a short explanatory statement may be made upon its presentation, but there shall be no debate thereon.

(3) Every Paper presented to the House shall be recorded as so presented in the Minutes of the Sitting at which it is presented.

(4) A copy of every paper shall be forwarded by the Clerk to the Clerk of the Assembly.

61. Papers to be placed on Order Paper - When any Papers have been laid upon the Table they shall be placed upon a List on the Order Paper for the next Sitting under the heading "Papers for Consideration" in the order in which they were laid upon the Table and after any such Papers already on such List. Such List shall show the date of presentation, the record number, the title, and the number (if any) under which such Paper will be bound in the records and the method by which the same was laid upon the Table.

62. Consideration of Papers - (1) When the President announces "Consideration of Papers" he shall call the number of each Paper and the title thereof in the order in which the Papers appear on the Order Paper, and the person who presented the Paper may forthwith move "That the Paper be referred to the House for consideration", "That the Paper be referred to the Committee (here specify the Committee) with instructions to report back to the House", "That the Paper be adopted by the House", or some other Motion relevant to such Paper. (For relevancy of Motion in debates, see Order 116).

(2) If the Member who presented the Paper does not desire to move a Motion in respect of it, any other Member who desires to debate such Paper may move some Motion relevant to the Paper.

(3) If no Motion is made with respect to any Paper called on as aforesaid, it shall be dropped from the Order Paper and shall not appear further thereon.

PART XII - PETITIONS

63. Petitions - The House shall not receive petitions. If any petition should be presented to the House by any person or persons, the President shall refer the same and the Petitioners to the Assembly.

PART XIII - QUESTIONS AND REPLIES TO
QUESTIONS

64. Questions requiring replies - No Member shall be required to reply to any Question put to him in the course of the business of the House unless -

- (a) such Question is put by the President or a Chairman of a Committee in accordance with these Standing Orders; or
- (b) such Question is put to the said Member by another Member in accordance with this Part of the Orders.

65. Questions to Members - Questions may be put to Members relating to

- (a) affairs within their functions; and
- (b) a proposed or requested recommendation, Motion or other matter connected with the business of the House for which the Member to whom the question is put is responsible.

66. Contents of Questions - Every question shall conform to the following rules:-

- (a) It shall not include the names of persons or statements not strictly necessary to render the Question intelligible;
- (b) It shall not contain statements which the Member who asks the Question is not prepared to substantiate;
- (c) It shall not contain argument, inferences, opinions, imputations, epithets or contentious, ironical or offensive expressions;
- (d) It shall not refer to debates or Replies to Questions in the current Meeting;
- (e) It shall not refer to proceedings in a Committee which have not been reported to the Assembly;
- (f) It shall not ask information about any matter which is of its nature secret;
- (g) It shall not reflect on a decision of a Court of Law and no question shall be asked on any matter on which a judicial decision is pending;
- (h) It shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case or the answer to a hypothetical proposition;
- (i) It shall not be asked as to the character or conduct of any person except in his official or public capacity;
- (j) It shall not be asked seeking information readily available in official publication or ordinary works of reference;
- (k) A Question fully answered shall not be asked again during the same Meeting.

67. President to decide upon admissibility of a Question - If the President is of the opinion that any Question, of which a Member has given notice to the Clerk or which a Member has sought leave to ask without notice, infringes any of the provisions of Order 66, he may direct -

- (a) that it be printed or asked with such alteration as he may direct; or
- (b) that the Member concerned be informed that the Question is inadmissible.

68. Question without notice on Grounds of Urgency - (1) A Question shall not be asked without Notice in writing as provided in Order 69 unless the President is of the opinion that it is of an urgent character and relates either to a matter of public importance or to the arrangement of public business and the Member has obtained the permission of the President to ask it.

(2) The Member desiring to ask the Question shall furnish the President with a copy of such proposed Question marked "Urgent Question" and shall also furnish a copy to the Member to whom it is intended to address such Question.

(3) After "Notices of Motion and Notices of Question" has been given (see item (1) of Order 56), the President (if he considers that the proposed Question is one which in the public interest should be answered immediately) shall state its nature to the House, whereupon such Member may forthwith ask such Question.

(4) After the Question has been asked the Member concerned may answer it, or if he requests that the Question be placed on the Order Paper it shall be placed on the Order Paper with the Notices of Questions given on the same day. If the Member answers the Question forthwith any Member, other than the Member asking the question, shall similarly be entitled to have the Question placed on the Order Paper.

69. Notices of Question - Except as provided in Order 68, Notice of every Question shall be given by a Member in writing at least four days (exclusive of days on which the House does not sit) before the date on which the answer is required -

- (a) When the House is sitting, by being handed in at the Table; or
- (b) When the House is not sitting, by being handed in at the office of the Clerk.

70. Notice to be given with written Question if Oral Reply required - If a Member requires an oral Reply to his written Question submitted in accordance with Order 69, he shall indicate this requirement in the Notice of Question, but not more than four Questions for oral Reply shall be asked by a Member at one Meeting. Subsequent action on such a Question shall be in accordance with Orders 71, 76, 77 and 78.

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71. Printing of Notice of Question - A Notice of Question given in accordance with Order 69, and provided it is admissible in accordance with Order 67, shall be printed in the Order Paper for the Sitting first following the day on which the Notice was received by the Clerk, in the order prescribed in Order 56.

72. Subsequent action on notice of question requiring written reply - Upon the expiry of the period of Notice as required in Order 69, a Question not requiring an oral Reply in accordance with Order 70 shall be transferred to a Supplementary Order Paper, to be headed "Question and Replies", together with the Reply immediately following such Question.

73. Form of written reply - Written Replies appearing in Supplementary Order Papers as provided in Order 72 shall be concise and shall not contain any argument or controversial matter.

74. Circulation of Supplementary Order Paper "Questions and Replies" - On a Sitting to be appointed by the Business Committee for consideration by the House of "Questions and Replies", the Order Paper shall contain the item "Consideration of Written Replies to Questions" and the Supplementary Order Paper prepared in accordance with Order 72 shall be circulated together with such Order Paper.

75. Consideration of Supplementary Order Paper by House - At the Sitting appointed as provided in Order 74 any Member may move the adjournment of the House for the purpose of discussing the Replies printed in the Supplementary Order Paper of the day. Discussion shall be confined to the subject matter of any Questions asked on Replies given on that day; and no speech shall exceed five minutes in length, and, unless the House otherwise agrees, the whole discussion shall not exceed two hours.

76. Subsequent Action on Notice of Question Requiring Oral Reply - If an oral Reply is required to a Question as provided in Order 70, upon the expiry of Notice of such Question the Business Committee shall arrange for such Question to appear upon an Order Paper as soon after such expiry as may be practicable.

77. Manner of asking question requiring Oral Reply - Upon the Question requiring an oral Reply being reached on the Order Paper of the day as provided in Order 76, the President shall call upon the Member in whose name the Question stands. The Member so called shall then rise in his place and ask the Question by reference to its number on the Order Paper, and the Member to whom it is addressed shall give his Reply.

78. If Member fails to rise and ask Question - If a Member fails to rise as provided in Order 77, then any other Member may make the Question his own, and may rise in his place and ask the Question in the manner prescribed in Order 77, but if no other Member so rises, the Member to whom the Question was addressed shall send copies of the Reply to the Member who asked for it, and to the Clerk, who shall cause the Reply to be printed in the records of the proceedings of the House.

79. Debate of Questions - Except as provided in Order 75, a Question shall not be made the subject of debate.

PART XIV - PERSONAL EXPLANATIONS

80. Member may explain matters of personal nature - By the indulgence of the House and the leave of the President a Member may, at the time appointed for Personal Explanations under the provisions of Order 56, explain matters of a personal nature although there is no Question before the House but such matters shall not be debated and the Member shall confine himself strictly to the vindication of his own conduct. The terms of the proposed statement shall first be submitted to the President.

PART XV - MOTIONS AND AMENDMENTS

81. Exceptions to notice of Motion - Unless any of these Orders otherwise directs, Notice shall be given of any Motion which it is desired to make, with the exception of the following:-

- (a) a Motion for the suspension of a Standing Order (See Order 4(1));
- (b) a Motion to elect a Member to preside (See Order 14);
- (c) a Motion for the Closure (See Orders 45 and 120);
- (d) a Motion for the Adjournment of the House or of a debate (See Orders 46, 48, 53, and 75);
- (e) a Motion relevant to a Paper under item "Consideration of Papers" in the Order Paper (See Order 62);
- (f) a Motion that a Member be no longer heard (See Order 113);
- (g) a Motion for the suspension of a Member named (See Order 130);
- (h) a Motion to refer any matter to a Select Committee (See Order 161);
- (i) a Motion that the House resolve itself into a Committee of the Whole (See Orders 161 and 148);
- (j) a Motion for the withdrawal of strangers (See Order 202);

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- (k) a Motion to amend a Motion of which No Notice is required or which is debated twenty-four hours after Notice has been given:
- (l) a Motion to report progress;
- (m) a Motion relating to a matter of privilege;
- (n) at the discretion of the President, a Motion for amendment of a grammatical or printer's error or other form of minor amendment;
- (o) a Motion for a vote of thanks or an expression of the appreciation of the House;
- (p) any Motion the urgency of which is admitted by the President; and
- (q) in a Committee of the Whole House, any Motion, provided it is relevant to the business of the Committee. (See Order 155).

82. Manner of giving notice of motion - Every notice of Motion (including a Notice of Amendment) shall be signed by the Member proposing such Motion and shall be given by handing it in at the Table when the House is sitting, or by transmitting it to the office of the Clerk.

83. Notice of Motion to be submitted to the President - Every Notice of Motion shall be submitted to the President who shall direct that it be printed in its original terms or with such amendments as he may direct, or that it be returned to the Member submitting it as being inadmissible.

84. Oral Notice of Motion not acceptable - Notice of Motion shall not be given orally in the House but a Member may so inform the House of his intention to raise a matter on the adjournment.

85. Minimum period of Notice - Except as provided below, no Motion shall be debated until at least four full days (exclusive of days on which the House does not sit) have elapsed after Notice as prescribed in Order 82 has been given:

Provided that:

- (a) a Motion of which Notice is required proposed by a Member; or
- (b) a Motion to amend a Motion of which Notice is required; or
- (c) a Motion for the Amendment of a recommendation to the Assembly may be debated twenty-four hours after Notice has been given.

86. Printing of Notice of Motion - A Notice of Motion given in accordance with Order 82, provided it is admissible in accordance with Order 83, shall be printed in the Order Paper for the Sitting first following the

day on which the Notice was received by the Clerk, in the order prescribed in Order 56, notwithstanding that a Motion is a matter for which Notice is not required under these Orders; and, in the case of Notices of Motion for the Amendment a recommendation to the Assembly, such Notices shall be arranged, as far as may be, in the order in which they are to be proposed.

87. Subsequent action on notice of motion - Upon the expiry of the period of Notice as required in Order 85, and upon a Sitting to be appointed by the Business Committee for consideration of Motions by the House the Order Paper shall contain the item "Motions" as prescribed in Order 56, and such Motions as may be ready for the consideration of the House shall appear upon the Order Paper or upon a Supplementary Order Paper attached thereto.

88. Manner of dealing with Motions in the House - Upon the item "Motions" being reached in the Order Paper of the Sitting as provided in Order 87, the President shall call upon the Member in whose name the Motion stands. The Member so called shall rise in his place and read the Motion with reference to its number on the Order Paper. The Member moving the Motion shall be entitled to speak to it for twenty minutes and thereafter the debate shall proceed in the manner prescribed by these Orders:

Provided, however, that a Motion to amend Standing Orders shall be dealt with in the manner prescribed in Order 90.

89. Motions to be seconded - Unless otherwise expressly provided in these Orders, every Motion unless made in Committee shall be seconded, and if not seconded such Motion shall not be debated or entered in the Minutes.

90. Motion to amend Standing Orders - A Notice of any Motion for the amendment of any of these Orders shall be accompanied by a draft of the proposed Amendments. When the Motion has been proposed and seconded it shall stand referred to a Select Committee on Standing Orders and no further proceedings shall be taken upon it until the Select Committee has reported upon it.

91. Motion may be withdrawn - A Member who has proposed a Motion may withdraw it:

Provided that if the Motion has been seconded in accordance with Order 89 he may withdraw such Motion only by leave of the House given without a dissentient voice.

PART XVI - PUTTING THE QUESTION ON AMENDMENTS

92. Amendment to leave out words in Motion - Upon any Amendment to leave out any of the words of a Motion, the Question to be proposed by the President shall be: "That these words be left out".

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93. Amendment to insert words in, or add words to Motion - Upon any Amendment to insert words in, or add words at the end of a Motion, the Question to be proposed by the President shall be: "That those words be there inserted (or added)."

94. Amendment to leave out words and substitute others in a Motion - Upon any Amendment to insert words in, or add other words instead, a Question shall first be proposed by the President: "That those words be left out," and if the Question is agreed to, the Question shall then be proposed by the President: "That those words be there inserted (or added)". If the first Question is negatived, no further Amendment may be proposed to the words which the House has decided shall not be left out.

95. Amendment to Amendment to leave out words if not yet put - If the President, before putting a Question to leave out words as provided in Order 92, is informed that a Member wishes to move an Amendment to leave out parts only of those words, and if the President is of the opinion that the proposed Amendment of which he has been informed is substantially a new Amendment, he shall, if possible, put the Question to leave out words in such form as will enable the subsequent Amendment to be moved.

96. Two or More Amendments to same Motion - When two or more Amendments are proposed to be moved to the same Motion, the President shall call upon the Movers in the order in which their Amendment relate to the text of the Motion, or, in cases of doubt, in such order as he shall decide:

Provided that no Amendment may be moved which relates to any words which the House has decided shall not be left out of a Question.

97. Amendment to Amendment upon which Question has been proposed - If an Amendment is moved to an Amendment upon which the President has proposed the Question, the last mentioned Amendment shall be dealt with as if it were the original Motion until all Amendments to it have been disposed of.

PART XVII - RULES OF DEBATE

98. Member to address the President - Any Member desiring to speak shall rise in his place uncovered and address himself to the President:

Provided that, if a Member is unable, by reason of sickness or infirmity, conveniently to stand, he may be permitted by the President to speak seated.

99. If two or more Members rise at same time - If two or more Members rise at the same time, the President shall decide which of them shall first speak.

100. Exceptions to speaking more than once to Question - No Member shall speak more than once to any Question except:

- (a) in Committee; or
- (b) in explanation, as prescribed in Order 101; or
- (c) in the case of the Mover of a substantive Motion wishing to reply:

Provided that, if at any time the President shall enquire who seconds a Motion or an Amendment, a Member may do so by rising in his place and bowing his acquiescence without speaking, and such Member shall thereby reserve to himself the same rights of speech as he would have had if some other Member had seconded such Motion or Amendment, save that he may not move or second any Amendment or further Amendment to the same Motion or Amendment.

101. Member may explain his words - A Member who has spoken to a Question may again be heard to explain himself in regard to some material part of his speech which has been misquoted or misunderstood, but he shall not introduce any new matter or interrupt any Member addressing the House; and no debatable matter shall be brought forward or debate arise upon such explanation.

102. Mover only may speak before Motion or Amendment Seconded - A Mover of a Motion or Amendment may speak in support thereof, but no further debate shall be allowed until the Motion or Amendment has been seconded.

103. Member who has spoken on main question may speak to New Question - A Member who has spoken to a Question may speak again to any other new Question which may arise.

104. Member who has spoken on main Question not again to enter upon it - A Member who has spoken to the Main Question may not again enter upon it when speaking to an Amendment unless such Amendment involves consideration and decision of the Main Question.

105. Debate on Amendment confined to Amendment: Exception - When an Amendment is moved, the debate must be confined to the Amendment unless it be of such a nature as to involve the consideration and decision of the Main Question, in which case both the Main Question and the Amendment are open for discussion.

106. Member who has spoken to amendment involving main question cannot speak to main question - No member who has spoken to any Amendment which involves the consideration and decision of the Main Question shall subsequently speak to the Main Question, either as originally proposed or as amended.

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107. Member who has moved, seconded or spoken to Amendment cannot move or second further Amendment - Except in Committee, no Member who has moved, seconded or spoken to an Amendment, may move or second a further Amendment to the same Question.

108. Member who has spoken to Main Question may not move or second Amendment - A Member who has spoken to the Main Question, or to any Amendment which involves the consideration and decision of the Main Question, may not move or second an Amendment (except in Committee), but he may speak to any such Amendment when moved by another Member.

109. Member may not read his speech - A Member shall not read his speech, but may read extracts from written or printed documents in support of his argument and may refresh his memory by reference to notes.

110. Point of order takes precedence - A point of order being raised in debate takes precedence, and the Member speaking shall resume his seat until the President has given his ruling.

111. Interruptions - No member shall interrupt any other Member except -

- (a) By rising to a point of order, whereupon the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the President for decision. When the point of order has been stated, the Member, except by leave of the President, shall not rise until the matter has been decided. When effect has been given to the decision where necessary, the Member who was speaking shall be entitled to proceed with his speech unless the decision so prevents him; or
- (b) To elucidate some matter raised by the Member speaking in the course of his speech; provided the member speaking is willing to give way and resume his seat, and that the Member wishing to interrupt is called by the President.

112. Reference to matters before Courts, offensive words, imputing improper Motives, personal allusions - It shall be out of order to refer to any matter or which a judicial decision is pending or to use offensive, blasphemous or unbecoming words or to impute improper motives to any other Member or to make personal allusions.

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113. Motion that member be no longer heard - If a Member uses objectionable words as provided in Order 112 and on being called to order fails to retract or explain such words and offer an apology to the satisfaction of the President, any Member may, with the consent of the President, move that the Member using the objectionable words be no longer heard, and the Question on that Motion shall be put forthwith without amendment or debate.

114. No reference to be made to pending Judicial decision - Reference shall not be made in debate to any matter on which a judicial decision is pending.

115. Conduct of officials not to be raised: Exceptions - The conduct of the High Commissioner, the Premier and Ministers, the Speaker of the Assembly and Members thereof and Judges or other persons engaged in the administration of justice shall not be raised except upon a substantive Motion; and in any Amendment, Question to a Member or remarks in a debate on a Motion dealing with any other subject, any reference to the conduct of the persons aforesaid shall be out of order.

116. Relevancy in debate: Exception Motion for Adjournment - Debate upon any Motion, Bill or Amendment shall be relevant to such Motion, Bill or Amendment, except in the case of a motion for the adjournment of the House under the provisions of Order 48 (Procedure if Motion for Adjournment on Order Paper) or Order 52 (Procedure for adjournment on Definite Matter of Urgent Public Business.)

117. Debate where amendment seeks to leave out words or insert words - Where an Amendment proposes to leave out words or to insert or add words (Order 93), the debate shall be confined to the omission or insertion or addition of such words, as the case may be.

118. Debate where amendment seeks to leave out words and substitute others - Where an Amendment proposes to leave out words and insert words instead (Order 94), debate upon the first Question proposed on the Amendment may include both the words proposed to be left out and those proposed to be inserted.

119. Anticipation - It shall be out of Order -

- (a) to anticipate a recommendation to the Assembly by discussion of a Motion dealing with the subject matter of the recommendation on a day prior to that appointed for the consideration of that recommendation; or
- (b) to anticipate a recommendation to the Assembly by discussion upon an Amendment or a Motion for the adjournment of the House:

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And in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the President to the probability of the matter in anticipation being brought before the House within a reasonable time.

120. Closure of debate - After a Question has been proposed to the President a Member may claim to move "That the Question be now put", unless it shall appear to the President that such a Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the Question, "That the Question be now put", shall be put forthwith and decided without amendment or debate.

121. If closure carried, other question already proposed may be put - When the Motion, "That the Question be now put" has been carried and the matter consequent thereon has been decided, any Member may claim that any other Question already proposed from the Chair be now put, and if the assent of the President is given, such Question shall be put forthwith and decided without amendment or debate.

122. No member to speak after question finally put - No Member shall speak to any Question after the same has been finally put: that is to say, after the voices of the Ayes and Noes have been given thereon.

123. Reconsideration of specific Question not permitted in current meeting: Exception - It shall be out of order to attempt to reconsider any specific Question upon which the House has come to a conclusion during the current meeting, except upon a substantive Motion for rescission.

124. Time-limit for speeches - Except where otherwise expressly provided in these Orders, each Member shall be entitled to speak for twenty minutes on each Motion, on any Amendment or on any Amendment to an Amendment.

PART XVIII - RULES OF ORDER

125. President to be heard in silence - When the President is addressing the House any Member then standing shall immediately resume his seat and there shall be silence in the House.

126. Decision of President or Chairman of a Committee on point of order to be final - The President or the Chairman of a Committee shall be responsible for the observance of the rules of debate and of order in the House or in Committee, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive Motion made after Notice.

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127. Member deviating from orders may be called to order - Any Member deviating from these Orders may be immediately called to order by the President or the Chairman, as the case may be, or by any other Member rising to a point of order as prescribed by Order 111.

128. Member persisting in irrelevance of Tedious repetition - The President or the Chairman of a Committee, having called the attention of the House or Committee to the conduct of a Member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct the Member to discontinue his speech.

129. Member whose conduct is grossly disorderly shall be required to withdraw - The President or the Chairman of a Committee shall order any Member or Members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of the Sitting:

Provided that, if on any occasion the President or Chairman deems that his powers under the previous provisions of this paragraph are inadequate, he may name such Member or Members, in which event the same procedure shall be followed as prescribed in Order 130.

130. Motion to be proposed if member named - Whenever a Member shall be named by the President or the Chairman of a Committee immediately after the commission of an offence of disregarding the authority of the Chair, or of persistently and wilfully obstructing the business of the House by abusing the rules of the House or otherwise, then, if the offence has been committed by such Member in the House a Motion shall forthwith be proposed and seconded by two Members -

"That such Member be suspended from the service of the House"

And the President shall forthwith put the Question on that Motion, no Amendment, adjournment or debate being allowed;

And, if the offence has been committed in a Committee of the Whole House, the Chairman shall forthwith suspend the proceedings of the Committee and report the circumstances to the House, and the President shall on a Motion being made forthwith as provided above put the same Question, no Amendment, adjournment or debate being allowed, as if the offence had been committed in the House itself.

131. Period of suspension of offending member - If a Member is suspended under Order 130, and except as provided in Order 134, his suspension on the first occasion in any Meeting shall be for the remainder of

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that Sitting; on the second occasion in any Meeting for seven days, excluding the day of suspension; and on the third or on any subsequent occasion during the same Meeting for twenty-eight days excluding the day of suspension.

132. Member ordered to withdraw, or suspended, to leave House - A Member or Members ordered to withdraw under Order 129 or suspended from the service of the House under Order 130 shall forthwith withdraw from the precincts of the House.

133. The President may direct steps to enforce withdrawal or suspension - The President, whether acting under Order 129 or Order 130, may direct such steps to be taken as are required to enforce his order or the decision of the House.

134. Refusal of member to obey order or direction given under Order 129 and 130 - If a Member or two or more Members acting jointly who have been ordered to withdraw under the provisions of Order 129 or who have been suspended from the service of the House under the provisions of Order 130 shall refuse to obey the direction of the President when severally summoned under the President's orders by any Orderly or any Officer of Police to obey such direction, the President shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member or Members named by him shall thereupon and without further Question being put be suspended from the service of the House during the remainder of the Meeting.

135. Assembly may proceed in any other manner thought fit - Nothing in this Part of the Orders shall be deemed to prevent the House from proceeding against any Member for any of the offences specified in this Part in any other way the House thinks fit, or from proceeding against such Member for any offence not specified herein.

136. Grave disorder in House - In the case of grave disorder arising in the House, the President may, if he thinks it necessary to do so, adjourn the House, without Question put or suspend the Sitting for a period to be named by him.

137. Member required to withdraw or suspended not to receive allowances - Any Member required to withdraw from the House, or suspended from the service of the House, under the provisions of this Part of the Orders, shall not be entitled to draw such allowances for the period he is compulsorily absent from the House as he would otherwise be entitled to draw as a Member under the Act.

PART XIX - VOTING AND DIVISION

(See also: "President to have casting vote only", Order 21; "Majority Decision", Order 26 and "Every Member to Vote Unless he has Pecuniary Interest" Order 27.)

138. Voting by voice - When the Question has been put by the President, or the Chairman of a Committee at the conclusion of a debate, the votes shall be taken by voices, Aye and No, and provided that no Member then claims a Division in accordance with Order 139, the result shall be declared by the President or the Chairman according to the voices.

139. Division - If a Division is requested by any Member in accordance with Order 138, the Clerk shall call upon all those Members who are of the affirmative opinion to raise their right hands and upon their doing so he shall record the name of each Member so voting. The Clerk shall then call upon those Members who are of the negative opinion to raise their right hands and he shall record their names similarly. After having taken the votes the Clerk shall inform the President or Chairman who shall first declare the figures for and against and then the result.

140. Member to vote according to voice - A Member shall vote in a Division according to his voice.

141. Votes in Division to be recorded in Minutes - A record of the votes cast in accordance with Order 139 shall be made in the Minutes, distinguishing the name and vote of each Member.

142. Voting in Error in Division - If, immediately after the President or Chairman has declared the figures resulting from a Division as provided in Order 139, and before the result has been declared, a Member rises and informs the President or the Chairman that his vote was counted wrongly, he may claim to have his vote correctly recorded.

143. Member who did not hear Question put may vote in Division - A Member may vote in a Division although he did not hear the Question put.

PART XX - MATTERS REFERRED BY THE
LEGISLATIVE ASSEMBLY TO THE
HOUSE

144. Receipt of notice from the Assembly - Upon the President receiving notice of any matter on which the Assembly requires the opinion or recommendation of the House he shall -

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(1) Notify the Clerk who shall forward a copy of the notice from the Assembly together with copies of any accompanying papers to each Member. If for any reason it shall be impractical to forward copies of the whole or any part of the accompanying papers the Clerk may forward a summary of them stating also when and where the complete papers may be perused.

(2) Notify the Business Committee thereof and also whether the Premier or any Minister or other person from the Assembly proposes to attend the proceedings before the House.

(3) Appoint a Member of the House to take charge of the matter in the House. The President may for any reason rescind any such appointment reappoint such member or appoint another Member in charge of the matter.

145. Manner in which House proceeds to deal with matter referred - Upon any matter from the Assembly coming before the House after hearing the Premier or any Minister or other person from the Assembly the matter shall be dealt with as the House decides including reference to a committee of the whole House or to a Select Committee for report and advice.

146. Disposal of matter by House and reference back to Assembly - Upon receiving the report or advice from the Committee of Whole or the Select Committee as the case may be the House shall then resolve upon the recommendation to be forwarded to the Assembly and the President shall forward the same to the Premier over his signature together with such explanatory note or notes and information as shall be required by Section 7 (3) of the Act.

147. Recommendation by House of its own Motion - (1) Any Member wishing to bring before the House any question with a view to obtaining a recommendation of the House pursuant to Section 7 (2) of the Act may do so by notice of motion.

(2) Every such notice of motion shall be submitted to the President pursuant to Order 8j and shall be accompanied for the assistance of the President with an explanatory note stating in what way it is concerned with a question affecting the customs or traditions of the Cook Islands or any of them or the inhabitants thereof and shall clearly set out the recommendation of the House which the mover seeks.

(3) If after considering the notice of motion the President shall decide that it is in order with or without amendment and that the subject matter complies with Section 7 (2) of the Act he shall direct it to be printed.

(4) All further proceedings on the notice of motion shall follow as if the notice of motion were a notice

from the Legislative Assembly under Order 144 and the mover had been appointed by the President as the Member in charge of the matter.

(5) Immediately the President decides the motion may be printed he shall forward a copy in its final form to the Premier together with a copy of any explanatory note or notes by the mover accompanying the original notice of motion and the motion shall not come before the House unless seven clear days written notice of the date and time for discussion has been given to the Premier.

PART XXI - COMMITTEE OF THE WHOLE HOUSE

148. House resolves itself into Committee - A Committee of the Whole House shall, where necessary, be appointed by a Motion:

"That this House resolve, itself into a Committee of the Whole" for the purpose specified in the Motion.

149. Committee to consider only matters referred - A Committee of the Whole House may consider such matters only as shall have been referred to it by the House.

150. Chairman of Committee - The President of the House shall be Chairman of the Committee of the Whole House and shall be addressed as "Mr Chairman" while the said Committee is sitting.

151. Chairman to have Casting Vote only - The Chairman of the Committee of the Whole House shall not have a deliberative vote, but in the case of an equality of votes, he shall have a casting vote.

152. In Committee, Members may speak more than once - In a Committee of the Whole House, Members may speak more than once to the same Question; but when more than one Member rises to speak the Chairman shall give preference to a Member who has not previously spoken on the same Question, or to a Member who has spoken less frequently than other Members presenting themselves to the Chairman's notice.

153. Time-limit of speeches in Committee - In a Committee of the Whole House no Member shall speak for more than ten minutes at any one time or more than four times on any Question before the Committee provided that this rule shall not apply to a Member in charge of a proposed recommendation referable to the Assembly.

154. Motion in Committee not required to be seconded - A Motion or Amendment proposed in Committee of the Whole House shall not require to be seconded.

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155. Notice of Motion in Committee not required - In a Committee of the Whole House any Member may move a Motion or Amendment relevant to the business of the Committee without previous Notice.

156. Committee may not adjourn - A Committee of the Whole House may not adjourn its own sitting, or the consideration of any matter, to a future Meeting.

157. Report of Committee - When all matters referred to a Committee of the Whole House have been considered the Chairman shall put the question "That I do report the matter (or matters) referred to the House with (or without) amendments" which question shall be decided without amendment or debate.

158. Report of progress of Committee - When all such matters referred to a Committee of the Whole House have not been considered the Chairman shall be directed to report progress, or no progress, as the case may be, and, when so directed by the Committee, ask leave to sit again.

159. Rules of debate and conduct of business same in Committee as in House - Except as otherwise provided by these Orders, the same rules for order in the House and putting questions, dealing with Amendments, taking divisions, and for regulating debate and the general conduct of business shall be observed in Committee of the Whole House as in the House itself; but disorder in a Committee may only be censured by the House, on receiving a Report (see Order 130).

PART XXII - SELECT COMMITTEES

160. Different types of Select Committee - Select Committees may be appointed by the House -

- (a) to facilitate the business of the House in Meeting (see Business Committee, Part XXIII,) or to provide for the convenience and comfort of Members, or to deal with such other sessional matters as may, in the opinion of the House, be carried out best in Committee;
- (b) to consider a definite matter of House business arising, such as a recommendation for the Assembly, and to report back to the House on such business within a specified or foreseen time;
- (c) to stand indefinitely at the pleasure of the House in the name of a particular function (such as Customs and Tradition), to receive the House, from time to time, orders to consider matters falling within the terms of reference of such Committees and to report back to the House upon such matters when considered.

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161. Appointment of Select Committee - Select Committees shall be appointed from Motion, of which Notice shall be given; provided however, that if the House, in the course of the proceedings on a matter, shall decide to refer the same to a Select Committee already appointed or to be then appointed, such Notice shall not be necessary.

162. Committee to consist of not less than five or more than ten members - Except as provided in Order 195, no Committee shall consist of less than four or of more than eight Members, without leave of the House, on Motion with Notice.

163. Notice of nomination to be given - Every Member intending to move for the appointment of a Select Committee shall state in his Notice the names of the Members intended to be proposed by him to be Members of such Committee. Notice shall be required to add any other Members to such Committee or to substitute a Member for another whose name has been given Notice of.

164. Member may be discharged from Select Committee - Any Member appointed to the Select Committee may, at any time afterwards, upon Motion with Notice, be discharged by the House from attending the Committee, and another Member appointed.

165. Member absent for more than three meetings of Committee may forfeit seat on Committee - If any Member of a Select Committee has absented himself without leave of absence or, in the opinion of the remaining Members of the Committee, without good cause from more than three consecutive meetings of such Committee, that Member shall be deemed to have forfeited his seat on the Committee and an election to the vacancy so created may be held at the ensuing Meeting of the House.

166. List of members serving on Select Committee shall be circulated - As soon as possible after the commencement of a Meeting of the House the Clerk shall cause to be printed and circulated among Members a List of Members serving on Select Committees.

167. Member moving for a Select Committee to arrange time of first meeting - The Member moving for a Select Committee shall arrange the time and place of the first Meeting of the Committee if appointed.

168. Minutes of proceedings of Select Committees to be kept - Minutes of the proceedings of any Select Committee shall be recorded by the Clerk of such Committee in a book to be called the "Minute Book of the Select Committee for (here insert the name or purpose of the Committee)" supplied by the Clerk of the House for the purpose. Such Minute Book shall, when the House orders or the Committee so directs, be presented to the House; and such copies or extracts certified by the Chairman of the

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Committee shall be presented to the House from time to time as the House may order or the Committee may so direct or those Orders may otherwise require.

169. Destination of Minute Book if Committee ceases - Upon the completion of the proceedings of any Select Committee set up to facilitate the business of the House (see Order 160 (a)) or set up to consider a definite matter of House business (see Order 160 (b)) or upon a Select Committee which was set up to stand indefinitely (see Order 160 (c)) retiring either finally or prior to the re-election of Members to the said Committee, the Minute Book shall be passed by the retiring Chairman of such Committee to the Clerk of the House who shall file it in the records of the House.

170. Names of members present - The names of the Members present each day on the sitting of any Select Committee shall be entered on the Minutes of the proceedings of the Committee.

171. Not to sit during Sitting of House - Unless the House otherwise directs, no Select Committee shall sit during a Sitting of the House.

172. Select Committee to elect Chairman - Except as provided in Order 196, every Select Committee, before proceeding to any other business, shall elect a Chairman, who shall hold office during the life of the Committee. In the absence of the Chairman, the Committee shall elect a Member to act as Chairman pro tempore.

173. Chairman to have deliberative and casting vote - The Chairman of a Select Committee shall have a deliberative as well as a casting vote.

174. Quorum of Select Committee - The quorum of a Select Committee shall, unless otherwise ordered, consist of two Members.

175. Absence of quorum at time of meeting - If after the lapse of ten minutes from the time appointed for the meeting of a Select Committee there shall not be a quorum present, the Clerk of the Committee shall enter on the Minutes the names of the Members present, who may then retire, and the Committee shall stand adjourned until its next meeting to be convened by the Clerk of the Committee, subject to the direction of the Chairman.

176. Absence of quorum during Sitting - If at any time during the sitting of a Select Committee, a quorum be not present, the proceedings of the Committee shall be suspended until a quorum be present and if no quorum be present within such time as the Members present may think reasonable, or in any case at the expiration of fifteen minutes, the Committee shall stand adjourned until some future time to be fixed by the Chairman.

177. Motion or amendment does not require to be seconded - A Motion or Amendment proposed in a Select Committee shall not require to be seconded.

178. Divisions to be entered in Minutes - In the event of any division taking place in any Select Committee, the Question proposed, the name of the proposer, and the respective votes thereupon of each Member present shall be entered in the Minutes of the proceedings of the Committee and such Minutes shall, when the House orders or the Committee so directs, be reported to the House on the Report of such Committee.

179. Power to send for persons, papers and records - All Select Committee shall have power to send for persons, papers and records.

180. When members of the House may be present - Members of the House may attend the proceedings of a Select Committee, but shall have no part therein, and shall withdraw when the Committee is deliberating.

181. Admission of strangers - A Select Committee may admit or exclude strangers at its pleasure, but shall always exclude them when deliberating.

182. Secret Committees - No strangers or Members, not being Members of the Committee, shall be admitted at any time to a Secret Select Committee, except such witnesses and other persons necessary to the proceedings of such Committee.

183. Evidence may be recorded and reported - The evidence given before a Select Committee may, by resolution of the Committee, be recorded and reported to the House when the Report of the Committee is brought up.

184. Names of members examining witnesses to be entered in Minutes - To every question asked of a witness under examination in the proceedings of any Select Committee, shall be prefixed in the Minutes of the evidence, when such evidence is recorded, the name of the Member asking such question.

185. Evidence, etc., not to be published or divulged - The proceedings of, or the evidence taken by, or the Report of any Select Committee, or any summary, of such proceedings, evidence, or Report, shall be strictly confidential and not published or divulged by any Member of the Committee or by any other person, until the Report of such Committee has been presented to the House; provided always that the publication or divulging of any such proceedings, evidence or summary confidential to any person or persons entrusted by the Committee with the executive of any clerical work or printing, or, if it is necessary in the course of his duties, to the Clerk, shall not be deemed to be a breach of this Order.

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186. Divulging proceedings of evidence or breach of privilege - Any person committing a breach of Order 185 shall be deemed guilty of a breach of privilege, and may be dealt with by the House accordingly.

187. Proof copies of evidence to members only - Proof copies of the evidence given before a Select Committee may be distributed to Members of the Committee only.

188. Committee to report charges to House - If any information shall come before any Select Committee charging any Member of the House, the Committee ought only to report the same to the House, but may not proceed further upon such information.

189. Committee may report from time to time - If the House shall so direct a Select Committee may report its opinions or observations from time to time or report the minutes of evidence only, or proceedings, from time to time.

190. When day fixed for bringing up report - When, on the appointment of a Select Committee or the reference of any matter to a Select Committee, a day shall be fixed for the bringing up of their Report, the final Report shall be brought up on or before that day, unless further time be moved for and granted.

191. Report to be signed and brought up by Chairman - The Report of a Select Committee as agreed to shall be signed by the Chairman, on behalf of the Committee, or, in the absence of the Chairman, by some other Member appointed by the Committee; and shall be brought up by the Chairman or some other Member of the Committee authorised by the Chairman or the Committee in that behalf.

192. Select Committee may not submit minority report - It shall not be competent for a Select Committee to submit a minority Report.

193. Powers of Committee limited to reporting opinions to House - Select Committees have only power to report their opinions to the House, and if a Committee desires that the House shall take action in any matter connected with their proceedings or on their Report, the Committee shall instruct the Chairman to move in the House to that effect.

194. Conduct of proceedings of a Select Committee - In cases not provided for in these Orders the proceedings of a Select Committee shall be conducted as nearly as possible in the same manner as the proceedings of a Committee of the Whole House.

PART XXIII - THE BUSINESS COMMITTEE

195. Purpose of Business Committee - There shall be a Select Committee to be known as the Business Committee to facilitate the business of the House in Meeting as provided in (a) of Order 160.

196. Member of Business Committee and Chairman - The Business Committee shall consist of the President as ex-officio Chairman and four Members.

197. Appointment of four members to Committee - Except for the Chairman of the Business Committee, the four Members shall be appointed under Motion as soon as may be after the commencement of each Meeting.

198. Duty of Business Committee - It shall be the duty of the Business Committee, subject to these Orders and in particular Order 56, to determine the business of each Sitting and the order in which it shall be taken in the House.

199. Clerk to attend meetings of Business Committee each sitting day - The Clerk shall attend meetings of the Business Committee, which shall normally be held regularly on each Sitting day after the Committee has been set up, before or after each Sitting.

200. Powers of President not prejudiced - The powers of the Business Committee shall be without prejudice to the powers of the President contained in these Orders to determine which matters shall properly be introduced into the House.

PART XXIV - STRANGERS IN THE HOUSE

201. President to authorise admission of strangers - No stranger shall be admitted to the House without the authority of the President.

202. Question to be put for withdrawal of strangers if moved - If at a Sitting of the House or in a Committee of the Whole House, any Member brings to the notice of the House or of the Committee the desirability for the exclusion of strangers, the President shall forthwith put the Question: "That strangers do withdraw", without debate or Amendment; provided that the President, whenever he thinks fit, may order the withdrawal of strangers from any part of the House.

203. Members not to bring strangers into Members' Gallery during Sitting - No Member shall presume to bring any strangers into any part of the House or gallery appropriated to the Members while the House or a Committee of the Whole House is sitting.

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204. Representatives of Journals may receive general permission to attend - The representative of any journal may receive a general permission from the President to attend the Sittings of the House; provided that if any journal publishes a report of the proceedings which the President considers unfair or improper or, if in the opinion of the President the representative behaves in an unseemly manner within the precincts of the House, such permission may be revoked.

PART XXV - TIME-LIMIT FOR SPEECHES

205. Time-limit whether elsewhere specified or not - The time-limit for speeches in the House or in any Committee of the Whole House, including the translation thereof, and whether elsewhere specified in these Orders or not, shall be as follows:

<u>Reference to Order if elsewhere specified</u>	<u>Speech On</u>	<u>Minutes</u>
	IN THE HOUSE	
11	Election of President	5
41	Address in Reply	20
88, 134	Any Motion except as specified below	20
51	Motion for the Adjournment under Part 8 of these Orders	10
	Motion to adjourn the House on a definite matter of urgent public business under Part 9 of these Orders	10
60 (2)	Presentation of Paper (Short explanatory statement)	
	Consideration of any Paper:	
	Mover	20
	Any other Member	10
75	Discussion on Written Replies to Questions:	5
	(Whole discussion not to exceed two hours.)	
	Report of a Select Committee ..	10

The time-limit on any Amendment, or on any Amendment to an Amendment, shall be the same as for the Original Motion.