



ANALYSIS

Title

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| 1. Short Title | 3. Consequential Amendment - Resident Commissioner. |
| 2. Repeals and Amendments. | 4. Provision for Recreation and Sports Ground. |

 1965, No.10

An Act to Amend the Rarotonga Island Council Ordinance 1958 to make provision for additional elected members and for recreation and sports ground. (13 January 1966

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

1. Short Title -

- (1) This Act may be cited as the Rarotonga Island Council Ordinance Amendment Act 1965.
- (2) This Act shall be read with and deemed part of the Rarotonga Island Council Ordinance 1958 (In this Act referred to as the Ordinance).

2. Repeals and Amendments - The Ordinance is hereby amended:

- (1) By inserting in section 3 after the definition of "Member" the following definition "'Minister' means the Minister of Justice."
- (2) By repealing section 6 and substituting the following section: 6, Membership of Council. The Council shall consist of sixteen members elected by the electors of Rarotonga.

- (3) By omitting the words "one member" in subsection 3 of Section 9 and substituting the words "two members."
- (4) By inserting after Section 18 the following new section:
18A Application for enrolment by electors
Every person required to apply for registration as an elector shall deliver or send by post to the Registrar in charge of the Roll on which the applicant is entitled to have his name entered an application and declaration in form 2 of the 1st Schedule to the Cook Islands Assembly Regulations 1958 omitting therefrom the word "Native" and the first question.
- (5) By omitting the words "Regulation 17 and" from heading of Section 19 and by omitting paragraph (a) of Section 19.
- (6) By inserting after Section 20 the following section:
20A Objection to registration. Any name on any electoral roll may be objected to either by the Registrar in charge of that roll or by any elector whose name appears on that roll on the ground that the person whose name is objected to is not qualified to be registered or is not qualified to be registered on the roll on which his name appears.
- (7) By omitting the figures 19 from the heading to Section 21 and substituting the figure 20, and by omitting paragraph (a) of Section 21.
- (8) By omitting the word "Ordinance" in Section 23 subsection (1) and substituting in each case the word "Act".
- (9) By repealing Subsection 2 of Section 23.
- (10) By repealing subsection 3 of Section 23 and substituting the following subsection:
(3) The first general election of members of the Council reconstituted by this Act shall be held not later than the 31st day of March 1966.
- (11) By repealing Section 30 and substituting the following subsection:
30 Effect of Nomination. Where at the election of a member or members in any constituency the number of candidates nominated shall be equal to or less than the number required the candidates or candidate nominated as the case may be shall be deemed elected for that constituency and the Returning Officer in charge shall report

accordingly to the Minister of Justice through the Chief Electoral Officer and thereupon the provisions of Section 37 subsection (f) Declaration of Result of Poll shall apply.

- (12) By adding to paragraph (a) of Section 35 the words "after omitting the words 'European Roll and of the Native' before the words 'of the Constituency' and the words 'European Representative and of the Native' before the words 'Representatives for that Constituency' in subsection (2) (c)."
- (13) By adding to paragraph (b) of Section 35 the words "after omitting the words 'in form 9 in the case of a European Representative and' before the words 'in form 10' and the word "Native" in subsection (1) and by omitting all words after the words uniform colour in subsection 3 and by omitting the word 'Native' in form 10 of the 1st Schedule to the said Regulations".
- (14) By adding to paragraph (i) of Section 35 the words " after omitting the words "of the European constituency or" and "Native" before the words "Constituency respectively" and the words "of the European or Native series as the case may be" before the words "issued by him" and the words "of either series" before the words "issued in the same polling booth" in subsection (4)."
- (15) By adding to paragraph (a) of Section 37 the words "after omitting the words 'Separate packets the copies of the European and Native rolls' and substituting the words "packets the copy of the roll" and by omitting the words "European or Native or Special" and substituting the word "ordinary" and by omitting the words and figure "Regulation 56 and" and substituting the word "Regulation" ".
- (16) By adding to paragraph (c) of Section 37 the words "after omitting the words "European or Native or Special" and substituting the word "ordinary" ".
- (17) By omitting the proviso after paragraph (t) of section 37.

3. Consequential Amendment - Resident Commissioner - All references to the Resident Commissioner in the Ordinance or in any regulation applied by the Ordinance shall be read hereafter as a reference to the Minister.

4. Provision for Recreation and Sport Grounds -

- (1) The Crown land described in the Schedule to this Act is hereby vested in the Council for development as a recreation and Sports ground.
- (2) In addition to any other powers conferred on the Council by the Ordinance the Council is hereby authorised and empowered:-
 - (a) from time to time to grant for recreational purposes the use both exclusive and in common with others of the whole or any part of the said land to any one or more persons for such times and upon payment of such fees as the Council may decide and to authorise such person or persons to make such charges as the Council shall approve for admission during such times.
 - (b) To acquire for recreational purposes by purchase or otherwise howsoever and upon such terms both as to cost and as to ownership or use as the Council may think fit such further or other lands the Council may from time to time consider desirable.
 - (c) The words "recreational purposes" where used in this section shall include all forms of sport and recreation whether organised or otherwise.
 - (d) All fees received by the Council from any person or persons pursuant to this subsection shall be applied in the development, maintenance, upkeep and improvement of lands owned or controlled by the Council for recreational purposes and separate accounts shall be kept accordingly.

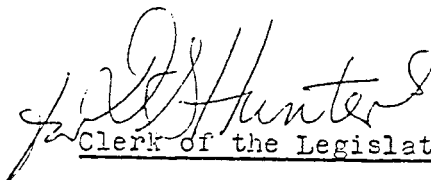
SCHEDULE

All that parcel of land, situate in the Tapere of Ngatipa, in the District of Avarua, in the Island of Rarotonga, Cook Islands, containing 5.4 Hectars be the same a little more or less, being the land named by the Native Land Court Puaau Allotment 161; and

All that parcel of land situate in the Tapere of Ngatipa, in the District of Avarua, in the Island of Rarotonga, Cook Islands, containing one acre and twenty perches (1 acre 0 roods 20 perches), be the same a little more or less, being part of the land named by the Native Land Court "Paetaa Section 162 (one hundred and sixty-two) Ngatipa, Avarua"; and

All that parcel of land situate in the Tapere of Ngatipa in the District of Avarua, in the Island of Rarotonga, Cook Islands, containing two acres and 10 perches (2 acres 0 roods 10 perches), be the same a little more or less, being part of the land named by the Native Land Court "Vaitu Section 175 (one hundred and seventy-five) Ngatipa, Avarua."

Examined and Certified:


Clerk of the Legislative Assembly

In the name and on behalf of Her Majesty Queen Elizabeth
the Second I hereby assent to this Act this 13th day
of January, 1966


High Commissioner