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An Act to ensure the validity of certain decisions and actions taken by, or in relation to, the Leases Approval Tribunal.

Be it enacted by the Parliament of the Cook Islands in Session assembled, and by the authority of the same, as follows:

(30 June 2020)

- 1 Title**
This Act is the Leases Restrictions Amendment Act 2020.
- 2 Commencement**
This Act comes into force on the date that it is assented to by the Queen's Representative.
- 3 Principal Act**
This Act amends the Leases Restrictions Act 1976 (the **principal Act**).
- 4 Interpretation**
In section 2, replace the definition of "Tribunal" with:

"Tribunal means the Leases Approval Tribunal established under section 4 and continued in force under that section (as replaced by section 5 of the Leases Restrictions Amendment Act 2020)".
- 5 Section 4 replaced (Leases Approval Tribunal)**
(1) Replace section 4 with:

"4 Leases Approval Tribunal
"(1) There continues to be a Leases Approval Tribunal of not less than 2 nor more than 5 members' all of whom must be appointed for a term of 3 years by the Minister with the concurrence of Cabinet.
"(2) A member of the Tribunal may at any time—

- “(a) be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Minister; or
 - “(b) resign by notice in writing addressed to the Minister.
- “(3) Despite subsection (1), every member of the Tribunal, unless that member sooner vacates office under subsection (2), continues in office until—
- “(a) that member’s successor comes into office; or
 - “(b) the Secretary for Justice notifies that member that no successor to that member is to be appointed.
- “(4) The Leases Approval Tribunal referred to in subsection (1) is the same body as the Leases Approval Tribunal in existence before the commencement of section 5 of the Leases Restrictions Amendment Act 2020.”

6 New section 17 inserted (Further validation)

After section 16, insert:

“17 Further validation

“Anything done or purportedly done by or in relation to the Tribunal on or after 20 November 2017 and before 15 October 2019 is not invalid, and has never been invalid because of either or both of the following:

- “(a) a defect or irregularity of any kind in connection with the appointment of 1 or more, or all, members of the Tribunal:
- “(b) the appointment of 1 or more, or all, members of the Tribunal ceasing to have effect for any reason.”

This Act is administered by the Ministry of Justice.

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