



ANALYSIS

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| 1. | Title
Short Title | 2. | New Part added to the
Principal Ordinance |
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1973-74, No. 38

An Act to amend the Cook Islands Industrial and Labour Ordinance 1964 to provide for restrictions on the recruitment of persons for employment outside of the Cook Islands

(3 May 1974)

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 - This Act may be cited as the Cook Islands Industrial and Labour Ordinance Amendment Act 1973-74 and shall be read together with and deemed part of the Cook Islands Industrial and Labour Ordinance 1964 (hereinafter referred to as "the principal Ordinance").

2. New Part added to the principal Ordinance - The principal Ordinance is hereby amended by the addition of the following new Part after Part VII:-

"PART VIIA - RECRUITMENT OF LABOUR FOR
EMPLOYMENT OVERSEAS

53A. Restriction on the organised recruitment of persons for employment outside the Cook Islands - No person, whether resident or not within the Cook Islands, shall recruit or cause to recruit or attempt to recruit any person or persons for employment outside of the Cook Islands provided that -

- (a) application may be made in writing to the Minister for approval to allow any person or persons to be recruited for employment overseas and such application shall contain such details as the Minister may direct; and

- (b) any approval given by the Minister for any person to recruit any other person or persons for employment outside the Cook Islands may contain such conditions as the Minister deems necessary and any approval given may be revoked or the conditions thereof may be altered at any time; and
- (c) the decision of the Minister shall be final.

53B. Offences under Part VIIA - (1) It shall be an offence against this Part of the Ordinance for:

- (a) Any person or persons who recruits or causes to recruit or attempt to recruit any person resident in the Cook Islands for employment outside of the Cook Islands without the approval of the Minister; or
- (b) Any person to misrepresent in or otherwise submit to the Minister any fraudulent details in any application made pursuant to provision (a) of Section 53A of this ordinance.

(2) Any person found guilty of an offence under this section shall on conviction be liable to a fine of five hundred dollars and six months' imprisonment.

This Act is administered in the Ministry of Labour and Commerce.