



ANALYSIS

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| <p>Title</p> <p>1. Short Title and commencement</p> | <p>2. Regulations and Rules of Court</p> <p>3. Repeal</p> |
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1981, No. 6

An Act to amend the Judicature Act 1980-81.

(17 July 1981)

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

1. Short Title and commencement - (1) This Act may be cited as the Judicature Amendment Act 1981, and be read together with and deemed part of the Judicature Act 1980-81 (hereinafter referred to as the principal Act).

(2) Subject to subsection (2) of Section 3 of this Act, this Act shall come into force on the date on which it is assented to by the High Commissioner.

2. Regulations and Rules of Court - The principal Act is hereby amended by repealing section 102, and substituting the following section:

"102. Regulations and Rules of Court - (1) The High Commissioner may from time to time, by Order in Executive Council, make regulations for all or any of the following purposes:

- (a) Prescribing the matters in respect of which fees are payable under this Act:
- (b) Prescribing scales of fees for the purposes of this Act and for the purposes of any proceedings before the High Court or the Court of Appeal, whether under this Act or any other enactment.

(2) "The High Commissioner may from time to time by Order in Executive Council made with the concurrence of at least two members of the Rules Committee prescribe rules for the purpose of facilitating the expeditious, inexpensive, and just despatch of the business of the High Court and of the Court of Appeal, or of otherwise assisting in the due administration of justice.

(3) The Rules Committee referred to in this Act shall consist of:

- (a) The Chief Justice, who shall be the convenor and Chairman of the Committee:
- (b) The Solicitor-General:
- (c) A qualified member of the legal profession practising in the Cook Islands.

(4) The member of the Rules Committee referred to in paragraph (c) of subsection (3) of this section shall be appointed by the Chief Justice and shall hold office for a term of three years. He may be reappointed from time to time, and may at any time resign his office by writing addressed to the Chief Justice."

3. Repeal - (1) The Code of Civil Procedure Act 1971-72 is hereby repealed.

(2) This section shall come into force on a day to be fixed by the High Commissioner by Order in Executive Council.