



## ANALYSIS

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1966, No. 8

An Act to make provisions with respect to the application of New Zealand law to the Cook Islands, and to provide that certain enactments of the Parliament of New Zealand shall extend to the Cook Islands as part of the law of the Cook Islands

(10 November 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 - This Act may be cited as the New Zealand Laws Act 1966.
2. Interpretation - In section 3 of this Act the term "New Zealand enactment" means -
  - (a) Every Act of the Parliament of New Zealand that is for the time being in force in the Cook Islands:
  - (b) Every Proclamation, order, regulation, or rule made under any such Act and for the time being in force in the Cook Islands, - whether or not the enactment forms part of the existing law of the Cook Islands as defined in the Constitution or has been extended to the Cook Islands before or after the passing of this Act.



3. Application of New Zealand enactments and documents to the Cook Islands - (1) Unless the context otherwise requires, in any New Zealand enactment, or in any contract, agreement, deed, instrument, application, licence, notice, or other document whatsoever existing at the passing of this Act -

- (a) Every reference to any office, board, corporation, or other body shall, in relation to the Cook Islands, be read as a reference to the corresponding office, board, corporation, or other body constituted in the Cook Islands:
- (b) Powers, duties, and functions conferred on any person or department shall, in relation to the Cook Islands, be construed as powers, duties, and functions conferred or imposed on the person or department entrusted with corresponding powers, duties, and functions in the Cook Islands:
- (c) Provisions that require modification to make them applicable to circumstances and conditions for the time being existing in the Cook Islands be read with all modifications necessary to apply those provisions to the Cook Islands.

(2) Without limiting the provisions of subsection (1) of this section, in the application to the Cook Islands of any New Zealand enactment or of any document specified in that subsection, there shall be substituted for the respective terms set out in the first column of the First Schedule to this Act the corresponding terms set out in the second column of that Schedule:

Provided that nothing in this subsection or in the First Schedule to this Act shall prevent the exercise, (with respect to the Cook Islands) subject to the provisions of the Constitution by the Governor-General of New Zealand or by any other person, of any power conferred on the Governor-General or such person by any Act of the Parliament of New Zealand for the time being in force in the Cook Islands.

4. New Zealand Acts and regulations extended to the Cook Islands - (1) The enactments of the Parliament of New Zealand specified in the Second Schedule to this Act are hereby declared to extend to the Cook Islands as part of the law of the Cook Islands.

(2) The Narcotics Regulations 1966 made under the Narcotics Act 1965 are hereby declared to extend to the Cook Islands as part of the law of the Cook Islands.

(3) Subject to the provisions of section 172A of the Land and Income Tax Act 1954, the following enactments of the Parliament of New Zealand are hereby declared to extend to the Cook Islands as part of the law of the Cook Islands, so far as they relate to ordinary income tax, namely:

- (a) The Land and Income Tax Amendment Act 1965:
- (b) The Land and Income Tax Amendment Act (No.2) 1965:
- (c) Part II of the Decimal Currency Amendment Act 1965 and the Sixth Schedule to that Act.



5. Application of Narcotics Act 1965 and regulations to Cook Islands - (1) In the application to the Cook Islands of the Narcotics Act 1965 and of the provisions of any enactment applied by that Act and of the Narcotics Regulations 1966 and of the provisions of any enactment applied by those regulations, unless the context otherwise requires, -

- (a) Every reference therein to the Director-General of Health or to the Medical Officer of Health shall be read as a reference to the Chief Medical Officer of the Cook Islands:
- (b) The term "medical practitioner" shall include any person qualified for appointment as a Medical Officer or to practise medicine or surgery in the Cook Islands under subsection (1) or subsection (2) of section 23 of the Cook Islands Amendment Act 1957:
- (c) The term "dentist" shall include any graduate in dentistry of the Fiji School of Medicine who is entitled to practise dentistry in the Cook Islands:
- (d) The term "pharmacist" shall include any person, other than a medical practitioner, who in the course of his duties dispenses medicines in a hospital in the Cook Islands:
- (e) Regulation 15 of the Narcotics Regulations 1966 shall apply to every person who in the course of his duties dispenses medicines in a hospital in the Cook Islands as well as to the classes of persons mentioned in subclause (1) of that regulation:
- (f) The references in section 5 of the Narcotics Act 1965 to subsection (2) of section 44 of the Criminal Justice Act 1954 shall be read as references to section 272 of the Cook Islands Act 1915:
- (g) The references in section 12 of the Narcotics Act 1965 to section 198 of the Summary Proceedings Act 1957 shall be read as references to section 314 of the Cook Islands Act 1915.

(2) Section 633 of the Cook Islands Act 1915 shall cease to have effect as part of the law of the Cook Islands.

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SCHEDULESSection 3 (2) FIRST SCHEDULEModification of New Zealand Enactments  
and Documents in Application to Cook  
Islands

Term used in New Zealand Enactment or Document	Corresponding Term in Cook Islands
New Zealand	The Cook Islands
The Governor-General	The High Commissioner of the Cook Islands
Act, or Act of the General Assembly of New Zealand	Act of the Legislative Assembly of the Cook Islands
Government of New Zealand	Government of the Cook Islands
The Governor-General in Council, or the Governor-General by Order in Council	The High Commissioner in Executive Council or the High Commissioner by Order in Executive Council
The Governor-General by Proclamation	The High Commissioner acting with the advice and consent of Cabinet
A Minister	The Minister of the Government of the Cook Islands having corresponding functions
A Department of State	The Department of State of the Cook Islands having corresponding functions
The Supreme Court of New Zealand	The High Court of the Cook Islands
A Magistrate's Court	The High Court of the Cook Islands
A Judge, Magistrate, or Justice of the Peace	A Judge of the High Court of the Cook Islands
Solicitor General	Advocate-General
A constable, or a member of the Police	An officer of police who is an employee of the Cook Islands Public Service

Section 4 (1) SECOND SCHEDULENew Zealand Acts Extended to the Cook  
Islands

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| 1965, No. 9   | - | The Post Office Amendment Act 1965.   |
| 1965, No. 10  | - | The Customs Amendment Act 1965.   |
| 1965, No. 16  | - | The Property Law Amendment Act 1965.  |
| 1965, No. 43  | - | The Administration Amendment Act 1965.  |
| 1965, No. 45  | - | The Narcotics Act 1965.   |
| 1965, No. 50  | - | The Republic of Zambia Act 1965.  |
| 1965, No. 51  | - | The Republic of Kenya Act 1965.   |
| 1965, No. 72  | - | The British Nationality and New<br>Zealand Citizenship Amendment<br>Act 1965.   |
| 1965, No. 88  | - | The Incorporated Societies Amendment<br>Act 1965.   |
| 1965, No. 89  | - | The Industrial and Provident Societies<br>Amendment Act 1965.   |
| 1965, No. 100 | - | The New Zealand National Airways<br>Amendment Act 1965.   |
| 1965, No. 123 | - | The Customs Acts Amendment Act 1965:<br>Parts I and III.  |
| 1965, No. 124 | - | The Decimal Currency Amendment Act<br>1965:<br>Section 1, Part I, the First and<br>Second Schedules, and the Fifth<br>Schedule to the extent that it<br>relates to enactments that are<br>in force in the Cook Islands. |
| 1965, No. 128 | - | The Transport Amendment Act (No.2)<br>1965: Section 8.  |
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