



ANALYSIS

Title		3. Transfer of persons in custody to or in Cook Islands
1. Short Title		4. Application of Act to Cook Islands
2. Return to New Zealand in custody		

1980, No. 107

An Act to amend the Cook Islands Act 1915

[22 December 1980]

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

1. Short Title—This Act may be cited as the Cook Islands Amendment Act 1980, and shall be read together with and deemed part of the Cook Islands Act 1915 (hereinafter referred to as the principal Act).

2. Return to New Zealand in custody—The principal Act is hereby amended by repealing section 338, and substituting the following section:

“338. Any person against whom an order of return to New Zealand has been so made shall, as soon as practicable thereafter, be taken from the Cook Islands to New Zealand in the custody of such person as a Judge of the High Court may approve, and shall on arrival in New Zealand be there delivered into the custody of an officer of police, to be dealt with in the same manner as if he had been arrested in New Zealand in pursuance of the original warrant issued there for his arrest.”

3. Transfer of persons in custody to or in Cook Islands—

(1) Section 346 of the principal Act is hereby amended by omitting the words “a ship belonging to Her Majesty or in a British ship, and in the custody either of the master of that ship or of such other person as a Magistrate”, and substituting the words “the custody of such person as a District Court Judge”.

(2) Section 348 of the principal Act is hereby amended by omitting the words “in any ship belonging to Her Majesty or in any British ship”.

4. Application of Act to Cook Islands—Whereas in accordance with Article 46 of the Constitution of the Cook Islands (as set out in the Second Schedule to the Cook Islands Constitution Amendment Act 1965) the Government of the Cook Islands has requested and consented to the enactment of a provision extending the provisions of this Act to the Cook Islands as part of the law of the Cook Islands: Be it therefore enacted as follows:

This Act shall extend to the Cook Islands as part of the law of the Cook Islands.

This Act is administered in the Ministry of Foreign Affairs.
