

**COOK ISLANDS**

**No. 12, 2004**

**OUTER ISLANDS LOCAL GOVERNMENT AMENDMENT ACT 2004**

Examined and certified by:

Clerk of the Parliament

In the name and on behalf of Her Majesty Queen Elizabeth the Second I hereby assent to this Act this 14th day of June 2004.

LAWRENCE MURRAY GREIG  
Chief Justice of the Cook Islands  
Exercising the functions and powers of  
the Queen's Representative pursuant to  
Article 7(1) of the Constitution of the  
Cook Islands.

**ANALYSIS**

1. Short Title and commencement
2. Special provisions applying in years in which general elections to be held
3. Amendment to First Schedule

Schedule

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**2004, No. 12**

An Act to amend the Outer Islands Local Government Amendment Act 1987

**BE IT ENACTED** by the Parliament of the Cook Islands and by the authority of the same, as follows:

1. Short Title and commencement - (1) This Act may be cited as the Outer Islands Local Government Amendment Act 2004 and shall be read together with and deemed part of the Outer Islands Local Government Act 1987 (herein referred to as "the principal Act").

(2) Section 2 of this Act shall be deemed to have come into force on the 31<sup>st</sup> day of March 2004.

2. Special provisions applying in years in which general elections to be held - The principal Act is amended, by inserting after section 9A, the following new section -

"9B. Special provisions applying in years in which general elections to be held - (1) Notwithstanding the provisions of sections 8, 9, and 9A of this Act, where in any year during which the appointment of a representative of the Aronga Mana, the election of the members of an Island Council and the election of a Mayor is due to be held in the same year that a general election is to be held following the dissolution of Parliament for the purposes of holding that general election, that appointment or election as the case may be, need not be held during the month of April of that year but may be held in a month to be determined by the Minister acting with the concurrence of Cabinet, being in any, event not later than 2 months after the holding of a general election is held.

(2) In any year in which a month later than April is determined pursuant to subsection (1), the members of the Island Council, the representative of the Aronga Mana thereon and the Mayor shall continue to hold office as such, notwithstanding that their term would, but for this section, have otherwise expired, and during such continued period the rights, privileges, powers and duties of the Mayor and members of the Island Council and their term of office shall continue accordingly until the date immediately before the public notification of their respective successors in the subsequent election."

3. Amendment to First Schedule - The First Schedule of the principal Act is amended by deleting the words set out in the First Part of the Schedule to this Act and substituting the words set out in the Second Part of the Schedule to this Act.

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This Act is administered by the Office of the Minister for Island Affairs

<b><u>SCHEDULE</u></b>		
<b><u>First Part</u></b> (Words Deleted)		
"Manihiki	(1) The Village of Tauhunu	(3)
	(2) The Village of Tukao	(2)
	Total for the Island	(5)"

**Second Part**  
(Words Substituted)

"Manihiki	(1) The Village of Tauhunu	(3)
	(2) The Village of Tukao	(3)
	Total for the Island	(6)"