

**Reprint
as at 18 February 1944**



**Cook Islands Import Control
Regulations 1944**
(SR 1944/19)

C L N Newall, Governor-General

Order in Council

At the Government Buildings at Wellington, this 16th day of
February 1944

Present:
The Right Hon P Fraser presiding in Council

Pursuant to the Customs Act 1913 in its application to the Cook Islands, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

Contents	
	Page
<i>Preliminary</i>	
1	2

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Foreign Affairs and Trade.

r 1	Cook Islands Import Control Regulations 1944	Reprinted as at 18 February 1944
2		2
3		3
	<i>Licensing officers</i>	
4		3
	<i>Restrictions on importation of goods into Cook Islands</i>	
5		3
	<i>Grant of licences</i>	
6		4
	<i>Application for licences</i>	
7		4
	<i>Revocation or amendment of licences</i>	
8		5
	<i>Appeals to Minister from decisions of licensing officer</i>	
9		5
	<i>Offences</i>	
10		5
	Schedule 1	7
	List of goods exempt from these regulations	
	Schedule 2	8
	Application for a licence to import goods into the Cook Islands	

Regulations

Preliminary

1

These regulations may be cited as the Cook Islands Import Control Regulations 1944.

2

- (1) These regulations shall come into force in the Cook Islands, other than the Island of Niue, on the day following the date on which they are first publicly notified by the Resident Commissioner of Rarotonga, and shall come into force in the Island

2

of Niue on the day following the date on which they are first publicly notified by the Resident Commissioner of Niue.

- (2) The public notification of these regulations by the Resident Commissioner of Rarotonga or the Resident Commissioner of Niue, as the case may be, may be made in such manner as that Resident Commissioner thinks fit.

3

In these regulations—

licence means a licence issued under the authority of these regulations

licensing officer means a licensing officer acting under the authority of these regulations

Minister means the Minister of Island Territories

Resident Agent means a Resident Agent holding office under section 12 of the Cook Islands Act 1915.

Licensing officers

4

- (1) The following persons shall be licensing officers for the purposes of these regulations, namely:
- (a) in respect of the Cook Islands, other than the Island of Niue, the Resident Commissioner of Rarotonga and the Collector of Customs at Rarotonga, and also, in respect of any island for which a Resident Agent has been appointed, that Resident Agent;
 - (b) in respect of the Island of Niue, the Resident Commissioner of Niue and the Collector of Customs at Niue.
- (2) Every licensing officer shall, in the exercise of his functions under these regulations, be subject to any general or specific directions that may be given by the Minister in relation thereto.

*Restrictions on importation of goods into Cook
Islands*

5

- (1) Except as provided in the next succeeding subclause, no person shall, after the commencement of these regulations in any

part of the Cook Islands, import any goods into that part of the Cook Islands except pursuant to a licence issued under these regulations.

- (2) A licence under these regulations shall not be required in respect of the importation into the Cook Islands of—
- (a) any goods of a kind or class specified in Schedule 1; or
 - (b) any goods of a kind or class that may, in accordance with a direction given by the Minister, be notified by the Resident Commissioner of Rarotonga or of Niue, as the case may be, as being exempt from the requirement of a licence under these regulations; or
 - (c) any goods which, having been ordered before 1 January 1944 for importation into any part of the Cook Islands, are imported into that part within 3 months after the commencement of these regulations therein.

Grant of licences

- 6**
- (1) Licences for the importation of goods in accordance with these regulations into any part of the Cook Islands may, on application in accordance with the next succeeding regulation, be granted by a licensing officer having authority as such in respect of that part of the Cook Islands.
- (2) Any licence under these regulations may be granted subject to such terms and conditions (if any) as the licensing officer, by direction of the Minister, may impose.
- (3) Any licence under these regulations may fix a limit of time within which any goods to which the licence relates may be imported under the authority of that licence.

Application for licences

- 7**
- (1) Every application for a licence under these regulations shall be made in quadruplicate, in the form of Schedule 2 or to the effect thereof, and shall be sent or delivered to an appropriate licensing officer.

- (2) In addition to the particulars referred to in Schedule 2, the applicant shall furnish such further particulars (if any) in relation to the application as the licensing officer may require.

Revocation or amendment of licences

8

Any licensing officer, by notice in writing given to the licensee or his agent or representative, may, and if so directed by the Minister shall, revoke any licence under these regulations, either absolutely or in its application to any specified goods or to goods of a specified kind or class, or may in like manner amend any such licence:

provided that no licence shall, except with the concurrence of the licensee, be revoked or amended in its application to any goods after those goods have been placed on board any ship or aircraft for carriage to the Cook Islands.

Appeals to Minister from decisions of licensing officer

9

- (1) Any person who is aggrieved by the decision of a licensing officer in respect of an application for a licence under these regulations may appeal to the Minister from the decision, and in any such case the decision of the Minister shall be final.
- (2) Every appeal under these regulations shall be in writing and shall set forth the grounds on which the appeal is based.
- (3) Any such appeal may be sent to the Minister direct, or may be delivered or sent to any licensing officer for transmission to the Minister.

Offences

10

Every person commits an offence against the Customs Acts and shall be liable accordingly who imports any goods into the Cook Islands contrary to the provisions of these regulations, or who, in or in relation to any application for a licence under

these regulations, makes or causes or permits to be made any statement that is false or misleading in any material particular.

Schedule 1
List of goods exempt from these
regulations

Bona fide gifts

Goods, not exceeding £5 in value (New Zealand currency) in respect of any 1 importation, imported by post by any person for his own use and not for the purposes of sale or business

Goods being the property of the Crown in respect of the Government of New Zealand or of the Cook Islands

Goods being the produce of the Cook Islands or samples of duty-paid goods which have been sent out of the Cook Islands and which are being re-imported

Goods which have been temporarily exported for the purpose of repair

Goods imported from New Zealand, except such goods as, in accordance with a direction given by the Minister, may be notified by the Resident Commissioner of Rarotonga or of Niue, as the case may be, as being subject to the requirement of a licence under these regulations

Goods included under the following items of the New Zealand Customs Tariff:

- 433 heirlooms not exceeding in value £100 (New Zealand currency), on such conditions as may be approved by the Minister
 - 435 natural history specimens and such ethnological or similar specimens as may be approved by the Minister
 - 438 passengers' baggage and effects, which are not intended for any other person or persons or for sale
-

Schedule 2

Application for a licence to import goods into the Cook Islands

(The application must be lodged in
quadruplicate)

The Licensing Officer, [*specify*].

I (We), [*name, occupation, and address of applicant*], hereby apply
for a licence to import the following goods into [*specify*] during the
period [*specify*].

(1)	(2)	(3)	(4)	(5)	(6)
New Zealand Tariff Item No	Full description of goods	*Country or countries from which it is desired to import	Quantity and CIF value (NZ currency)	Quantity and CIF value (NZ currency) of similar goods imported by the applicant, during [<i>specify</i>]	Quantity and value CIF (NZ currency) for which a licence to import is granted

*If more than 1 country, show quantity and values in respect of each country in
columns (4) and (5).

Particulars as to manner of payment for the goods by applicant for
licence, including name of bank in New Zealand or agent through
which payment is to be arranged (*if payment is to be made otherwise
than directly to supplier of the goods, give name and address of per-
son, firm, or company to whom payment is to be made*): [*specify*]

I hereby declare that the particulars contained in this application are
true and correctly stated in every respect.

Date:

Signature of applicant:

(The application should be signed by the applicant or by some re-
sponsible servant of the applicant on his behalf.)

Reprinted as at
18 February 1944

**Cook Islands Import Control
Regulations 1944**

Licence

A licence to import the above-mentioned goods to the extent shown
in column (6) is hereby granted.

Date:

Signature:

(Licensing Officer)

C A Jeffery,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 17 February 1944.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Cook Islands Import Control Regulations 1944. The reprint incorporates all the amendments to the regulations as at 18 February 1944, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
