



ANALYSIS

Title		
1.	Short Title	3. Schedule
2.	Award of honorary residence in recognition of outstanding service	

1991, No. 19

An Act to amend the Entry, Residence and Departure Act 1971-72 and to make provision for the award of the status of honorary resident to persons whose work or service has been of outstanding benefit to the people of the Cook Islands

(10 July 1991

BE IT ENACTED by the Parliament 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 Entry, Residence and Departure Amendment Act 1991, and shall be read together with and deemed part of the Entry Residence and Departure Act 1971-72 (hereinafter referred to as "the principal Act").

2. Award of honorary residence in recognition of outstanding service - The principal Act is amended by inserting after section 5 the following new section -

"5A. Award of honorary residence in recognition of outstanding service - (1) Subject to the provisions of this section the Queen's Representative may by Order in Executive Council confer on any person by way of award the status of an honorary resident. That award shall be evidenced by the grant of a certificate in the form or to the effect of the form numbered 1A in the Schedule.

(2) The power conferred upon the Queen's Representative by this section may be exercised only on the recommendation of the Minister who must in each case be satisfied -

(a) that the person has by his work or service been of outstanding benefit to the people of the Cook Islands or to the national interests of the Cook Islands; or

- (b) that the person has contributed substantially to the economic or social or cultural development of the Cook Islands; and
- (c) that public recognition of that work or service is appropriate; and
- (d) it would be unreasonable in all the circumstances to require that person to comply with the requirements of section 5 of this Act.

(3) It shall not be necessary for any person who is awarded the status of an honorary resident pursuant to this section to make or maintain his home in the Cook Islands or to satisfy or maintain any residential requirement imposed by section 5 of this Act.

(4) No person shall be entitled to make application for the award of honorary residence pursuant to this section and no person shall as of right be entitled to have conferred on him such an award.

(5) Every award made pursuant to subsection (1) of this section shall be publicly notified in such daily newspaper as is from time to time published and in general circulation in the Cook Islands within fourteen days after the making of such award.

(6) A person in respect of whom an award is made pursuant to subsection (1) of this section shall enjoy the same rights powers and privileges as a permanent resident under this Act and under all other laws of the Cook Islands provided always that such person shall not be or be deemed to be a permanent resident for the purposes of Article 76A of the Constitution.

(7) Nothing in this section shall prevent any person in respect of whom an award is made pursuant to subsection (1) of this section making application at any time for a certificate granting to him the status of a permanent resident of the Cook Islands as contemplated by Article 76A(2) of the Constitution."

3. Schedule - The Schedule of the principal Act is amended by inserting after Form 1 the following new form which shall be known as Form 1A.

This Act is administered by the Immigration Department

SCHEDULE

Award of Honorary Residence

In recognition of work [and/or service] of outstanding benefit to the people of the Cook Islands [and/or to the national interests of the Cook Islands] I, the Queen's Representative of the Cook Islands by the powers vested in me pursuant to section 5A of the Entry, Residence and Departure Act 1971-72 now confer on of the status of honorary resident of the Cook Islands.

GIVEN under my hand and Seal of the Cook Islands this

day of

1991

Queen's Representative
