



ANALYSIS

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1981, No. 3

An Act to amend the Cook Islands Liquor Control Ordinance 1963 and to amend the Cook Islands Amendment Act 1961

(17 July 1981)

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 Liquor Control Amendment Act 1981. Sections, 2, 3, 4 and 5 shall be read together with and deemed part of the Cook Islands Liquor Control Ordinance 1963, and section 6 shall be read together with and deemed part of the Cook Islands Amendment Act 1961.

2. Liquor Licensing Authority - (1) Section 2(2) of the Cook Islands Liquor Control Ordinance 1963 is hereby amended by repealing the definition of the term "Executive Committee" and substituting the following definition:

" "Liquor Licensing Authority" or "Authority" means the liquor licensing authority established pursuant to section 4 of the Cook Islands Amendment Act 1961, the members and Chairman of which shall be appointed by the Prime Minister."

(2) Every reference to the Executive Committee in the said Ordinance (except in section 3) shall hereinafter be read as a reference to the Authority.

(3) Every licence issued or other act done by the Authority before the commencement of this Act (whether issued or done before or after the commencement of the said Ordinance) in purported exercise of the powers conferred on the Executive Committee of the Cook Islands by the said Ordinance which would have been valid if this section had been in force when the licence was issued or the act done is hereby validated and declared to be and always to have been validly issued or done.

(4) The said Ordinance is hereby further amended by repealing section 3 and substituting the following section:

"3. Administration of Ordinance - This Ordinance shall be administered by the Prime Minister.

(5) The Cook Islands Ordinances Amendment Act 1966 is amended by omitting from the Schedule the reference to the Cook Islands Liquor Control Ordinance 1963.

3. Sale of intoxicating liquor other than wine or beer - Section 7 of the Cook Islands Liquor Control Ordinance 1963 is hereby repealed.

4. Liquor Permits - Sections 9 and 10 of the Cook Islands Liquor Control Ordinance 1963 are hereby repealed.

5. Offences - Subsection(1)(c) of Section 14 of the Cook Islands Liquor Control Ordinance 1963 is hereby amended by deleting the words "Sections 7 and 8" and substituting the words "section 8".

6. Passenger may import intoxicating liquor - Section 7A of the Cook Islands Amendment Act 1961 (as substituted by the Cook Islands Amendment Act 1980) is hereby amended by (1) adding the words "for his personal use" immediately after the word "him" in subsection (1).

(2) Adding the following new subsection -

"(4) Notwithstanding anything contained in subsections (1), (2) and (3) of this section, where in the opinion of the Collector the quantity of liquor brought into the Cook Islands by any passenger indicates an intention on the part of that passenger to offer that liquor, or any part of it, for sale, then the whole of the quantity brought in by that passenger shall be forfeit to the Crown."

This Act is administered in the Customs Department.