

## D. GOVERNMENT

Niue is constitutionally included in the Cook Islands, a British Protectorate annexed to New Zealand in 1901 under the provisions of the Colonial Boundaries Act, 1895 (Imperial). In 1903, Niue, while remaining within the boundaries of New Zealand, was placed under a separate Administration which is directly responsible to the New Zealand Government. The inhabitants of Niue are British subjects.

Provision for a Constitution for Niue is made by the Cook Islands Act, 1915, and the island is administered under the authority of this Act. The Resident Commissioner, who is directly responsible to the Minister of Island Territories, Wellington, is charged with the administration of the executive government of Niue. The majority of Administration employees are Niueans, with a few European officers from New Zealand in charge of the various Departments.

An Island Council meets once every quarter under the presidency of the Resident Commissioner. All villages are represented on the Council, which is composed of thirteen Niuean members appointed by the Governor-General on nominations submitted to him by the Minister of Island Territories. In practice the Councillors are selected by the villages they represent.

Laws are made by Act of the New Zealand Parliament, by regulations issued thereunder, or by Ordinances passed by the Island Council and assented to by the Resident Commissioner. The jurisdiction of Island Council Ordinances does not include the establishment of Courts of justice, the imposition of Customs duties, or the expenditure of the revenue of the island.

The following legislative measures with effect in Niue have been enacted since the last report was published :—

- Cook Islands Council Regulations 1946, Amendment No. 1.
- Cook Islands Customs Duties Order 1948.
- Cook Islands Exchange Control Regulations 1948.
- Cook Islands Maintenance Enforcement Regulations 1948.
- Cook Islands Trade Dispute Regulations 1948.
- British Nationality and New Zealand Citizenship Act, 1948.
- Cook Islands Amendment Act, 1948.
- Superannuation Act, 1948.
- British Nationality and New Zealand Citizenship Regulations 1949.

*Judiciary*

The judiciary comprises a High Court with one Judge, a Native Land Court consisting of one Judge and one Commissioner, and a Native Appellate Court of the Cook Islands which has already been established to hear appeals from decisions of the Native Land Court.

The Resident Commissioner, in his capacity as a Judge of the High Court of the Cook Islands, administers justice in Niue, and deals with all Civil and criminal cases. On the trial of any person for an offence punishable by death or by imprisonment for more than five years, the Judge is required to sit with assessors. Qualified persons are appointed as assessors by the Governor-General.

Provision is made for appeal to the Supreme Court of New Zealand from decisions of the High Court.

During 1948 there were two appeals against convictions by the Judge of the High Court. In one case a new trial was ordered, and in the other the conviction was quashed.