

1907.
NEW ZEALAND.

COOK AND OTHER ISLANDS

(ORDINANCES OF THE).

Presented to both Houses of the General Assembly in pursuance of Section 9 of "The Cook and other Islands Government Act, 1901."

ORDINANCE No. 19.—NIEUE ISLAND QUARANTINE REGULATIONS ORDINANCE, 1907.

WHEREAS it is expedient to provide quarantine regulations for the Island of Niue, to prevent the introduction of infectious or contagious diseases from places beyond sea :

Be it enacted by the Niue Island Council as follows :—

1. The Short Title of this Ordinance is "The Niue Island Quarantine Regulations Ordinance, 1906."

2. In this Ordinance, unless inconsistent with the context,—

"Master" includes the commander, master, or other person in charge of a ship ;

"Passenger" means any person on board a ship arriving from beyond sea, and includes the officers and crew ;

"Ship" includes a ship or vessel of whatever size or kind ;

"Signal" means a yellow flag by day and green lantern at night.

3. Every vessel arriving at Niue shall hoist a yellow flag by day and a green light by night, at the maintopmast-head, until the vessel is admitted to pratique.

4. (1.) Immediately on the arrival of a ship from beyond sea at any port in Niue, the master shall give to the Health Officer, or to any person appointed by him to board the ship, a written paper containing a true account of the names of the place and country at which she loaded, and also of all the places at which she touched during the voyage, and shall truly answer all such questions as are put to him by such officer touching the health of the passengers during the voyage, and the cause of death of any person if any death has occurred on board.

(2.) It shall not be necessary for such officer actually to board the ship, but it shall be sufficient if he only goes alongside and demands such paper, or puts such questions as aforesaid without actual boarding.

5. Any master of any such ship who—

(1.) Neglects or refuses to give such written paper ; or

(2.) Delivers such written paper with any false statement contained therein ; or

(3.) Omits to make in such written paper any statement required by this Ordinance ; or

(4.) Makes any false answer to any such question ;

shall be liable to a penalty not exceeding one hundred pounds.

6. (1.) The surgeon, dispenser, or other medical officer of every ship arriving at Niue as aforesaid shall truly answer all such questions as are put to him by the Health Officer or appointed person touching the health of the passengers during the voyage, and the cause of death of any person who may have died on board, or of any of the passengers who may have died on shore in the course of the voyage, and touching the existence of any infectious disease at any place or port from which the ship has come or at which she has touched.

(2.) Any such surgeon, dispenser, or other medical officer who refuses to answer any such question so put to him, or makes any false answer to any such question, shall be liable to a penalty not exceeding one hundred pounds.

7. (1.) No master whose vessel has not been admitted to pratique shall approach to within one hundred yards of any other vessel, and no person from such vessel shall go on shore or to any other vessel in the anchorage.

(2.) Every person violating this provision is liable to a penalty not exceeding fifty pounds.

8. (1.) No person shall, with a boat or otherwise, except officers of the Niue Administration, go alongside of any ship arriving in Niue from beyond sea until such ship has been granted pratique by the Health Officer and the yellow flag has been hauled down; and no person otherwise than the Port Health Officer or a pilot shall go on board the ship from any boat until such time as aforesaid.

(2.) Every person violating this provision is liable to a penalty of not exceeding fifty pounds.

9. His Majesty's mails may be landed from any ship in the boat of the Health Officer, who shall cause such mails to be properly fumigated if he shall deem it necessary.

10. No leper shall be allowed to land in Niue.

11. Whenever it shall appear to the Health Officer that any of the diseases set forth in the Schedule herein were prevalent at the vessel's last port of call at the time of sailing, he shall declare such a ship to be in quarantine for the period set forth in the Schedule for each disease respectively, counting as part of the period the number of days the vessel has been at sea. Whenever the period of quarantine in the Schedule is less than the time occupied by the voyage to Niue, the vessel shall be admitted to pratique. But if the Health Officer thinks that any of the diseases named in the Schedule have occurred in the vessel during the voyage to Niue, the period of quarantine shall date from the convalescence of the last case.

Disease.	Period.	Disease.	Period.
Cholera ...	10 days.	Typhus fever ...	10 days.
Small-pox ...	12 "	Yellow fever ...	10 "
Scarlet fever ...	10 "	Dengue fever ...	10 "
Scarlatina ...	10 "	Measles ...	14 "
Diphtheria...	14 "	Bubonic plague ...	14 "

12. When a ship arrives from, or after having touched at, an infected place, and is therefore liable to quarantine, or is otherwise liable to quarantine, the Health Officer shall immediately give notice of such liability to the master of the ship, and if he neglects to do so he shall be liable to a penalty not exceeding one hundred pounds.

13. (1.) The master of any ship, upon being ordered into quarantine, shall keep the yellow flag hoisted at the maintopmast-head by day, and a green lantern by night, as a signal until such ship is discharged from quarantine.

(2.) Any such master who fails to hoist or keep hoisted such signal shall be liable to a penalty not exceeding one hundred pounds.

The foregoing "Niue Island Quarantine Regulations Ordinance, 1906," was passed by the Niue Island Council, at Alofi, this ninth day of November, one thousand nine hundred and six.

TAGAVAITOA,
Acting President of Niue Island Council.

Approved.

C. F. MAXWELL,
Resident Commissioner, Niue.

Assented to in the name and on behalf of His Majesty.

PLUNKET,
Governor.

22nd January, 1907.

FEDERAL ORDINANCE NO. 19.—IMMIGRANTS RESTRICTION ORDINANCE, 1907.

AN ORDINANCE to prevent the Landing in the Cook and Northern Islands of Persons suffering from Diseases.

BE IT ENACTED by the Federal Council of the Cook and Northern Islands as follows:—

1. The Short Title of this Ordinance shall be "The Immigrants Restriction Ordinance, 1907."

2. It shall not be lawful for any person suffering from a contagious or infectious disease which is loathsome or dangerous to be brought to or to land in the said islands.

3. In any case where any person prohibited as aforesaid unlawfully lands in the said islands such persons shall be liable to a penalty not exceeding fifty pounds (£50), and shall also be liable to be removed from the said islands, and pending such removal to be detained in prison, quarantine, or other safe custody.

4. The master and owner of the vessel by which such person was brought to the said islands shall be jointly and severally liable to a penalty not exceeding fifty pounds (£50) in respect of each such person, and shall also be liable to take away such person from the said islands, and to defray the expenses incurred by the Government in respect of such person's removal from the said islands, and of his detention and maintenance in the said islands pending such removal: Provided that no proceedings shall be taken against such master or owner after the expiration of three calendar months from the date of such person so unlawfully landing as aforesaid.

5. The Collector of Customs or other officer shall not be bound to give any vessel a clearance until the master or owner thereof has duly complied with the provisions of this Ordinance, nor until all penalties and other moneys payable by such master or owner hereunder have been fully paid or secured.

6. The Resident Commissioner or a Resident European Magistrate may take all steps necessary to secure the removal from the said islands of any person so unlawfully landing as aforesaid, and for that purpose may authorise any constable of police to take such person into custody, and afterwards to place him on board ship, and the master of such ship shall keep such person on board and (if necessary) under custody until the ship sails.

7. The Resident Commissioner may from time to time as he thinks fit—

- (1.) Declare any disease to be a contagious or infectious disease which is loathsome or dangerous within the meaning of the Ordinance :
- (2.) Make such regulations as he deems necessary for inspecting vessels, their passengers, crews, and papers, in order to enforce the provisions of this Ordinance, including the imposition of penalties not exceeding fifty pounds (£50) for the breach of such regulations. Such regulations shall be published in the *Cook Islands Gazette*.

8. All complaints under this Ordinance shall be heard before a European Judge of the High Court of the Cook Islands, or before a European Resident Magistrate.

Passed this 27th day of April, 1907.

G. SAVAGE,
Clerk to Council.

Assented to in the name and on behalf of His Majesty.

PLUNKET,
Governor.

6th June, 1907.

FEDERAL ORDINANCE NO. 20.—RESIDENT AGENTS' COURTS JURISDICTION ORDINANCE, 1907.

AN ORDINANCE to extend the Jurisdiction of Resident Agents' Courts.

BE IT ENACTED by the Federal Council of the Cook and Northern Islands as follows :—

1. The Short Title of this Ordinance is "The Resident Agents' Courts Jurisdiction Ordinance, 1907."

2. It shall be lawful for any European Resident Agent exercising jurisdiction by virtue of section 5 of "The Cook and Other Islands Government Act Amendment Act, 1904," to hear and determine any of the following matters :—

- (1.) Any offence against the laws now or hereafter in force within the said Cook and Northern Islands committed in the island within which the Resident Agent thereof has jurisdiction : Provided that such offence be not murder or assault with intent to commit murder or manslaughter.
- (2.) Any civil case or dispute (other than divorce proceedings) between Maoris, Europeans, or Europeans and Maoris, where the matter at issue shall not exceed in value fifty pounds.

3. A European Resident Agent exercising jurisdiction as aforesaid shall in all cases of murder or assault with intent to commit murder or manslaughter, and may in his discretion in any other offence, or in any civil case or dispute as aforesaid, remit the same to be heard before the High Court of the Cook Islands or a European Judge thereof.

4. It shall be lawful for any person aggrieved by any decision of a European Resident Agent in which the amount of fine or money ordered to be paid shall exceed one pound to appeal therefrom to the High Court of the Cook Islands : Provided that notice in writing of such appeal be given to such Resident Agent within fourteen days from the date of such decision, and that the person appealing deposit with such Resident Agent the amount of any fine or other money ordered to be paid, and also the sum of ten shillings fee for such appeal.

5. In all matters within the jurisdiction of a European Resident Agent by virtue of this Ordinance such European Resident Agent shall have the like power for enforcing his decision as is possessed by the High Court of the Cook Islands.

6. The Chief Judge of the Cook and Other Islands Land Titles Court may by writing authorise a European Resident Agent to take evidence in any matter concerning land in the island within which such European Resident Agent has jurisdiction, and such evidence shall be taken in writing, and when completed shall be forwarded to the Registrar of the said Cook and Other Islands Land Titles Court, and shall form part of the records thereof.

7. The following are hereby repealed : Sections 24, 39, and 40 of "The Statute of Barotonga, 1899" ; sections 24, 41, and 42 of "The Statute of Atiu, Mauke, and Mitiaro, 1899" ; sections 21, 38, and 39 of "The Statute of Mangaia, 1899" ; sections 49, 50, and 51 of "The Statute of Aitutaki, 1899" ; and section 6 of "The Islands Statutes Amendment Act, 1900."

Passed this 27th day of April, 1907.

G. SAVAGE,
Clerk to Council.

Assented to in the name and on behalf of His Majesty.

PLUNKET,
Governor.

6th June, 1907.

RAROTONGA LOCAL ORDINANCE No. 6.—WATER-SUPPLY REGULATIONS ORDINANCE, 1907.

AN ORDINANCE in reference to Water-supply at Rarotonga.

BE IT ENACTED by the Island Council of Rarotonga as follows:—

1. The Short Title of this Ordinance shall be “The Water-supply Regulations Ordinance, 1907.”

2. It shall be lawful for the Resident Commissioner to make, alter, or repeal regulations in connection with the water-supply at Rarotonga, and by such regulations to fix such rates, charges, and penalties as may be deemed necessary. Such regulations shall be published in the *Cook Islands Gazette*, and when so published shall be deemed part of this Ordinance, and shall have the force of law. No rate or tax for the supply of water shall exceed one pound per annum for each dwelling supplied with water (exclusive of the charges for the supply of pipes and accessories and for fitting the same).

3. All rates, taxes, charges, and other moneys payable by virtue of any such regulations shall form part of the general revenue of the Cook Islands Administration.

Passed this 27th day of April, 1907.

G. SAVAGE,
Clerk to Council.

Assented to in the name and on behalf of His Majesty.

PLUNKET,
Governor.

6th June, 1907.

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