

45. 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 (Imp.). It is within the boundary of the Dominion of New Zealand and thus directly under the New Zealand Government. The inhabitants are British subjects and nationals of the Cook Islands. Provision for the administration of the island is made in the Cook Islands Act, 1915, which provides for the appointment of a Resident Commissioner charged with the administration of the executive government of Niue. In this work the Resident Commissioner is assisted by officers of the New Zealand Public Service and others locally appointed, and advised by an Island Council. This Council consists of thirteen Native members, representing all the villages, appointed by the Governor-General and presided over by the Resident Commissioner. Laws are made by Act of the New Zealand Parliament or regulations issued thereunder, or by Ordinances passed by the Island Council and assented to by the Resident Commissioner. Ordinances may be enacted for the peace, order, and good government of the island, but not for the establishment of Courts of justice, the imposition of Customs duties, or the expenditure of the revenue of the island. Meetings of the Island Council are customarily held each quarter, and in the year under review this course was followed. There is no elective system, appointments to the Council being made by the Governor-General on nominations submitted to him by the Minister of Island Territories. In practice, the Councillors (one for each village) are selected by the respective villages.

The following legislative measures with effect in Niue were enacted in New Zealand since the last report :—

The Cook Islands Industrial Unions Regulations 1947.

The Cook Islands Police Regulations 1947.

The Cook Islands Native Appellate Court Rules 1947.

The Cook Islands Applied Regulations Order 1947.

The Cook Islands Customs Duties Order 1948.

The Emergency Regulations Revocation Order No. 7, 1947.

The Cook Islands Trade Dispute Intimidation Regulations 1948.

46. JUDICIAL ORGANIZATION

The judiciary comprises a High Court consisting of one Judge and a Native Land Court consisting of one Judge and one Commissioner.

The High Court is charged with the administration of justice in the Island. The Native Land Court is concerned, *inter alia*, with the determination of claims for the ownership of Native lands. There is now established a Native Appellate Court of the Cook Islands to hear appeals from decisions of the Native Land Court. Provision is made for appeal to the Supreme Court of New Zealand against decisions of the High Court. The Resident Commissioner is Judge of the High Court and of the Native Land Court.

Following is a summary of Court proceedings for the years 1943 to 1947 :—

—		1943.	1944.	1945.	1946.	1947.
Criminal convictions	..	539	566	629	400	599
Civil judgments	..	1	3	..	1	..
Divorces granted	..	12	7	8	14	13

Offences for which convictions were recorded during the year were mainly of a minor nature. There were three convictions on charges of causing actual bodily harm and four convictions for the offence of manufacturing intoxicating liquor.

One sitting of the Native Land Court was held during the year.