

Schedule.—Regulations.

1. These regulations shall apply to the Cook and other Islands (hereinafter called "the said islands"), as defined by "The Cook and other Islands Government Act, 1901."

2. Any person who is lawfully entitled to import liquor into any of the said islands shall do so in accordance with these regulations, and not otherwise.

3. The person desiring to import the liquor shall deliver the order therefor (in duplicate) to the appropriate officer, meaning thereby in the case of Niue Island the Resident Commissioner of that island or the Collector of Customs therein, and in the case of any other of the said islands the Resident Commissioner of the Cook Islands or the Collector of Customs of the island into which the liquor is to be imported.

4. The order shall be signed by the person importing the liquor, and shall specify the name of the supplying merchant by whom the liquor is to be sent, the quantity and description of the liquor, the port of importation, and the full name, occupation, and address of the importer (being in every case the person giving the order).

5. If the liquor is to be imported into the Island of Mangaia, then, whilst section 22 of "The Statute of Mangaia, 1899," remains in force, the order shall also contain a certificate by the Resident Surgeon of the Cook Islands Hospital that the liquor is required for medicinal purposes and is being imported with his consent pursuant to that section.

6. On receipt of the order the authorising officer, if satisfied that the liquor to which it relates is not excessive and may lawfully be imported by the person giving the order, and also that the order is in accordance with these regulations, shall note thereon a memorandum under his hand that the liquor is being imported through him in accordance with section 21 of "The Licensing Acts Amendment Act, 1904," and shall retain for record one copy of the order, and forward the other to the supplying merchant in an envelope duly stamped by the importer.

7. All liquor supplied pursuant to such order shall be imported only at the place named in the order, and in packages addressed to the importer (being the person who gave the order), through the appropriate officer.

8. (1.) If the liquor is imported into the Island of Niue it shall, whilst section 2 of "The Niue Island Importation of Spirituous Liquor Ordinance, 1903," remains in force, be placed in the custody of the Collector of Customs, and be dealt with as provided by that section.

(2.) In any other case the liquor imported may, as the authorising officer thinks expedient, either be delivered to the importer or be stored in the King's bond or some other place of safe custody under the control of the appropriate officer for delivery to the importer from time to time in such quantities as the appropriate officer thinks fit:

Provided that delivery shall not be given until all duties and charges payable to the Crown have been duly paid.

9. All expenses incurred by or on behalf of the Government, or any Collector of Customs, or any appropriate officer in receiving, storing, or delivering liquor under these regulations shall be payable by the importer as a debt due to the Crown. The amount of the expenses shall in each case be fixed by the Governor or by such officer, and shall be payable before the liquor is delivered.

10. Nothing in these regulations shall apply to liquor imported by or for the Government for sale under section 22 of "The Licensing Acts Amendment Act, 1904."

11. Nothing in these regulations shall be deemed to authorise the sale or gift of liquor in any of the said islands where such sale or gift would be in breach of the last-mentioned Act or of any Federal or local Ordinance for the time being in force.

As witness the hand of His Excellency the Governor, at Wellington, New Zealand, this eighth day of February, one thousand nine hundred and six.

C. H. MILLS.

No. 141.

SIR,—

Cook and other Islands Administration, Wellington, 16th February, 1906.

I have to inform you that the regulations under section 28 of "The Licensing Acts Amendment Act, 1904," which were compiled by the Solicitor-General on the basis of drafts submitted by you and Colonel Gudgeon, have now been signed by His Excellency the Governor, and I forward herewith a number of printed copies extracted from the *Gazette* of the 15th instant. I also forward herewith a memo. by the Solicitor-General on the construction of the sections of the Licensing Act relating to the Cook and other Islands, and the extent to which they affect the provisions of the various island Ordinances dealing with liquor.

You will notice that Dr. Fitchett calls attention to the fact that in sections 3 and 4 of "The Niue Island Importation of Spirituous Liquor Ordinance, 1903," "spirituous liquor" only is referred to, the effect of which is that fermented liquor is exempt from the provisions of the sections. As section 3 remains in force, and section 4 still stands as to barter or gift, I shall be glad to hear whether you have been giving effect to these provisions as printed, or have been interpreting the term "spirituous liquor" in the wider sense of "alcoholic liquor."

The Resident Commissioner, Niue.

I have, &c.,
C. H. MILLS.

Enclosures.

(See Nos. 121 and 140.)