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1977, No. 20

An Act to establish the Ministry of Planning and External Affairs

(1 December 1977)

BE IT ENACTED BY THE Legislative Assembly of the Cook Islands in Session assembled, and by the authority of the same, as follows:

PART I - INTRODUCTION

1. Short Title - This Act may be cited as the Ministry of Planning and External Affairs Act 1977.

2. Interpretation - In this Act, unless the context otherwise requires -
 "Minister" for the purposes of this Act means a Minister appointed under the provisions of the Constitution as the Minister in charge of the Ministry;
 "Ministry" means the Ministry of Planning and External Affairs constituted under this Act;
 "National Planning Board" means the committee of Cabinet members and senior officials established to plan for the social and economic development of the Cook Islands;
 "Planning Advisory Committee" means the committee of senior Government officials charged with the responsibility of advising the National Planning Board on matters pertaining to the social and economic development of the Cook Islands;
 "Secretary" means the Secretary of Planning and External Affairs appointed under this Act.

3. Ministry of Planning and External Affairs - There shall be a Department of State to be known as the Ministry of Planning and External Affairs which under the control of the Minister shall be charged with the administration of this Act and with such other functions as may be lawfully conferred on it.

4. Secretary of Planning and External Affairs - (1) There shall from time to time be appointed as a member of the Public Service a Secretary of Planning and External Affairs who shall be the administrative head of the Ministry.

(2) The person holding office at the commencement of this Act as Chief Planning Officer in the Central Planning Bureau of the Government of the Cook Islands shall be deemed to have been appointed to the Office of Secretary of Planning and External Affairs under this Act.

5. Divisions of the Ministry: There shall be the following Divisions of the Ministry:

- (a) the Planning Division
- (b) the Statistics Division
- (c) the External Affairs Division
- (d) such other divisions as Cabinet may establish.

PART II - PLANNING DIVISION

6. Functions of the Planning Division - The functions of the Planning Division shall be:

- (a) To act as a permanent secretariat to the National Planning Board and to carry out such functions as may be delegated to it by the Board;
- (b) To prepare and formulate a development plan or plans which adequately consider and integrate economic, social and physical development within the Cook Islands;
- (c) To evaluate, monitor and review implementation of the plan or plans as well as prepare or evaluate proposals for the revision of plans;
- (d) To evaluate programmes, projects or proposals submitted by Government departments, outside consultants and agencies which directly relate to plans or which bear directly on economic, social and physical development;

- (e) to conduct economic and social research as well as special planning studies in the physical and related areas to assess problems, development feasibility or potential, and also to provide bases for Government decisions and policy formulation; and
- (f) to act as a permanent secretariat to the Planning Advisory Committee.

7. Director of Planning - (1) There shall from time to time be appointed as a member of the Public Service a Director of Planning who shall be the administrative head of the Planning Division and responsible to the Secretary for the Division's operations.

(2) The person holding office at the commencement of this Act as the Assistant Chief Planning Officer in the Central Planning Bureau shall be deemed to have been appointed to the office of Director of Planning under this Act.

8. Other officers and employees - (1) There may from time to time be appointed as members of the Public Service such other officers and employees of the Planning Division as may be necessary.

(2) All officers and employees shall act under the direction of the Director of Planning in the exercise and performance of the powers, duties and functions conferred or imposed on them by enactment.

(3) All persons (except those elsewhere in this Act excluded) who at the commencement of this Act are officers and employees of the Central Planning Bureau shall be deemed to have been appointed to the Planning Division under this Act.

PART III - STATISTICS DIVISION

9. Functions of the Statistics Division - (1) The functions of the Statistics Division shall be to collect, compile, analyse, abstract and publish statistics with or without observations thereon, for the purpose of furnishing information required in the formation or carrying out of Government policy in any field or otherwise required for Government purposes or for meeting the needs of trade, commerce, industry or agriculture.

(2) The Statistics Division shall be responsible for administering the Statistics Act 1966.

10. Statistics Officer - (1) There shall from time to time be appointed as a member of the Public Service a Statistics Officer who shall be the administrative head of the Statistics Division and responsible to the Secretary for the Division's operations.

(2) There shall from time to time be appointed as a member of the Public Service a Deputy Statistics Officer who shall act as Statistics Officer in the case of absence from duty of the Statistics Officer (from whatever cause arising) or on the occurrence from any cause of a vacancy in the position of Statistics Officer (whether by reason of death, resignation or otherwise) so long as such absence or vacancy continues.

(3) The Deputy Statistics Officer, while acting as Statistics Officer, shall exercise the duties and shall have the powers of the Statistics Officer, and the fact that he so acts shall be sufficient evidence of his authority to do so.

11. Other officers and employees - (1) There may from time to time be appointed as members of the Public Service such other officers and employees of the Statistics Division as may be required.

(2) All officers and employees shall act under the direction of the Statistics Officer in the exercise and performance of the powers, duties and functions conferred or imposed on them by any enactment.

(3) All persons (except those elsewhere in this Act excluded) who at the commencement of this Act are officers and employees of the Statistics Office shall be deemed to have been appointed to the Statistics Division under this Act.

PART IV - EXTERNAL AFFAIRS DIVISION

12. Functions of the External Affairs Division - The functions of the External Affairs Division shall be:

- (a) to administer, co-ordinate and direct the Government's foreign relations;
- (b) to provide Government's channel of communications with all other governments and all inter-governmental organizations; and
- (c) to advise Government on all matters relating to its external affairs, including matters of protocol.

13. Director of External Affairs - (1) There shall from time to time be appointed as a member of the Public Service a Director of External Affairs who shall be the administrative head of the External Affairs Division and responsible to the Secretary for the Division's operations.

(2) The person holding office at the commencement of this Act as Director of External Affairs within the Premier's Department shall be deemed to have been appointed to the Office of Director of External Affairs under this Act.

14. Other officers and employees - (1) There may from time to time be appointed as members of the Public Service such other officers and employees of the External Affairs Division as may be necessary.

(2) All officers and employees shall act under the direction of the Director of External Affairs in the exercise and performance of the duties and functions conferred or imposed on them by any enactment.

(3) All persons who at the commencement of this Act are officers and employees of the External Affairs Division of the Premier's Department shall be deemed to have been appointed to the External Affairs Division of the Department under this Act.

PART V - OTHER PROVISIONS

15. Annual Reports - (1) The Secretary shall as soon as practicable after the end of each financial year furnish to the Minister a report on the operation of the Ministry as well as a report on the Cook Islands economy for that year.

(2) A copy of each report shall be laid before the Legislative Assembly within twenty-eight days after it has been furnished to the Minister if the Assembly is then in session, and, if not, shall be laid before the Legislative Assembly within twenty-eight days after the commencement of the next ensuing session.

16. Regulations - (1) The High Commissioner, by Order in Executive Council, may from time to time make all such regulations as are deemed necessary or expedient for the purpose of giving full effect to this Act and for the due administration thereof.

(2) All regulations made under this section shall be laid before the Legislative Assembly by the Minister within twenty-eight days of the date of the making thereof if the Assembly is then in session, and, if not, shall be laid before the Assembly within twenty-eight days after the date of commencement of the next ensuing session.

17. Consequential Amendments - (1) The Premier's Department Act 1975 is amended by:

- (a) repealing Part III; and
- (b) repealing the words "Director of External Affairs" in sub-section (1) of section (23).

(2) The Statistics Act 1966 is amended by:

- (a) inserting in section (2) the following definition:
"Secretary of Planning and External Affairs" means the officer for the time being in charge of the Ministry of Planning and External Affairs";
- (b) repealing sections (3), (4), (9), (35) and (36); and
- (c) repealing the word "Minister" whenever it occurs and substituting the words "Secretary of Planning and External Affairs."

This Act is administered in the Ministry of Planning and External Affairs.