



## ANALYSIS

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| 1. Title<br>2. Short Title<br>Permanent Residents | 3. Repeal |
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2008, No. 3

An Act to amend the Entry, Residence and Departure Act 1971-72

(19 February 2008)

**BE ENACTED** by the Parliament of the Cook Islands, assembled in Session, and by the authority of the same as follows:

1. Short Title - This Act may be cited as the Entry, Residence and Departure (Amendment) Act 2008 and shall be read together with and deemed part of the Entry, Residence and Departure Act 1971-72 (hereinafter referred to as "the principal Act").

2. Permanent Residents - The principal Act is amended (1) by deleting subsection (1) (c) of section 5 and inserting the following -

"(c) Is proven to the satisfaction of the Minister, with the concurrence of Cabinet, to be of good character in appropriate circumstances and to have made a significant positive contribution to or investment in the Cook Islands in terms of skills, expertise, community work or financial investment."

(2) by deleting subsection (4) of Section 5 and substituting the following -

"(4) Subject to subsections (5) and (6) of Section 5, the total number of Permanent Residence certificates that may, for the time being, be in effect shall be no more than 650.

(5) The limitation on the total number of Permanent Residence certificates in subsection (4) hereof shall not apply to a person who is, at the time of making application, married to a Cook Islander or Permanent Resident and has been so married to that person for a period of not less than 5 years, such that the number of Permanent Residence certificates issued to persons in this category shall not be limited in any manner."

(3) by inserting after subsection 1 (d) of Section 5, the following –

“(e) Subsection 1 (d) of Section 5 shall not apply to a person who is, at the time of making application, married to a Cook Islander or Permanent Resident and has been so married to that person for a period of not less than 5 years. “

3. Repeal – The Entry, Residence and Departure Amendment 1995-96 is repealed.

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This Act is administered by the Ministry of Foreign Affairs and Immigration