



LAW PRACTITIONERS (ADMISSION) REGULATIONS 1994

" A. P. SHOKT "
Queen's Representative

ORDER IN EXECUTIVE COUNCIL

Avarua, Rarotonga this **28th** day of **February** 1994

Present:

**HIS EXCELLENCY THE QUEEN'S REPRESENTATIVE
ORDER IN EXECUTIVE COUNCIL**

PURSUANT to sections 64 and 66 of the Law Practitioner's Act 1993-94, His Excellency the Queen's Representative acting by and with the advice and consent of the Executive Council hereby makes the following regulations:

ANALYSIS

- | | |
|---|------------------------------|
| 1. Title and commencement | 8. Hearing of Applications |
| 2. Interpretation | 9. Enlargement of time |
| 3. Application for admission | 10. Fees |
| 4. Service on Society | 11. Certificate of enrolment |
| 5. Notice of application | 12. Registrar's powers |
| 6. Objections | 13. Names of practitioners |
| 7. Objections by the Registrar or the Society | Schedules |

REGULATIONS

1. **Title and commencement** - (1) These Regulations may be cited as the Law Practitioners (Admission) Regulations 1994.
 (2) These Regulations shall come into force on the 1st day of March 1994.

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2. Interpretation - In these regulations unless the context otherwise requires -

"Act" means the Law Practitioners Act 1993-94;

3. Application for admission - (1) Every application for admission shall be lodged with the Registrar at least six weeks before the day on which the applicant desires to be admitted, unless the Registrar, for any special reason, directs an abridgement of that period.

(2) Every application for admission shall be in the form numbered 15 in the Code of Civil Procedure 1981, with all necessary modifications.

(3) The contents of the application shall be verified by affidavit or statutory declaration.

(4) There shall be filed with the application 3 copies thereof, and copies of every document accompanying the same or referred to therein.

(5) Every application shall set forth the circumstances in which the application is made, and the grounds therefor.

4. Service on Society - Within two days of the application being filed, the Registrar shall cause a copy to be served on the Society.

5. Notice of application - Upon receiving an application, the Registrar shall cause notice thereof to be made public by -

(a) affixing the notice in a conspicuous position at the Courthouse and the registry of the High Court at Rarotonga; and

(b) insertion of the notice in the form contained in the First Schedule in a newspaper circulated in the Cook Islands.

6. Objections - (1) Any person shall be entitled to show cause why an application should not be granted, and on complying with paragraph (2) shall be entitled to appear on the hearing of the application.

(2) A person other than the Registrar or the Society who desires to show cause why an application should not be granted shall lodge with the Registrar within 14 days of the date of the notice given under Rule 5 (or such further period as the Registrar shall allow) -

(a) a written statement on the grounds of his objection; and

(b) an affidavit or a statutory declaration verifying the facts contained therein.

(3) Upon such lodgement the Registrar shall forward copies of the statement and of the affidavit or statutory declaration to the secretary of the Society and to the applicant at the address given by the applicant in his application as his address for service.

7. Objections by the Registrar or the Society - In any case where the Registrar desires to show cause why an application should not be granted he shall file, in the matter of the application, a notice of the objection setting forth the grounds thereof and shall at the same time forward copies of the statement and of the affidavit or statutory declaration to the secretary of the Society and to the applicant at the address given by the applicant in his application as his address for service.

8. Hearing of Applications - No application shall be heard unless the supporting documents shall have been lodged with the Registrar not less than 21 days before the hearing.

Law Practitioners

9. Enlargement or abridgement of time - The Registrar may for any special reason enlarge or abridge any period of time specified in these regulations.

10. Fees - The fees specified in the Second Schedule shall be payable to the Registrar in respect of the applications therein referred to.

11. Certificate of enrolment - Upon an application for enrolment being granted, the Registrar shall forthwith issue a Certificate of Enrolment in the form contained in the Third Schedule to these regulations.

12. Registrar's powers - The powers and duties of the Registrar shall be exercisable subject to the directions of the Chief Justice given generally or with respect to any particular case.

13. Names of Practitioners - (1) The persons whose names are listed in the First Part of the Fourth Schedule hereto are deemed to have been admitted as barristers and solicitors pursuant to the Law Practitioners Act 1993-94 on the dates shown next to their names.

(2) The persons whose names are listed in the Second Part of the Fourth Schedule hereto are deemed to have been admitted as barristers pursuant to the Law Practitioners Act 1993-94 on the dates shown next to their names.

Clerk of the Executive Council

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FIRST SCHEDULE

NOTICE OF APPLICATION

LAW PRACTITIONERS ACT

Reg.5

NOTICE OF APPLICATION FOR ADMISSION

Notice is hereby given that[name of applicant].....
of[address of applicant].....has filed an application seeking admission as a barrister and
solicitor, (or barrister) of the High Court of the Cook Islands and that the application will
be heard at the High Court at..... on the day of
19..... ata.m./p.m.

Any person wishing to show cause why the application should not be granted may lodge with
the Registrar of the High Court at a written statement of the grounds
of his objection. If such a statement is lodged and verified by affidavit or statutory
declaration within 14 days of the date of this notice, the objector will be entitled to appear
and be heard on the hearing of the application.

Dated this day of

19.....

Registrar of the High Court

Law Practitioners

SECOND SCHEDULE

Reg.10

ADMISSION FEES

- | | | |
|----|--|----------|
| 1. | On an application for admission as a barrister and solicitor | \$200.00 |
| 2. | On an application for admission as a barrister only | \$100.00 |

(Note: the above fees are inclusive of the hearing of the application and all steps preliminary and incidental thereto, and the issue of the Certificate of Enrolment.)

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THIRD SCHEDULE

Reg.11

IN THE HIGH COURT OF THE COOK ISLANDS
HELD AT

IN THE MATTER OF the
Law Practitioners Act 1993-94

CERTIFICATE OF ENROLMENT

This is to certify that on the day of 19
(name) was duly enrolled as a (barrister and solicitor)(barrister) of the High Court of the
Cook Islands.

By the Court

(Seal) _____
Registrar

Law Practitioners

Reg.13

FOURTH SCHEDULE

FIRST PART
(Barristers and Solicitors)

<u>Name</u>	<u>Date</u>	
ARNOLD, Timothy Paul	January	1980
BARTLETT, Terangi	October	1991
BREED, Stephen Brian	June	1986
BROWNE, Tina	January	1980
CLARKE, Trevor Charles	April	1966
FORTESCUE, Kym Marie	February	1993
GIBSON, Bret John	January	1987
GREIG, David Paul Lyle	June	1989
HOLMES, Ross Wakefield	December	1991
HOWARD, Harold Rosser	April	1991
INGRAM, Rowland George	June	1988
LYNCH, Paul Eamonn	April 1992	
MAKI, Janet Grace	November	1991
MASON, Brian Patrick	April	1993
MCDONNELL, Paul Francis	July	1978
McFADZIEN, John Gordon	May	1981
McKEGG, Neil Pearson	January	1956
McNAIR David Robert	May	1990
MANARANGI, Anthony Mark	March	1981
MATAIO, Tere	April	1976
MIRIA-TAIREA, Mathilda	April	1983
MITCHELL, Michael Crawford	January	1979
NICHOLAS, Tai Grant	October	1990
OLIVER, Peter Andrew	November	1992
PUNA, Henry Tuaku	April	1986
SCEATS, David Maxwell	May	1985
SHORT, Iaveta	May	1969
TAPAITAU, Tepure	June	1986
TYLOR, Reuben William	May	1975
WEIL, Belinda Lesley	November	1993
WICHMAN, Puai Tane	February	1992

SECOND PART
(Barristers)

GEORGE, Norman	March	1984
INGRAM, Vincent Alfred Kura Teratu	January	1976