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March 29, 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Termination of Cook Islands Status

Cook Islands' interim report says new political status can be terminated by Cook Islanders.

The 1964 Act is not so clear. Article 41 contains the provisions for appealing or amending the Constitution. It appears appealing or amending the critical sections of the Constitution requires passage by Cook Islands' Legislative Assembly and a referendum. More important, it also appears to require the assent of the Council of State. See Section 44. More important, see Section 5 which suggests that a decision by the Council of State requires the affirmative vote of the High Commissioner. Section 3 says the High Commissioner's appointment is in part determined by New Zealand. [NB: This needs to be researched further. Who is Governor General?]

Barry Carter

cc: Nancy Schuh

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