

Examined and certified by:

[Signature]
Clerk of the Parliament

In the name and on behalf of Her Majesty Queen Elizabeth the Second I hereby assent to
this Act this

7th

day of

November,

2014



[Signature]
Queen's Representative

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An Act to amend the Welfare Act 1989.

The Parliament of the Cook Islands enacts as follows—

- 1 **Title**
This Act is the Welfare Amendment Act 2014.
- 2 **Commencement**
This Act comes into force on the day after the date on which it receives assent by the Queen's Representative.
- 3 **Principal Act amended**
This Act amends the Welfare Act 1989.
- 4 **Section 40 amended (Persons over sixty years of age entitled to a pension)**
 - (1) Section 40(2) is repealed and the following subsection is substituted—
 - “(2) A person qualifies to receive a pension if he or she has actually resided in the Cook Islands for a continuous period of not less than one year immediately preceding his or her application to receive a pension and—
 - “(a) if that person was not born in the Cook Islands and neither of his or her parents is a Cook Islander, then he or she must actually resided, whether continuously or intermittently, in the Cook Islands for a total period of not less than 20 years after his or her 18th birthday; or
 - “(b) if that person was born in the Cook Islands or if either of his or her parents were Cook Islanders, then he or she must actually resided in the Cook Islands, whether continuously or intermittently for a total period not less than 10 years after his or her 18th birthday.

- (2) Section 40 is amended by inserting the following subsection after subsection (3)—
- “(3A) For the purposes of subsection (2) and subsection (5) any person posted on diplomatic service on behalf of the Cook Islands is deemed to be actually resident in the Cook Islands for duration of their posting.”
- (3) Section 40(6) is repealed and the following subsection is substituted—
- “(6) Any person whose pension ceases to be paid pursuant to subsection (5) may reapply for payment to him or her of a pension if he or she returns to reside in the Cook Islands. The person reapplying qualifies—
- “(a) immediately if that person has been absent for more than 6 months but less than 12 months; or
 - “(b) after 3 months being actually resident if that person has been absent for 12 months or more but less than 2 years; or
 - “(c) after 12 months being actually resident if that person has been absent for 2 years or more.”
- (4) Section 40 is amended by inserting the following subsection after subsection (6)—
- “(6A) Despite subsection (6) a person qualifies immediately for the reinstatement of their pension payments, on their return to reside in the Cook Islands, if they have been absent from the Cook Islands for a period of 6 months or more and he or she had been referred overseas for medical treatment by the Ministry of Health.

This Act is administered by the Ministry of Internal Affairs.

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