

Examined and certified by:



Clerk of the Parliament

In the name and on behalf of Her Majesty Queen Elizabeth the Second I hereby assent to
this Act this 27th day of June 2007



Sir F. Goodwin, KBE

Queen's Representative

ANALYSIS

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|----------------|---------------------------------|
| 1. Short Title | 3. Functions of the Corporation |
| 2. Directors | 4. Savings |

2007, No. 18

An Act to amend the Cook Islands Tourism Marketing Corporation Act 1998

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

1. Short Title – This Act may be cited as the Cook Islands Tourism Marketing Corporation Amendment Act 2007 and shall be read together with and deemed part of the Cook Islands Tourism Marketing Corporation Act 1998 (hereinafter referred to as “the principal Act”).

2. Directors – The principal Act is amended by deleting section 4 and substituting the following new section -

“4 Directors - (1) There shall be a board of directors of the Corporation which shall, subject to the provisions of this Act, be responsible for the direction and control of the Corporation.

(2) The Chief Executive Officer shall be an *ex-officio* but non-voting member of the board.

(3) The board shall comprise, in addition to the Chief Executive Officer, not less than 4 nor more than 7 directors being persons who, in the opinion of the Minister acting in his discretion, will contribute relevant skills, professionalism and experience to the board.

(4) The Minister shall from amongst the persons appointed as directors, appoint one of them, being a person other than the Chief Executive Officer, as chairperson of the Board.”

3. Functions of the Corporation – (1) Section 15 of the principal Act is deleted and the following new section substituted -

“15. Functions of the Corporation - (1) In pursuing its primary objective, the Corporation shall have the following functions -

- (a) As to policy and planning -
 - (i) provide advice to the Government and the tourism industry of the Cook Islands on policies and strategies to generate and promote tourism to the Cook Islands in a manner that is environmentally sustainable and culturally acceptable;
 - (ii) develop and update each year, a rolling five-year strategic marketing plan to provide the direction and priorities to guide the tourist industry;
 - (iii) assist in the implementation of a national and sectoral tourism policy.

- (b) As to marketing and promotion -
 - (i) formulate, implement and manage marketing strategies and activities to promote the Cook Islands internationally as a desirable tourist destination;
 - (ii) undertake market research and surveys (being research and surveys not being undertaken by any other agency or department of the Government of the Cook Islands) as may be required to formulate marketing strategies and plans for the achievement of its objectives;
 - (iii) develop, provide and co-ordinate national destinational information, materials and marketing services as may be required to ensure the effective promotion of tourism in overseas tourist source markets;
 - (iv) operate and manage offices in tourist source markets to market and represent the Cook Islands as a tourist destination;
 - (v) appoint or engage representatives under contract or by other arrangements to market promote and represent the Cook Islands in tourist source markets;
 - (vi) operate and manage a visitor centre to provide information to visitors and where complaints by visitors to the Cook Islands may be addressed;

- (vii) develop and provide publicity, public relations and information services to promote travel to and within the Cook Islands;
 - (viii) develop and participate in joint marketing activities, as well as obtain co-operative funding, with other industry partners to achieve maximum return on marketing resources;
 - (ix) facilitate tourism, trade and media visits to the Cook Islands;
 - (x) develop and maintain effective linkages and relationships with airlines, travel agents, tour operators and others engaged in the business of encouraging tourists to visit the Cook Islands;
 - (xi) establish and maintain linkages with international and regional organisations involved with the marketing and development of tourism to and within the South Pacific.
- (c) As to cultural and community issues –
- (i) to establish and promote structures and procedures to facilitate dialogue and consultation on matters affecting tourism between and among the Government, those involved in the tourism industry and the general public;
 - (ii) to identify and promote those aspects of Cook Islands culture and entertainment of interest to tourists;
 - (iii) to advise and inform the Minister as required, of matters of particular community concern;
 - (iv) to regulate and control in conjunction with other departments and agencies of the Government, the use and development of scenic attractions and recreational facilities.
- (d) As to the outer islands -
- (i) promote and market islands other than Rarotonga as an integral part of the Cook Islands as a tourist destination.
- (e) As to general administration and other matters -
- (i) carry out its functions and the management of its resources in a commercial and businesslike manner;
 - (ii) prepare an annual marketing plan consistent with the rolling 5 year strategic marketing plan, setting out the targets, activities, and anticipated results from each source market;
 - (iii) prepare an annual budget to support the annual marketing plan;
 - (iv) prepare and submit to the Minister each financial year proposals to bid from the Government of the Cook Islands and other co-operative partners, for finance and resources in return for the provision of outputs.

- (f) As to education and training –
- (i) to promote and co-ordinate with other departments and agencies of the Government an ongoing programme of education and training within and beyond the Cook Islands to improve the extent of participation by Cook Islanders in the tourist industry at all levels;
 - (ii) to establish and promote a continuing programme of community education as to the benefits and advantages of tourism.
- (2) Notwithstanding subsection (1), the Minister acting with the concurrence of Cabinet may transfer the function set out in sub-paragraph (f)(i) of that subsection, together with any asset or liability of the Corporation associated with that function, to any other department, ministry or agency of the Crown.”

4. Savings - Notwithstanding the repeal by this Act of section 4 of the principal Act, every person who is a director of the Corporation upon the coming into force of this Act shall, subject to the provisions of the principal Act, continue to hold office after the coming into force of this Act, for the remainder of the term for which he or she was appointed and shall upon expiry of that term, be eligible for re-appointment.

This Act is administered by the Cook Islands Tourism Marketing Corporation