

LEGISLATION RELATING TO NES

What legislation applies to the National Environment Service(NES)?

The Environment Act 2003 (the “Act”) is the primary legislation that established NES and its functions and powers. The Act applies throughout the Cook Islands (including terrestrial, territorial sea and exclusive economic zone).

The Act recognises the application of other related legislation in the Cook Islands that operate within the same jurisdiction as NES.

What is the Objective and Functions provided under the Environment Act 2003?

The main Objective of the Act is to provide a comprehensive instrument for the protection and conservation of wildlife and the environment in a sustainable manner. The Act is administered and implemented by NES as a Statutory Agency of the Crown headed by a Director.

NES provide services to achieve its key objectives and ensure the sustainable use of natural resources. NES also prevent, control and correct the pollution of air, water, land and carry out other functions listed in Section 9 of the Act.

What areas can be regulated under the Environment Act?


There are numerous Regulations made pursuant to Section 70 of the Act for the following areas:

- Soil erosion
- Removal of gravel, sand, soil, rock and coral
- Establish Protected Areas
- Hazardous Waste
- Disposal of recyclable or non- recyclable products
- Protect species and wildlife
- Protect and control trees and its removal

What are the current Environment Regulations and Orders in place?

REGULATIONS	YEAR	PURPOSE
Environment (Mitiaro) Order	2004	This Order allows the application of the Act to the island of Mitiaro. Implementation details also provided in the Environment Act (Mitiaro) Regulations 2008.
Environment (Takuvaive Water Catchment Management Plan) Regulations	2006	This was created for the Takuvaive Catchment Management Plan by establishing a Management Committee with functions to implement the Regulation.
Environment (Application to Mauke) Order	2007	This Order allows the application of the Act to the island of Mauke.
Environment (Mitiaro) Regulations	2008	The Regulation has provisions for the protection of species and habitats on the Island of Mitiaro, protection of marine resources, identify the right to declare a raui, provide for the appointment of officers and make provisions on general environmental health.
Environment (Atiu and Takutea) Regulations	2008	The Regulation designates Takutea as a Community Conserved Area and is managed by the local community in accordance to a management plan.
Prohibition on Importation of Plastic Shopping Bags Regulations	2012	The Regulation manages the importation of non-biodegradable plastic shopping bags into the Cook Islands.
Environment (Montreal Protocol) Regulations	2021	The Regulation is to ban and manage the use of ozone depleting substances (ODS) in the Cook Islands.

Who can I contact for more information?

 +682 21256

 resources@cookislands.gov.ck