

NAURU TOURISM CORPORATION

Table of Contents

	<i>Page</i>
<i>Principal</i>	
Nauru Tourism Corporation Act 2019	
Table of Provisions	993
Table of Amendments	995
Nauru Tourism Corporation Act 2019	997

Nauru Tourism Corporation Act 2019

TABLE OF PROVISIONS

Section

Title

PART 1 — PRELIMINARY

- 1 Short title
- 2 Commencement
- 3 Interpretation

PART 2 — APPLICATION OF THE ACT

- 4 Objectives
- 5 Guiding principles

PART 3 — NAURU TOURISM CORPORATION

- 6 Establishment of Corporation
- 7 Functions of the Corporation
- 8 Powers of the Corporation
- 9 Directions of Minister
- 10 Board of Directors
- 11 Qualifications of Directors [*Repealed*]
- 12 Meetings of the Board [*Repealed*]
- 13 Responsibilities and duties of Directors [*Repealed*]
- 14 Vacation of office [*Repealed*]
- 15 Remuneration of the Board [*Repealed*]
- 16 Disclosure of interest [*Repealed*]
- 17 Liability of Directors [*Repealed*]

PART 4 — ACCOUNTS AND AUDIT

- 18 Account keeping [*Repealed*]
- 19 Funds of the Corporation
- 20 Audit of accounts [*Repealed*]
- 21 Annual reports and accounts [*Repealed*]

PART 5 — CHIEF EXECUTIVE OFFICER AND OFFICERS

- 22 Chief Executive Officer [*Repealed*]
- 23 Officers

PART 6 — MISCELLANEOUS

- 24 Breach of confidentiality [*Repealed*]

<i>Section</i>	<i>Title</i>
25	Election candidates — Board of Directors [<i>Repealed</i>]
26	Jurisdiction of court
27	Regulations

Nauru Tourism Corporation Act 2019

TABLE OF AMENDMENTS

The Nauru Tourism Corporation Act 2019 No 2 was certified and commenced on 22 March 2019 (GN No 246/2019; Gaz 53/2019).

Amending Legislation	Date of Assent	Date of Commencement
Public Enterprises Act 2019 No 11	11 June 2019	Sch 2 cl 7: 11 June 2019
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

An Act to establish the Nauru Tourism Corporation, to provide for its functions and powers and for related purposes.

Enacted by the Parliament of Nauru as follows:

PART 1 — PRELIMINARY

1 Short title

This Act may be cited as the *Nauru Tourism Corporation Act 2019*.

2 Commencement

This Act commences on certification by the Speaker and came into effect on 22 March 2019.

3 Interpretation

In this Act:

‘Board’ means the Board of directors referred to in Section 10;

[def subst Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

‘Corporation’ means the Nauru Tourism Corporation established under Section 6; and

‘Minister’ means the Minister appointed as the Responsible Minister for the Corporation under the *Public Enterprises Act 2019*.

[def subst Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

PART 2 — APPLICATION OF THE ACT

4 Objectives

The objectives of this Act are to:

- (a) establish a legal and administrative framework to promote tourism development in the Republic;
- (b) establish the Nauru Tourism Corporation, its functions and powers;
- (c) empower the Corporation to carry out and promote the sustainable development of tourism in the Republic through effective planning and promotion; and
- (d) ensure the participation of relevant government and community stakeholders in the development of tourism policies and the resolution of issues arising as a result of tourism development.

5 Guiding principles

In the interpretation and application of this Act in developing and promoting the tourism industry, the following guiding principles shall be given effect to:

- (a) provision of sustainable socio-economic benefit of all stakeholders;
- (b) recognition and respect for existing traditions and customary practices and contribution to inter-cultural understanding and tolerance;
- (c) conservation and management of natural, social and cultural resources, biodiversity and waste management;
- (d) support economic, socio-cultural and environmental protection through governance and infrastructure;
- (e) international or regional commitments of the Republic in particular relating to ecotourism and Blue Ocean Strategy;
- (f) public safety and security are to be preserved; and
- (g) be consistent with the written laws of the Republic.

PART 3 — NAURU TOURISM CORPORATION

6 Establishment of Corporation

- (1) The Nauru Tourism Corporation is hereby established.
- (2) The Corporation is a body corporate with perpetual succession and shall have a common seal.
- (3) The Corporation may:
 - (a) sue and be sued;
 - (b) enter into contracts and legal obligations;
 - (c) acquire, hold, manage and dispose of real and personal properties; and
 - (d) perform all powers, functions, duties and responsibilities of a corporation under the *Corporations Act 1972* and this Act.

7 Functions of the Corporation

The functions of the Corporation shall include:

- (a) to promote and market tourism;
- (b) to carry out and give effect to any policy directions of the Minister and the Cabinet in relation to developing the tourism industry;
- (c) to prepare each a short and a long term tourism action plan;
- (d) to engage all sectors and stakeholders to work together to contribute to tourism development;
- (e) to develop and implement marketing strategies including prioritised market segments;
- (f) to establish a brand or market distinct from other tourism destinations to be competitive both in the regional and the international tourism markets;
- (g) to drive the increase in the contribution of tourism for ongoing economic benefits through increases in tourist arrivals, tourism receipts and tourism investments;
- (h) to make recommendations and advise the Minister on matters connected with its functions; and
- (i) to perform such other functions or exercise such other powers conferred on the Corporation under this Act.

8 Powers of the Corporation

The Corporation shall have the power to do all things necessary, convenient or appropriate to be done, whether in the Republic or elsewhere, for carrying out its functions.

9 Directions of Minister

- (1) The Corporation is responsible to the Minister.
- (2) [subs (2) rep Public Enterprises Act 2019 (Act 11 of 2019) Sch 2 cl 7, opn 11 June 2019]
- (3) The Minister may require the Corporation to provide information in the custody, power or control of the Corporation.
- (4) The Corporation shall comply with the request under subsection (3).
- (5) In this Section, *'information'* includes digital records, any tape, disk, drive or other device or means of recording or storing information.

10 Board of Directors

- (1) The Corporation shall have a Board of directors appointed and holding office in accordance with the *Public Enterprises Act 2019*.
- (2) The business, operations and affairs of the Corporation shall be managed by, or under the direction or supervision of, the Board.

[s 10 subst Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

11 Qualifications of Directors

[s 11 rep Act 11 of 2019 Sch 2 cl 7(d), opn 11 June 2019. Part 6, Div 1 of the Public Enterprises Act 2019 applies.]

12 Meetings of the Board

[s 12 rep Act 11 of 2019 Sch 2 cl 7(d), opn 11 June 2019. Part 6, Div 3 of the Public Enterprises Act 2019 applies.]

13 Responsibilities and duties of Directors

[s 13 rep Act 11 of 2019 Sch 2 cl 7(f), opn 11 June 2019. Part 6, Division 2 of the Public Enterprises Act 2019 applies.]

14 Vacation of office

[s 14 rep Act 11 of 2019 Sch 2 cl 7(f), opn 11 June 2019. Part 6 Div 1 of the Public Enterprises Act 2019 applies.]

15 Remuneration of the Board

[s 15 rep Act 11 of 2019 Sch 2 cl 7(f), opn 11 June 2019. Section 46 of the Public Enterprises Act 2019 applies.]

16 Disclosure of interest

[s 16 rep Act 11 of 2019 Sch 2 cl 7(f), opn 11 June 2019. Section 53 of the Public Enterprises Act 2019 applies.]

17 Liability of Directors

[s 17 rep Act 11 of 2019 Sch 2 cl 7(f), opn 11 June 2019. Part 6, Division 2 of the Public Enterprises Act 2019 applies.]

PART 4 — ACCOUNTS AND AUDIT

18 Account keeping

[s 18 rep Act 11 of 2019 Sch 2 cl 7(g), opn 11 June 2019. Part 7 of the Public Enterprises Act 2019 applies.]

19 Funds of the Corporation

(1) The Corporation shall have and operate its own bank account with nominated signatories for the purposes of banking transactions.

(2) The Board shall approve the signatories for the purposes of subsection (1).

20 Audit of accounts

[s 20 rep Act 11 of 2019 Sch 2 cl 7(g), opn 11 June 2019. Part 7 of the Public Enterprises Act 2019 applies.]

21 Annual reports and accounts

[s 21 rep Act 11 of 2019 Sch 2 cl 7(g), opn 11 June 2019. Part 7 of the Public Enterprises Act 2019 applies.]

PART 5 — CHIEF EXECUTIVE OFFICER AND OFFICERS

22 Chief Executive Officer

[s 22 rep Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

23 Officers

The Corporation may employ persons to assist the Corporation in the exercise of its powers and the performance of its functions on terms and conditions determined by the Chief Executive Officer.

PART 6 — MISCELLANEOUS

24 Breach of confidentiality

[s 24 rep Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

25 Election candidates — Board of Directors

[s 25 rep Act 11 of 2019 Sch 2 cl 7, opn 11 June 2019]

26 Jurisdiction of court

The District Court shall have jurisdiction to hear and determine all offences under this Act and, shall have power to impose the full penalty or punishment in respect of the offences under this Act.

27 Regulations

The Cabinet may make regulations prescribing all matters necessary or convenient to be prescribed for giving effect to this Act.

