



REPUBLIC OF NAURU

NAURUAN COMMUNITY ORDINANCE AMENDMENT ACT 1997

(No. of 1997)

ARRANGEMENT OF SECTIONS

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REPUBLIC OF NAURU

(No. 11 of 1997)

AN ACT

To amend the Nauruan Community Ordinance, to clarify the status of members of the Nauruan Community, to establish a Nauru Investment Citizenship Board, and related purposes

Certified 13/6/1997

Enacted by the Parliament of Nauru †

Short Title

- 1(a). This Act may be cited as the Nauruan Community Ordinance Amendment Act 1997.
- (b) The Nauruan Community Ordinance 1956-1962 is herein referred to as the principal Ordinance
- (c) The principal Ordinance as amended by this Act may be cited as the Nauruan Community Act 1956-1997

Commencement

2. This Act shall be deemed to have come into force on a date to be notified by the Minister in the *Gazette*.

Amendment of Section 2(1)

- 3(1). Section 2(1) of the principal Ordinance is amended by

(a) deleting the definitions of "the Administering Authorities", "the Council" and "the Court"

- (b) adding the following definitions -

"Citizen of Nauru" means either

- (a) a person who is a citizen pursuant to Part VIII of the Constitution; or
- (b) a person admitted as a member of the Nauru Community; or
- (c) a Citizen Investor as provided in this Act

"the Court" means the Supreme Court.

Amendment of various expressions

4. The principal Ordinance is amended by

- (a) replacing the expression "the Council" wherever appearing by the expression "the Cabinet".
- (b) replacing the expression "any one of the Administering Authorities" by the expression "the Republic of Nauru".
- (c) replacing references to being, becoming, or having become "a Nauruan" by references to being, becoming or having become, a "Nauruan citizen"

Insertion of new Section 4A

5. The principal Ordinance is amended by inserting the following heading and new section immediately before section 4 -

"Members of the Nauruan Community to be Citizens

4A(1). All persons who were admitted as members of the Nauruan Community after 31 January 1968, whether by the Nauru Local Government Council or Cabinet, are citizens of Nauru

(2) All persons admitted as members of the Nauruan Community after the commencement of this Act are citizens of Nauru"

Amendment of Section 5

6. Section 5 of the Principal Ordinance is amended by adding after sub-section (5), new sub-sections (6), (7), (8) and (9) as follows:

"(6) A person, whether or not a Pacific Islander, may make application in the prescribed form to be admitted as a Citizen investor providing that the person:

- (a) has attained the age of twenty years of age;
- (b) is a person of good character;

- (c) has provided a certificate of good health satisfactory to the Nauru Citizen Investment Board;
 - (d) has entered the Island of Nauru under the sponsorship of the Nauru Citizen Investment Board;
 - (e) has agreed to acknowledge and respect the customs of the Nauruans;
 - (f) has made an investment in the Island of Nauru of such form and in such amount as determined by Cabinet;
 - (g) has been personally examined by the Nauru Citizen Investment Board and has been declared by the Nauru Citizen Investment Board to be a person with respect to whom the granting of citizenship under the laws of the Republic of Nauru would benefit Nauru.
- (7) There shall be established a Nauru Citizen Investment Board which shall:
- (a) consist of five members appointed by the Cabinet one of whom shall be appointed Chairman by the President and shall have a deliberative but not a casting vote. Three members shall constitute a quorum for meetings of the Board. If the Chairman is not present at a meeting then the members present shall elect one of their number as Acting Chairman;
 - (b) meet regularly to:
 - (i) review applications presented to it;
 - (ii) examine, in person, such applicants as apply for citizenship in Nauru under this Act; and
 - (iii) recommend, with respect to each applicant, to the Cabinet, that the person be granted, or not be granted, citizenship of Nauru:
- (8)(a) Upon receipt of a recommendation from the Nauru Citizen Investment Board that an applicant has met the requirements of this Act and of the regulations, the applicant shall be deemed eligible for and the Cabinet may grant Nauruan citizenship to the applicant
- (b) A person who has been granted citizenship as provided in Section 5(6) shall upon application in the prescribed form be eligible to be issued a passport of Nauru, and shall have all the rights and privileges provided by law for a citizen of Nauru

- (c) The spouse and minor children of a citizen of Nauru who has been granted citizenship as provided in Section 5(6) shall be eligible to become citizens of Nauru as may be specified in regulations made by Cabinet, and in any event may be listed as spouse and children on the passport, travel documents, and other identity documents of the citizen of Nauru.
 - (d) Section 9 of this Act applies to a person granted citizenship of Nauru under Section 5(6) but paragraph 1(ba) thereof shall only apply insofar as the person has shown himself not to respect the customs of the Nauruans.
- (9) Cabinet may make such regulations as are considered appropriate for the operation of the Nauru Citizen Investment Board including the provision for payment of allowances for attendance at meetings and the reimbursement of reasonable expenses properly incurred in connection with its business and deliberations."

ADMISSION OF CITIZENS PURSUANT TO ARTICLE 74

7(1) A woman, not being a Nauruan Citizen, who is married to a Nauruan Citizen or has been married to a man who was throughout the subsistence of the marriage, a Nauruan citizen may apply to Cabinet in the prescribed form to become a Nauruan citizen.

(2) Cabinet shall, upon receipt of an application under paragraph (1) and upon being satisfied that the applicant meets the requirements therein stated, grant the applicant Nauruan citizenship.

I hereby certify that the above is a fair print of a Bill for an Act entitled the Nauruan Community Ordinance (Amendment) Act 1997 that has been passed by Parliament of Nauru and is now presented to the Speaker for his Certificate under Article 47 of the Constitution.



Clerk of Parliament
13th June, 1997

Pursuant to Article 47 of the Constitution, I, KENNAN RANIBOK ADEANG, Speaker of Parliament, HEREBY CERTIFY that the Nauruan Community Ordinance (Amendment) Act 1997 has been passed by Parliament of Nauru.



Speaker
13th June, 1997