

STATUTE LAW REVISION

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Statute Law Revision Act 2011

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Statute Law Revision Act 2011

TABLE OF AMENDMENTS

The Statute Law Revision Act 2011 No 8 was certified and commenced on 15 April 2011 (GN No 414/2011; Gaz 80/2011).

Amending Legislation	Certified	Date of Commencement
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

An Act to revise the statute law of Nauru.

Enacted by the Parliament of Nauru as follows:

PART 1 — PRELIMINARY MATTERS

1 Short title

This Act may be cited as the *Statute Law Revision Act 2011*.

2 Commencement

- (1) Subject to subsection (2), this Act commences on the day it receives the certificate of the Speaker under Article 47 and came into effect on 15 April 2011.
- (2) The amendments of the *Adoption of Children Ordinance 1965-1967* made by Schedule 1, sub-items 4.1 and 4.2 and item [7] are taken to have commenced from the commencement of the *Family Court Act 1973*.

PART 2 — VALIDATION AND TRANSITIONAL PROVISIONS

3 Validation of Agricultural Quarantine Act 1999

- (1) The *Agricultural Quarantine Act 1999* (No 5 of 1999) is taken to have commenced on 18 October 1999.
- (2) Anything done or omitted to be done before the commencement of this Section under any provision of the *Agricultural Quarantine Act 1999* is taken to have been valid.

4 Validation of Appeals (Amendment) Act 1974

- (1) The *Appeals (Amendment) Act 1974* (No 15 of 1974) is taken to have commenced on 23 September 1976.
- (2) However, anything done or omitted to be done between 31 December 1974 and 23 September 1976 in reliance on any provision of the *Appeals (Amendment) Act 1974* is taken to have been valid.

5 Validation of Births, Deaths and Marriages Ordinance 1957

The *Births, Deaths and Marriages Ordinance 1957* (No 8 of 1957) is taken to have commenced on 9 March 1959.

6 Validation of fees charged for extracts from the Register of Births, Deaths and Marriages

All fees charged before the commencement of this Section for a service or document provided under Section 29(4) of the *Births, Deaths and Marriages Act 1959-2009* are taken to have been validly charged.

7 Validation of Disaster Risk Management Act 2008

The *Disaster Risk Management Act 2008* (No 15 of 2008) is taken to have commenced on 18 December 2008.

8 Validation of Immigration (Amendment) Act 2005

The *Immigration (Amendment) Act 2005* (No 7 of 2005) is taken to have commenced on 2 October 2005.

9 Validation of amendments to Nauru Air Corporation Act 1995

- (1) Section 3 of the *Nauru Air Corporation (Amendment) Act 2006* is declared always to have had effect as if the reference to Section 47 of the *Nauru Air Corporation Act 1995* had been a reference to Section 45 of that Act.
- (2) Section 3(4) of the *Nauru Air Corporation (Amendment) Act 2007* is declared always to have had effect as if the reference to subsection 14 of the *Nauru Air Corporation Act 1995* had been a reference to Section 14(3) of that Act.

10 Postal rates

- (1) Until regulations are made under Section 9 of the *Law Adoption (Post and*

Telegraph) Act 1952, the postal rates and related charges applied in Nauru immediately before the commencement of this Section continue to apply as if they had been fixed by regulations made under that Section.

- (2) All postal rates and related charges applied in Nauru from the commencement of the *Post and Telegraph Ordinance 1952* until the commencement of this Section are taken, for all purposes, to have been validly applied.

11 Transfer of assets of Nauru Insurance Corporation

Assets that are held by the Nauru Insurance Corporation the day before this Act commences are transferred to the Republic on the day this Act commences.

PART 3 — AMENDMENT AND REPEAL OF LAWS

12 Acts amended

Schedule 1 amends the Acts mentioned in it.

13 Repeal of laws

The following are repealed:

- (a) the Acts listed in Schedule 2;
- (b) the Ordinances listed in Schedule 3;
- (c) all subsidiary legislation made under the laws mentioned in paragraphs (a) and (b), except *Administration Order No 3 of 1938* (Regulations governing Intestate Estates) made under the *Native Administration Ordinance 1922-1967*.

SCHEDULE 1

[Section 12]

AMENDMENT OF LAWS

Part AC — Accommodation Registration Act 2006

1 Amendment of Section 10

Section 10(2)

omit, substitute

(2) The Secretary shall not suspend the registration of an accommodation house unless the Secretary:

- (a) has, at least 1 month before suspending the registration, informed the owner that he or she is considering suspending the registration; or
- (b) considers that, for reasons of health or safety, the registration should be suspended immediately.

2 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3(1), definition of ‘accommodation unit’	unit’ in	unit’ , in
Section 3(1), definition of ‘bedroom’	part or otherwise	part otherwise
Section 3(1), definition of ‘Secretary’	Secretary for the Department responsible; and	head of the department responsible to the Minister for the administration of this Act;
Section 12(3)	BT = The	BT = the
Section 13	paid by	paid for by
Section 15	that	when
	<i>omit</i>	<i>substitute</i>
	Hotels	Hotel
	Guest Houses, boarding houses and group of apartments	Guest house, boarding house or group of apartments
	Single Apartments	Single apartment

Part AD — Adoption of Children Ordinance 1965-1967

3 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Adoption of Children Act 1965*.

4 Amendment of Section 3

4.1 Section 3, definitions of ‘Register of Births’ and ‘Registrar of the Court’
omit

4.2 Section 3

insert (in alphabetical order)

‘**Clerk**’ means Clerk of the Court;

‘**Court**’ means the Family Court;

‘**foreign jurisdiction**’ means a foreign country or a political subdivision of a foreign country;

‘**Register of Births**’ means the Register of Births kept under the *Births, Deaths and Marriages Act 1957*;

5 Amendment of Section 6

Section 6(1)

omit

all the words from ‘Subject to’ to ‘applicants apply’

substitute

Subject to subsection (2), if applicants apply

6 Amendment of Section 10

Section 10(1)

omit

all the words from ‘Subject to’ to ‘adoption order’

substitute

Subject to subsection (2), an adoption order

7 Omnibus amendments relating to the Family Court

7.1 *omit (all references)*

Supreme Court

substitute

Court

7.2 *omit (all references)*

Registrar of the Court

substitute

Clerk

8 Omnibus amendments relating to ‘this Ordinance’

8.1 *omit (all references)*

This Ordinance

substitute

This Act

8.2 *omit (all references)*

this Ordinance

substitute

this Act

9 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 10(1)(b)	over the child	over, the child
Section 10(5)(a)	Council	Cabinet
Section 10(5)	Head Chief	President
Section 10(7)(a) and (c)	over the child	over, the child
Section 11, heading	Supreme Court	Court
Section 12	Council (<i>all references</i>)	Cabinet
Section 15, heading	The Supreme Court	Court
Section 17(8)	the provisions of Sections 222 and 223 of Schedule 1 to <i>The Criminal Code Act, 1899</i> , of the State of Queensland, in its application to the Island, apply	Sections 222 and 223 of the <i>Criminal Code 1899</i> , apply
Section 19(1)(a)(i)	Administrator	Minister
Section 23(3)	<i>Registration of Births, Deaths and Marriages Ordinance 1957</i>	<i>Births, Deaths and Marriages Act 1957</i>
Section 24(b)	a State of, or a Territory administered by, the Commonwealth,	a foreign jurisdiction;
Section 24	in the State or Territory.	in that foreign jurisdiction.
Section 25	a State of, or a Territory administered by, the Commonwealth	a foreign jurisdiction
	of the Island,	of Nauru,
	in the Island.	in Nauru.
	<i>omit</i>	<i>substitute</i>
Section 26	Administrator in Council	Cabinet

Part AE — Aerodrome (Acquisition of Land) Act 1952-1968**10 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title****1** This Act may be cited as the *Aerodrome (Acquisition of Land) Act 1952*.**11 Repeal of Sections 2, 7 and 8**

Sections 2, 7 and 8

*repeal***12 Further amendments**

Provision	Amendment
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	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 6(2)	this Section shall be twice the amount which would be payable at the rate prescribed by Section five of the Lands Ordinance as the rental for the lease of non-phosphate-bearing land.	this Section is the amount which would be payable under clause 4 of the Third Schedule to the <i>Lands Act 1976</i> (or, under an order made under Section 16 of the <i>Lands Act 1976</i>) if the land were leased for use as an aerodrome.

Part AP — Appeals Act 1972

- 13 Amendment of long title**
 Long title, after ‘District Court’
insert
 and the Supreme Court

14 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 14(3)	either quash the conviction and	quash the conviction and either
Section 15(1)	count has	count, has
Section 42(1)	appeal, under	appeal under
Section 52	<i>1903-1976</i>	<i>1903</i>

Part BA — Banking Act 1975

- 15 Amendment of Section 2**
 Section 2(5)
omit

- 16 Amendment of Section 3**
 Section 3(1)
omit

- 17 Repeal and substitution of Section 20**
 Section 20
repeal, substitute

Offences

- 20** (1) A person who contravenes or fails to comply with the provisions of Section 4 or 14 commits an offence.
 (a) for an individual – \$2000 and 3 years imprisonment;
 (b) for a body corporate – \$10,000.
 (2) A person commits an offence if the person:

- (a) contravenes or fails to comply with any other provision of this Act for which no penalty is specified; or
- (b) being a director or manager of a bank or financial institution licensed under Section 5 of this Act – fails to take all reasonable steps to secure compliance by the bank or financial institution with any such provision.

Penalty:

- (a) for an individual – \$500 and 6 months imprisonment;
- (b) for a body corporate – \$5000.

18 Omnibus amendment relating to citation of ‘Corporation Act 1972’

omit (all references)

Corporation Act 1972

substitute

Corporations Act 1972

19 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2(1), definition of ‘savings bank’	carried	carries
Section 2(6)	Notwithstanding subsection (5) of this Section, the provisions of this Act shall not	This Act does not
	<i>omit</i>	<i>substitute</i>
Section 3(2)	Department of Island Development and Industry	the department responsible to the Minister for the administration of this Act
Section 4(2)	Act, is	Act is
Section 5(2)	these	those
Section 5(6)	Registrar for the Republic	Registrar
Section 5(9)	For the purpose of clarity and to avoid confusion it is hereby declared that, this Act does not and never has, had application	This Act does not apply
	<i>1972, to</i>	<i>1972 to</i>
Section 12(2)(b)	the Republic, the Council, the Nauru Co-operative Society	the Republic
	Republic or the Council;	Republic;
Section 12(2)(c)	Republic, the Council	Republic
	Republic or the Council,	Republic,
Section 24, heading	Corporation Act 1972	Corporations Act 1972

Part BI — Births, Deaths and Marriages Act 1957-2009

20 Repeal and substitution of short title

Section 1

repeal, substitute

PART I — PRELIMINARY**1 Short title**

This Act may be cited as the *Births, Deaths and Marriages Act 1957*.

21 Repeal of Section 2

Section 2

repeal

22 Amendment of Section 6

Section 6(3)

omit, substitute

(3) A register or record of births that:

- (a) was maintained, or purported to have been maintained, by the Administration of the Island of Nauru; and
- (b) was in existence immediately before the commencement of Ordinance No 8 of 1957; and
- (c) was, before 31 January 1968, certified by the Administrator to be, to the best of his or her knowledge and belief, a true record of births that occurred in Nauru on and after 25 January 1915;

has effect accordingly and forms part of the Register of Births.

23 Amendment of Section 15

Section 15(3)

omit, substitute

(3) A register or record of deaths that:

- (a) was maintained, or purported to have been maintained, by the Administration of the Island of Nauru; and
- (b) was in existence immediately before the commencement of Ordinance No 8 of 1957; and
- (c) was, before 31 January 1968, certified by the Administrator to be, to the best of his or her knowledge and belief, a true record of deaths that occurred in Nauru on and after 2 January 1915;

has effect accordingly and forms part of the Register of Deaths.

24 Amendment of Section 22

Section 22(3)

omit, substitute

(3) A register or record of marriages (including any certificate of marriage transmitted to the Administrator under the *Marriages Ordinance 1921* as in force from time to time) that:

- (a) was maintained, or purported to have been maintained, by the Administration of the Island of Nauru; and
- (b) was in existence immediately before the commencement of Ordinance No 8 of 1957; and
- (c) was, before 31 January 1968, certified by the Administrator to be, to the best of his or her knowledge and belief, a true record of marriages that occurred in Nauru on and after 7 July 1921;

has effect accordingly and forms part of the Register of Marriages.

25 Amendment of Section 23

Section 23(1)(d)

omit

Head Chief and the Secretary of the Nauru Local Government Council that the Council

substitute

President certifying that Cabinet

26 Omnibus amendments relating to ‘this Ordinance’*omit (all references)*

this Ordinance

substitute

this Act

27 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 1A	Ordinance	Act
Section 4(1), definition of ‘the adopted Ordinance’	as an Ordinance of the Island.	as a law of Nauru.
Section 5(3)	Administrator in Council	President
	Registrar, under	Registrar under
Section 5(4)	Where under	If, under
Section 5(5)	Administrator in Council	Cabinet
Section 6(1)	on the Island, particulars	in Nauru, particulars
Section 7(1)	on the Island,	in Nauru,
Section 9(b)	Administrator,	Minister,
Section 11, heading	the Island	Nauru
Section 11	outside the Island	outside Nauru
Sections 11(a) and 16	on the Island (<i>all references</i>)	in Nauru
Section 20(1)	Administrator in Council	Cabinet
Section 20(1)(b)	Supreme	District
Section 20(3)(a)	on the Island	in Nauru
Section 20(4)	Administrator in Council (<i>all references</i>)	Cabinet
Sections 21(3) and (5) and 22(1)	on the Island	in Nauru
Section 28(1)	to the Island	to Nauru
	at the Island	in Nauru
Section 29(4)	Twenty-five cents:	\$10:
Section 31	by the Administrator under Section six, Section fifteen or Section twenty-two of this Ordinance	under Section 6(3), 15(3) or 22(3)
Section 37(2)(b)	Supreme	District

Schedule, Form 1	the day of , 19,	[date],
	of the Ordinance	of the Act
	<i>omit</i>	<i>substitute</i>
Schedule, Form 2	the day of , 19	on [date]
	Dated this day of , 19.	Dated:
Schedule, Forms 3 and 4	the day of , 19	on [date]
Schedule, Form 5	Dated this day of , 19. (<i>all references</i>)	Dated:

Part CE — Cemeteries Ordinance 1922-1967

28 Repeal and substitution short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Cemeteries Act 1922*.

29 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

Part CEN — Census Act 1973

30 Repeal of Section 2

Section 2

repeal

Part CI — Civil Aviation Act 2011

31 Amendment of Section 37(2)

Section 37(2)

omit

the each

substitute

each

32 Amendment of Section 106

Section 106

omit

sign

substitute

Gazette notice

33 Amendment of Section 171(2)(a)

Section 171(2)(a)

omit, substitute

- (a) prescribing and providing for the payment of fees and charges under this Act, including fees and charges:
- (i) to fund the establishment, maintenance and operation of facilities and services provided under this Act, or generally for the purposes of civil aviation; and
 - (ii) for the exercise of powers and functions under this Act; and
 - (iii) for a service provided under this Act, or generally for the purposes of civil aviation, that shall be paid directly to a person other than the Authority or the Republic who is authorised under this Act to provide the service; and

Part CIA — Civil Aviation (Carriers' Liability) Act 1995

34 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3(3)	Secretary for External Affairs	head of the department responsible for foreign affairs
Schedule 1	Section 4(1)	Section 3(1)
Schedule 2	Section 4(1)	Section 3(1)

Part CIP — Civil Procedure Act 1972

35 Amendment of Section 34

Section 34(1)

omit, substitute

- (1) Subject to subsection (1A), a judgment-debtor detained in prison in the enforcement of a judgment in a civil suit in any Court may be detained:
- (a) if the decree is for the payment of an amount exceeding \$100 – for a period no longer than 6 months; and
 - (b) in any other case — for a period no longer than 6 weeks.
- (1A) The judgement-debtor shall be released before the expiration of the period specified in subsection (1):
- (a) if the amount mentioned in the warrant for his or her detention is paid to the Superintendent of the prison; or
 - (b) subject to subsection (1B):
 - (i) if the judgment against the judgment-debtor is otherwise fully satisfied; or
 - (ii) on the written request of the person on whose application the judgment-debtor has been detained or of that person's legal representative; or
 - (c) if the person on whose application the judgment-debtor has been detained fails to pay subsistence allowance.
- (1B) The judgment-debtor shall not be released under subsection (1A)(b) except:

- (a) if the judgment is that of the Supreme Court — on the order of a judge or the Registrar; and
- (b) if the judgment is that of the District Court — on the order of a magistrate.

36 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 36(1)(f)	Stipends	stipends
Section 36(1)	clauses (f), (g) and (j)	paragraphs (f) and (j)
Section 36(2)	<i>Lands Ordinance 1921-1968</i>	<i>Lands Act 1976</i>
Section 42(1)	money and have	money have
Section 49(2)	Department of External Affairs	department responsible for foreign affairs

Part COM — Commissions of Inquiry Ordinance 1948-1967

37 Repeal and substitution short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Commissions of Inquiry Act 1948*.

38 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

39 Omnibus amendment of references to ‘Administrator in Council’

omit (all references)

Administrator in Council

substitute

Cabinet

40 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 3(1)	he	it
Section 7	Public	public
Section 10	administrator	administer
Section 14	persona	person
Schedule, heading	THE ISLAND	REPUBLIC
	Ordinance	Act

Schedule	on the 19 th at noon	day of of the clock in the	on [date] at [time]
	this	day of 19.	on [date]

Part CON — Constitutional Review Committee Act 2004-2009

41 Amendment of Section 5

Section 5(3), (4) and (5)

renumber as Section 5(2), (3) and (4)

42 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 4(1)	a committee consisting of nine members of the Parliament of Nauru who shall be appointed	9 members of the Parliament of Nauru shall be appointed to the Committee
	select	standing
Section 4(2)	member, shall hold	member holds
Section 4(3)	Speaker upon	Speaker, on
Section 6(5)	That the	The
Section 9(2)	applying a	applying, a
Section 10(1)	and/or written submissions from the public at large or to any person or body directly within and outside of Nauru	or written submissions from any person or body within or outside Nauru
Section 10(5)	in lieu or	instead of or
Section 12(a)	including inter-alia	including,
Section 12(c)	fit;	fit; and
Section 14(2)	in parliament	in Parliament
	PROVIDED	Provided
Section 14(3)	report to	report before
Section 14(4)	Convention.	Committee.

Part COP — Consular Privileges and Immunities Act 1976

43 Amendment of Section 3

Section 3(2), definition of ‘Ministry for Foreign Affairs’

omit

Department of External Affairs

substitute

department responsible for foreign affairs

Part COR — Corporation Act 1972**44 Amendment of Section 1**

44.1 Section 1, heading

*omit***title***substitute***title and commencement**

44.2 Section 1(1)

omit, substitute(1) This Act may be cited as the *Corporations Act 1972*.**Part COU — Courts Act 1972****45 Amendment of Section 18**

Section 18(2)(i) and (ii)

renumber as Section 18(2)(a) and (b)**46 Repeal of Sections 75 and 76**

Sections 75 and 76

*repeal***47 Further amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2, definition of 'heard'	'tried'	tried
Section 2, definition of 'hearing'	'trial'	trial
Section 24(2)	cause, in	cause in
	Section, is	Section is
	<i>omit</i>	<i>substitute</i>
Section 72(1)	Every person	(1A) Every person
	this subsection	subsection (1)
Schedule	swear	, swear

Part CRJ — Criminal Justice Act 1999-2009**48 Amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 1	(1) This Act	This Act
Section 2	(1) In this	In this
Section 13(3)(d)	(4) — extend	(4), extend
Section 32(2)(a)	A person,	a person,

Section 32(3)	(2)(a) and (2)(c)	(2)(a) or (2)(c)
Section 33(3)	and of any	and any

Part CRP — Criminal Procedure Act 1972-2006

49 Omnibus amendment relating to ‘Criminal Code’

omit (all references)

Criminal Code

substitute

Criminal Code 1899

50 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2	(1) In this	In this
Section 2, definition of ‘sentence’	<i>Motor Traffic Act 1937-1972</i>	<i>Motor Traffic Act 1937</i>
Section 42	<i>Mentally-disordered Persons Ordinance 1963-1967</i>	<i>Mentally-disordered Persons Act 1963</i>
Section 61(5)	<i>Motor Traffic Act 1937-1972</i>	<i>Motor Traffic Act 1937</i>
Section 121A(1)	person, ‘the offender’,	person (‘the offender’)
Section 134	<i>Motor Traffic Act 1937-1972</i>	<i>Motor Traffic Act 1937</i>
Section 153(2)(b)	shall subject	shall, subject
Section 168(2)	shall thereof be attested	shall be attested
Section 174	every foolscap page	each page
Section 177	Registrar,	Registrar
Section 182(1)(a), form	on the. day of.19. . .	on <i>[date]</i>
Schedule, Part II	at Yaren on. the. day of.19. . .	at Yaren on <i>[date]</i>
	did on the. day of.19. . .	did, on <i>[date]</i>
Schedule, Part III	did on the. day of.19. . .	did, on <i>[date]</i>

Part CUA — Custom and Adopted Laws Act 1971

51 Amendment of Section 6

Section 6, all the words from ‘Notwithstanding’ to ‘Act:’

omit, substitute

Despite Section 4, the parts of the statute law of England specified in Schedule 1, all rules, regulations and orders made under that statute law and the parts of the common law relating to that statute law do not, except as specified in Schedule 1, apply or have force and effect within Nauru except in so far as all or any of them are adopted or applied from time to time by another Act:

52 Repeal of Sections 7 to 11

Sections 7 to 11

*repeal***53 Repeal of Schedules**

Second, Third and Fourth Schedules

*repeal***Part CUS — Customs Ordinance 1922-1967****54 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title****1** This Act may be cited as the *Law Adoption (Customs) Act 1922*.**Part DIP — Diplomatic Privileges and Immunities Act 1976****55 Amendment of Section 4**

Section 4(6)(a)

omit

Ministry of Foreign Affairs as a reference to the Department of External Affairs of Nauru;

substitute

Ministry for Foreign Affairs as a reference to the department responsible for foreign affairs;

Part DIS — Disaster Risk Management Act 2008**56 Amendment of Section 6**

Section 6(2), (4) and (5)

omit

Minister responsible for National Disaster Management

substitute

Minister

Part EXP — Explosives Ordinance 1924-1967**57 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title****1** This Act may be cited as the *Explosives Act 1924*.**58 Amendment of Section 5**

Section 5, all the words from ‘Penalties’ to ‘months.’

omit

59 New Section 6

After Section 5

insert

Penalties

6

The penalty for any breach or non-observance of this Act is a fine of not less than \$10, and not more than \$100 and imprisonment for a period not exceeding 6 months.

60 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

61 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Sections 2 and 3	Administrator	Minister
Section 5(2)	(1) above:	subsection (1):
Section 5(2)(a)	Such	the
	Administrator	Minister
	fired.	fired; and
Section 5(2)(b)	to be	are

Part EXT — Extradition of Fugitive Offenders Act 1973

62 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Extradition Act 1973*.

63 Amendment of Section 4

Section 4(4) and (5)

renumber as Section 4(3) and (4)

64 Amendment of Schedule

Schedule, items 29 to 31

omit, substitute

29 Hi-jacking aircraft

30 Money laundering

31 An offence under the *Counter Terrorism and Transnational Organised Crime Act 2004*

65 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2	In this Act	(1) In this Act
Section 3(2)	on the high seas within	within
Section 7(2)(a)	offence, a country;	offence – a country; and
Section 7(2)(b)	offence, a	offence – a
Section 8(1)(a)	magistrate;	magistrate; or
Section 11(2)(a)	sentence, until served;	sentence – until served; or
Section 11(2)(b)	offence, until	offence – until
Section 12(1)(a)	case, the returned;	case – the returned; or
Section 12(1)(b)	Act, the	Act – the
Section 13(1)(b)	evidence;	evidence; and

Part FA — Family Court Act 1973

66 Repeal of Sections 30, 31 and 33

Sections 30, 31 and 33

repeal

67 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2	(1) In this Act	In this Act
Section 6	<i>Maintenance Ordinance 1959-1967</i>	<i>Maintenance Act 1959</i>
	<i>Adoption of Children Ordinance 1965-1967</i>	<i>Adoption of Children Act 1965</i>
Section 25(e)	them;	them; and

Part FI — Fisheries Act 1997

68 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 11(1)	by any one or more of the following:—	in any of the following ways:
Section 18(1)	Section.	Section 21.

Section 37(4)	forfeit	forfeited
Section 37(6)(b)	*returned	returned

Part FO — Foreign Trusts, Estates and Wills Act 1972

69 Amendment of Section 8

Section 8(2)

omit

and also deposits with the Republic of Nauru Finance Corporation or with any subsidiary of that corporation

Part IM — Immigration Act 1999

70 Amendment of Section 3

Section 3(3)

omit, substitute

- (3) The Minister may give to the Principal Immigration Officer directions or instructions, not inconsistent with this Act, as to the exercise of any power, discretion or function or the performance of any duty under this Act, and the Principal Immigration Officer and immigration officers shall comply with those directions or instructions.

71 Amendment of Section 5

71.1 Section 5(6)(c) (first occurrence)

renumber as Section 5(6)(b)

71.2 Section 5(7)

omit, substitute

- (7) In addition to any other actions that may be taken under this Act, an immigration officer may issue a non-citizen, who has remained in Nauru despite their permit having expired or who entered Nauru under Section 8(3) and becomes a prohibited immigrant, with an infringement notice imposing a fine of an amount prescribed by the Regulations.
- (8) A fine imposed under this Section is a debt owed to the Republic.

72 Insertion of heading for Part VI

After Section 24

insert

**PART VI — TRAFFICKING IN PERSONS AND SMUGGLING OF
MIGRANTS**

73 Amendment of Section 25

Section 25, heading

omit, substitute

Definitions

25

74 Amendment of Section 32
Section 32(c) and (d)
renumber as Section 32(a) and (b)

75 Amendment of Section 33
Section 33(e) and (f)
renumber as Section 33(a) and (b)

76 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 1	(1) This Act	This Act
Section 10(1)(d)(ii)	Nauru — is	Nauru, is
	or is mentally	or to be mentally
Section 11(6)	removed to:	removed:
Section 11(6)(a)	the place	to the place
Section 11(6)(b)	Minister — to	Minister, to
Section 13(1)(t)	15(3) — returns	15(3), returns
Section 16(2)	<i>Republic Proceedings Act</i>	<i>Republic Proceedings Act 1972</i>
Section 25, definition of 'unlawful means'	the following meanings:	the following:
Section 31	who engages in the smuggling of a migrant either knowing or being reckless as to the fact that the person's entry into a receiving country is illegal, in order to obtain a material benefit commits	who, in order to obtain a material benefit, engages in the smuggling of a migrant, either knowing or being reckless as to the fact that the person's entry into a receiving country is illegal, commits
Section 34(1)	offence is	offence and is
	that person	the first-mentioned person

Part IN — Insolvency Ordinance 1912 (Papua)

77 Repeal and substitution of Sections 1 (short title) and 2
Sections 1 and 2
repeal, substitute

Short title

1 This Act may be cited as the *Insolvency Act 1912*.

78 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	AN ORDINANCE	An Act

Sections 3, 4, 5, 6(1) and (2), 7, 9, 10, 13, 14, 16, 17, 18, 19, 29(11), (12) and (13), 38, 40, 54, 55(2) and (5), 59(1), 65, 67, 70, 83(1) and (2), 84(1), (17) and (18), 88, 89(1) and (2), 90, 91, 95, 96, 98, 101, 105(3), 107(1), 111, 112(2), 113(1), 114, 115, 117(3), 123, 150, 157, 160(2), (5) and (6), 163, 164, 166, 167, 168(1), 169, 172, 173, 183(1), (2), (9), (10), (11), (13), 184, 186, 187, 188, 189(1) and (2) and 190	this Ordinance (<i>all references</i>)	this Act
heading before Section 19	the Ordinance	the Act
Sections 41, 53 and 186	the Ordinance	the Act
Section 190	other Ordinance (<i>all references</i>)	other Act or Ordinance

Part LAN — Lands Act 1976

79 Amendment of the Third Schedule

Third Schedule, after clause 4

insert

Note The freehold title to land acquired for use as an aerodrome under the *Aerodrome (Acquisition of Land) Act 1952* was transferred to the Administration in 1952 (and on Independence, that land was vested in the Republic). The former landowners of that land are entitled under Section 6(2) of that Act to receive annual compensation in perpetuity of the amount which would be payable under clause 4 of this Schedule if the land were leased.

Part LAW — Laws Repeal and Adopting Ordinance 1922-1967

80 Repeal and substitution of long title

Long title

repeal, substitute

An Act to adopt certain laws of the Commonwealth of Australia, Queensland and the former Territory of Papua as laws of Nauru.

81 Repeal and substitution of Sections 1 (short title) and 2

Sections 1 and 2

repeal, substitute

Short title

1 This Act may be cited as the *Laws Repeal and Adopting Act 1922*.

82 Amendment of Schedule 1

Schedule 1

omit

Designs Act 1906-1934

Patents, Trade Marks and Designs Act 1910

Patents, Trade Marks and Designs Act 1914-1915

Patents, Trade Marks and Designs Act 1932

Seamen's Compensation Act 1911

83 Amendment of Third Schedule

Third Schedule

omit

Employers' Liability Ordinance 1912

Marriage Ordinance 1912-1914

Seamen (Foreign) Ordinance 1912

84 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 10	Subject to this Ordinance	Subject to this Act
	the First Schedule to this Ordinance	Schedule 1
	the Island of Nauru	Nauru
Section 12	the Second Schedule to this Ordinance	Schedule 2
	the first day of July in the year one thousand nine hundred and twenty-one	1 July 1921
	the Island of Nauru	Nauru
	circumstances of the Island	circumstances of Nauru
	on the Island	in Nauru
Section 14	of the Territory	of the former Territory
	the Third Schedule to this Ordinance	Schedule 3
	are in force in the said Territory of Papua at the commencement of this Ordinance, and	were in force in that Territory on 23 September 1922, and
	<i>omit</i>	<i>substitute</i>
	are in force in the said Territory of Papua at the commencement of this Ordinance are hereby	were in force in that Territory on 23 September 1922 are
	the Island of Nauru	Nauru
	circumstances of the Island	circumstances of Nauru
	on the Island	in Nauru
Section 16	the Island of Nauru	Nauru
First Schedule, heading	THE FIRST SCHEDULE	SCHEDULE 1
	ORDINANCE TO THE ISLAND	ACT

Second Schedule, heading	THE SECOND SCHEDULE	SCHEDULE 2
	ORDINANCE TO THE ISLAND	ACT
Third Schedule, heading	THE THIRD SCHEDULE	SCHEDULE 3
	TERRITORY	FORMER TERRITORY
	ORDINANCE TO THE ISLAND	ACT

Part LE — Legal Practitioners Act 1973

85 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 19(4)	If after	If, after
Section 38(2)	Criminal Code	<i>Criminal Code 1899</i>
Section 45(2)	Criminal Code	<i>Criminal Code 1899</i>

Part LN — Legitimation Ordinance 1959-1966

86 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Legitimation Act 1959*.

87 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

88 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 2, definition of ‘ the Registrar ’	by the <i>Births, Deaths and Marriages Ordinance 1957</i>	under the <i>Births, Deaths and Marriages Act 1957</i> ,
Section 8(2)	Administrator in Council (<i>all references</i>)	Minister
Section 9	<i>Births, Deaths and Marriages Ordinance 1957</i>	<i>Births, Deaths and Marriages Act 1957</i>
Schedule 1, heading	ISLAND	REPUBLIC
	<i>Legitimation Ordinance 1959</i>	<i>Legitimation Act 1959</i>
Schedule 1, paragraph 1	on the day of , 19 , at	on [date], at

Schedule 1, paragraph 2	on the day of , 19 , at	on [date], at
	<i>omit</i>	<i>substitute</i>
Schedule 1	Declared at the day of , 19.	Declared at on [date].
Schedule 2, heading	ISLAND	REPUBLIC
	<i>Legitimation Ordinance 1959</i>	<i>Legitimation Act 1959</i>
Schedule 2, paragraph 1	on the day of , 19 , at	on [date], at
Schedule 2, paragraph 2	on the day of , 19 , at	on [date], at
Schedule 2, paragraph 3	on the day of , 19 .	on [date].
Schedule 2, paragraph 4(c)	Administrator in Council	Minister
Schedule 2	Declared at the day of , 19.	Declared at on [date].

Part MAI — Maintenance Orders (Reciprocal Enforcement) Act 1973

89 Amendment of Section 2

89.1 Section 2

omit

In this Act, unless the context otherwise requires –

substitute

(1) In this Act:

89.2 Section 2(1) (*as renumbered*), definition of ‘**the Minister**’

omit

89.3 Section 2(1) (*as renumbered*), definition of ‘**the responsible authority**’

omit

for External Affairs

Part MAO — Maintenance Ordinance 1959-1967

90 Repeal and substitution of Sections 1 (short title) and 2

Sections 1 and 2

repeal, substitute

Short title

1 This Act may be cited as the *Maintenance Act 1959*.

91 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

92 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 3, definition of ‘the court’	‘the court’	‘the Court’
Sections 14(2) and 17(1)	the District Court	the Court
Section 26	the District Court	the Family Court
Section 27, heading	Judiciary Ordinance 1957	Family Court Act 1973
Section 27	Judiciary Ordinance 1957	Family Court Act 1973
Section 28(1)	the District Court	the Family Court

Part MAT — Matrimonial Causes Act 1973

93 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 4(2)	him	the Chairman
Section 6(1)(a)	his (<i>all references</i>)	his or her
	he	the party
Section 6(1)	he may	the person may
	thereto if he or she wishes	to the suit
	he is outside	the person is outside
Section 6(2)	he (<i>all references</i>)	the person
Section 7(1)	his	the additional party’s
Section 9(2)	his	his or her
Section 10(1)(c) and (d)	he (<i>all references</i>)	the party
Section 10(2)	he	he or she
Section 10(4)	he (<i>all references</i>)	the party
Section 11(2)	his	the
Section 11(4)	him to understand the consequences to him or her of his	the party to understand the consequences of
Section 12(2)	him	the respondent
	his	the petitioner’s
Section 13(3)	his	the
Section 14(1)	him	the respondent
Section 14(2)(a)	his	the
Section 15	his	the
Section 16(2)	his	the Secretary’s
	he	he or she
Section 16(3)	his	the Secretary’s
Section 17(1)(b)	his	the
Sections 22(a) and 24	he	the party
Section 24	his	the party’s

Section 33(1)	his behalf (<i>all references</i>)	the other party's behalf
Section 33(2)	himself (<i>all references</i>)	himself or herself
Section 40(1)(a)	his	the child's
Section 41(2)	himself	himself or herself
Section 41(3)	his	the party's
Section 41(4)	his	the child's
Section 43(1) and (2)	his (<i>all references</i>)	the person's
	he (<i>all references</i>)	the person
Section 45(a)	his petition himself or by his	the petition in person or by the petitioner's
Section 45(b)	his behalf	the petitioner's behalf
Section 46(4)	he	the person
Section 46(4)(a)	him	the person
Section 46(5)	him	the plaintiff

Part ME — Mentally-disordered Persons Ordinance 1963-1967

94 Repeal and substitution of Sections 1 (short title) and 2

Sections 1 and 2

repeal, substitute

Short title

1 This Act may be cited as the *Mentally-disordered Persons Act 1963*.

95 Amendment of Section 3

Section 3, definition of 'State'

omit

96 Omnibus amendment of references to 'this Ordinance'

omit (all references)

this Ordinance

substitute

this Act

97 Omnibus amendment of references to 'Administrator'

omit (all references, except as part of the expression 'Administrator in Council')

Administrator

substitute

Minister

98 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act

Section 3, definition of 'medical practitioner'	legally qualified medical practitioner under the law of a State or of a Territory of the Commonwealth or of the Dominion	medical practitioner under the law of a State or Territory of the Commonwealth of Australia,
Section 3, definition of 'the Court'	Supreme Court	District Court
Section 3, definition of 'the Rules of Court'	<i>Judiciary Ordinance 1957.</i>	<i>Courts Act 1972.</i>
Section 5, heading	States	other jurisdictions
Section 5	Administrator in Council	President
	State:	a place, being a foreign country or of a State or Province of a foreign country:
Section 5(a)	in that State,	in that place,
	of that State	of that place
	<i>omit</i>	<i>substitute</i>
Section 7(5)	Where a person, after having been tried for an offence, is found not guilty of the offence on account of unsoundness of mind and is ordered by the court by which he or she was tried to be kept in custody until Her Majesty's pleasure is known,	If a person is in lawful custody under a special finding, made under Section 111 of the <i>Criminal Procedure Act 1972</i> , that the person was not guilty of an offence by reason of insanity,
Section 8, heading	State authorities, etc.	care outside Nauru
Section 8(1)(a)	State	place
Section 8(2)	Administration (<i>all references</i>)	Republic
Section 10(1)	State (<i>all references</i>)	place
Section 10(2)	Administration (<i>all references</i>)	Republic
Section 11	State (<i>all references</i>)	place
	Administration (<i>all references</i>)	Republic
	administrator	Minister
Section 18(a)	he describes himself, as,	the person describes himself or herself as,
Section 20, heading	Ordinance	Act
Schedule, Form 1, paragraph (a)	on the day of , 19 ,	on <i>[date]</i> ,
Schedule, Form 1	Dated this day of , 19.	Dated:
Schedule, Form 2	Supreme Court of the Island of Nauru	District Court of the Republic of Nauru
	Administrator of the Island of Nauru	Minister

Part NA — Nauru Antiquities Ordinance 1935-1967**99 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title**1 This Act may be cited as the *Antiquities Act 1935*.**100 Omnibus amendment of references to ‘this Ordinance’***omit (all references)*

this Ordinance

substitute

this Act

101 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 3	Administrator in Council	Minister
	Crown	Republic
Section 4	the Territory	Nauru
	Administrator in Council	Minister
Section 5(1)	Administrator in Council	Minister
	the Territory	Nauru
Section 5(2)	Collector	Chief Collector
Section 5(3)	Crown	Republic
Section 5(4)	Administrator in Council	Minister
Section 6	Collector	Chief Collector
	Officer in Charge	Director
	the Territory	Nauru
Section 7	Administrator in Council	Minister
	<i>omit</i>	<i>substitute</i>
	Nauru Gazette	Gazette
Section 8(1)	(i) Caves	(a) caves
	(ii) Representations	(b) representations
	(iii) Deposits	(c) deposits
	(iv) Places	(d) places
Section 8(2)	Administrator in Council	Minister
Section 9	Administrator in Council	Minister
	them in	them, in
	Administrator	Minister
Section 10	Administrator in Council	Minister
Section 11(1)	Administrator in Council	Cabinet
Section 11(1)(a)	The duties	the duties
	Collector	Chief Collector

	Officer in Charge	Director
Section 11(1)(b)	The constitution of the Board	the constitution of the board
Section 11(1)(c)	Penalties	penalties

Part NLC — Nauru Lands Committee Ordinance 1956-1963

102 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Nauru Lands Committee Act 1956*.

103 Amendment of Section 2

Section 2, definition of ‘**the Council**’

omit

104 Repeal and substitution of Section 8

Section 8

repeal, substitute

Validation of decisions of Central Court and Administrator

8 (1) The former Central Court is taken to have had, at all relevant times, jurisdiction to determine appeals from the Lands Committee constituted, before the date of commencement of Ordinance No 3 of 1956, in accordance with the customs and usages of the Nauruan people.

(2) The following decisions made before the date of commencement of Ordinance No 3 of 1956 are taken to have been validly made:

- (a) decisions of the former Central Court made on appeal from the Lands Committee;
- (b) decisions of the pre-independence Administrator made on further appeal from the former Central Court.

105 Omnibus amendment of references to ‘the Council’

omit (all references)

the Council

substitute

the Cabinet

106 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 2	this Ordinance	this Act
Section 2, definition of ‘ the Committee ’	this Ordinance	this Act
Section 5	paid, out of the Nauru Local Government Council Fund,	paid

Part NRC — Nauru Rehabilitation Corporation Act 1997**107 Amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 5(3)(a)	on,	on; and
Sections 5(3)(b) and 16(a) and (b)	;	; and
Section 16(c)	to the Corporation	to the Corporation; and
Third Schedule	(Section 17)	Section 16

Part NTC — Nauru Trustee Corporation Act 1972**108 Amendment of Section 22**

Section 22(3)

omit

the Corporation Bill 1972

*substitute*Section 4 of the *Corporations Act 1972***109 Amendment of Section 36**

Section 36, heading

*omit***Corporation Act 1972***substitute***Corporations Act 1972****110 Omnibus amendment relating to ‘Corporation Act 1972’***omit (all references)*

Corporation Act 1972

substitute

Corporations Act 1972

Part NUB — Nauruan Bureau of Statistics Act 1992**111 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title**1 This Act may be cited as the *Statistics Act 1992*.**112 Further amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>

Section 11	(1) A	A
	direct(ion)	direction

Part OA — Oaths, Affirmations and Statutory Declarations Act 1976

113 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 10	, 19	, 2
Fifth Schedule	Section 10	Section 11
	, 19	, 2

Part PAR — Parliament of Nauru (Register of Interests) Act 2004

114 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Members of Parliament (Register of Interests) Act 2004*.

115 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3, definition of <i>'financial benefit'</i>	Salaries of Members of Parliament Act	<i>Parliamentary Salaries and Allowances Act 2008</i>
Section 3, definition of <i>'Register'</i>	Section 6	Section 7
Section 3, definition of <i>'return'</i>	approved in accordance with Section 5	prescribed under Section 6
Section 4(a)(i)	interests;	interests; and
Section 4(e)	he or his	he nor his
Section 5(1)	shall on	shall, on
Section 5(2)	<i>Constitution</i> submit	<i>Constitution</i> , submit
Section 6(1)(a)	following;	following; and
Section 6(1)(b)	kind;	kind; and
Section 6(2)	shall contain:	shall contain the following:
Section 6(2)(d)	held during	held, during
Section 6	(2) Nothing	(3) Nothing
Section 11(2)	(i) To	(a) to
	House which	House, which
	(ii) that	(b) that
Section 12(4)	state:	state the following:
Section 12(7)(a)	more that	more than

Part PAT — Patents Registration Act 1973**116 Amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 17	the Nauru Phosphate Corporation	RONPHOS
	therefor to	to

Part POL — Police Offences Ordinance 1967**117 Amendment of long title**

Long title

omit

AN ORDINANCE

substitute

An Act

118 Repeal and substitution of short title

Section 1

*repeal, substitute***Short title****1** This Act may be cited as the *Summary Offences Act 1967*.**119 Amendment of Section 2**

Section 2

omit

this Ordinance

substitute

this Act

Part POS — Post and Telegraph Act 1901-1966 (Commonwealth)**120 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title****1** This Act may be cited as the *Post and Telegraph Act 1901*.**Part PT — Post and Telegraph Ordinance 1952-1963****121 Repeal and substitution of long title**

Long title

repeal, substitute

An Act relating to the postal and telegraphic services of Nauru

122 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Law Adoption (Post and Telegraph) Act 1952*.

123 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

124 Amendment of Section 2

Section 2, definitions of ‘the Island’ and ‘the Rates Act’

omit

125 Repeal of Section 4

Section 4

repeal

126 Amendment of Section 6

Section 6(2)

omit

127 Repeal of Sections 7 and 8

Sections 7 and 8

repeal

128 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2, definition of ‘the Post and Telegraph Act’	Act;	Act.
Section 3, heading	certain Commonwealth Acts and Regulations	Post and Telegraph Act
Section 3(1)	and the Rates Act are adopted, subject to such modifications and adaptations as are prescribed by or under Ordinance of the Island, as laws of the Island of Nauru, so far as they are applicable to the circumstances of the Island	is adopted (subject to any modifications and adaptations prescribed by a law of Nauru) as a law of Nauru, so far as it is applicable to the circumstances of Nauru

	those Acts as so adopted	the adopted Act
	<i>omit</i>	<i>substitute</i>
Section 3(2)	or the Rates Act is	is
	the Island	Nauru
Section 5	and the Rates Act to	to
	Administrator of the Island	Minister
Section 6	(1) The Post	The Post
	the Island	Nauru
Section 9	The Administrator	Cabinet
	for all or any of the purposes specified in Section ninety-seven of the Post and Telegraph Act and Section nine of the Rates Act.	for prescribing rates of postage and rates for other services provided under the Act.

Part PUB — Public Accounts Committee Act 1992

129 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3(1)	select	standing
Section 7(1)(a)	Audit Act	<i>Audit Act 1973</i>
Section 18(1)	Section 14	Section 15

Part PUF — Public Finances (Control and Management) Act 1997

130 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Public Finance (Control and Management) Act 1997*.

131 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 2(1), definition of 'department'	Public Service Act	<i>Public Service Act 1998</i>
Section 2(1), definition of 'Government Loans Fund'	Government Loans Act	<i>Government Loans Act 1972</i>
Section 6(1)	Where is It	If it is
Section 6(3)	year;	year,
Section 8(5)	(3), If	(3), if
Section 10(3)	no accounting officer shalt	an accounting officer shall not
Section 11(1)	Republic-	Republic.

Section 17(1)	tar	for
Section 17(2)(b)	Is	is
Section 17(4)	Immediately	immediately
Section 32(1)	for -	for the following:
Section 32(1)(f)	to public officers	to public officers;
Section 32(1)(g)	matters	matters;
Section 32(2)	therein:	in the regulations.

Part QU — Quarantine Act 1908-1920 (Commonwealth)

132 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Quarantine Act 1908*.

Part RB — Registration of Business Names Act 1976

133 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Business Names Act 1976*.

Part RS — Registration of Shipping Act 1968

134 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Shipping Registration Act 1968*.

135 Amendment of Section 2

Section 2, definition of ‘The Minister’

omit

Part SA — Salvage of Derelict Wreck Act 1969

136 Amendment of Section 16

Section 16(a), (b) and (c)

omit (all references)

If

substitute

if

137 Amendment of Section 31

Section 31

omit

Wreck and Salvage Ordinance of 1902 of the Territory of Papua as adopted by the Laws Repeal and Adopting Ordinance 1922-1967

*substitute**Wreck and Salvage Act 1902***138 Amendment of Section 34**

Section 34, definition of ‘the Minister’

*omit***Part SC — Succession, Probate and Administration Act 1976****139 Amendment of Sections 37 and 63**

Sections 37(1)(b) and 63(2)(b)

omit

the Nauru Phosphate Corporation

substitute

RONPHOS

Part SM — Survey Marks Ordinance 1925-1967**140 Repeal and substitution of long title**

Long title

repeal, substitute

An Act to reserve a distinguishing mark for use in connection with official surveys

141 Repeal and substitution of Sections 1 (short title) and 2

Sections 1 and 2

*repeal, substitute***Short title****1** This Act may be cited as the *Survey Marks Act 1925*.**Definitions****2** In this Act:‘**Government Surveyor**’ means the public officer from time to time responsible for carrying out land and other surveys on behalf of the Republic.**142 Further amendments**

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3	those working	a person working
	this Ordinance	this Act

Part SU — Survey Ordinance 1961-1967**143 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title**1 This Act may be cited as the *Survey Act 1961*.**144 Amendment of Section 4**

Section 4(1)

omit, substitute

(1) Cabinet may, on application by a person, register the person as a surveyor if:

- (a) the person is authorised under a law of a State or Territory of Australia, or New Zealand, to practise as a surveyor; and
- (b) Cabinet is satisfied the person is a fit and proper person to be registered as a surveyor.

145 Omnibus amendment of references to ‘this Ordinance’*omit (all references)*

this Ordinance

substitute

this Act

146 Omnibus amendment of references to ‘Administrator in Council’*omit (all references)*

Administrator in Council

substitute

Cabinet

147 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 2, definition of ‘ Government Surveyor ’	the person holding office as, or performing the functions of the office of, Government Surveyor of Nauru;	the public officer from time to time responsible for carrying out land and other surveys on behalf of the Republic;
Section 2, definition of ‘ licence ’	Administrator	Minister
Section 2, definition of ‘ survey ’, paragraph (b)	Administration	Republic
Section 3, heading	Ordinance	Act
	<i>omit</i>	<i>substitute</i>
Section 3	This Ordinance	This Act
Section 5(1)	Administrator	Minister

Section 5(1)(a)	an officer or employee of the Public Service of Nauru	a public officer
Section 5(2)	Administrator (<i>all references</i>)	Minister
Section 6, heading	Ordinance	Act
Schedule, heading	ORDINANCE	ACT
Schedule	Survey Ordinance 1961 hereby	<i>Survey Act 1961,</i>
Schedule, paragraph (c)	Survey Ordinance 1961;	<i>Survey Act 1961;</i>
Schedule, paragraph (e)	on the day of 19.	on <i>[date]</i> .

Part TM — Trademarks Regulations Adoption Ordinance 1964-1966

148 Repeal and substitution of short title

Section 1

repeal, substitute

Short title

1 This Act may be cited as the *Law Adoption (Trade Marks Regulations) Act 1964*.

149 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	ORDINANCE	Act
Section 3	Administrator	Minister

Part TR — Treasury Fund Protection Act 2004

150 Amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
Section 3	No person shall authorise or permit the	A person shall not make, direct or permit a
	Constitution that has not been	Constitution, unless the withdrawal has been
Section 6(3)	genuinely	based on a belief that was genuinely
Section 7(1)	including <i>inter-alia</i>	including
	including consultants	(including a consultant)
	commits	he or she commits
Section 8(1)	has been	have been
Section 8(2)	has been	have been
Section 8(3)	in the Republic of Nauru Finance Corporation Act or any	in any
Section 8(4)	contravention to	contravention of

Part WC — Workers' Compensation Ordinance 1956-1967**151 Repeal and substitution of short title**

Section 1

*repeal, substitute***Short title**1 This Act may be cited as the *Workers' Compensation Act 1956*.**152 Amendment of Section 5**Section 5, definition of **'worker'**, paragraph (d)*omit***153 Omnibus amendment of references to 'this Ordinance'***omit (all references)*

this Ordinance

substitute

this Act

154 Omnibus amendment of references to 'Administrator in Council'*omit (all references)*

Administrator in Council

substitute

Cabinet

155 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 2	This Ordinance	This Act
Section 3(2)	the Act	the 1912 Act
Section 4, heading	Ordinance	Act
Section 4(1)	the Act	the 1912 Act
Section 5(1), definition of 'the Act'	'the Act'	'the 1912 Act'
Section 5(1), definition of 'worker' , paragraph (b)	business;	business; or
Section 5(1), definition of 'worker' , paragraph (c)	outworker; or	outworker.
Section 6(2) and (6)(b)	connexion	connection
Section 7(7)(b)	if owing	if, owing
Section 10(1)(b)	Administrator, or of an officer appointed by the Administrator	Minister, or of an officer appointed by the Minister
Section 11(2)	dependantswholly	dependants wholly
	<i>omit</i>	<i>substitute</i>

Section 16(3)	Where upon	If, on
Section 18(1)	to pay damage	to pay damages
Section 19, heading	Ordinance	Act
Section 20(1)	Administration or the British Phosphate Commissioners)	Republic)
Section 22(d)	connexion	connection

Part WI — Wild Birds Preservation Ordinance 1937-1967

156 Repeal and substitution of short title

section 1

repeal, substitute

Short title

1 This Act may be cited as the *Wild Birds Protection Act 1937*.

157 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

158 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 2	This Ordinance	This Act
Section 5	Administrator	Minister
Section 7	possession any	possession, any

Part WO — Workers (Contracts of Service) Ordinance 1922-1967

159 Repeal and substitution of short title

Section 1

repeal

Short title

1 This Act may be cited as the *Workers (Contracts of Service) Act 1922*.

160 Omnibus amendment of references to ‘Administrator’

omit (all references, except as part of the expression ‘Administrator in Council’)

Administrator

substitute

Minister

161 Omnibus amendment relating to ‘authorized’

omit (all references)

authorized

substitute

authorised

162 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

163 Further amendments

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
long title	Ordinance	Act
Section 3	Administrator in Council	Cabinet
Section 3	company (including the British Phosphate Commissioners)	company
Section 7	No worker,	(1) No worker,
	Nothing	(2) Nothing
Section 8(1)(e)	workers; or	fellow workers; or
Section 12(1)(b)	the Territory	Nauru
Section 15	less number	lesser number
	loading and discharging of vessels,	loading and unloading of ships or aircraft,
Section 24	the articles of accommodation, food, or clothing, &c., stipulated in his or her contract, or supplies an inferior quality of those articles,	the accommodation, food, clothing or any other benefit stipulated in his or her contract, or supplies an inferior form of any of them,
Section 28(2)	Separate dwelling	A separate dwelling
Section 34	of any worker who	of any worker, who
Section 51	lodging rations	lodging, rations

Part WR — Wreck and Salvage Ordinance 1902 (Papua)

164 Amendment of long title

Long title

omit

Ordinance

substitute

Act

165 Insertion of new short title

Before Section 1

insert

Short title

1AThis Act may be cited as the *Wreck and Salvage Act 1902*.

166 Repeal of Section 32

Section 32

repeal

167 Omnibus amendment of references to ‘this Ordinance’

omit (all references)

this Ordinance

substitute

this Act

SCHEDULE 2

[Section 13(a)]

REPEAL OF ORDINANCES

Arms and Opium Prohibition Ordinance 1936-1967
Cinematograph Censorship Ordinance 1927-1967
Constitutional Convention Ordinance 1967
Executive Council Ordinance 1966-1967
Importation of Dogs Ordinance 1937-1967
Leprosy Suppression Ordinance 1922
Manufacture and Sale of Bread Ordinance 1926-1967
Marking of Weight on Heavy Packages Ordinance 1932-1967
Motor Vehicle (Third-Party Insurance) Ordinance 1967-1972
Native Administration Ordinance 1922-1967
Native Co-operative Societies Ordinance 1935-1967
Nauru Phosphate Agreement Ordinance 1968
Nauruan Housing Ordinance 1957-1967
Ordinances Revision Ordinance 1947
Ordinances Revision Ordinance 1966
Ordinances Revision Ordinance 1967
Prohibition of Sale or Barter of Administration and Employers' Stores Ordinance 1953-1967
Prohibition of Sale to Chinese and Natives of Overmilled Rice Ordinance 1925-1967
Quarantine Area Ordinance 1921-1967
Quarantine (Plague) Ordinance 1922-1967
Roads Maintenance Ordinance 1922-1967
Shipping Fees Ordinance 1937-1967
Social Services Ordinance 1956-1967
War Deaths (Civilians) Certificates Ordinance 1946-1967

SCHEDULE 3

[Section 13(b)]

REPEAL OF ACTS

Constitutional Convention Act 2007
Currency (Remittance Charge) Act 1997
Higher Education Act 1986
Insurance Act 1974-1996
Leper Station and Hospital Enclosure Ordinance Repeal Act 1970
Long Term Investment Fund (Appropriation) Act 1996
Long Term Investment Fund (Sequestration) Act 2004
Nauru Currency Act 1997
Nauru Housing Fund Supply Act 1968
Nauru Island Council (Dissolution) Act 1999
Nauru Island Council Subvention Act 1992
Nauru Local Council Guarantee Act 1968
Nauru Local Government Council Act 1951-1985
Nauru Local Government Council Dissolution Act 1992
Nauru Local Government Council Dissolution Consequential Amendments Act 1997
Nauru Local Government Council Guarantee Act 1970
Nauru Local Government Council Guarantee Act 1971-1972
Nauru Local Government Council Guarantee Act 1976 (Act No 1 of 1976)
Nauru Local Government Council Guarantee Act 1976 (Act No 8 of 1977)
Ordinances Repeal Act 1968
Phosphate Industry Finance Act 1968
Rehabilitation Fund (Denigomodu School) Act 1998
Republic of Nauru Finance Corporation (Repeal) Act 2009

