



REPUBLIC OF NAURU

COURTS (AMENDMENT) BILL 2016

No. 19 of 2016

A Bill for an Act to amend the *Courts Act 1972*

Certified: []

Table of Contents

1	SHORT TITLE	1
2	COMMENCEMENT	1
3	AMENDMENT OF COURTS ACT 1972.....	1
4	AMENDMENT OF SECTION 38.....	1

Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Courts (Amendment) Act 2016*.

2 Commencement

This Act commences upon certification by the Speaker.

3 Amendment of Courts Act 1972

The *Courts Act 1972* is amended by the provisions of this Act.

4 Amendment of section 38

Section 38(1) is amended as follows:

(1) Omit second paragraph

Provided that, where a question has arisen involving the interpretation or effect of any provision of the Constitution, the judge shall order that the cause or matter be transferred to the Supreme Court;

Substitute

Provided that, where a question has arisen involving the interpretation or effect of any provision of the Constitution and in respect of any civil or criminal matters, the judge shall order that the cause or matter be transferred to the Supreme Court;

(2) Omit fourth paragraph

And provided further that no criminal cause or matter shall be transferred into the Supreme Court otherwise than by committal of the accused person under the provisions of any written law for the time being in force relating to the procedure in criminal causes, save where a question involving the interpretation or effect of the Constitution has arisen, in which event the cause or matter shall be transferred to the Supreme Court only for the determination of that question.