



REPUBLIC OF NAURU

# INTERPRETATION (AMENDMENT) BILL 2020

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No. of 2020

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A Bill for an Act to amend the *Interpretation Act 2011*.

Certified: [ ]

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Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as the *Interpretation (Amendment) Act 2020*.

**2 Commencement**

This Act commences on certification by the Speaker.

**3 Amendment of the Interpretation Act 2011**

The *Interpretation Act 2011* is amended by the provisions of this Act.

**4 Amendment of Section 63**

Section 63 is deleted and substituted as follows:

**'63 Determining periods of time**

- (1) This section applies to:
  - (a) a period of time mentioned in a written law; and
  - (b) things required or allowed to be done on a particular day or within a particular period of time under a written law or any other written instrument.
- (2) A period of time described beginning at, on or with a stated day, act or event includes the stated day or the day of the stated act or event.
- (3) A period of time described as beginning from or after a stated day, act or event does not include the stated day or the day of the stated act or event.
- (4) A period of time described as ending at, by, on or with, or as continuing to or until, a stated day, act or event includes the stated day or the day of the stated act or event.
- (5) A period of time described ending before a stated day, act or event does not include the stated day or the day of the stated act or event.
- (6) A reference to a number of days between 2 events does not include the days when the events happen.
- (7) If something must or may be done on a particular day or within a particular period of time and the day, or the last day of the period, is not a working day, the thing must or may be done on the next working day.

- (8) If something must or may be done within 7 days, Saturday, Sunday and any public holiday shall not be included in the computation of time.
- (9) If something must or may be done any time beyond or after 7 days, the days are counted consecutively which include Saturday, Sunday and any public holiday except for the last day if it happens to be a Saturday, Sunday or public holiday in which case the next immediate working day is the last day.
- (10) Where any act or thing is directed or allowed to be done or taken on a certain day, if that day is a Saturday, Sunday or a public holiday, the act or thing shall be considered as done or taken in due time if it is done or taken on the next working day.
- (11) If something must or may be done on a working day, Saturday, Sunday or a public holiday is not considered a working day.
- (12) If something must or may be done and no time is provided for doing the thing, the thing must or may be done as soon as possible and as often as needed.
- (13) If something is required to be done, the obligation to do the thing continues until the thing is done, even if:
  - (a) the thing is required to be done within a particular period or before a particular time, and the period has ended or the time has passed; or
  - (b) a person has been convicted of an offence for failing to do the thing.

## **5 Amendment of Section 65**

Section 65 is amended by inserting the following in alphabetical order as follows:

**'electronic or digital communication'** means any form of communication which is transmitted electronically or digitally and includes any text message, writing, post, photograph, picture, recording, telephone, email or any other matter that is communicated electronically or digitally;

**'mass media'** is communication, whether written, broadcasted or spoken, that reaches a large audience including television, radio, advertising, movies, the Internet, newspapers, magazines, email;

**'media'** includes livestreaming, audio or video recorded messages, Facebook, Twitter, Instagram, IMO, messenger, podcasts, Whatsapp, Viber or other social or mass media, print, television or radio;

**'post'** or **'posts'** means transfers, sends, publishes, disseminates or otherwise communicates by means of electronic or digital communication any information, whether truthful, false or misleading about a person, matter or thing;

**'social media'** refers to the means of interaction amongst persons in which they create, share or exchange information and ideas in virtual communities and networks including Facebook, Twitter, YouTube, Flickr, Twitter, Instagram, LinkedIn, Snapchat, Viber, IMO, Whatsapp;

## **6 Amendment of Section 75**

Section 75 is deleted and substituted as follows:

### **75 References to legal practitioners**

In a written law, **'legal practitioner'** means a barrister and solicitor or a pleader duly admitted to practice law under Part 2 or 3 of the *Legal Practitioners Act 2019* and who has a current practicing certificate.

## **7 Insert new Section 75A**

A new section 75A is inserted as follows:

### **75A References to Nauru**

In a written law:

**'Nauru'**, **'Republic'** or **'Republic of Nauru'** refers to the Republic.

## **8 Amendment of Section 105**

Section 105 is deleted and substituted as follows:

### **105 Matters contained in Gazette**

(1) The court shall take judicial notice of a Gazette and the contents of such Gazette.

(2) It is presumed, unless the contrary is proved, that a Gazette and its contents is evidence of the matters contained in it.