

REPUBLIC OF NAURU

CIVIL AVIATION (AMENDMENT) BILL 2021

EXPLANATORY MEMORANDUM

The *Civil Aviation (Amendment) Bill 2021* is a Bill for the *Civil Aviation (Amendment) Act 2021*.

This memorandum provides an explanation of the Bill and is only intended to indicate the general effect.

EXPLANATION OF CLAUSES

Clause 1 provides that, once enacted, the short title of the Bill will be the *Civil Aviation (Amendment) Act 2021*.

Clause 2 sets out when the Bill's provisions will commence which is upon certification by the Speaker.

Clause 3 is the enabling provision for the amendment of the *Civil Aviation Act 2011*.

Clause 4 amends Section 6 of the Act by inserting definitions for 'Minister' and 'Secretary'.

Clause 5 amends Section 73(2)(d) of the Act. The existing provision requires authorisation for landing of aircrafts to be granted by the Cabinet. The amendment replaces the Cabinet with the Minister for Transport or any other Minister responsible for the Civil Aviation Act. The Minister has the discretion to refer the matter to the Cabinet where he or she deems it appropriate. The current practice of seeking Cabinet approval, largely by circulation of Cabinet Submissions is administratively cumbersome and at times, can prejudice emergencies. The importance of Cabinet authorisation is retained by giving the power to the Minister who may during meetings of the Cabinet bring this to the attention of the members from time to time.