

REPUBLIC OF NAURU

NAURU REHABILITATION CORPORATION (AMENDMENT) BILL 2016

EXPLANATORY MEMORANDUM

The *Nauru Rehabilitation Corporation (Amendment) Bill 2016* is a Bill for the *Nauru Rehabilitation Corporation (Amendment) Act 2016*.

EXPLANATION OF CLAUSES

Clause 1 provides that, once enacted, the short title of the Bill will be the *Nauru Rehabilitation Corporation (Amendment) Act 2016*.

Clause 2 sets out when the Bill's provisions will commence.

Clause 3 is the enabling provisions for the amendment of the *Nauru Rehabilitation Corporation Act 1997*.

Clause 4 inserts a new definition into section 2 of the Act. The new definition is that of 'Acting Chief Executive Officer'. This new definition comes as a result of the creation of the position under this amending law.

Clause 5 substitutes the word 'Board' for the word 'Cabinet' so to allow Cabinet the power to appoint the Chief Executive Officer rather than leaving the duty to the Board.

Clause 6 inserts a new section 9A that creates a provision for the appointment of an Acting Chief Executive Officer of the Authority. The appointment of the Acting CEO will be made by the Cabinet, is made when the CEO is unable to perform CEO duties or is away from the office for other reasons and is made on terms and conditions determined by Cabinet at the time that the appointment is made.

Clause 7 creates the new section 14A that states that any employee, and this will include the Chief Executive Officer of the Corporation, who intends to submit their nomination as a candidate to stand in the national general elections must at least three months before they submit their nomination, submit their resignation from the Corporation.

Clause 8 creates a new section similar to the previous clause dealing with employees. This clause provides that Board Directors who intend to stand as candidates in the national elections must resign from their position on the Board at least three months before they submit their nomination as a candidate.

Clause 9 provides an exception to clause 8 by exempting public service employees. This is because public service employees are covered by the provisions of the Public Service Act 2016.