

REPUBLIC OF NAURU

NAURU COURT OF APPEAL (AMENDMENT) BILL 2024

EXPLANATORY MEMORANDUM

The *Nauru Court of Appeal (Amendment) Bill 2024* is a Bill for the *Nauru Court of Appeal (Amendment) Act 2024*.

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 *Nauru Court of Appeal (Amendment) Act 2024*.

Clause 2 sets out that the commencement of the Bill once passed will be on the date it is certified by the Speaker.

Clause 3 is the enabling provision for the amendment of the *Nauru Court of Appeal Act 2018* ('Act').

Clause 4 provides for the amendment of Section 3. This clause amends the definition of '*Court*' in Section 3. The purpose of the amendment is to clarify that when referring to '*Court*' it includes where the Court is constituted by a single Justice of Appeal under the Act or any other written law.

Clause 5 provides for the insertion of Section 14A after Section 14. The proposed Section 14A provides for the appointment of a Deputy Registrar. A Deputy Registrar is appointed by the Minister after consultation with the President of the Nauru Court of Appeal. This position is essential to bring uniformity with the Court structure in the District Court and the Supreme Court.

Clause 6 provides for the insertion of Section 14B after the proposed Section 14A. The proposed Section 14B provides for the functions, powers and qualifications of a Deputy Registrar. The Deputy Registrar subject to the directions of the President of the Nauru Court of Appeal and the Registrar, will be able to perform any function or exercise any power of the Registrar. To be eligible for appointment as a Deputy Registrar, a person must be a barrister and solicitor with at least 10 years' experience or a pleader with at least 15 years' experience.