

REPUBLIC OF NAURU

NAURU POLICE FORCE (AMENDMENT) BILL 2021

EXPLANATORY MEMORANDUM

The *Nauru Police Force (Amendment) Bill 2021* is a Bill for the *Nauru Police Force (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 *Nauru Police Force (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 *Nauru Police Force Act 1972*.

Clause 4 amends Section 2 of the Act to insert the definition of 'Deputy Commissioner' which means the Deputy Commissioner of Police appointed under the provisions of Section 6. This definition is inserted to include this second most senior rank of police officer. The positions of 'Superintendent of Police' and 'Inspectors' are currently defined in the Act.

Clause 5 amends Section 3 of the Act by inserting the position of Deputy Commissioner. Section 3 sets out the composition of the police force which currently does not provide for a Deputy Commissioner. This amendment will now include the Deputy Commissioner in the composition of the police force.

Clause 6 amends Section 6 of the Act. This Clause provides for necessary approvals in the appointment of the Deputy Commissioner, Superintendent of Police and Inspectors. The Minister and Police Service Board must give their consent for the appointment of the Deputy Commissioner given the seniority and importance of this position. The appointment of the Superintendent of Police requires the consent of the Minister and the appointment of the Inspectors, the consent of the Police Service Board is required. These are the management level positions of the police force as such the appointment of the same requires high level approval.

Clause 7 amends Section 8 of the Act. This Clause ensures that the term of appointment of the Deputy Commissioner is consistent with the terms of appointment of the Commissioner, Superintendent of Police and Inspectors.

Clause 8 amends Section 36 of the Act. This Clause now includes the Deputy Commissioner who will be subject to the same offences and penalties as the Superintendent of Police, an Inspector and non-commissioned officer, Constable or Reserve Officer.

Clause 9 amends Section 53 of the Act. This Clause allows the Commissioner to delegate certain powers to the Deputy Commissioner, Superintendent of Police or any Inspector. Such delegation shall be published in Commissioner's Order under Section 52.