

REPUBLIC OF NAURU
CUSTOMS (AMENDMENT) BILL 2020
EXPLANATORY MEMORANDUM

The *Customs (Amendment) Bill 2020* is a Bill for the *Customs (Amendment) Act 2020*.

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 *Customs (Amendment) Act 2020*.

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 *Customs Act 2014*.

Clause 4 amends Section 4(1) of the Act. This changes the name of the Customs Office. Its current name is '*Republic of Nauru Customs Office*'. The new name will be '*Nauru Customs Service*'. All the functions and powers of the Republic of Nauru Customs Office will continue under the new name of *Nauru Customs Service*.

Clause 5 amends Section 8 of the Act. Section 8 of the Act provides for the Customs flag. The current flag has on it 'Nauru Customs'. The amendment continues to carry the Republic of Nauru flag except the name will change in the flag now to '*Nauru Customs Service*'. This amendment is a consequential amendment to insert the appropriate name of Nauru Customs Service.

Clause 6 amends Section 315 of the Act. This is merely a correction in the existing Act. There is no 'Controller of Customs' under the Act. The title was changed to 'Chief Collector of Customs' in 2014. This amendment is to rectify this irregularity to make the correct reference to the Head of Customs which is the 'Chief Collector of Customs'.

Clause 7 ensures that any references to 'Republic of Nauru Customs' in any written law shall be referred to 'Nauru Customs Service'. Further, the Chief Collector of Customs is the appropriate designation under Section 2 of the Customs Act. However, the Act refers to Chief Collector which is not defined in the Act and the amendment is to regularise the inconsistencies.