

## REPUBLIC OF NAURU

### ASYLUM SEEKERS (REGIONAL PROCESSING CENTRE) (AMENDMENT) BILL 2018

#### EXPLANATORY MEMORANDUM

The Asylum Seekers (Regional Processing Centre) (Amendment) Bill is a Bill for the *Asylum Seekers (Regional Processing Centre) (Amendment) Act 2018*.

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

#### **PURPOSE**

The purpose of this Bill is to extend the definition of ‘protected person’ in the *Asylum Seekers (Regional Processing Centre) Act 2012* (the Principal Act) to ensure that it covers all persons currently residing in the Regional Processing Centre on Nauru.

#### **EXPLANATION OF CLAUSES**

**Clause 1** provides that once enacted the short title of the Act will be the *Asylum Seekers (Regional Processing Centre) (Amendment) Act 2018*.

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

**Clause 3** is the enabling provision for the amendment of the *Asylum Seekers (Regional Processing Centre) Act 2012*.

**Clause 4** extends the definition of ‘protected person’ under section 3(1) of the Principal Act to include a person who is: the holder of a regional processing centre visa; determined to be a refugee; given a derivative status; or owed complementary protection.

This inclusion makes clear that the rights and obligations under the Principal Act that apply to ‘protected persons’, apply to both refugees and asylum seekers residing in the Regional Processing Centres.