

**REPUBLIC OF NAURU**  
**REFUGEE CONVENTION (AMENDMENT) BILL 2024**  
**SECOND READING SPEECH**

**His Excellency the President, Hon. David W.R. Adeang, M.P.**

**26 November 2024**

Mr. Speaker Sir,

I introduce to the House today the *Refugee Convention (Amendment) Bill 2024*.

Mr Speaker and Honourable Members, the *Refugee Convention Act* came into force in 2012. Under this Act, Nauru has been able to determine the application by asylum seekers who arrived in Nauru in 2012. The process for determination of an application by an asylum seeker is that a preliminary assessment is undertaken by the Secretary for Multicultural Affairs through engagement of independent assessors. Once an application is declined or more commonly called as negative, the applicant has the right to appeal to the Refugee Status Determination Tribunal. If the applicant is still unsuccessful, Tribunal's decision is then appealed to the Supreme Court. Since the Nauru Court of Appeal is our final appellate court, an aggrieved applicant has the right to appeal to the Nauru Court of Appeal. No appeals are filed in the High Court of Australia from a decision made in Nauru's administrative and judicial system.

Mr. Speaker, in line with the current appeal time of 21 days, the proposed Bill is intended to firstly reduce the time limit in which to file a review of merits to the Tribunal from 28 days to 21. This is consistent with other periods within which an application for review or appeal is to be made under the *Supreme Court Act 2018* and the *Nauru Lands Committee Act 1956*. Secondly, the Bill proposes to reduce the time within which the Tribunal is to complete its review of a determination or decision. This will be reduced from 90 to 60 days.

Mr. Speaker and Honourable Members, the third amendment proposes to regularise the appeal period for filing appeals from the Refugee Determination Status Tribunal to the Supreme Court. Currently this period is 42 days. The delay of 42 days does not serve any purpose. The Government of Australia provides all the necessary facilities, lawyers and services for the applicants to proceed with their applications. Under the *Supreme Court Act 2018*, appeals in civil, criminal

and land matters is already reduced to 21 days from the 42 days. The appeal time under the *Refugee Convention Act 2012* was not amended. The proposed amendment is to rectify this period from 42 days to 21 days.

Mr Speaker and Honourable Members, the final proposed amendment under the Bill is for the tribunal to reconsider any matters which are referred back to it from the Supreme Court or the Nauru Court of Appeal. The current period is 90 days. Normally when a case is referred back to the Tribunal, there are specific questions to be determined. Most of the facts have already been canvassed through various proceedings and Courts. Therefore, the time frame of 90 days is also considered to be unreasonable. The proposed Bill reduces this timeframe from 90 days to 60 days.

Mr Speaker, the explanatory memorandum summarises the Bill's provisions. Sir, I respectfully request that the accompanying memorandum be read and incorporated into the Hansard Reports.

I commend the Bill to the House.