



REPUBLIC OF NAURU

**NAURU (RPC) CORPORATION (CANSTRUCT  
INTERNATIONAL PTY LTD ENGAGEMENT)  
REGULATIONS 2019**

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SL No. 19 of 2019

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Notified: 2<sup>nd</sup> August 2019

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Cabinet makes the following Regulations under sections 19(1) and 34 of the *Nauru (RPC) Corporation Act 2017*:

**1 Citation**

These Regulations may be cited as the *Nauru (RPC) Corporation (Canstruct International Pty Ltd Engagement) Regulations 2019*.

**2 Commencement**

These Regulations come into effect on the day they are notified in the Gazette.

**3 Definitions**

**'authorised contract'** for the purposes of these Regulations, refers to the contract between the Commonwealth of Australia represented by the Department of Home Affairs and Canstruct International Pty Ltd authorised by the Cabinet under section 24 of the Act:

- (a) on 29 October 2017 and endorsed by the Secretary for Multicultural Affairs on 31 October 2017,
- (b) which contract was extended to 30 April 2019 by a Deed of Variation, authorised by Cabinet on 12 October 2018 and endorsed by Secretary for Multicultural Affairs on 23 October 2018;
- (c) was further extended to 31 July 2019 by the Cabinet on 30 April 2019 and endorsed by Secretary for Multicultural Affairs on 30 April 2019; and
- (d) is further extended to 30 June 2020;

**'authorised service provider'** means Canstruct International Pty Ltd.

**4 Management and service fees**

- (1) For the purposes of section 19(1) of the Act, the authorised service provider shall pay management and service fees for the facilitation and administration of services at the Regional Processing Centres and Settlements or in relation to protected persons.
- (2) The management and service fees for the duration of the authorised extended contract shall be:
  - (a) \$18,333,333; and
  - (b) for the period commencing from 1 August 2019 and continues until 30 June 2020.

- (3) The fee referred to in sub regulation (2) shall be charged once only for the period commencing from 1 August 2019 and continues until 30 June 2020 regardless of whether there is a change of the authorised service provider.
- (4) The Corporation shall charge and recover its management and service fees from the authorised service provider which shall be:
  - (a) \$4,333,333 on or before 5 August 2019;
  - (b) \$1,000,000 to be paid on or before the 1<sup>st</sup> day of each successive month with effect from 1 September 2019 until 1 December 2019; and
  - (c) \$1,666,666.70 to be paid on or before the 1<sup>st</sup> working day of January 2020 and thereafter each successive month until 1 June 2020.
- (5) The arrangement for the payment of the management and service fees by Canstruct International Pty Ltd in subregulation (4) shall be complied with by any other authorised service provider that replaces Canstruct International Pty Ltd before 30 June 2020.

**5 Regulations not to apply**

These regulations shall not apply to Eigigu Solutions Corporation.

**6 Regulations repealed**

The *Nauru (RPC) Corporation (Canstruct International Pty Ltd Engagement) Regulations 2019* SL No. 11 notified on 13<sup>th</sup> May 2019 are hereby repealed.