



REPUBLIC OF NAURU

PUBLIC FINANCE (CONTROL AND MANAGEMENT)(GOVERNMENT VEHICLES WRITE-OFF) REGULATIONS 2024

SL No. 8 of 2024

Notified: 3 April 2024

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The Cabinet makes the following Regulations under Section 32 of the *Public Finance (Control and Management) Act 1997*:

1 Citation

These Regulations may be cited as the *Public Finance (Control and Management) (Government Vehicles Write-Off) Regulations 2024*.

2 Commencement

These Regulations commence on the date they are notified in the Gazette.

3 Interpretation

In these Regulations:

'Head of Department' includes a Secretary as defined under the *Public Service Act 2016* or a Chief Executive Officer as defined under the *Public Enterprises Act 2019*;

'mechanic' means a mechanic employed in the Government of Nauru Garage or any such other qualified person authorised by the Secretary for Finance to appraise the condition and value of a motor vehicle; and

'vehicle' means a motor vehicle including a motorcycle that is owned by the Government, statutory bodies or instrumentalities.

4 Objective of the Regulations

The objective of these Regulations is to give effect to Section 17 of the Act, for the purposes of providing a procedure for the writing-off of vehicles.

5 Head of Department to cause inspection and appraisal of vehicle intended to be written-off

For the purpose of ascertaining whether a vehicle is to be written-off, a Head of Department may cause a vehicle to be inspected and appraised by a mechanic where the vehicle:

- (a) is damaged in an accident or by any other means;
- (b) constantly breaks down and is out of service or use; or
- (c) constantly requires maintenance and repair.

6 Request to be in writing

A request under Regulation 5, shall be made in writing in the Form in the Schedule.

7 Responsibility of the mechanic

Where a request is made by a Head of Department under Regulation 6 for a vehicle to be written-off, the mechanic shall recommend:

- (a) whether the vehicle is beyond repair due to the damage;
- (b) the value of the repair is beyond the market value of the vehicle; or
- (c) for the vehicle to be maintained or repaired, as it is not in the condition to be written-off and is still capable of being used for Government services.

8 Mechanic to inspect vehicle

- (1) Upon receipt of a request for inspection of a vehicle, under Regulation 6, the mechanic shall:
 - (a) undertake a full inspection of the vehicle; and
 - (b) provide an opinion in accordance with Regulation 7.
- (2) The mechanic shall provide his or her opinion under subregulation (1) in the Form.
- (3) The duly completed Form by the mechanic shall be provided to the Head of Department.

9 Head of Department to refer report to the Secretary for Finance

- (1) Where the mechanic recommends that a vehicle is to be written-off, the Head of Department shall refer the Report to the Secretary for Finance.
- (2) The Secretary for Finance shall then refer the request to write-off a vehicle by the Head of Department to the Minister for Finance for his or her consideration.
- (3) Where the Minister is satisfied, based on the information provided that a vehicle be written-off, he or she shall recommend it to the Cabinet for its consideration.
- (4) Where the Cabinet approves that a vehicle be written-off, the Minister shall then issue a written Order under Section 17 of the Act.

10 Vehicle not to be written off

- (1) Where the mechanic has given an advice that a vehicle shall not be written off or is capable of being maintained or repaired, the Head of Department shall not make any recommendation to the Secretary for Finance for the vehicle to be written-off.
- (2) The Head of Department shall undertake the necessary repairs for maintenance as advised by the mechanic to ensure that the vehicle is roadworthy and fit for service of the Government.
- (3) The Head of Department shall not abandon the vehicle without any repairs or maintenance, which may cause further damage to the vehicle and which in future prevents the vehicle from being repaired or maintained due to normal wear and tear.

11 Head of Department's duty to advise the Chief Secretary or the Board

- (1) In case of the public service, the Head of a Department shall submit to the Chief Secretary, a copy of the:
 - (a) the Report of the mechanic, where the mechanic has declined the request for write-off; and
 - (b) the decision of the Minister duly completed in the Form where the Cabinet and the Minister have decided that the vehicle be written-off.
- (2) In the case of an instrumentality or statutory body, the Chief Executive Officer shall submit to the Board a copy of the:
 - (a) the Report of the mechanic, where the mechanic has declined the request for write-off; and
 - (b) the decision of the Minister duly completed in the Form where the Cabinet and the Minister have decided that the vehicle be written-off.

12 Transitional provision

A Head of Department or the Secretary for Finance shall with regard to a vehicle that is the subject of a request to be written off under Section 17, before the commencement of these Regulations, re-submit proposals to be undertaken in accordance with these Regulations upon its the commencement.

SCHEDULE

FORM



REPUBLIC OF NAURU

PUBLIC FINANCE (CONTROL AND MANAGEMENT) ACT 1997
Public Finance (Government Vehicles Write-Off) Regulations 2024

REQUEST FOR WRITING OFF OF VEHICLE

[Regulation 6]


PART 1 - DEPARTMENT / STATUTORY BODY / INSTRUMENTALITY DETAILS		
(a)	Department / Statutory Body / Instrumentality	
(b)	Name of Head of Department/Statutory Body/ Instrumentality	
(c)	Signature	
(d)	Date	
PART 2 - VEHICLE DETAILS		
(a)	Vehicle Make	
(b)	Vehicle Model	
(c)	Year	
(d)	Engine size	
(e)	Mileage	
(f)	Vehicle Identification Number	
PART 3 – HEAD OF DEPARTMENT’S DESCRIPTION OF CONDITION OF THE VEHICLE		
(g)	Information by the Head of Department or Head of the Statutory Body or Instrumentality on the condition of the vehicle	
PART 4 – MECHANIC’S ASSESSMENT OF THE VEHICLE		

(h)	Mechanic Inspection Report <i>(detailed report required)</i>	
(i)	Recommendation by Mechanic	<input type="checkbox"/> the vehicle is beyond repair due to the damage <input type="checkbox"/> the value of repair is beyond the market value of the vehicle <input type="checkbox"/> the vehicle is to be maintained and repaired as it is not in the condition to be written-off and is still capable of being used for Government services (tick the appropriate box)
(j)	Reasons for Mechanic's recommendation	

Name:

Signature:

Date:



Mechanic's Seal/Stamp

PART 5 – ENDORSEMENT BY THE SECRETARY OF FINANCE

Secretary for Finance:

I agree with the opinion of the mechanic and recommend that this Form be submitted to the Minister for Finance for his consideration.

.....
Signature Date:

PART 6 – DECISION OF THE CABINET

Decision of the Cabinet

The Cabinet has approved / Not approved the recommendation to write-off the vehicle.

Secretary to Cabinet:

.....
Signature of Secretary to Cabinet Date:

PART 7 – APPROVAL BY THE MINISTER

Minister's approval

I hereby approve that the vehicle referred to above be written-off and direct that it be disposed of in accordance with the law.

Minister for Finance:

Signature:.....

Date: