



REPUBLIC OF NAURU

# ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE (NOTICES) REGULATIONS 2021

---

SL No. 12 of 2021

---

Notified: 22<sup>nd</sup> June 2021

## Table of Provisions

1	Citation .....	2
2	Commencement .....	2
3	Precautionary Notice .....	2
4	Notice to Cease.....	2
5	Notice to Improve .....	2
6	Prohibition Notice .....	2
	SCHEDULE.....	3

The Cabinet makes the following Regulations under Section 62 of the *Environmental Management and Climate Change Act 2020*:

**1 Citation**

These Regulations may be cited as the *Environmental Management and Climate Change (Notices) Regulations 2021*.

**2 Commencement**

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

**3 Precautionary Notice**

For the purposes of Section 43 of the Act, an authorised officer may issue a Precautionary Notice in Form 1 of the Schedule.

**4 Notice to Cease**

For the purposes of Section 44 of the Act, the Secretary may issue a Notice to Cease an act or activity in Form 2 of the Schedule.

**5 Notice to Improve**

For the purposes of Section 45 of the Act, an authorised officer may issue a Notice to Improve in Form 3 of the Schedule.

**6 Prohibition Notice**

For the purposes of Section 46 of the Act, the Secretary may issue a Prohibition Notice in Form 4 of the Schedule.

# SCHEDULE

## Form 1



### REPUBLIC OF NAURU

#### ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE ACT 2020

[Section 43; Regulation 3]

#### PRECAUTIONARY NOTICE

Notice No: PC... / 20...

**To:** ..... [Name of person in control of activity or matter ]  
..... [Address]  
..... [Contact details]

**TAKE NOTICE** that you are in control of or carrying out the following activity or matter: [insert details of activity or matter]

.....  
.....

in the district of ..... [insert district] which may or is likely to have an environmental impact under the *Environmental Management and Climate Change Act 2020*.

This Precautionary Notice now requires you to provide the following information within 7 days from the receipt of this Notice: [insert details]

- 1 .....
- 2 .....

The details required are to be submitted in the duly completed form "**Information Provided Pursuant to Precautionary Notice**" attached to this Notice.

**TAKE NOTICE** that if you fail to comply with this Notice, you will be prosecuted and upon conviction, you will be liable to a fine not exceeding \$10,000 or term of imprisonment not exceeding 24 months or to both such fine and term of imprisonment.

Name of Authorised Officer\*: .....  
Signature: .....  
Date: .... / ..... / 20....

*\*Duly appointed authorised officer under the Environmental Management and Climate Change Act 2020.*

#### ACKNOWLEDGEMENT OF SERVICE

Full name of person in control of activity or matter	
Signature of person in control of activity or matter	



**REPUBLIC OF NAURU**

**ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE ACT 2020**

*[Section 43; Regulation 3]*

**INFORMATION PROVIDED  
PURSUANT TO PRECAUTIONARY NOTICE**

**NOTE:**

- (a) you are to provide the information required by the Notice within 7 days; or*
- (b) if you fail to do so, you will be prosecuted and may be a fined an amount not exceeding \$10,000 or be imprisoned for a term not exceeding 24 months.*

To: **Secretary for Commerce, Industry and Environment**  
Government Offices, Yaren District

- 1 Reason or purpose of activity or matter  
.....  
.....  
.....  
.....
- 2 Other persons involved in activity or matter [*insert details of persons*]  
.....  
.....  
.....
- 3 Effect of activity or matter on any person  
.....  
.....  
.....
- 4 Environmental impact of activity or matter [*explain in detail if have knowledge of it*]  
.....  
.....  
.....  
.....  
.....  
.....  
.....
- 5 Alternative to current activity or matter or process of undertaking such activity or matter

.....  
.....  
.....  
.....

6 List of chemicals, substances and other materials or items used in activity or matter

.....  
.....  
.....  
.....  
.....

7 List waste materials or any by-products of activity or matter

.....  
.....  
.....  
.....  
.....

8 How and where waste material or by-products disposed of

.....  
.....  
.....  
.....  
.....

..... *[name of person in control of activity or matter]*  
..... *[signature of person in control of activity or matter]*

Date: ...../...../20....

**FORM 2**



**REPUBLIC OF NAURU**

**ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE ACT 2020**

*[Section 44; Regulation 4]*

**NOTICE TO CEASE ACTIVITY OR MATTER**

Notice No: NC... / 20...

<b>To:</b> ..... <i>[ Name of person in control of activity or matter]</i> ..... <i>[ Address]</i> ..... <i>[Contact details]</i>	
<b>TAKE NOTICE</b> that the following activities or matters which you are in control of or carrying out: <i>[list the acts activities]</i> 1 ..... 2 ..... 3 ..... in the district of ..... <i>[insert district]</i> , have the following impacts on the environment: <i>[list the impacts in sufficient detail]</i> 1 ..... 2 ..... 3 ..... 4 .....	
<b>TAKE NOTICE</b> as the person in control of or carrying out such activity or matter, you are to cease all such activity or matter with immediate effect until such time the Minister is satisfied that the environmental impacts no longer exist.	
<b>PENALTY:</b> a failure to comply with this Notice will result in prosecution and you may be liable to a fine not exceeding \$10,000 or term of imprisonment not exceeding 24 months or to both such fine and term of imprisonment.	
Dated this ..... of .....20....  ..... <b>Secretary for Commerce, Industry and Environment</b>	
<b>ACKNOWLEDGEMENT OF SERVICE</b>	
Full name of person in control of activity or matter	
Signature of person in control of activity or matter	

**FORM 3**



**REPUBLIC OF NAURU**

**ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE ACT 2020**

*[Sections 43(2)(c) and 45; Regulation 5]*

**NOTICE TO  
IMPROVE, AVOID OR DECREASE ENVIRONMENTAL IMPACT**

Notice No: NI... / 20...

<b>To:</b> ..... <i>[ Name of person in control of activity or matter]</i> ..... <i>[ Address]</i> ..... <i>[Contact details]</i>	
<b>TAKE NOTICE</b> that as the person in control of the following activity or matter in the district of ..... <i>[insert district]</i> , 1 ..... 2 ..... 3 .....  you are required to undertake the following actions to <i>[improve/avoid/decrease]</i> any environmental impact: <i>[insert necessary action]</i> 1 ..... 2 ..... 3 .....	
<b>PENALTY:</b> a failure to comply with this Notice will result in prosecution and you may be liable to a fine not exceeding \$10,000 or term of imprisonment not exceeding 24 months or to both such fine and term of imprisonment.  Name of Authorised Officer*: ..... Signature: ..... Date: .... / ..... / 20....  <i>*Duly appointed authorised officer under the Environmental Management and Climate Change Act 2020.</i>	
<b>ACKNOWLEDGEMENT OF SERVICE</b>	
Full name of person in control of activity or matter	
Signature of person in control of activity or matter	

**FORM 4**



**REPUBLIC OF NAURU**

**ENVIRONMENTAL MANAGEMENT AND CLIMATE CHANGE ACT 2020**

*[Section 46; Regulation 6]*

**PROHIBITION NOTICE**

Notice No: PN... / 20...

<b>To:</b> ..... <i>[ Name of person in control of activity or matter]</i> ..... <i>[ Address]</i> ..... <i>[Contact details]</i>
<b>TAKE NOTICE</b> that as the person in control of the following activity or matter: <i>[insert act or activity]</i> 1 ..... 2 ..... 3 ..... which you are carrying out in the district of ..... <i>[insert district]</i> , such activities or matters have the following impacts on the environment: <i>[list the impacts in sufficient detail]</i> 1 ..... 2 ..... 3 ..... 4 .....
You are to forthwith stop carrying out such activities or matters. This prohibition remains in force until you are advised otherwise in writing.
<b>PENALTY:</b> a failure to comply with this Notice will result in prosecution and you may be liable to a fine not exceeding \$10,000 or term of imprisonment not exceeding 24 months or to both such fine and term of imprisonment.
Dated this ..... of .....20....
..... <b>Secretary for Commerce, Industry and Environment</b>