

PASSPORTS

Table of Contents

Page

Principal

Passports Act 2011

Table of Provisions	750,201
Table of Amendments	750,401
Passports Act 2011	750,601

Subsidiary

Passports Regulations 2011

Table of Provisions	760,001
Table of Amendments	760,201
Passports Regulations 2011	760,401

Passports (Forms) Regulations 2020

Table of Provisions	768,001
Table of Amendments	768,201
Passports (Forms) Regulations 2020	768,401

Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025

Table of Provisions	771,001
Table of Amendments	771,101
Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025	771,201

[The next page is 750,201]

Passports Act 2011

TABLE OF PROVISIONS

Section

Title

PART 1 — PRELIMINARY MATTERS

- | | |
|---|------------------------|
| 1 | Short title |
| 2 | Commencement |
| 3 | Interpretation |
| 4 | Application |
| 5 | Act binds the Republic |

PART 2 — NAURUAN PASSPORTS

DIVISION 1 — ISSUE OF NAURUAN PASSPORTS

- | | |
|---|--|
| 6 | Entitlement to ordinary Nauruan passport |
| 7 | Minimum requirements for issue of any Nauruan passport |

DIVISION 2 — DIPLOMATIC AND OTHER OFFICIAL PASSPORTS

- | | |
|----|--------------------------------|
| 8 | Issue of diplomatic passport |
| 9 | Issue of official passport |
| 10 | Issue of Presidential passport |

PART 3 — TRAVEL-RELATED DOCUMENTS

DIVISION 1 — ISSUE OF TRAVEL-RELATED DOCUMENTS

- | | |
|----|---|
| 11 | Issue of travel-related document |
| 12 | Minimum requirements for issue of travel-related document |

DIVISION 2 — CLASSES OF TRAVEL-RELATED DOCUMENTS

- | | |
|----|-------------------------|
| 13 | Refugee travel document |
| 14 | Certificate of identity |

PART 4 — REFUSAL TO ISSUE NAURUAN TRAVEL DOCUMENT

DIVISION 1 — CHILDREN

- | | |
|----|--|
| 15 | Child without parental consent or court order for travel |
|----|--|

DIVISION 2 — LAW ENFORCEMENT AND SECURITY

- | | |
|----|--------------------------------------|
| 16 | Nauruan law enforcement matter |
| 17 | International law enforcement matter |
| 18 | Potential for harmful conduct |

Section

Title

DIVISION 3 — OTHER REASONS

- 19 Repeated loss or theft
- 20 Debt owed to Nauru
- 21 Concurrently valid Nauruan travel document

PART 5 — VALIDITY OF NAURUAN TRAVEL DOCUMENTS

- 22 When Nauruan travel document ceases to be valid
- 23 Nauruan travel document not renewable
- 24 Cancellation of Nauruan travel document

PART 6 — OFFENCES

- 25 False or misleading information
- 26 Improper use or possession of travel document
- 27 Selling travel document
- 28 Damaging travel document
- 29 Obstruction of official
- 30 Possessing false travel document
- 31 Taking or sending a document across international borders
- 32 Issue of passport contrary to this Act
- 33 Failure to notify authorised officer of lost or stolen travel document
- 34 Abuse of public office
- 35 Confidentiality of information

PART 7 — SEIZURE OF DOCUMENTS

- 36 Power of authorised officer
- 37 Power of customs officer

PART 8 — REVIEWS AND APPEALS

- 38 Reviewable decisions
- 39 Notice of reviewable decision
- 40 Review of decision
- 41 Appeal against decision

PART 9 — CRIMINAL LIABILITY

- 42 Elements of an offence
- 43 Conduct and engaging in conduct
- 44 Intention
- 45 Knowledge
- 46 Recklessness

PART 10 — ADMINISTRATIVE MATTERS

- 47 Appointment of authorised officers
- 48 Request for personal information
- 49 Disclosure of information
- 50 Delegation of Minister's powers

<i>Section</i>	<i>Title</i>
51	Application on behalf of child
52	Form of travel documents
53	Name on travel document
54	Nauruan travel document remains property of the Republic
55	Endorsements and observations
56	Register of travel documents
57	Regulations

PART 11 — REPEAL AND TRANSITIONAL MATTERS

DIVISION 1 — REPEAL OF ACT

58	Repeal
----	--------

DIVISION 2 — TRANSITIONAL MATTERS

59	Definitions
60	Passports issued under repealed Act
61	Application under repealed Act [<i>Repealed</i>]
62	Transitional regulations [<i>Repealed</i>]

[The next page is 750,401]

Passports Act 2011

TABLE OF AMENDMENTS

The Passports Act 2011 No 5 was certified on 15 April 2011 and commenced on 1 July 2011 (s 2).

Amending Legislation	Certified	Date of Commencement
Passports (Amendment) Act 2016 No 46	8 September 2016	8 September 2016
Passports (Amendment) Act 2020 No 15	23 October 2020	23 October 2020
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

[The next page is 750,601]

An Act to provide for Nauruan passports and travel-related documents, and for related purposes.

Enacted by the Parliament of Nauru as follows:

PART 1 — PRELIMINARY MATTERS

1 Short title

This Act may be cited as the *Passports Act 2011*.

2 Commencement

This Act commences on 1 July 2011.

3 Interpretation

(1) In this Act:

‘*affected person*’, for a reviewable decision, see Section 38(2);

‘*authorised officer*’ means:

(a) a person who, within the meaning of the *Vienna Convention on Diplomatic Relations*, is a member of the diplomatic staff of a Nauruan mission; or

(b) a person who, within the meaning of the *Vienna Convention on Consular Relations*, is a consular officer of a Nauruan consular post; or

(c) a person appointed under Section 47;

‘*blank Nauruan travel document*’ means a document in the form of a Nauruan travel document that has not been issued to a person;

‘*certificate of identity*’ means a document issued under Section 14;

‘*child*’ means a person who is under 18 years of age and has never been married;

‘*contact*’, between a child and a non-consenting person, includes contact in person or by telephone, mail or electronic mail;

‘*container*’ includes baggage, a mail receptacle, and any other thing that could be used to carry goods, whether or not designed for that purpose;

‘*country of nationality*’, for a person, means the country of which the person claims to be a national;

‘*customs officer*’ means an Officer as defined in Section 3 of the *Customs Act 2014*;

‘*de facto partner*’, is as defined in subsection (2);

‘*Department*’ means the Department responsible for administering this Act;

‘*diplomatic passport*’ means a Nauruan passport issued under Section 8;

‘*Commissioner of Police*’ means the person from time to time holding, occupying or performing the duties of the Commissioner of Police in Section 6 of the *Nauru Police Force Act 1972*;

‘false Nauruan travel document’ means a document that:

- (a) is not a Nauruan travel document but that purports to be a Nauruan travel document; or
- (b) is a Naoero travel document that has been altered by a person who is not authorised to alter the document;

‘Head of the Department’

[def rep Act 15 of 2020 s 4, opn 23 Oct 2020]

‘holder’, for a Nauruan travel document, means the person to whom the document has been issued;

‘Minister’ means the Minister for Justice and Border Control;

[def insrt Act of 2020 s 4]

‘misleading information’ means information that is misleading in a material particular because it:

- (a) does not include relevant information; or
- (b) includes misinformation;

‘Nauruan citizen’ means a person, other than a person who has ceased to be a Nauruan citizen under a law made under Article 75, who is a citizen of Nauru under:

- (a) Article 71, 72, 73 or 74; or
- (b) *Naoero Citizenship Act 2017*, a law made under Article 75;

‘Nauruan passport’ means an ordinary, diplomatic, official or Presidential passport issued under Part 2;

‘Nauruan travel document’ means a Nauruan passport or a travel-related document;

‘non-consenting person’, for an application for a Nauruan passport to be issued to a child, means a person with parental responsibility for the child who has not given his or her consent to the child travelling internationally;

‘official passport’ means a Nauruan passport issued under Section 9;

‘ordinary Nauruan passport’ means a Nauruan passport other than a diplomatic, official or Presidential passport;

‘parent’, of a child:

- (a) includes the child’s adoptive parent, as defined in the *Adoption of Children Act 1965*; and
- (b) excludes a person whose parental rights have been extinguished under that Ordinance;

‘parental responsibility’, for a child, as provided for in subsection (3);

‘possession’, for an item, includes control over the item;

‘prescribed’ means prescribed by regulation;

‘Presidential passport’ means a Nauruan passport issued under Section 10;

‘refugee travel document’ means a document issued under Section 13;

‘reviewable decision’, as a provided for in Section 38(1);

‘Secretary’ means the Secretary for Justice and Border Control;

[def insrt Act 15 of 2020 s 4, opn 23 Oct 2020]

‘serious foreign offence’ means an offence that, within the meaning of the *Extradition Act 1973*, is a relevant offence against the law of a designated country;

‘serious offence’ means an offence for which the maximum penalty is imprisonment for at least 12 months;

‘spouse’, of a person, means the person’s husband, wife or de facto partner; and

‘travel-related document’ means:

- (a) a refugee travel document; or
- (b) a certificate of identity.

- (2) A person is the **‘de facto partner’** of another person if:
 - (a) the person lives with the other person as a part of a couple; and
 - (b) the person is not married to the other person.
- (3) A person has **‘parental responsibility’** for a child if the person is:
 - (a) the child’s parent; or
 - (b) entitled to guardianship or custody of, or access to, the child under a law of Nauru.

4 Application

- (1) Unless the contrary intention appears, this Act extends to:
 - (a) acts, omissions, matters and things outside Nauru; and
 - (b) all persons, irrespective of their nationality or citizenship.
- (2) An offence against this Act applies whether or not the conduct or a result of the conduct constituting all or part of the alleged offence occurs in Nauru.

5 Act binds the Republic

This Act binds the Republic.

[The next page is 750,801]

PART 2 — NAURUAN PASSPORTS

DIVISION 1 — ISSUE OF NAURUAN PASSPORTS

6 Entitlement to ordinary Nauruan passport

Subject to Section 7 and Part 4, the Minister shall, on application by a Nauruan citizen, issue the citizen with an ordinary Nauruan passport.

7 Minimum requirements for issue of any Nauruan passport

- (1) The Minister shall not issue a Nauruan passport to a person unless the Minister is satisfied:
 - (a) that the person is a Nauruan citizen; and
 - (b) of the person's identity.
- (2) An application for a Nauruan passport shall be:
 - (a) made in the prescribed form; and
 - (b) accompanied by the prescribed fee and the documents specified on the prescribed form.

DIVISION 2 — DIPLOMATIC AND OTHER OFFICIAL PASSPORTS

8 Issue of diplomatic passport

- (1) Subject to subsection (2), the Minister may issue a diplomatic passport for travel for diplomatic purposes.
- (2) The Minister may only issue a diplomatic passport to a Nauruan citizen who is:
 - (a) a Member of Parliament;
 - (b) if the Speaker of Parliament is not a member of Parliament, the Speaker of Parliament;
 - (c) a person who, within the meaning of the *Vienna Convention on Diplomatic Relations*, is a member of the diplomatic staff of a Nauruan mission;
 - (d) a person who, within the meaning of the *Vienna Convention on Consular Relations*, is a consular officer of a Nauruan consular post;
 - (e) the spouse or dependent of a person mentioned in paragraphs (a), (b), (c) and (d); or
 - (f) with the written approval of the Cabinet for any other person.

9 Issue of official passport

The Minister may only issue an official passport to a Nauruan citizen to whom the issue of the passport is appropriate to facilitate travel on official government business.

10 Issue of Presidential passport

The Minister may only issue a Presidential passport to the President.

[The next page is 751,001]

PART 3 — TRAVEL-RELATED DOCUMENTS

DIVISION 1 — ISSUE OF TRAVEL-RELATED DOCUMENTS

11 Issue of travel-related document

Subject to Section 12 and Part 4, the Minister may, on application by or on behalf of a person, issue the person with a travel-related document.

12 Minimum requirements for issue of travel-related document

- (1) The Minister shall not issue a travel-related document to a person unless the Minister is satisfied:
 - (a) of the person's identity; and
 - (b) that the person is qualified for the issue of the document under Division 2.
- (2) An application for a travel-related document shall be:
 - (a) made in the prescribed form; and
 - (b) accompanied by the prescribed fee and the documents specified on the prescribed form.
- (3) An application for a travel-related document may be made by the Republic on behalf of a person.

DIVISION 2 — CLASSES OF TRAVEL-RELATED DOCUMENTS

13 Refugee travel document

- (1) In this Section:

'Refugee Convention' means the *Convention relating to the Status of Refugees dated 28 July 1951*, or 1951 Refugee Convention and the Protocol in force under that Convention.
- (2) The Minister may issue a refugee travel document to a person who is present in Nauru if the person is:
 - (a) not a Nauruan citizen;
 - (b) a refugee recognised under the Refugee Convention; and
 - (c) qualified for the issue of the document under subsection (3) or (4).
- (3) A person is qualified if the person is lawfully resident or otherwise lawfully present in Nauru.
- (4) A person is qualified if the person:
 - (a) is not lawfully resident or otherwise lawfully present in Nauru; and
 - (b) is unable to obtain a travel document from the person's country of lawful residence.

14 Certificate of identity

- (1) The Minister may issue a certificate of identity to a person who is qualified for the issue of the certificate under subsection (2), (3) or (4).
- (2) A person is qualified if:
 - (a) the person is not a Nauruan citizen;
 - (b) the person intends to leave Nauru in the immediate future;

- (c) the person is stateless or unable to obtain a valid travel document from the person's country of nationality; and
- (d) unless the person is stateless, either:
 - (i) the person's country of nationality has consented to the issue of the certificate; or
 - (ii) the Minister is satisfied that it is reasonable to issue the person with the certificate even though the person's country of nationality has not consented to the issue.
- (3) A person is qualified if:
 - (a) the person is a Nauruan citizen;
 - (b) the person does not hold a Nauruan passport because the issue of a Nauruan passport to the person is unnecessary or undesirable; and
 - (c) the Minister is satisfied the person needs to travel urgently because of a medical emergency or family crisis.
- (4) A person is qualified if the person:
 - (a) is a Nauruan citizen; and
 - (b) cannot obtain a Nauruan passport because the person is not in a country in which an application for a Nauruan passport can be processed.

[The next page is 751,201]

PART 4 — REFUSAL TO ISSUE NAURUAN TRAVEL DOCUMENT

DIVISION 1 — CHILDREN

15 Child without parental consent or court order for travel

- (1) The Minister shall not issue a Nauruan travel document to a child unless:
 - (a) each person who has parental responsibility for the child consents to the child travelling internationally;
 - (b) an order of a court permits the child to travel internationally; or
 - (c) the Minister exercises discretion under subsection (2).
- (2) Subject to subsections (3) and (4), the Minister may exercise discretion to issue a Nauruan travel document to a child if:
 - (a) the Minister believes on reasonable grounds that the child's physical or psychological welfare would be adversely affected if the child were not able to travel internationally;
 - (b) the Minister believes on reasonable grounds that:
 - (i) the child urgently needs to travel internationally because of a family crisis; and
 - (ii) it is not possible to contact a non-consenting person to seek the person's consent to the child travelling internationally within a reasonable period of time;
 - (c) the following circumstances apply:
 - (i) the child is outside Nauru;
 - (ii) the child departed Nauru less than 12 months before the application for the travel document was made; and
 - (iii) the Minister considers that a travel document should be issued to enable the child to return to Nauru;
 - (d) the applicant has been unable to locate or contact a non-consenting person for a reasonable period, having made reasonable attempts to do so;
 - (e) a non-consenting person is missing and presumed dead;
 - (f) a non-consenting person is medically incapable of giving consent;
 - (g) there has been no contact between the child and a non-consenting person for at least 2 years before the application is made;
 - (h) the child:
 - (i) is at least 16 years old; and
 - (ii) has had no contact with a non-consenting person for at least 12 months before the application is made; or
 - (i) other prescribed circumstances exist.
- (3) Where the Minister has been given court documents demonstrating that there are proceedings before a court that may affect the ability of the child to travel internationally, the Minister shall not exercise discretion under subsection (2) unless the Minister reasonably believes that the child should be permitted to travel internationally because of a medical emergency or family crisis.
- (4) The Minister shall not exercise discretion under subsection (2) if the Minister believes that issuing a travel document to the child will be harmful to the interests of the child.

- (5) Where the Minister refuses to exercise discretion under subsection (2), the Minister may declare that he or she is refusing to exercise the discretion because the matter should be dealt with by a court.
- (6) For the purposes of subsection (1), a reference to:
 - (a) a person consenting to a child travelling internationally includes a person consenting to the issue of a Nauruan travel document to the child; and
 - (b) an order of a court permitting a child to travel internationally includes an order permitting:
 - (i) the issue of a Nauruan travel document to the child; or
 - (ii) contact outside Nauru between the child and another person.

DIVISION 2 — LAW ENFORCEMENT AND SECURITY

16 Nauruan law enforcement matter

The Minister shall not issue a Nauruan travel document to a person if:

- (a) a warrant for the person's arrest is in force in Nauru in relation to a serious offence against a law of Nauru; or
- (b) the person, whether or not the person is in prison, is prevented from travelling internationally under a law of Nauru, or an order or other direction (however described) made under a law of Nauru.

17 International law enforcement matter

The Minister may refuse to issue a Nauruan travel document to a person if:

- (a) a warrant for the person's arrest is in force in Nauru or a foreign country in relation to a serious foreign offence;
- (b) the person (whether or not the person is in prison) is, in relation to a serious foreign offence, prevented from travelling internationally under a law of a foreign country or an order or other direction (however described) made under a law of a foreign country; or
- (c) the Minister believes on reasonable grounds that issuing a Nauruan travel document to the person would compromise proceedings under a law of a foreign country in relation to a serious foreign offence that the person is alleged to have committed.

18 Potential for harmful conduct

The Minister may refuse to issue a Nauruan travel document to a person if the Minister believes on reasonable grounds that:

- (a) if the document were issued to the person, the person would be likely to engage in conduct that might:
 - (i) prejudice the security of Nauru or a foreign country;
 - (ii) endanger the health or physical safety of another person, whether in Nauru or a foreign country;
 - (iii) constitute a serious offence against this Act; or
 - (iv) constitute a prescribed serious offence against another written law; and
- (b) it is necessary to refuse to issue the document to prevent the person from engaging in the conduct.

DIVISION 3 — OTHER REASONS

19 Repeated loss or theft

The Minister may refuse to issue a Nauruan travel document to a person if, in the 5 year period immediately before the application for the document is made, 3 or more Nauruan travel documents issued to the person have been lost or stolen.

20 Debt owed to Nauru

The Minister may refuse to issue a Nauruan travel document to a person if the Minister believes on reasonable grounds that the person owes money to Nauru for:

- (a) expenses incurred by Nauru on behalf of the person in a foreign country;
- (b) money lent to the person by Nauru when the person was outside Nauru; or
- (c) expenses incurred by Nauru to enable the person to depart from a foreign country.

21 Concurrently valid Nauruan travel document

The Minister shall not issue a Nauruan travel document to a person who holds a valid Nauruan travel document unless:

- (a) the person intends to travel to a country that will not accept a travel document showing evidence of travel to a particular country and the travel document already held by the person shows evidence of travel to the country; or
- (b) the travel document issued is a diplomatic, official or Presidential passport and the travel document already held by the person is a different class of travel document.

[The next page is 751,401]

PART 5 — VALIDITY OF NAURUAN TRAVEL DOCUMENTS

22 When Nauruan travel document ceases to be valid

A Nauruan travel document ceases to be valid on the earliest of the following:

- (a) the end of the day specified on the document as the date of expiry, which shall not be later than the end of the prescribed maximum period of validity for a document of that class;
- (b) when another Nauruan travel document is issued to the person, unless the other document has been issued to the person as a concurrently valid travel document because one of the circumstances mentioned in Section 21 applies;
- (c) when it is cancelled under Section 24;
- (d) for a certificate of identity issued to a person qualified under Section 14(2), when the person returns to the person's country of nationality and is able to obtain a valid travel document from that country;
- (e) for a certificate of identity issued to a person qualified under Section 14(3), when the person completes the journey for which the certificate was issued;
- (f) for a certificate of identity issued to a person qualified under Section 14(4), when the person arrives in a country in which an application for a Nauruan passport can be processed;
- (g) for a diplomatic, official or Presidential passport issued to a person because of the office the person or another person holds, the day the person or other person ceases to hold the office; or
- (h) for a diplomatic or official passport issued to a person because the person is the spouse or dependant of another person, the day the person stops being the spouse or dependant of the other person.

23 Nauruan travel document not renewable

- (1) A Nauruan travel document is not renewable.
- (2) This Section does not prevent the Minister issuing a new Nauruan travel document to a person whose travel document has ceased to be valid.

24 Cancellation of Nauruan travel document

- (1) The Minister may cancel a Nauruan travel document.
- (2) Without limiting subsection (1), the Minister may cancel a Nauruan travel document that has been issued to a person if:
 - (a) the Minister intends to issue another travel document to the person immediately after cancelling the document;
 - (b) the document has been lost or stolen;
 - (c) the Minister believes on reasonable grounds that the person to whom the travel document was issued has engaged in or, is likely to engage in conduct that might:
 - (i) prejudice or affect the national and economic security of Nauru or a foreign country;
 - (ii) endanger the health or physical safety of other persons;
 - (iii) endanger the safety and welfare of children in Nauru or a foreign country;

- (iv) constitute a serious offence against this Act;
 - (v) constitute a serious offence against any other written law;
 - (vi) constitute a terrorism related activity or other serious organised criminal activity;
 - (vii) constitute absconding from the payment of a debt owed to the Republic;
 - (viii) constitute absconding from the payment of any taxes owed to the Republic; or
 - (ix) constitute a law enforcement matter as prescribed under Sections 16 and 17; or
- (d) prescribed circumstances exist in which the document may be cancelled.

[subs (2) am Act 46 of 2016 s 4, opn 8 Sep 2016]

- (3) The Minister shall cancel a Nauruan travel document if the Minister becomes aware of a circumstance that would have prevented the issuance of the travel document under Section 7(1), 12(1), 15(1), 19 or 21.

[subs (3) subst Act 46 of 2016 s 4, opn 8 Sep 2016]

[The next page is 751,601]

PART 6 — OFFENCES

25 False or misleading information

- (1) A person commits an offence if:
- (a) the person gives information to another person in relation to an application for a Nauruan travel document;
 - (b) the information is misleading; and
 - (c) the person is reckless about whether the information is misleading.

Penalty: \$20,000 and 10 years imprisonment.

- (2) A person commits an offence if:
- (a) the person gives a document to another person in relation to an application for a Nauruan travel document;
 - (b) the document contains misleading information; and
 - (c) the person is reckless about whether the document contains misleading information.

Penalty: \$20,000 and 10 years imprisonment.

- (3) A person does not commit an offence under subsection (2) if the person, when giving the document to the other person:
- (a) draws the misleading aspect of the document to the other person's attention; and
 - (b) to the extent to which the person can reasonably do so, gives the other person the information necessary to correct the document.

26 Improper use or possession of travel document

- (1) A person commits an offence if:
- (a) the person uses a Nauruan travel document for travel;
 - (b) the document has been cancelled; and
 - (c) the person is reckless about whether the document has been cancelled.

Penalty: \$20,000 and 10 years imprisonment.

- (2) A person commits an offence if:
- (a) the person uses a Nauruan travel document for travel or identification; and
 - (b) the document was not issued to the person.

Penalty: \$20,000 and 10 years imprisonment.

- (3) The holder of a Nauruan travel document commits an offence if the holder:
- (a) gives the document to another person; and
 - (b) is reckless about whether the document is or will be used by the other person for travel or identification.

Penalty: \$20,000 and 10 years imprisonment.

- (4) A person commits an offence if:
- (a) the person has possession of a Nauruan travel document;
 - (b) the document was not issued to the person;
 - (c) the holder of the document has not consented to the person having possession of the document; and
 - (d) the person is reckless about whether or not the holder of the document has consented to the person having possession of the document.

Penalty: \$20,000 and 10 years imprisonment.

27 Selling travel document

- (1) A person commits an offence if the person sells a Nauruan travel document.
Penalty: \$20,000 and 10 years imprisonment.
- (2) It is not an offence for an authorised officer to collect a prescribed fee for the issue of a Nauruan travel document in the exercise of a power or function under this Act in good faith.

28 Damaging travel document

- (1) A person commits an offence if:
- (a) the person engages in conduct;
 - (b) as a result of the conduct, a current Nauruan travel document is damaged or destroyed; and
 - (c) the person knew the conduct would result in the damage or destruction.
- Penalty: \$2,000 and 12 months imprisonment.
- (2) A person does not commit an offence under subsection (1) if the person:
- (a) has a reasonable excuse; or
 - (b) is an authorised officer who destroys or damages the document in the exercise of a power or the performance of a function under this Act in good faith.

29 Obstruction of official

A person commits an offence if:

- (a) the person intentionally obstructs another person;
- (b) the person obstructed is attempting to exercise a power or perform a function under this Act; and
- (c) the person knows the person obstructed is attempting to exercise a power or perform a function under this Act.

Penalty: \$20,000 and 10 years imprisonment.

30 Possessing false travel document

- (1) A person commits an offence if:
- (a) the person has possession of a document;
 - (b) the document is a false Nauruan travel document; and
 - (c) the person is reckless about whether the document is a false Nauruan travel document.

Penalty: \$20,000 and 10 years imprisonment.

- (2) A person commits an offence if:

- (a) the person has possession of a document;
- (b) the document is a blank Nauruan travel document; and
- (c) the person is reckless about whether the document is a blank Nauruan travel document.

Penalty: \$20,000 and 10 years imprisonment.

- (3) A person does not commit an offence under subsection (1) or (2) if the person:
- (a) has a reasonable excuse; or
 - (b) is an authorised officer who possesses the document in the exercise of a power or the performance of a function under this Act in good faith.

31 Taking or sending a document across international borders

- (1) A person commits an offence if:
- (a) the person takes or sends a document across the international border of a country;
 - (b) the document is a false Nauruan travel document; and
 - (c) the person is reckless about whether the document is a false Nauruan travel document.

Penalty: \$20,000 and 10 years imprisonment.

- (2) A person commits an offence if:
- (a) the person takes or sends a Nauruan travel document across the international border of a country;
 - (b) the person is not the holder of the document;
 - (c) the holder of the document has not consented to the person taking or sending the document across the border; and
 - (d) the person is reckless about whether the holder of the document has consented to the person taking or sending the document across the border.

Penalty: \$20,000 and 10 years imprisonment.

- (3) A person does not commit an offence under subsection (1) or (2) if the person:
- (a) has a reasonable excuse; or
 - (b) is an authorised officer who takes or sends the document across the border in the exercise of a power or the performance of a function under this Act in good faith.

32 Issue of passport contrary to this Act

An authorised officer to whom the Minister has delegated the function of issuing a Nauruan travel document commits an offence if:

- (a) the officer issues a Nauruan travel document;
- (b) the issue of the document is contrary to this Act; and
- (c) the officer knows that the issue of the document is contrary to this Act.

Penalty: \$20,000 and 10 years imprisonment.

33 Failure to notify authorised officer of lost or stolen travel document

The holder of a Nauruan travel document commits an offence if:

- (a) the document is lost or stolen;
- (b) the holder is reckless about whether the document has been lost or stolen; and
- (c) the holder fails to report the loss or theft to an authorised officer as soon as practicable after the document has been lost or stolen.

Penalty: \$2,000 and 12 months imprisonment.

34 Abuse of public office

- (1) In this Section:

‘benefit’ includes any advantage and is not limited to property; and

‘detriment’ includes any disadvantage and is not limited to personal injury or to loss of, or damage to, property.

- (2) An authorised officer commits an offence if:
- (a) the officer:
 - (i) exercises any influence the officer has under this Act; or
 - (ii) engages in any conduct in the exercise of the officer's duties under this Act; and
 - (b) the officer does so with the intention of dishonestly:
 - (i) obtaining a benefit for the officer or another person; or
 - (ii) causing detriment to another person.

Penalty: \$20,000 and 10 years imprisonment.

35 Confidentiality of information

- (1) A person who has obtained information under this Act commits an offence if:
- (a) the person engages in conduct;
 - (b) the conduct results in the disclosure of the information to another person; and
 - (c) the person is reckless about whether the person's conduct will result in the disclosure.

Penalty: \$20,000 and 10 years imprisonment.

- (2) A person does not commit an offence under subsection (1) if the disclosure was made for the purpose of carrying out functions for the administration of this Act.

[The next page is 751,801]

PART 7 — SEIZURE OF DOCUMENTS

36 Power of authorised officer

An authorised officer may seize a document if the document:

- (a) is a Nauruan travel document that the officer suspects on reasonable grounds has been obtained using false or misleading information;
- (b) is a Nauruan travel document, a blank Nauruan travel document or another document that the officer suspects on reasonable grounds has been used in the commission of an offence against this Act; or
- (c) is a Nauruan travel document that has been cancelled or has otherwise ceased to be valid.

37 Power of customs officer

- (1) A customs officer may seize a document if the officer suspects on reasonable grounds that the document has been used in the commission of an offence against this Act.
- (2) A customs officer may search a container to seize the document if the officer suspects on reasonable grounds that the document is in the container.
- (3) This Section does not authorise a customs officer to enter premises the officer would not otherwise be authorised to enter.

[The next page is 752,001]

PART 8 — REVIEWS AND APPEALS

38 Reviewable decisions

- (1) A **‘reviewable decision’** is a decision, or a decision to take any action, specified in the Table, column 1.
- (2) An **‘affected person’**, for a reviewable decision, means:
- (a) a person specified opposite the reviewable decision in the Table, column 2; and
 - (b) for a decision in relation to a child, includes a person with parental responsibility for the child.

Table for Section 38

Column 1 Reviewable decision	Column 2 Affected person
To exercise discretion under Section 15(2) to issue a Nauruan travel document to a child	A person with parental responsibility for the child
To refuse to issue a Nauruan travel document (other than a decision in relation to which a declaration under Section 15(5) has been made)	The applicant for the document
To cancel a Nauruan travel document under Section 24	The holder of the document
To seize a Nauruan travel document under Section 36	The holder of the document
To extend, or not to extend, the time for making an application for review under Section 40(2)(b)	The applicant for the review
A decision made on review under Section 40(4)	An affected person for the decision reviewed

39 Notice of reviewable decision

The person who makes a reviewable decision shall give each affected person for the decision a notice specifying the following:

- (a) the decision;
- (b) the reasons for the decision;
- (c) if the decision was made by an authorised officer, whether as a delegate of the Minister or under Section 36:
 - (i) that the person may apply to the Minister for review of the decision; and
 - (ii) that the application shall be made within 28 days after receiving the notice or be accompanied by an application for an extension of time to make the application; and
- (d) if the decision was made by the Minister, the affected person may by written application to the President, request that the decision of the Minister be reviewed.

[s 39 am Act 46 of 2016 s 5, opn 8 Sep 2016]

40 Review of decision

- (1) An affected person for a reviewable decision made by an authorised officer may apply to the Minister for review of the decision.
- (2) The application for review shall be made:
 - (a) within 28 days after the affected person receives notice of the decision under Section 39; or
 - (b) within a later time decided by the Minister on application by the affected person.
- (3) The application shall be in writing and shall set out the reasons for the application.
- (4) To decide the review, the Minister shall:
 - (a) affirm the decision;
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

41 Appeal against decision

- (1) An affected person for a reviewable decision made by the Minister may appeal the decision to the President.
- (2) An appeal to the President shall:
 - (a) be in writing;
 - (b) set out the reasons for the appeal; and
 - (c) be lodged within 28 days of receipt of the notice under Section 39.
- (3) The appeal does not affect the operation or implementation of the reviewable decision.
- (4) In considering the appeal the President may affirm, vary or set aside the decision.
- (5) A decision made by the President under subsection (4) is final and conclusive.
- (6) Any decision made for the reasons prescribed under Section 24(2)(c)(i) is non justiciable.

[s 41 subst Act 46 of 2016 s 6, opn 8 Sep 2016]

[The next page is 752,201]

PART 9 — CRIMINAL LIABILITY

42 Elements of an offence

- (1) An offence against this Act consists of physical elements and fault elements.
- (2) A physical element of an offence against this Act may be:
 - (a) conduct;
 - (b) a result of conduct; or
 - (c) a circumstance in which conduct, or a result of conduct, happens.
- (3) A fault element for a particular physical element of an offence against this Act may be intention, knowledge or recklessness.

43 Conduct and engaging in conduct

- (1) Conduct is an act, an omission to perform an act or a state of affairs.
- (2) To engage in conduct is to:
 - (a) perform an act; or
 - (b) omit to perform an act.

44 Intention

- (1) A person has intention in relation to conduct if the person means to engage in that conduct.
- (2) A person has intention in relation to a result if the person means to bring it about or is aware that it will happen in the ordinary course of events.
- (3) A person has intention in relation to a circumstance if the person believes that it exists or will exist.

45 Knowledge

A person has knowledge of a result or circumstance if the person is aware that it exists or will exist in the ordinary course of events.

46 Recklessness

- (1) A person is reckless in relation to a result if:
 - (a) the person is aware of a substantial risk that the result will happen; and
 - (b) having regard to the circumstances known to the person, it is unjustifiable to take the risk.
- (2) A person is reckless in relation to a circumstance if:
 - (a) the person is aware of a substantial risk that the circumstance exists or will exist; and
 - (b) having regard to the circumstances known to the person, it is unjustifiable to take the risk.
- (3) The question of whether taking a risk is unjustifiable is one of fact.
- (4) Where recklessness is a fault element for a physical element of an offence, proof of intention, knowledge or recklessness satisfies the fault element.

[The next page is 752,401]

PART 10 — ADMINISTRATIVE MATTERS

47 Appointment of authorised officers

- (1) The Minister may appoint a person to be an authorised officer for this Act.
- (2) The Minister may appoint a person under subsection (1):
 - (a) by name;
 - (b) by reference to a class of persons; or
 - (c) by reference to the office, position or designation held or occupied by the person.

48 Request for personal information

- (1) The Minister may request information from a person for the purposes of this Act.
- (2) The information requested from the person may include personal information about another person.
- (3) The person from whom the information is requested:
 - (a) is authorised to give the information to the Minister; and
 - (b) is not civilly or criminally liable for giving the information.

49 Disclosure of information

The Minister may only disclose information about a person (the ‘**relevant person**’) obtained under this Act:

- (a) to the following persons:
 - (i) a person who has issued a document given to the Minister in relation to the relevant person’s application for a Nauruan travel document;
 - (ii) the Commissioner of Police;
 - (iii) a court;
 - (iv) the Head of the Department; or
 - (v) a person exercising powers or performing functions under this Act; and
- (b) for the following purposes:
 - (i) to inform the person about the status of a Nauruan travel document;
 - (ii) to confirm or verify information about the person for the purposes of this Act;
 - (iii) to facilitate or otherwise assist the international travel of the relevant person under a Nauruan travel document;
 - (iv) law enforcement;
 - (v) the operation of family law and related matters; or
 - (vi) another purpose prescribed for this Section.

50 Delegation of Minister’s powers

- (1) The Minister may, in writing, delegate to an authorised officer any of the Minister’s powers and functions under the following provisions:
 - (a) the power to issue an ordinary Nauruan passport or a travel-related document under Section 6 or 11, unless the exercise of the power requires the exercise of discretion under Section 15(2);

- (b) the power to request information under Section 48;
 - (c) the power to disclose information under Section 49; and
 - (d) the power to endorse or make observations on a Nauruan travel document under Section 55.
- (2) In exercising a delegated power or function, the authorised officer shall comply with any directions of the Minister.

51 Application on behalf of child

An application for a Nauruan travel document to be issued to a child may be made on behalf of the child by a person with parental responsibility for the child.

52 Form of travel documents

- (1) A Nauruan travel document shall be issued in the form approved by the Minister for that class of document.
- (2) In approving the form of a Nauruan travel document, the Minister shall be guided by the requirements of the *International Civil Aviation Organisation Document 9303* (as existing from time to time).

53 Name on travel document

- (1) The name of the person to whom a Nauruan travel document is issued shall appear on the document.
- (2) Subject to subsections (3) and (4), the name shall be the person's name as it appears on the most recently created of the following documents:
- (a) an entry of the person's birth in the Register of Births or another register or record of births kept under Section 6 of the *Births, Deaths and Marriages Registration Act 2017*;
 - (b) a notice of the grant of citizenship to the person published in the Gazette under Section 5(4) of the *Naoero Citizenship Act 2017*;
 - (c) a record of a name change of the person in a register kept under the *Births, Deaths and Marriages Registration Act 2017*;
 - (d) a certificate of the person's birth or change of name issued under a law of another place;
 - (e) the previous Nauruan passport issued to the person; or
 - (f) another prescribed document.
- (3) Subject to subsection (4), the name may be the person's chosen married name, even if it is not the name that appears on a document mentioned in subsection (2), if the person issuing the travel document is satisfied that the person now uses the name having seen:
- (a) a document mentioned in subsection (2) showing the person's name before the marriage; and
 - (b) one of the following documents:
 - (i) a certificate of the person's marriage issued under Section 24 of the *Births, Deaths and Marriages Registration Act 2017*;
 - (ii) an entry of the person's marriage in the Register of Marriages kept under Section 22 of the *Births, Deaths and Marriages Registration Act 2017*; or
 - (iii) a certificate of the person's marriage issued under a law of another place.

- (4) Where a document mentioned in subsection (2) or the person's married name contains more than 2 given names, the person's name as it appears on the Nauruan travel document may include only the first 2 given names.

54 Nauruan travel document remains property of the Republic

A Nauruan travel document remains the property of the Republic at all times.

55 Endorsements and observations

- (1) The Minister may endorse, or make observations on, a Nauruan travel document.
- (2) The Minister shall not endorse a Nauruan travel document issued to a person with the name of another person.

56 Register of travel documents

- (1) The Secretary shall keep and maintain a separate register each of:
- (a) Presidential passport;
 - (b) diplomatic passports;
 - (c) official passports;
 - (d) Nauruan ordinary passports;
 - (e) travel-related documents;
 - (f) refugee travel documents; and
 - (g) certificates of identity.
- (2) The registers shall include the date of issue and expiry of each travel document issued and such other matters as may be prescribed.
- (3) The records kept and maintained under this Section shall:
- (a) be contained in digital or electronic form; and
 - (b) not be destroyed without the prior approval of the Cabinet.

[s 56 subst Act of 2020 s 5]

57 Regulations

- (1) The Cabinet may make regulations under this Act prescribing matters:
- (a) required or permitted by this Act to be prescribed; or
 - (b) necessary or convenient to give effect to this Act.
- (2) Without limiting subsection (1), the regulations may:
- (a) for an offence against the regulations, prescribe a fine not exceeding \$5,000;
 - (b) give a person discretion to decide a matter;
 - (c) provide for the issue, use and possession of diplomatic, official and Presidential passports; and
 - (d) make different provision in relation to different matters or classes of matters.

[The next page is 752,601]

PART 11 — REPEAL AND TRANSITIONAL MATTERS

DIVISION 1 — REPEAL OF ACT

58 Repeal

The *Passports Act 1997* (No 9 of 1997) is repealed.

DIVISION 2 — TRANSITIONAL MATTERS

59 Definitions

In this Division:

‘repealed Act’ means the *Passports Act 1997* as in force immediately before the commencement date; and

‘new Act’ means this Act.

60 Passports issued under repealed Act

- (1) A Nauruan passport issued under the repealed Act is taken, from the commencement date, to be a Nauruan passport issued under the new Act.
- (2) The passport:
 - (a) continues to be valid for the unexpired part of the term it would have been valid if the repealed Act remained in force after the commencement date; and
 - (b) cannot be renewed under the repealed Act.
- (3) Subsection (2) does not prevent the Minister from cancelling the passport under the new Act.

61 Application under repealed Act

[s 61 omitted by the Law Revision Commission under powers authorised by Act 10 of 2019]

62 Transitional regulations

[s 62 omitted by the Law Revision Commission under powers authorised by Act 10 of 2019]

[The next page is 760,001]

Passports Regulations 2011

TABLE OF PROVISIONS

Regulation

Title

PART 1 — PRELIMINARY MATTERS

- 1 Citation
- 2 Commencement
- 3 Definitions

PART 2 — PRESCRIBED OFFENCES

- 4 Potential for harmful conduct – prescribed serious offences

PART 3 — VALIDITY OF TRAVEL DOCUMENTS

- 5 Period of validity for passports
- 6 Period of validity for travel-related document

PART 4 — DIPLOMATIC AND OFFICIAL PASSPORTS

- 7 Conditions of diplomatic, official or Presidential passports

PART 5 — FEES

- 8 Prescribed fees
- 9 Waiver of fee

SCHEDULE 1 — PRESCRIBED SERIOUS OFFENCES

SCHEDULE 2 — CONDITIONS OF DIPLOMATIC, OFFICIAL AND
PRESIDENTIAL PASSPORTS

SCHEDULE 3 — FEES

[The next page is 760,201]

Passports Regulations 2011

TABLE OF AMENDMENTS

The Passports Regulations 2011 SL 2 were notified on 21 April 2011 and commenced on 1 July 2011 (reg 2).

Amending Legislation	Notified	Date of Commencement
Passports (Amendment) Regulations 2016 SL 10	7 June 2016	30 May 2016
Passport (Amedment) Regulations 2017 SL 32	6 December 2017	6 December 2017
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021
Anti-Money Laundering and Targeted Financial Sanctions Act 2023 No 2	7 June 2023	s 140: 7 June 2023

[The next page is 760,401]

The Cabinet makes the following Regulations under Section 57 of the *Passports Act 2011*:

PART 1 — PRELIMINARY MATTERS

1 Citation

These Regulations may be cited as the *Passports Regulations 2011*.

2 Commencement

These Regulations commence on 1 July 2011.

3 Definitions

In these Regulations:

‘citizen investor’ means a person who has retained citizenship under Section 10(1) of the *Naoero Citizenship Act 2005*.

[The next page is 760,601]

PART 2 — PRESCRIBED OFFENCES

4 Potential for harmful conduct – prescribed serious offences

For the purposes of Section 18(a)(iv) of the Act, an offence against a provision in Schedule 1 is a prescribed serious offence against another written law.

[The next page is 760,801]

PART 3 — VALIDITY OF TRAVEL DOCUMENTS

5 Period of validity for passports

For the purposes of Section 22(a) of the Act, the maximum period of validity for a passport is as follows:

- (a) subject to paragraphs (b), (c) and (d), 10 years;
- (b) for a concurrent passport issued under Section 21(a) of the Act, 12 months;
- (c) for an official, diplomatic or Presidential passport, 3 years; and
- (d) for a replacement passport for which the application fee is waived under Regulation 9(a), the period ending when the passport being replaced would otherwise have ceased to be valid.

[reg 5 subst SL 10 of 2016 reg 5, opn 30 May 2016]

6 Period of validity for travel-related document

For the purposes of Section 22(a) of the Act, the maximum period of validity for a travel-related document is as follows:

- (a) subject to paragraphs (d) and (e), for a refugee travel document issued to a person qualified for the issue of the document under Section 13(3) of the Act, 2 years;
- (b) subject to paragraphs (d) and (e), for a refugee travel document issued to a person qualified for the issue of the document under Section 13(4) of the Act, 12 months;
- (c) subject to paragraphs (d) and (e), for a certificate of identity, 12 months;
- (d) for a concurrent travel-related document issued under Section 21(a) of the Act, 12 months; and
- (e) for a replacement travel-related document for which the application fee is waived under regulation 9(a), the period ending when the document being replaced would otherwise have ceased to be valid.

[The next page is 761,001]

PART 4 — DIPLOMATIC AND OFFICIAL PASSPORTS

7 Conditions of diplomatic, official or Presidential passports

- (1) The conditions specified in Schedule 2 apply to a diplomatic, official or Presidential passport.
- (2) Where a condition specified in Schedule 2 is breached by the holder of a diplomatic, official or Presidential passport who is employed or otherwise engaged by the Republic, the holder is taken to have breached a condition of the person's employment or engagement.

[The next page is 761,201]

PART 5 — FEES

8 Prescribed fees

- (1) For the purposes of Section 7(2)(b) of the Act, the prescribed fees for an application for a new or replacement passport other than a diplomatic, official or Presidential passport are set out in Part 1 of Schedule 3.
- (2) For the purposes of Section 12(2)(b) of the Act, the prescribed fee for an application for a travel related document is set out in Part 2 of Schedule 3.

[reg 8 subst SL 32 of 2017, reg 4, opn 6 Dec 2017]

9 Waiver of fee

The Minister may waive a fee prescribed under Regulation 8 in any of the following circumstances:

- (a) the fee is for an application for a replacement travel document to reflect a change of name of a person who:
 - (i) holds a current travel document of the same class; and
 - (ii) has changed his or her name to a name that is different to the name that appears on the current document because the person has:
 - (A) married or divorced or the person's spouse has died; or
 - (B) been adopted under the *Adoption of Children Act 1965* or a corresponding law of another jurisdiction;
- (b) the fee is for an application for a new travel document to replace a travel document that is faulty as a result of an error by the Department;
- (c) the fee is for an application for a certificate of identity issued for the removal of a person from Nauru under the *Immigration Act 2014*; or
- (d) the fee is for a travel document that is required so a person can travel because of a medical emergency or family crisis and the person demonstrates to the Minister's satisfaction that the person does not have the means to pay the fee.

[The next page is 761,401]

SCHEDULE 1

[Regulation 4]

PREScribed SERIOUS OFFENCES

[Sch 1 am Act 2 of 2023 s 140, opn 7 June 2023]

Act	Offence
<i>Anti-Money Laundering and Targeted Financial Sanctions Act 2023</i>	Section 9 (money-laundering)
	Section 10 (dealing with criminal property)
	Section 60 (contravention of freezing order)
<i>Counter Terrorism and Transnational Organised Crime Act 2004</i>	Part 3 (offences relating to terrorism)
	Section 42 (hijacking)
	Part 6, Division 3 (offences relating to civil aviation)
	Section 46 (offences against internationally protected persons)
	Section 47 (taking hostages)
	Part 6, Division 6 (offences relating to nuclear material)
	Section 50 (maritime safety offences)
	Section 52 (plastic explosives offences)
	Section 54 (terrorist bombing offences)
	Section 54A (nuclear terrorism)
	Part 7 (offences relating to transnational organised crime)
	Sections 57, 58, 59 and 61 (offences relating to people trafficking)
	Sections 64, 65, 66 and 67 (offences relating to people smuggling)
	Section 71A (offence relating to nuclear, chemical and biological weapons)
	Section 89 (removing child unlawfully)
	Each serious offence against the Act
	Sections 4 and 5 (unlawful import and export of illicit drugs)
<i>Crimes Act 2016</i>	
<i>Customs Act 2014</i>	
<i>Illicit Drugs Control Act 2004</i>	

[The next page is 761,601]

SCHEDULE 2

[Regulation 7]

CONDITIONS OF DIPLOMATIC, OFFICIAL AND PRESIDENTIAL PASSPORTS

1. A diplomatic, official or Presidential passport may be used only for travel for diplomatic, official or Presidential purposes.
2. A diplomatic, official or Presidential passport shall be returned to the Department when it is no longer required for travel for diplomatic, official or Presidential purposes.
3. The loss or theft of a diplomatic, official or Presidential passport shall be reported immediately to the Secretary.

Note: Under Section 33 of the Act, the loss or theft of a passport shall also be reported to an authorised officer, and failure to do so is an offence.

[The next page is 761,801]

SCHEDULE 3

[Regulation 8]

FEES

[Sch 3 subst SL 32 of 2017 reg 5, opn 6 Dec 2017]

Part 1 – Passports

Item	Matter	Fee (\$)
(a)	Ordinary passport	
1	Application fee for passport	60
2	Application fee for replacement of first passport lost, stolen or damaged within 10 years of the date of issue of the passport	160
3	Application fee for replacement of passport where more than one passport has been lost, stolen or damaged within 10 years from the date of the issue of the passport	560
(b)	Passport for citizen investor	
4	Application fee for passport	10,000
5	Application fee for replacement of first passport lost, stolen or damaged within 10 years from the date of issue of the passport	13,500
6	Application fee for replacement of passport where more than one passport has been lost, stolen or damaged within 10 years from the date of issue of the passport	17,000
(c)	Miscellaneous fees	
7	Postage of passport by ordinary mail	100
8	Application fee for ordinary passport to be processed within 24 hours including fee for passport	160

Part 2 – Travel-related documents

Item	Matter	Fee (\$)
1	Application for travel-related document	30

[The next page is 768,001]

Passports (Forms) Regulations 2020

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Title</i>
1	Citation
2	Commencement
3	Application for ordinary Nauruan passport
4	Details in Nauruan passports
5	Application for refugee travel document
6	Application for certificate of identity
7	Refugee travel document
8	Certificate of identity
9	Cancellation of Nauruan travel document
10	Notice for lost or stolen travel document
11	Diplomatic passport
12	Official passport
13	Passport photograph requirements
14	Register of travel documents
SCHEDULE 1 — FORMS	
FORM 1 — APPLICATION FORM FOR ORDINARY NAURUAN PASSPORT (NAURUAN CITIZEN BY BIRTH / DESCENT)	
FORM 2 — APPLICATION FORM FOR ORDINARY NAURUAN PASSPORT (NATURALISED CITIZEN)	
FORM 3 — APPLICATION FORM FOR REFUGEE TRAVEL DOCUMENT	
FORM 4	
FORM 5 — APPLICATION FORM FOR CERTIFICATE OF IDENTITY (NAURUAN CHILD BORN IN FOREIGN COUNTRY)	
FORM 6 — CERTIFICATE OF IDENTITY	
FORM 7 — CERTIFICATE OF IDENTITY – ASYLUM SEEKER	
FORM 8 — NOTICE CANCELLING NAURUAN TRAVEL DOCUMENT	
FORM 9 — NOTICE FOR LOST OR STOLEN TRAVEL DOCUMENT	
SCHEDULE 2 — REGISTER OF TRAVEL DOCUMENTS	

[The next page is 768,201]

Passports (Forms) Regulations 2020

TABLE OF AMENDMENTS

The Passports (Forms) Regulations 2020 SL 24 were notified and commenced on 20 August 2020 (GN No 619/2020; Gaz 163/2020).

Amending Legislation	Notified	Date of Commencement
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[The next page is 768,401]

The Cabinet makes the following Regulations under Section 57 of the *Passports Act 2011*:

1 Citation

These Regulations may be cited as the *Passports (Forms) Regulations 2020*.

2 Commencement

These Regulations come into effect on the date of notification in the Gazette.

3 Application for ordinary Nauruan passport

- (1) For the purpose of Section 7 of the Act, an application form for an ordinary Nauruan passport shall be in:
 - (a) Form 1 of Schedule 1, if a Nauruan citizen by birth or descent; and
 - (b) Form 2 of Schedule 1, if a naturalised citizen.
- (2) An application under subregulation (1) shall be accompanied by the following:
 - (a) 2 recent photographs, one of which is to be certified:
 - (i) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (ii) in any other case, by a Commissioner for Oaths;
 - (b) a birth certificate issued by the Registrar of Births, Deaths and Marriages for a Nauruan citizen born in the Republic;
 - (c) a birth certificate from a foreign country of birth in case of a naturalised citizen;
 - (d) a certificate of registration of birth from the Registrar of Births, Deaths and Marriages of a Nauruan citizen born in a foreign country or a birth certificate from the foreign country of birth where the birth is not registered in the Republic;
 - (e) marriage certificate;
 - (f) an order of a court in case where the applicant is divorced and has not remarried;
 - (g) death certificate of spouse in case of a widow;
 - (h) a certificate of identity with photograph;
 - (i) certificate of Nauruan citizenship in case of naturalised citizen;
 - (j) in case of renewal of a passport, the biodata page of the expired or current passport and any other documents which the Secretary may require; and
 - (k) such other information which the Secretary may deem necessary.

4 Details in Nauruan passports

A Nauruan passport shall include the following details:

- (a) photograph;
- (b) secondary photograph showing as watermark;
- (c) passport type;
- (d) the Republic's issuing code of 'NRU'; and
- (e) passport serial number:
 - (i) for a Presidential passport – the letters 'PN' followed by 6 numerals;

- (ii) for a diplomatic passport – the letters ‘DN’ followed by 6 numerals;
- (iii) for an official passport – the letters ‘ON’ followed by 6 numerals; and
- (iv) for an ordinary Nauruan passport – the letters ‘NN’ followed by 6 numerals;
- (f) surname;
- (g) given names;
- (h) nationality;
- (i) date of birth;
- (g) gender;
- (k) place of birth;
- (l) date of issue;
- (m) date of expiry;
- (n) issuing authority; and
- (o) signature of holder.

5 Application for refugee travel document

- (1) For the purposes of Section 12 of the Act, an application form for a refugee travel document shall be in Form 3 of Schedule 1.
- (2) An application under subregulation (1) shall be accompanied by the following:
 - (a) 2 recent photographs, one of which to be certified by a Commissioner for Oaths;
 - (b) Refugee Determination Record;
 - (c) Refugee Identification Card;
 - (d) birth certificate, if available;
 - (e) marriage certificate, if available;
 - (f) death certificate of spouse in case of a widow, if applicable; and
 - (g) such other information which the Secretary may deem necessary.

6 Application for certificate of identity

- (1) For the purposes of Section 12 of the Act, an application form for a certificate of identity shall be in:
 - (a) Form 4 of Schedule 1 for:
 - (i) a lost or stolen passport by a Nauruan citizen in a foreign country;
 - (ii) a foreigner overstaying in the Republic;
 - (iii) a child born in the Republic to parents who are not Nauruan citizens; and
 - (iv) an asylum seeker; or
 - (b) Form 5 of Schedule 1, for a Nauruan child born in a foreign country.
- (2) An application under subregulation (1) shall be accompanied by the following:
 - (a) 2 recent photographs, one of which to be certified:
 - (i) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (ii) in any other case, by a Commissioner for Oaths;
 - (b) a certificate of identity with photograph;
 - (c) birth certificate;
 - (d) marriage certificate, if applicable;
 - (e) death certificate of spouse in case of a widow, if applicable;

- (f) final destination for travel; and
 - (g) any such other information which the Secretary may deem necessary.
- (3) Where a certificate of identity is required by a Nauruan citizen due to the loss or theft of passport whilst in a foreign country, the Secretary may issue a certificate of identity from the records kept in his or her custody, power or control.
- (4) Where a certificate of identity is required for the travel of a child born of Nauruan descent in a foreign country, the Secretary may issue a certificate of identity for the child based on:
 - (a) a certificate issued by a Nauruan embassy or consulate based in that foreign country certifying the child;
 - (b) in case where there is no Nauruan embassy or consulate, from the records of the biological mother of the child kept in the custody, power and control of the Secretary and a record of the hospital or medical facility where the child was born; and
 - (c) such other requirements that the Secretary may deem necessary.

7 Refugee travel document

For the purposes of Section 13 of the Act, a refugee travel document shall include the following details:

- (a) photograph;
- (b) surname;
- (c) given names;
- (d) gender;
- (e) nationality;
- (f) date of birth;
- (g) document number – the letters ‘RS’ followed by 6 numerals;
- (h) date of issue;
- (i) date of expiry;
- (j) signature of holder; and
- (k) issuing authority.

8 Certificate of identity

- (1) For the purposes of Section 14 of the Act, a certificate of identity shall be in:
 - (a) Form 6 of Schedule 1 for:
 - (i) lost or stolen passport of a Nauruan citizen in a foreign country;
 - (ii) foreigner overstaying in the Republic;
 - (iii) child born in the Republic to parents who are not Nauruan citizens; and
 - (iv) for a Nauruan child born in a foreign country;
 - (b) Form 7 of Schedule 1 for an asylum seeker.
- (2) For the purposes of subregulation (1), a certificate of identity shall include the following details:
 - (a) photograph;
 - (b) surname;
 - (c) given names;
 - (d) gender;
 - (e) nationality of origin;

- (f) date of birth;
 - (g) country of birth;
 - (h) signature of holder;
 - (i) final destination for travel; and
 - (j) issuing authority.
- (3) The certificate of identity shall be valid for 12 months from the date of issue or earlier travel to the final destination.

9 Cancellation of Nauruan travel document

For the purposes of Section 24 of the Act, the notice cancelling a Nauruan travel document shall be in Form 8 of Schedule 1.

10 Notice for lost or stolen travel document

For the purposes of Section 33 of the Act, a notice for a lost or stolen travel document shall be in Form 9 of Schedule 1.

11 Diplomatic passport

An application for a diplomatic passport shall be accompanied by the following:

- (a) approval by the Minister for office holders under Sections 8(2)(a),(b),(c), (d) and (e) of the Act;
- (b) a supporting letter from the Department of Foreign Affairs for office holders under Sections 8(2)(c) and (d) of the Act; or
- (c) a decision of the Cabinet for a person under Section 8(2)(f) of the Act.

12 Official passport

An application for an official passport shall be accompanied by the following:

- (a) a request by the relevant Head of Department; and
- (b) approval by the Minister.

13 Passport photograph requirements

A passport photograph submitted under these Regulations shall have the following specifications:

- (a) be 4.5 centimetres x 3.5 centimetres;
- (b) have adequate brightness and contrast;
- (c) have natural skin tone;
- (d) have a close up of the head, ears and partial shoulders;
- (e) straight looking, centred with neutral expression;
- (f) the face shall be in sharp focus and clear with no ink marks, creases or lines;
- (g) the face, from forehead edge to bottom of chin, shall be seventy to eighty percent of the photograph;
- (h) the eyes shall be open and no hair obstructing the face;
- (i) prescription glasses, if worn, shall be clear and thin framed and should not have flash reflection or obscure the eyes;
- (j) head coverings, hair, head-dress or facial ornaments shall not obscure the face;
- (k) the photograph shall have plain light background;
- (l) there shall be no other person or object in the photograph;

- (m) the lighting shall be uniform with no shadows on the face or behind;
- (n) photograph shall not have red eyes;
- (o) photograph with adequate digital resolution; and
- (p) shall be no more than 3 months old.

14 Register of travel documents

For the purposes of Section 56 of the Act, the Register may be kept as set out in Schedule 2:

- (a) in writing; and
- (b) electronic form that is readily available.

[The next page is 768,601]

SCHEDULE 1

FORMS

FORM 1



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 7; Regulation 3(1)(a)]

APPLICATION FORM FOR ORDINARY NAURUAN PASSPORT (NAURUAN CITIZEN BY BIRTH / DESCENT)

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

Documents required:

- 2 recent photographs, one of which to be certified:
 - (a) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (b) in any other case, by a commissioner for oaths;
- birth certificate issued by the Registrar of Births Deaths and Marriages for a Nauruan citizen born in the Republic;
- a birth certificate from a foreign country of birth in case of a naturalised citizen;
- a certificate of registration of birth from the Registrar of Births Deaths and Marriages of a Nauruan citizen born in a foreign country or a birth certificate from the foreign country of birth where the birth is not registered in the Republic;
- marriage certificate;
- an order of a court in case where the applicant is divorced and has not remarried;

• death certificate of spouse in case of a widow; • a certificate of identity with photograph; • certificate of Nauruan citizenship in case of naturalised citizen; • in case of renewal of a passport, the bio page of the expired or current passport and any other documents which the Secretary may require; • any such other information which the Secretary may deem necessary.	
PART 1: PERSONAL DETAILS OF APPLICANT (<i>tick where applicable</i>)	
Title: ☐ Mr ☐ Mrs ☐ Miss ☐ Ms	Marital status: ☐ Single ☐ Married ☐ Divorced ☐ Widowed
Surname	
Given names	
Maiden name (<i>if married female</i>)	
Other names known by (<i>if name change other than by marriage</i>)	
Date of birth	
Place of birth	
Nationality	
Gender (<i>tick where applicable</i>)	☐ Male ☐ Female
Height (<i>cm</i>)	
Colour of eyes	
Visible distinguishing marks	
Usual residential address	
Telephone	
Email	
Occupation (<i>if applicable</i>)	
Address of employer	
PART 2: PARTICULARS OF APPLICANT'S PARENTS	
Full name of father	
Date of birth of father	
Nationality of father	
Full name of mother	
Date of birth of mother	
Nationality of mother	
PART 3: MARITAL STATUS OF APPLICANT (<i>if applicable</i>)	
Date of marriage (<i>dd/mm/yy</i>)	
Country of marriage	

PART 4: IF APPLICANT IS A CHILD / PERSON WITH DISABILITY – CONSENT OF PARENT / PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (if applicable)

I, [full name of parent / person with parental responsibility or legal guardian], [address], [occupation], the [relationship with child or person with disability] of [name of child or person with disability] hereby consent for [name of child or person with disability] to hold a passport.

..... [signature of parent / person with parental responsibility or guardian]

* 'child' means a person who is under 18 years of age and has never been married

PART 5: DECLARATION OF APPLICANT / PARENT/ PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (tick where applicable)

I, (state full name) of (residential address), (occupation), do solemnly and sincerely declare that (set out matter declared, using numbered paragraphs if it is lengthy):

- ☐ I have completed this application form for someone else aged 18 years or over because they have a disability.
- ☐ Declare that the information given in this application is correct to the best of my knowledge and belief.
- ☐ That [name of applicant] has not lost the status of Nauruan citizenship.

.....

 [additional information]

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act 1976* conscientiously believing in the statement contained therein to be true in every particular.

Signed by the applicant / parent / person with parental responsibility or guardian:

.....

Name of person filing this form:

Declared atthis.....day of..... 20....

Before me:

(Signature)

(Title)

NOTE: Under the *Oaths, Affirmations and Statutory Declarations Act 1976*, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.

Under Section 25 of the *Passports Act 2011*, a person commits an offence if the person gives information to another person in relation to an application for a Nauruan travel document and the information is misleading and the person is reckless about whether the information is misleading. Penalty: \$20,000 and 10 years imprisonment.

Payment receipt no:

OFFICIAL PURPOSES

Received by:

(Full name of officer)

Date: / / 20.....

FORM 2



REPUBLIC OF NAURU

PASSPORTS ACT 2011

*[Section 7; Regulation 3(1)(b)]***APPLICATION FORM FOR ORDINARY NAURUAN PASSPORT (NATURALISED CITIZEN)**

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

Documents required:

- 2 recent photographs, one of which to be certified:
 - (a) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (b) in any other case, by a commissioner for oaths;
- birth certificate issued by the Registrar of Births Deaths and Marriages for a Nauruan citizen born in the Republic;
- a birth certificate from a foreign country of birth in case of a naturalised citizen;
- a certificate of registration of birth from the Registrar of Births Deaths and Marriages of a Nauruan citizen born in a foreign country or a birth certificate from the foreign country of birth where the birth is not registered in the Republic;
- marriage certificate;
- an order of a court in case where the applicant is divorced and has not remarried;
- death certificate of spouse in case of a widow;
- a certificate of identity with photograph;
- certificate of Nauruan citizenship in case of naturalised citizen;
- in case of renewal of a passport, the bio page of the expired or current passport and any other documents which the Secretary may require;
- any such other information which the Secretary may deem necessary.

PART 1: PERSONAL DETAILS OF APPLICANT <i>(tick where applicable)</i>	
Title: ☐ Mr ☐ Mrs ☐ Miss ☐ Ms	Marital status: ☐ Single ☐ Married ☐ Divorced ☐ Widowed
Surname	
Given names	
Maiden name <i>(if married female)</i>	
Other names known by <i>(if name change other than by marriage)</i>	
Date of birth	
Place of birth	
Nationality	
Gender <i>(tick where applicable)</i>	☐ Male ☐ Female
Height (cm)	
Colour of eyes	
Visible distinguishing marks	
Usual residential address	
Telephone	
Email	
Occupation <i>(if applicable)</i>	
Address of employer	
PART 2: PARTICULARS OF APPLICANT'S PARENTS	
Full name of father	
Date of birth of father	
Nationality of father	
Full name of mother	
Date of birth of mother	
Nationality of mother	
PART 3: MARITAL STATUS OF APPLICANT <i>(if applicable)</i>	
Date of marriage <i>(dd/mm/yy)</i>	
Country of marriage	
PART 4: CITIZENSHIP OF APPLICANT	
Applicant is a Nauruan citizen by: <i>(tick where applicable)</i>	
☐ Birth in the Republic and residency (Section 11 of the <i>Naoero Citizenship Act 2017</i>) – provide copy of Nauruan Certificate of Citizenship ☐ Marriage (Section 13 of the <i>Naoero Citizenship Act 2017</i>) – provide copy of Nauruan Certificate of Citizenship ☐ Adoption (Section 15 of the <i>Naoero Citizenship Act 2017</i>) – provide copy of Nauruan Certificate of Citizenship ☐ Minor / dependant (Section 19A of the <i>Naoero Citizenship Act 2017</i>) – provide copy of Nauruan Certificate of Citizenship	

PART 5: IF APPLICANT IS A CHILD / PERSON WITH DISABILITY – CONSENT OF PARENT / PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (if applicable)

I, [full name of parent / person with parental responsibility or legal guardian], [address], [occupation], the [relationship with child or person with disability] of [name of child or person with disability] hereby consent for [name of child or person with disability] to hold a passport.

..... [signature of parent / person with parental responsibility or guardian]

* 'child' means a person who is under 18 years of age and has never been married

PART 6: DECLARATION OF APPLICANT / PARENT/ PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (tick where applicable)

I (state full name) of (residential address), (occupation), do solemnly and sincerely declare that (set out matter declared, using numbered paragraphs if it is lengthy):

- ☐ I have completed this application form for someone else aged 18 years or over because they have a disability.
- ☐ Declare that the information given in this application is correct to the best of my knowledge and belief.
- ☐ That [name of applicant] has not lost the status of Nauruan citizenship.

.....

 [additional information]

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act 1976* conscientiously believing in the statement contained therein to be true in every particular.

Signed by the applicant / parent / person with parental responsibility or guardian:

.....

Name of person filing this form:

Declared at this day of 20. . . .

Before me:

(Signature)

(Title)

NOTE: Under the *Oaths, Affirmations and Statutory Declarations Act 1976*, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.

Under Section 25 of the *Passports Act 2011*, a person commits an offence if the person gives information to another person in relation to an application for a Nauruan travel document and the information is misleading and the person is reckless about whether the information is misleading. Penalty: \$20,000 and 10 years imprisonment.

Payment receipt no:

OFFICIAL PURPOSES

Received by:

(Full name of officer)

Date: / / 20.....

[The next page is 768,701]

FORM 3



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 12; Regulation 5(1)]

APPLICATION FORM FOR REFUGEE TRAVEL DOCUMENT

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

Documents required:

- 2 recent photographs, one of which to be certified by a commissioner for oaths;
- Refugee Determination Record;
- Refugee Identification Card;
- birth certificate, if available;
- marriage certificate, if available;
- death certificate of spouse in case of a widow, if applicable;
- any such other information which the Secretary may deem necessary.

PART 1: PERSONAL DETAILS OF APPLICANT

Surname	
Given names	
Place of birth	
Country of birth	
Present citizenship or nationality	
Date of birth	
Gender <i>(tick where applicable)</i>	☐ Male ☐ Female
Height <i>(cm)</i>	
Colour of eyes	
Visible distinguishing marks	
Usual residential address	

Telephone	
Email	
Occupation (<i>if applicable</i>)	
Address of employer	
PART 2: CONSENT FOR ISSUE OF REFUGEE TRAVEL DOCUMENT TO CHILD (<i>if applicable</i>)	
• Fill in this part only if this application is for a child under the age of 18 years old. • Consent can only be given by a parent named on the child's birth record / person with parental responsibility or guardian. • Tick the box below that shows your relationship to the child in this application: ☐ Mother ☐ Father ☐ Person with parental responsibility ☐ Guardian	
Surname	
Given names	
Date of birth	
Residential address	
Telephone	
Email	
I hereby consent for a travel-document to be issued to the child in this application. Date: / / 20 Signature	
PART 3: DECLARATION OF APPLICANT / PARENT / PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (<i>tick where applicable</i>)	
☐ I am 18 years of age or older. ☐ I have completed this application for a child under 18 years of age. ☐ I am 18 years of age or older and someone else has filled in this application for me because I have a disability or language difficulty. • I declare that the information I have given in this application is, to the best of my knowledge, true, complete and correct. • I understand that my Refugee Travel Document may be cancelled and I can be fined or imprisoned in accordance with Nauruan laws if I have provided false information. • I agree that, for the purposes of this application, other government agencies may release personal information about myself which will assist the Passport Division in determining my entitlement to be issued with or continue to hold a Refugee Travel Document. • I understand that if I have possession of a false Nauruan travel-document, I may be liable on conviction to a fine of \$20,000 and 10 years imprisonment.	
Full name	
Residential address	
Telephone	
Email	

And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular. Signed by the applicant / parent / person with parental responsibility or guardian: Name of person filing this form: Declared at.this.day of. 20. Before me: (Signature) (Title) NOTE: Under the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i>, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.
Payment receipt no:
OFFICIAL PURPOSES Received by: (Full name of officer) Date: / / 20.

FORM 4



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 12; Regulation 6(1)(a)]

**APPLICATION FORM FOR CERTIFICATE OF IDENTITY (LOST OR STOLEN
PASSPORT BY A NAURUAN CITIZEN IN FOREIGN COUNTRY / FOREIGNER
OVERSTAYING IN THE REPUBLIC / CHILD BORN IN THE REPUBLIC TO
PARENTS WHO ARE NOT NAURUAN CITIZENS / ASYLUM SEEKER)**

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

Reason for applying: *[tick where applicable]*

- ☐ Lost / stolen passport by a Nauruan citizen in a foreign country
- ☐ Foreigner overstaying in the Republic
- ☐ Child born in the Republic to parents who are not Nauruan citizens
- ☐ Asylum seeker

Documents required:

- 2 recent photographs, one of which to be certified:
 - (a) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (b) in any other case, by a commissioner for oaths;
- a certificate of identity with photograph;
- birth certificate;
- marriage certificate, if applicable;
- death certificate of spouse in case of a widow, if applicable;
- final destination for travel;
- any such other information which the Secretary may deem necessary.

PART 1: PERSONAL DETAILS OF APPLICANT	
Surname	
Given names	
Place of birth	
Country of birth	
Present citizenship or nationality	
Date of birth	
Gender (<i>tick where applicable</i>)	☐ Male ☐ Female
Height (<i>cm</i>)	
Colour of eyes	
Visible distinguishing marks	
Usual residential address	
Telephone	
Email	
Occupation (if applicable)	
Address of employer	
PART 2: PARTICULARS OF PARENTS	
Full name of father	
Date of birth of father	
Nationality of father	
Full name of mother	
Date of birth of mother	
Nationality of mother	
PART 3: MARITAL STATUS OF APPLICANT (<i>if applicable</i>)	
Date of marriage (<i>dd/mm/yy</i>)	
Country of marriage	
PART 4: CONSENT FOR ISSUE OF CERTIFICATE OF IDENTITY TO CHILD BORN TO PARENTS WHO ARE NOT NAURUAN CITIZENS	
• Fill in this part only if this application is for a child under the age of 18 years old • Consent can only be given by a parent named on the child's birth certificate / person with parental responsibility or guardian. • Tick the box below that shows your relationship to the child in this application. ☐ Mother ☐ Father ☐ Person with parental responsibility ☐ Guardian	
Surname	
Given names	
Date of birth	
Residential address	
Telephone	
Email	
I hereby consent for a travel-document to be issued to the child in this application.	

..... Signature	Date:..... / / 20.....
PART 5: DECLARATION OF APPLICANT / PARENT / PERSON WITH PARENTAL RESPONSIBILITY OR GUARDIAN (tick where applicable) (if applicable)	
<i>[additional information]</i> ☐ I have completed this application form for someone else aged 18 years or over because they have a disability or language difficulty. ☐ I / the applicant wear(s) a head covering or headband in the supplied photo for medical or religious reasons. ☐ I am 18 years of age or older and someone else has filled in this application for me because I have a disability or language difficulty.	
Full name	
Residential address	
Telephone	
Email	
• I agree that I will return my Certificate of Identity if I obtain a passport or citizenship of any country. • I declare that the information I have given in this application is, to the best of my knowledge, true, complete and correct. • I understand that my Certificate of Identity will be cancelled and I may be fined or imprisoned in accordance with Nauruan laws if I have provided false information. • I agree that, for the purposes of this application, other government agencies may release personal information about myself which will assist the Passport Division in determining my entitlement to be issued with or continue to hold a Nauruan travel document. • I understand that if I have possession of a false Nauruan travel-document, I may be liable on conviction to a fine of \$20,000 and 10 years imprisonment. And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular. Signed by the applicant / parent / person with parental responsibility or guardian: Name of person filing this form: Declared at.....this.....day of..... 20.... Before me: (Signature) (Title) NOTE: Under the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i>, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.	
Payment receipt no:	
OFFICIAL PURPOSES Received by: <i>(Full name of officer)</i> Date: / / 20.....	

FORM 5



REPUBLIC OF NAURU

PASSPORTS ACT 2011

*[Section 12; Regulation 6(1)(b)]*APPLICATION FORM FOR CERTIFICATE OF IDENTITY (NAURUAN CHILD BORN
IN FOREIGN COUNTRY)

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

Documents required:

- 2 recent photographs, one of which to be certified:
 - (a) by an authorised officer of the Passport Division in case of personal lodgement of application; and
 - (b) in any other case, by a commissioner for oaths;
- passport biodata page of mother of child, if case where there is no Nauruan embassy or consulate based in the foreign country where Nauruan child was born;
- certificate issued by Nauruan embassy or consulate based on that foreign country certifying the child;
- final destination for travel;
- any such other information which the Secretary may deem necessary.

PART 1: DETAILS OF CHILD

Surname	
Given names	
Date of birth	
Place of birth	
Current country of residence	

PART 2: CONSENT FOR ISSUE OF CERTIFICATE OF IDENTITY TO CHILD *(tick where applicable)*

- Fill in this part only if this application is for a child.

- Consent can only be given by a parent named on the child's birth record / person with parental responsibility or guardian. - Tick the box below that shows your relationship to the child in this application: ☐ Mother ☐ Father ☐ Person with parental responsibility ☐ Guardian	
Surname	
Given names	
Date of birth	
Residential address	
Telephone	
Email	
PART 2: DECLARATION OF PARENT	
I have completed this application form for my child aged (months / years).	
Full name	
Residential address	
Telephone	
Email	
And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular. Signed by the applicant / parent / person with parental responsibility or guardian: Name of person filing this form: Declared at.....this.....day of.....20.... Before me: (Signature) (Title) NOTE: Under the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i>, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.	
Payment receipt no:	
OFFICIAL PURPOSES	
Received by: (Full name of officer)	
Date: / / 20.....	

[The next page is 768,801]

FORM 6**REPUBLIC OF NAURU****PASSPORTS ACT 2011***[Section 14; Regulation 8(1)(a)]***CERTIFICATE OF IDENTITY**

[Lost or stolen passport by a Nauruan citizen in a foreign country / Foreigner overstaying in the Republic / Child born in the Republic to parents who are not Nauruan citizens / Nauruan child born in a foreign country]

COI No. / 20. . .

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

This Certificate of Identity is issued to *[full name]* under Section 14 of the *Passports Act 2011*.

DETAILS	
Gender	
Nationality of origin	
Date of birth	
Place of birth	
Country of birth	
Final destination for travel	

This Certificate is valid for 12 months from the date of issue and or void once reached final destination.

Issued this day of 20.

Minister for Justice and Border Control

FORM 7



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 14; Regulation 8(1)(b)]

CERTIFICATE OF IDENTITY – ASYLUM SEEKER

ASTD No: / 20. . .

*(Please provide 2
recent passport size
photo of applicant)*

(4.5 cm X 3.5cm)

This Certificate of Identity is issued to *[full name]* under Section 14 of the *Passports Act 2011*.

DETAILS	
Gender	
Nationality of origin	
Date of birth <i>(if applicable)</i>	
Place of birth	
Signature of holder	

This Certificate is issued to enable the holder to travel to *[foreign destination]* and return to the Republic of Nauru.

The holder shall immediately surrender to an authorised officer this Asylum Seeker Travel Document on return to the Republic.

This Certificate is valid for 12 months from the date of issue and or void once reached final destination.

Issued this day of 20.

Minister for Justice and Border Control

FORM 8



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 24; Regulation 9]

NOTICE CANCELLING NAURUAN TRAVEL DOCUMENT

Notice No: CNTD. / 20. . .

To:

.....*[Name of holder]*
*[Residential address]*
*[Travel document number]*
*[Travel document type]*

TAKE NOTICE that your travel document is cancelled forthwith due to:

- ☐ Section 7(1), you are not a Nauruan citizen and I am not satisfied with your identity
- ☐ Section 12(1), I am not satisfied with your identity and you are disqualified for the issue of a travel-related document under Division 2 of the *Passports Act 2011*
- ☐ Section 15(1), each person who has parental responsibility for the child has not consented to the child travelling internationally
- ☐ Section 16(a), a warrant for your arrest is in force in Nauru in relation to a serious offence against a law of Nauru
- ☐ Section 16(b), you being prevented from travelling internationally under a law of Nauru or an order or other direction made under a law of Nauru
- ☐ Section 21, concurrently valid Nauruan travel document
- ☐ Section 24(2)(a), I intend to issue another travel document to you immediately after cancelling the document
- ☐ Section 24(2)(b), the document has been lost or stolen
- ☐ Section 24(2)(c), I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 17 of the *Passports Act 2011* – international law enforcement matter
- ☐ Section 24(2)(c), I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 18 of the *Passports Act 2011* – potential harmful conduct
- ☐ Section 24(2)(c), I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 19 of the *Passports Act 2011* – repeated loss or theft

- ☐ Section 24(2)(c), I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 20 of the *Passports Act 2011* – debt owed to Nauru

Dated this day of20....

.....

Minister for Justice and Border Control

FORM 9



REPUBLIC OF NAURU

PASSPORTS ACT 2011

[Section 33; Regulation 10]

NOTICE FOR LOST OR STOLEN TRAVEL DOCUMENT

Type of travel document:	
☐	ordinary Nauruan passport
☐	official passport
☐	diplomatic passport
To: Authorised officer	
Surname	
Given names	
Residential address	
Telephone	
Email	
Date passport lost / stolen	
Place where passport lost / stolen	
Police report made	☐ attach copy of police report
And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular. Signed by the applicant / parent / person with parental responsibility or guardian: Name of person filing this form: Declared at.....this.....day of..... 20.... Before me: (Signature) (Title) NOTE: Under the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i>, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.	
Payment receipt no:	
OFFICIAL PURPOSES	
Received by:	
(Full name of officer)	
Date: / / 20.....	

[The next page is 769,001]

SCHEDULE 2

PASSPORTS ACT 2011REGISTER OF TRAVEL DOCUMENTS

[Section 56; Regulation 14]

Name of applicant	Date of application	Date of issue	Passport Number	Passport Type	Date of expiry	Date cancelled (if applicable)

[The next page is 771,001]

Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Title</i>
1	Citation
2	Commencement
3	Application for ordinary Nauruan passport
4	Information which must be contained in Passport issued
5	Cancellation of travel document
6	Notice for lost or stolen travel document
7	Passport photograph requirements
8	Register of travel documents
9	Record keeping requirements
10	Fees
	SCHEDULE 1
	FORM 1 — APPLICATION FOR NEW OR RENEWAL OF ORDINARY NAURUAN PASSPORT
	FORM 2 — NOTICE CANCELLING NAURUAN TRAVEL DOCUMENT
	FORM 3 — NOTICE FOR LOST OR STOLEN TRAVEL DOCUMENT
	SCHEDULE 2 — REGISTER OF TRAVEL DOCUMENTS
	SCHEDULE 3 — FEES

[The next page is 771,101]

Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025

TABLE OF AMENDMENTS

The Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025 SL 26 were notified and commenced on 19 May 2025 (GN No 583/2025; Gaz 201/2025).

Amending Legislation	Notified	Date of Commencement
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[The next page is 771,201]

The Cabinet makes the following Regulations under Section 57 of the *Passports Act 2011*:

1 Citation

These Regulations may be cited as the *Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees) Regulations 2025*.

2 Commencement

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

3 Application for ordinary Nauruan passport

- (1) For the purpose of Section 7 of the Act, an application form for an ordinary Nauruan passport shall be in Form 1 of Schedule 1 for a person granted citizenship under the Nauru Economic and *Climate Resilience Citizenship Act 2024*.
- (2) An application under subregulation (1) shall be accompanied by the following:
 - (a) Certificate of Citizenship issued under the *Nauru Economic and Climate Resilience Citizenship Act 2024*;
 - (b) 2 recent passport size photographs, one of which is to be certified at the back of the photograph, by a Commissioner for Oaths or Notary Public;
 - (c) certified copy of the bio-page of the passport, if the applicant is a citizen of and has a passport of the country where he or she is permanently residing;
 - (d) an identification document or certificate with photograph issued under a written law of any other country, which may include driver's licence or national identity card;
 - (e) in case of renewal of a passport, the biodata page of the expired or current passport; and
 - (f) such other information which the Secretary deems necessary.

4 Information which must be contained in Passport issued

A Nauruan passport issued under these Regulations shall include the following details:

- (a) photograph;
- (b) secondary photograph showing as watermark;
- (c) passport type;
- (d) the Republic's issuing code of 'NRU';
- (e) passport serial number, for an ordinary Nauruan passport – the letters 'NN' followed by 6 numerals;
- (f) surname;
- (g) given names;
- (h) nationality;
- (i) date of birth;
- (j) gender;
- (k) place of birth;
- (l) date of issue;

- (m) date of expiry;
- (n) issuing authority; and
- (o) signature of holder.

5 Cancellation of travel document

For the purposes of Section 24 of the Act, the notice cancelling a travel document issued under these Regulations shall be in Form 2 of Schedule 1.

6 Notice for lost or stolen travel document

For the purposes of Section 33 of the Act, a notice for a lost or stolen travel document by the holder of the travel document shall be given to the Secretary in Form 3 of Schedule 1.

7 Passport photograph requirements

A passport photograph submitted under these Regulations shall have the following specifications:

- (a) be 4.5 centimetres x 3.5 centimetres;
- (b) have adequate brightness and contrast;
- (c) have natural skin tone;
- (d) have a close up of the head, ears and partial shoulders;
- (e) straight looking, centred with neutral expression;
- (f) the face shall be in sharp focus and clear with no ink marks, creases or lines;
- (g) the face, from forehead edge to bottom of chin, shall be seventy to eighty percent of the photograph;
- (h) the eyes shall be open and no hair obstructing the face;
- (i) prescription glasses, if worn, shall be clear and thin framed and should not have flash reflection or obscure the eyes;
- (j) head coverings, hair, head-dress or facial ornaments shall not obscure the face;
- (k) the photograph shall have plain light background;
- (l) there shall be no other person or object in the photograph;
- (m) the lighting shall be uniform with no shadows on the face or behind;
- (n) photograph shall not have red eyes;
- (o) photograph with adequate digital resolution; and
- (p) shall be no more than 3 months old.

8 Register of travel documents

- (1) The Secretary shall keep and maintain a separate register of all travel documents issued under these Regulations.
- (2) The register shall include:
 - (a) the date of issue and expiry of each passport;
 - (b) all the information submitted under Regulation 3;
 - (c) all the information under Regulation 4; and
 - (d) any other information as the Secretary deems necessary.
- (3) For the purposes of Section 56 of the Act, the Register may be kept as set out in Schedule 2, in accordance with Regulation 9.

9 Record keeping requirements

- (1) The Secretary shall keep a record of all matters required to be registered.

- (2) The records shall be kept and maintained in:
 - (a) electronic form or digital form; and
 - (b) manual Register or in case of electronic or digital form, capable of being re-produced in printed form.
- (3) The Secretary shall keep and maintain the records for an indefinite period.
- (4) The Secretary shall not disclose or share information with any third party except where it is required for a law enforcement agency, for any other official purpose, by the Republic or any proceedings.
- (5) Any information provided to the Republic under these Regulations, shall not be disclosed to any other person without the prior consent or approval of the Secretary, except where the information is required as exhibits or evidence in court.

10 Fees

The fees payable under these Regulations are under Schedule 3.

[The next page is 772,201]

SCHEDULE 1

FORM 1



Republic of Nauru

Passports Act 2011

*Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees)
Regulations 2025*

Nauru Climate Resilience Citizenship Program

[Regulation 3(1)]

APPLICATION FOR NEW OR RENEWAL OF ORDINARY NAURUAN PASSPORT

Date of Application

DD	MM	YEAR
----	----	------

Required documents

- 1 Certificate of Citizenship*;
- 2 2 recent passport-size photographs, one of which must be certified and the other affixed to this form.
- 3 Certified copy of bio-page of applicant's other foreign passport of the country where he or she is permanently residing*
- 4 Any other identification document
- 5 For renewal of a passport, the bio page of the expired or current Nauruan passport*
- 6 Any additional information that the Secretary deems necessary.

Please affix photograph
here (35mm x 45mm)

- Copies of certified copy documents will be acceptable, with the exception of the Citizenship Certificate which must be a copy certified by the Registrar of Citizenship.

PART 1 — Application Details

Title:		Surname:			
Given names:					
Nationality:		Date of Birth	DD	MM	YEAR
Place of birth:		Country of birth:			
Height (cm):	Sex:	Colour of eyes:		Colour of hair:	
Distinguishing marks:					
Permanent residential address:					
Zip code:	Mobile:	Email Address:			

PART 2 — Marital Status (only if applicable)

Marital Status	Date of Marriage	DD	MM	YEAR
Name of spouse:				

PART 3 — For Applicants under the age of 18 or with Disability

Name of Parent/Guardian:				
Relationship to applicant:				
Nationality:				
Permanent address:				
Parent / Guardian Declaration				
I, the undersigned, being the parent/legal guardian of the applicant, hereby give my full and informed consent for the applicant, a minor/person without the capacity to give consent, to apply for and obtain a passport.				
Signature		Date		
		DD	MM	YEAR

PART 4 — Declaration

I do hereby apply to Department of Justice & Border Control for a Passport and declare that the foregoing is true and correct in all respects.				
Signature		DD	MM	YEAR
NOTE : Under the Oaths, Affirmations and Statutory Declarations Act 1976, a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.				

FORM 2



Republic of Nauru

Passports Act 2011

*Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees)
Regulations 2025*

[Regulation 5]

NOTICE CANCELLING NAURUAN TRAVEL DOCUMENT

TO:

To:

.....[Name of holder]
[Residential address]
[Travel document number]
[Travel document type]

TAKE NOTICE that your travel document is cancelled forthwith due to:

- ☐ Section 7(1) of the Act, you are not a Nauruan citizen and I am not satisfied with your identity;
- ☐ Section 15(1) of the Act, each person who has parental responsibility for the child has not consented to the child travelling internationally
- ☐ Section 16(a) of the Act, a warrant for your arrest is in force in Nauru in relation to a serious offence against a law of Nauru
- ☐ Section 16(b) of the Act, you being prevented from travelling internationally under a law of Nauru or an order or other direction made under a law of Nauru
- ☐ Section 24(2)(a) of the Act, I intend to issue another passport to you immediately after cancelling the passport
- ☐ Section 24(2)(b) of the Act, the passport has been lost or stolen
- ☐ Section 24(2)(c) of the Act, I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 17 of the *Passports Act 2011* — international law enforcement matter
- ☐ Section 24(2)(c) of the Act, I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 18 of the *Passports Act 2011* — potential harmful conduct
- ☐ Section 24(2)(c) of the Act, I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 19 of the *Passports Act 2011* — repeated loss or theft
- ☐ Section 24(2)(c) of the Act, I have been made aware of a circumstance that permits me to refuse to issue the document to you under Section 20 of the *Passports Act 2011* — debt owed to Nauru
- ☐ Section 25 — *Nauru Economic and Climate Resilience Citizenship Act 2024*, I have been made aware that you are no longer entitled to obtain or retain a travel document

.....

[Hon. [Name]]

Minister for Justice and Border Control

Date:of [Month] [year]

FORM 3



Republic of Nauru

Passports Act 2011

*Passports (Nauru Economic and Climate Resilience Citizenship Forms and Fees)
Regulations 2025*

[Regulation 6]

NOTICE FOR LOST OR STOLEN TRAVEL DOCUMENT

Type of travel document:	
☐ ordinary Nauruan passport	
To: Secretary for Justice and Border Control	
Surname	
Given names	
Residential address	
Telephone	
Email	
Date passport lost / stolen	
Place where passport lost / stolen	
Police report made	☐ attach copy of police report
And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular.	
Signed by the applicant / parent / person with parental responsibility or guardian:	
Name of person filing this form: Declared.	
at this. day. 20.	
Before me:	
(Signature)	
(Title)	
NOTE: Under the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> , a person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.	
Payment receipt no.:	
OFFICIAL PURPOSES	
Received by:	
(Full name of officer)	
Date: / / 20.	

[The next page is 772,401]

SCHEDULE 2

[Regulation 8]

REGISTER OF TRAVEL DOCUMENTS

Name of applicant	Date of application	Date of issue	Passport Number	Passport Type	Date of expiry	Date cancelled (if applicable)

[The next page is 772,501]

SCHEDULE 3

[Regulation 10]

FEES

Passport	Fee
Issuance of New Passport	\$500 (USD)
Renewal of Passport	\$500 (USD)

[The next page is 780,001]