



REPUBLIC OF NAURU  
**COURTS (AMENDMENT) ACT 2016**

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No. 19 of 2016

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An Act to amend the *Courts Act 1972*

Certified: 12<sup>th</sup> May 2016

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Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as the *Courts (Amendment) Act 2016*.

**2 Commencement**

This Act commences upon certification by the Speaker.

**3 Amendment of Courts Act 1972**

The *Courts Act 1972* is amended by the provisions of this Act.

**4 Amendment of section 38**

Section 38(1) is amended as follows:

**(1) Omit second paragraph**

Provided that, where a question has arisen involving the interpretation or effect of any provision of the Constitution, the judge shall order that the cause or matter be transferred to the Supreme Court;

**Substitute**

Provided that, where a question has arisen involving the interpretation or effect of any provision of the Constitution and in respect of any civil or criminal matters, the judge shall order that the cause or matter be transferred to the Supreme Court;

**(2) Omit fourth paragraph**

And provided further that no criminal cause or matter shall be transferred into the Supreme Court otherwise than by committal of the accused person under the provisions of any written law for the time being in force relating to the procedure in criminal causes, save where a question involving the interpretation or effect of the Constitution has arisen, in which event the cause or matter shall be transferred to the Supreme Court only for the determination of that question.