



REPUBLIC OF NAURU

# CONSTITUTION (AMENDMENT) ACT 2021

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No. 10 of 2022

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An Act to amend the *Constitution of Nauru 1968*.

Certified: [8<sup>th</sup> June 2022]

## Table of Provisions

1	Short title.....	2
2	Commencement .....	2
3	Amendment of the Constitution of Nauru 1968 .....	2
4	Amendment of Article 49.....	2
5	Amendment of Article 57.....	2
6	Amendment of Article 69.....	3
7	Amendment of Article 70.....	3

Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as the *Constitution (Amendment) Act 2021*.

**2 Commencement**

This Act commences on certification by the Speaker.

**3 Amendment of the Constitution of Nauru 1968**

The *Constitution of Nauru 1968* is amended by the provisions of this Act.

**4 Amendment of Article 49**

Subarticle (3) is amended by deleting 'five' and substituting with '10'.

**5 Amendment of Article 57**

Article 57 is amended:

(a) in subarticle (1), by:

- (i) deleting the word 'all'; and
- (ii) inserting the words 'or as prescribed by law' after 'the Supreme Court';

(b) by deleting and substituting subarticle (3) as follows:

'(3) There shall be a President of the Nauru Court of Appeal, who shall be appointed by the President.'

(c) by deleting and substituting subarticle (4) as follows:

'(4) The Nauru Court of Appeal shall consist of the President of the Nauru Court of Appeal and such other number of Justices of Appeal as may be prescribed by law.'

(d) by deleting and substituting subarticle (5) as follows:

'(5) The Justices of Appeal are to be appointed by the President in consultation with the President of the Nauru Court of Appeal.'

(e) by deleting subarticle (6);

(f) by re-numbering subarticles (7), (8), (9) and (10) as subarticles '(6), (7), (8) and (9)'; and

(g) in the new subarticle (6), by deleting '5' and substituting with '10'.

**6 Amendment of Article 69**

Article 69 is amended:

(a) in subarticle (2)(a), by deleting the words 'the Chief Justice' and substituting with 'a person qualified to be appointed as a Judge of the Supreme Court to be appointed by the Cabinet,'; and

(b) by inserting a new subarticle (2A) as follows:

'(2A) The appointment of the Chairman of the Police Service Board shall be for a continuous period of 3 years and is eligible to be re-appointed.'

**7 Amendment of Article 70**

Article 70 is amended as follows:

(a) in subarticle (1), by deleting the words 'the Chief Justice' and substituting with 'a person qualified to be appointed as a Judge of the Supreme Court to be appointed by the Cabinet';

(b) by inserting a new subarticle (2A) as follows:

'(2A) The appointment of the Chairman of the Public Service Appeals Board shall be for a continuous period of 3 years and is eligible to be re-appointed.'; and

(c) in subarticles (4) and (5), by deleting the words 'Chief Justice' and substituting with 'Chairman'.