



REPUBLIC OF NAURU

# Nauru Police Force (Amendment) Act 2015

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No. 7 of 2015

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An Act to amend the *Nauru Police Force Act 1972*

Certified [24<sup>th</sup> March 2015]

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Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as *Nauru Police Force (Amendment) Act 2015*.

**2 Commencement**

This Act commences upon certification by the Speaker.

**3 Act Amended**

The Schedule amends the *Nauru Police Force Act 1972*

**SCHEDULE - AMENDMENT OF NAURU POLICE FORCE ACT 1972**

**[1] Multiple amendments**

**1.1** The Act is amended by omitting the words, '**Director of Police**' wherever they appear and replacing them with the words, '**Commissioner of Police**'.

**1.2** The Act is amended by omitting the word, '**Director**' wherever it appears and replacing it with the word, '**Commissioner**'.

**1.3** The Act is amended by omitting the word, '**Director's**' wherever it appears and replacing it with the word, '**Commissioner's**'.

**[2] Amendment of section 2**

Insert the following in alphabetical order:

**'private venue'** means any venue that is not in a public place;

**'public place'** includes:

(a) any highway, road, footpath;

(b) any outdoor area to which at the material time members of the public have or are permitted to have access and which is used for public recreational purposes;

(c) any cemetery or churchyard;

(d) any premises or other place to which at the material time members of the public have or are permitted to have access, whether as of right or by express or implied permission, or whether on payment or otherwise;

(e) any taxi, bus or other public service vehicle used for the carriage of persons for payment; and

(f) for the purposes of this Act, refugee settlement sites.

**[3] Insert new section 24A**

**24A Power to issue permits for processions or assemblies in a public place**

- (1) Any person or organisation who wishes to organise a procession or assembly or to associate peaceably in a group of 3 or more persons in a public place must first apply to the Commissioner of Police and unless the Commissioner is satisfied for good reason that such a procession or assembly is unlikely to prejudice the maintenance of defence, public order, public safety, public morality or public health, he shall issue a permit specifying:
- (a) in the case of a procession, the purpose, the routes, and the times at which such procession may pass and other conditions as he may think fit to impose;
  - (b) in the case of an assembly, the purpose, the place and times that the assembly may be held and other conditions as he may think fit to impose; and
  - (c) the name or names of person to whom such permit is issued.
- (2) Every application for a permit must be made 7 working days prior to the proposed date on which the procession or assembly is due to take place.
- (3) The provisions of this section shall not apply to:
- (a) weddings;
  - (b) funerals;
  - (c) sporting events;
  - (d) assemblies for religious or charitable purposes; and
  - (e) private functions in private venues or private properties.
- (4) It shall be lawful for any police officer to stop and detain any person or organisation whom he sees doing any act for which a permit is required under the provisions of this section.
- (5) Any person or organisation who fails to produce such permit when called upon by a police officer, who is in uniform or who identifies himself as an officer of the Nauru Police Force, may be arrested without a warrant and taken into police custody.
- (6) Any procession or assembly convened or taking place for which no permit has been issued under subsection (1), or which contravenes

any of the conditions specified in such permit shall be deemed to be an unlawful assembly under this Act and any other applicable law.

- (7) Any person or organisation found to be breaching the provisions of this section commits an offence and is liable upon conviction to imprisonment for 2 years or a fine of \$3,000 or both.
- (8) Should there be a conflict between this section of the Act and any other law of Nauru, this section shall take precedence.