



REPUBLIC OF NAURU

Nauru Lands Committee (Amendment) Act 2012

Act No. 9 of 2012

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REPUBLIC OF NAURU

Nauru Lands Committee (Amendment) Act 2012

Act No. 9 of 2012

An Act to amend the *Nauru Lands Committee Act 1956*

Certified on 10 October 2012

Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Nauru Lands Committee (Amendment) Act 2012*.

2 Commencement

This Act commences on the day it receives the certificate of the Speaker under Article 47.

3 Amendment of Nauru Lands Committee Act 1956

The Schedule amends the *Nauru Lands Committee Act 1956*.

As certified on 10 October 2012

SCHEDULE – AMENDMENT OF NAURU LANDS COMMITTEE ACT 1956

section 3

[1] **New part heading – PART 1**

Before section 1

insert

PART 1 – PRELIMINARY MATTERS

[2] **Amendment of section 2**

Section 2

insert (in alphabetical order)

‘Curator’ means the Curator of Intestate Estates mentioned in section 6 of the *Succession, Probate and Administration Act 1976*;

‘personal estate’ means the personal property to which a deceased person was entitled at the time of the person’s death, and any share or interest in such property, that is:

- (a) subject to the law of Nauru; and
- (b) not real estate;

[3] **New part heading – PART 2**

After section 2

insert

PART 2 – NAURU LANDS COMMITTEE

[4] Amendment of section 4

Section 4

omit

the last preceding section

substitute

section 3

[5] Amendment of section 6

5.1 After section 6(1)

insert

(1A) The Committee has power to determine the distribution of the personal estate of deceased Nauruans.

5.2 Section 6(2)

omit

the next succeeding section

substitute

section 7

[6] New section 6A

After section 6

insert

6A Publication of decision

A decision of the Committee must be published in the Gazette within 21 days after the decision is made.

[7] Amendment of section 7

Section 7(1)

omit, substitute

- (1) A person who is dissatisfied with a decision of the Committee may appeal to the Supreme Court against the decision:
- (a) within 21 days after the decision is published; or
 - (b) with leave of the Court.

[8] New part heading – PART 3

After section 7

insert

PART 3 – TRANSITIONAL PROVISIONS

[9] New sections 9 and 10

After section 8

insert

9 Validation of decisions of Curator

A decision of the Curator made before the commencement of the *Nauru Lands Committee (Amendment) Act 2012* that purports to determine the distribution of the personal estate of a deceased Nauruan is taken to have been made by the Committee.

10 Application of section 7(1)(b)

Section 7(1)(b) applies to any decision made or taken to have been made by the Committee, whether before or after the commencement of the *Nauru Lands Committee (Amendment) Act 2012*.