



REPUBLIC OF NAURU

# CRIMINAL PROCEDURE (CRIMINAL CONVICTIONS) REGULATIONS 2020

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SL No. 25 of 2020

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Notified: 20<sup>th</sup> August 2020

## Table of Contents

1	Citation .....	2
2	Commencement .....	2
3	Register of Records of Criminal And Other Convictions.....	2
4	Certificate of record of no convictions.....	2
5	Certificate of record of convictions.....	2
6	Notice of objection to certificate of record of convictions.....	2
7	Notice of objection to certificate comparing fingerprints .....	2
8	Fees .....	2
	<b>SCHEDULE 1.....</b>	<b>3</b>
	<b>SCHEDULE 2.....</b>	<b>4</b>
	<b>SCHEDULE 3.....</b>	<b>8</b>

Cabinet makes the following Regulations under *Section 98* of the *Criminal Procedure Act 1972*:

**1 Citation**

These Regulations may be cited as the *Criminal Procedure (Criminal Convictions) Regulations 2020*.

**2 Commencement**

These Regulations come into effect on the day they are notified in the Gazette.

**3 Register of Records of Criminal and Other Convictions**

For the purpose of *Section 98* of the Act, the Register established and maintained by the Registrar may be kept as set out in Schedule 1:

(a) in writing; and

(b) in electronic form that is readily retrievable.

**4 Certificate of record of no convictions**

The form of a certificate of no convictions shall be in Form 1 of Schedule 2.

**5 Certificate of record of convictions**

For the purpose of *Section 98A(1)* of the Act, the form of the certificate of the record of criminal convictions issued by the Registrar shall be in Form 2 of Schedule 1.

**6 Notice of objection to certificate of record of convictions**

For the purpose of *Section 98A(1)* of the Act, the notice of objection to a certificate of record of convictions shall be in Form 3 of Schedule 2.

**7 Notice of objection to certificate comparing fingerprints**

For the purpose of *Section 98A(2)* of the Act, the notice of objection to a certificate comparing fingerprints of person with a conviction shall be in Form 4 of Schedule 2.

**8 Fees**

For the purpose of *Section 98(7)* of the Act, the fees to be paid are set out in Schedule 3.

## SCHEDULE 1



### REPUBLIC OF NAURU

[Section 98; Regulation 3]

#### REGISTER OF RECORDS OF CRIMINAL AND OTHER CONVICTIONS

<b>Details of offender:</b>	<i>[insert full name]</i> <i>[insert residential address]</i> <i>[insert date of birth]</i> <i>[insert nationality]</i> <i>[photo/photo identity]</i>
<b>Offender's parents' details:</b>	<i>[insert full names]</i> <i>[insert residential address]</i>
<b>Register number:</b>	
<b>Case Reference Number:</b>	
<b>Court person convicted:</b>	
<b>Nature of offence for which person convicted:</b>	
<b>Date charge filed:</b>	<i>[date/month/year]</i>
<b>Date of conviction [whether after pleading guilty or trial]:</b>	<i>[date/month/year]</i>
<b>Date of sentence:</b>	<i>[date/month/year]</i>
<b>Sentence:</b>	

**SCHEDULE 2**

**FORM 1**



**REPUBLIC OF NAURU**

**CONFIDENTIAL**

**CERTIFICATE OF RECORD OF NO CONVICTIONS**

*[Regulation 4]*

This is to certify that *[insert name]* has no convictions recorded and kept in the *Register of Records of Criminal and such other Convictions* under the *Criminal Procedure Act 1972*.

Sealed and issued on *[insert date]*

**REGISTRAR OF THE COURTS**

**FORM 2**



**REPUBLIC OF NAURU**

**CONFIDENTIAL**

**CERTIFICATE OF RECORD OF CRIMINAL AND OTHER CONVICTIONS**

*[Section 98A(1); Regulation 5]*

**RPC No: ... / 20...**

This is to certify that as of the date of issuance of this certificate, *[Mr / Ms / Mrs / Miss]* *[insert full name]* has the following (*criminal / other*) convictions recorded and kept in the *Register of Records of Criminal and such other Convictions* under the *Criminal Procedure Act 1972*: *[list convictions]*

*(1) [court], [case reference number], [offence guilty of], [sentence]*

Sealed and issued on *[insert date]*

**REGISTRAR OF THE COURTS**



**FORM 4**



**REPUBLIC OF NAURU**

*[Section 98A (2), Regulation 7]*

**NOTICE OF OBJECTION  
TO  
CERTIFICATE COMPARING FINGERPRINTS OF PERSON WITH CRIMINAL  
CONVICTIONS**

**TAKE NOTICE** that *[Full name]*, *[address]* objects to the certificate issued by *[Full name of person appointed by Minister]* on the following ground(s):

(1)

Dated this            day of            20....

*[Signature]*  
*[Full name of applicant]*

To the Republic

**SCHEDULE 3**

**Criminal Procedure Act 1972**

**FEES**

*[Section 98(7); Regulation 8]*

	<b>Item</b>	<b>Section of <i>Criminal Procedure Act 1972</i></b>	<b>Fees</b>
1	Certificate for record of convictions	Section 98(7)	\$50.00
2	Certificate for record of no convictions	Section 98(7)	\$50.00