



REPUBLIC OF NAURU
GOVERNMENT GAZETTE
PUBLISHED BY AUTHORITY

No.16

21st March 2001

Nauru

G.N.No. 60 /2001

SUPREME COURT

NOTIFICATION OF SITTING DATES IN 2001

- | | | | |
|----|-------------|---|-------------|
| 1. | 12 MARCH | - | 15 MARCH |
| 2. | 4 MAY | - | 24 MAY |
| 3. | 2 AUGUST | - | 24 AUGUST |
| 4. | 20 NOVEMBER | - | 13 DECEMBER |

A. The above dates may be subject to some modifications for one reason or another. In each sitting, depending on the nature and context of the cases listed and prepared for hearing, the end dates of a sitting may be lengthened or shortened as the case may be.

B. In giving full and advance notice of the dated of sittings, it is aimed to alert the legal the profession, government lawyers and the police to carry out their various tasks to have cases heard efficiently and without dilatoriness. In the event of the absence of a practitioner, unless the matter has been earlier adjourned for good cause, it will proceed. Given notification of court lists (See Practice Note No. 2 of 2001) it is the responsibility of practitioners to be present when cases are called or other arrangements made prior to the date of hearing.

BARRY CONNELL
CHIEF JUSTICE

PRACTICE NOTE NO. 1 OF 2001

GAZETTAL PUBLICATION OF PRACTICE NOTES

1. Practice Notes hereafter will be published in the Government Gazette.
2. All members of the legal profession, as government lawyers, barristers and solicitors, and pleaders and others having business with the Courts of Nauru are expected to comply with matters set down in Practice Notes which often are an amplification of the Civil and Criminal procedural acts and rules.
3. Practice Notes will not hereafter be individually distributed; interested parties are expected to gain their information from the official Government Gazette.
4. Earlier practice notes distributed by the former Chief Justice, Sir Gaven Donne, are to be consolidated and re-issued as appropriate.

Issued 14 March, 2001.

BARRY CONNELL
CHIEF JUSTICE

G.N.No. 62 /2001

PRACTICE NOTE NO. 2 OF 2001

COURT LISTS, URGENT MATTERS, CHAMBER MATTERS

1. Court Lists for the Supreme Court will be published in the Government Gazette at least fourteen days before the commencement of each sitting of the Court.
2. Cases will be dealt with in sequential order.
3. Any urgent case will require an application of urgency to be heard before the Registrar. Such an application should be made in writing with a full statement of reasons for urgency.
4. Urgent cases may be placed in priority in the Court Lists. If a case is required to be heard out of the normal sittings, additional and urgent reasons are to be given.
5. Practitioners are reminded that the Registrar has wide powers to deal with interlocutory applications prior to trial. The Justice will be available in Melbourne for dealing with Chamber matters and particularly such matters that can be made in writing with affidavit evidence that does not require the attendance of parties.

G.N.No. 62 /2001 (cont'd)

6. If parties are present in Melbourne on a matter suitable to be heard in Chambers, an appointment should be made in writing, by telephone or personally with the Secretary to the Chief Justice at Consulate-General of the Republic of Nauru, Nauru House, Level 50, 80 Collins St., Melbourne, Telephone (61) 3 9653 5709.

7. Notice must be filed with the Registrar when cases are withdrawn. Discontinued or settled prior to trial. It is a matter of good practice standard that cases should not be left in the list with notification at the date of trial when they have been earlier otherwise settled.

Issued on 14 March, 2001

BARRY CONNELL
CHIEF JUSTICE

G.N.No. 63 /2001

PRACTICE NOTE NO. 3 OF 2001

CRIMINAL APPEALS

APPEALS AGAINST CONVICTION AND SENTENCE

1. When an appeal is entered against conviction, the Appellant must identify the precise complaints that are made against the conviction, whether in the conduct of the trial, the admission of evidence, the charge, the verdict or otherwise.

2. When an appeal is entered against sentence, the precise criticisms are to be listed that are made of the sentence. If a ground is that the sentence is manifestly excessive, then the appellant should particularize why it is excessive.

3. Not later than three days prior to the hearing of the Appeal, the Appellant must provide one copy for the Court and one for the Respondent of the following –

- a. A list of authorities that are to be used in the appeal.
- b. An outline of submissions to be made to the Court containing a succinct statement of each major contention of fact or law together with relevant references, whether to transcript, cases or statute.

4. One day prior to the hearing of the Appeal, the Respondent must provide one copy for the Court and one for the Appellant of a responsive outline of submissions.

5. The outlines are not to contain written argument or be of great length but will be outlines to assist the Court and the other parties as to the arguments that will be presented.

6. All outlines are to be typewritten. The outlines are to be filed with the Registrar and the copy for the other party served within the time limit set above.

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G.N.No. 63 /2001 (cont'd)

7. Failure of Appellants and Respondents to comply with this Practice Note will result in the Appeal being stood down with costs against the non-complying party. It may also result, when there has been non-compliance with paragraphs one and two of the Practice Note, in the appeal being subject to the summary dismissal procedure by the Court prior to hearing under section 8 of the Appeals Act 1972-74.

Issued on 15 March, 2001.

BARRY CONNELL
CHIEF JUSTICE

G.N.No. 64 /2001

CORPORATION ACT 1972
CORPORATION (WINDING-UP) RULES 1972

(Rule 14)
Notice of Winding-up Petition

Name of corporation: Sterling International Bank Inc.

Address of corporation's registered office in Nauru: C/- Nauru Agency Corporation, Aiwo District.

Take notice that a petition by Paul William Garrett and Medigenix Limited of The Isle of Man, The British Isles, for the winding-up of the above trading corporation by the District Court under the provisions of the Corporation Act 1972 is directed to be heard at the Court House at Yaren at 10.00 a.m. on Tuesday 10th April 2001.

Any member or creditor of the corporation who wishes to support or oppose the petition is required to notify the petitioner in the prescribed form by not later than 4:42 p.m. Monday the 2nd day of April, 2001.

Any contributory or creditor who fails so to notify the petitioner by that time will not be entitled to appear on the hearing of the petition excepted with the leave of the Court.

Dated the 12th day of March, 2001.

Paul William Garrett & Medigenix Limited
Petitioners

Robert R. Kaierua
Pleader
Nauru

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G.N.No. 65 /2001

PUBLIC SERVICE ACT 1998
SECTION
NOTICE OF PROMOTION

The Provisional promotion of the following officers with effect from 8th March, 2001 is hereby notified for information :-

DEPARTMENT OF FINANCE

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
Trevor Bernicke	Postal Accounts Officer \$11,930 - \$12,511 p.a. (C4/AP1)	Manager of Post \$16,642 - \$17,290 p.a. (AP7)

Any officers of the Public Service may appeal to the above promotion as provided under Section 20 of the Public Service Act 1998. Appeals should be based on one or other grounds as set out in Section 25(2) of the Act and should be lodged in writing stating the ground(s) of appeal to the Public Service Commissioner with seven (7) days after the date of this Gazette.

DATED this 14th day of March, 2001.

DAVID ADEANG
ACTING CHIEF SECRETARY

G.N.No. 66 /2001

ENGAGEMENT TO MARRY

NAME OF PARTIES: ATAUEA TEROTI from Kiribati Island and
 JOYCE TIMOTHY of Meneng District.

TROY HARRIS of Meneng District and
MARY-JANE ATSIME of Boe District.

DATE OF ENGAGEMENT: 25th March, 2001

 14th March, 2001

VASSAL GADOENGIN
MINISTER IN CHARGE
