



**REPUBLIC OF NAURU
GOVERNMENT GAZETTE
PUBLISHED BY AUTHORITY**

No. 150

21st October, 2015

Nauru

G. N. No. 665/ 2015

PRACTICE NOTICE NO. 2 OF 2015

REFUGEE APPEALS

**APPEALS TO THE SUPREME COURT AGAINST DECISION OF REFUGEES STATUS
REVIEW TRIBUNAL**

In exercise of the powers conferred on me by section 76 (2) of the Civil Procedure Act 1972, I make the following rules-

1. An asylum seeker (the “Appellant”) may appeal a decision of the Refugees Status Review Tribunal (the “Tribunal”) to the Supreme Court of Nauru (the “Court”) under section 43 of The Refugees Convention Act 2012.
2. The parties to the appeal are the Appellant and the Republic of Nauru.
3. Every Notice of Appeal (the “Notice”) to the Court shall be in writing and signed by the Appellant or his/her legal representative.
4. The Appellant shall file the Notice with the Supreme Court Registry (the “Registry”)
5. The Appellant shall also:
 - a) serve a copy of the Notice on the Secretary for the Department of Justice and Border control as the representative of the Republic of Nauru.
 - b) serve a copy of the Notice on the Tribunal.
6. The Appellant shall within 28 days of filing the Notice of Appeal with the Registry, file a book of documents (the “Annexure”) containing a copy of documents the Appellant is seeking to rely upon. These documents shall include a transcript of the Tribunal proceedings the subject of the Appeal (three copies to be filed).
7. The Appellant shall serve a copy of the Annexure on the Republic.
8. If the Republic intends to contest the Notice, the Republic shall within 28 days after the receipt of the Annexure:
 - a) file a Response in writing and signed by the Secretary or his/her delegate:and
 - b) the Reponse shall state the grounds of opposition to the Notice.
9. If the Republic does not intend to contest the Notice, the Republic shall within 28 days from the receipt of the Annexure, file a notice of appearance which submits to the orders of the Court save as to costs.

G. N. No. 665/ 2015 (Cont'd)

10. The Appellant shall, within 28 days from the receipt of the Response, file and serve any written submissions in furtherance of the appeal (three copies to be filed).
11. The Republic shall, no later than 28 days from the receipt of the written submissions of the Appellant, file and serve any written submissions in response to the same (three copies to be filed).
12. The appellant shall, no later than 14 days from the receipt of the written submissions in response from the Republic, file and serve any reply to the same (three copies to be filed).
13. The Registrar shall after the receipt of the reply or, in the absence of a reply, the expiry of 14 days from the receipt of written submissions from the Republic shall assign a date of hearing of the appeal.
14. (a) Where the Appellant wishes to amend his/her grounds of appeal, he/she shall, no later than 28 days prior to the fixed to hearing of the appeal, file and serve a notice setting out the amendment.
(b) The amendment may alter, delete and/or add to the original grounds.

Dated this 22nd October, 2015.

JONI MADRAWIWI
CHIEF JUSTICE
