

# NAURU COURT OF APPEAL

---

---

## Table of Contents

	<i>Page</i>
<b><i>Principal</i></b>	
<b>Nauru Court of Appeal Act 2018</b>	
Table of Provisions .....	61
Table of Amendments .....	65
Nauru Court of Appeal Act 2018 .....	67
<b><i>Subsidiary</i></b>	
<b>Nauru Court of Appeal Rules 2018</b>	
Table of Provisions .....	101
Table of Amendments .....	105
Nauru Court of Appeal Rules 2018 .....	107
<b>Nauru Court of Appeal Practice Direction (No 1 of 2018) — Legal Representatives Court Attire .....</b>	
	205



# Nauru Court of Appeal Act 2018

## TABLE OF PROVISIONS

*Section*

*Title*

### **PART 1 — PRELIMINARY**

- 1 Short title
- 2 Commencement
- 3 Definitions

### **PART 2 — NAURU COURT OF APPEAL**

- 4 The Court
- 5 General jurisdiction of the Court
- 6 Sessions of the Court
- 7 Seal
- 8 Composition of the Court

### **PART 3 — APPOINTMENT OF JUSTICES**

- 9 Appointment of Justices of Appeal
- 10 Justices of Appeal to take oath or affirm
- 11 Remuneration of Justices of Appeal
- 12 Seniority of Justices

### **PART 4 — REGISTRAR AND OTHER STAFF**

- 13 Registrar of Nauru Court of Appeal
- 14 Duties, powers and jurisdiction of the Registrar
- 15 Officers of the Court

### **PART 5 — COURT JUDGMENTS**

- 16 Judgment of Court
- 17 Stay of execution of judgment, decision or order
- 18 Judgment of the Court enforceable by the Supreme Court

### **PART 6 — APPEALS IN CIVIL PROCEEDINGS**

- 19 Appeals in civil proceedings
- 20 Interlocutory Order
- 21 Procedure for commencing civil appeals
- 22 Time for appealing
- 23 Power of the Court in civil appeals
- 24 Fresh evidence
- 25 Security for costs
- 26 Power of the Court to strike out appeal for non-compliance

<i>Section</i>	<i>Title</i>
27	Powers of a Justice of Appeal
28	Representation
<b>PART 7 — APPEALS IN CRIMINAL PROCEEDINGS</b>	
29	Appeals in criminal proceedings from the original jurisdiction of the Supreme Court
30	Appeals from the appellate jurisdiction of the Supreme Court
31	Appeals from case stated or revisional jurisdiction of the Supreme Court
32	Circumstances when appeal against conviction is allowed
33	Powers of the Court in special cases
34	Suspension of order for restoration or payment of compensation
35	Re-trial
36	Time for appealing
37	Procedure for commencing appeals
38	Presence of appellant for hearing
39	Powers of the Court to adduce fresh evidence
40	Director of Public Prosecutions
41	Cost of appeal
42	Admission of appellant to bail and custody when attending court
43	Powers which may be exercised by a Justice of Appeal
44	Judgment in criminal appeals
<b>PART 8 — RESPONDENT'S NOTICE</b>	
45	Respondent's notice
46	Respondent's notice to be treated as notice of appeal
<b>PART 9 — REVIEW OF OPINION UNDER ARTICLE 55</b>	
47	Review of opinion
<b>PART 10 — MISCELLANEOUS</b>	
48	Amendments
49	Adjournments
50	Power to remit proceedings to Supreme Court or District Court
51	Records of proceedings
52	Contempt of court
53	Protection of Justices of Appeal
54	Costs
55	Fees
<b>PART 11 — TRANSITIONAL PROVISIONS</b>	
56	Appeals pending in the High Court of Australia
57	Appeals which may be filed in the Nauru Court of Appeal
58	Repeal

*Section*

*Title*

**PART 12 — RULES**

59

Power to make rules

SCHEDULE — OATH AND AFFIRMATION