



REPUBLIC OF NAURU

Nauru Utilities Corporation Regulations 2012

SL No. 5 of 2012

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**Nauru Utilities Corporation
Regulations 2012**

SL No. 5 of 2012

Cabinet makes the following regulations under the *Nauru Utilities Corporation Act 2011*

Notified on 17 October 2012

PART 1 – PRELIMINARY MATTERS

1 Citation

These Regulations may be cited as the *Nauru Utilities Corporation Regulations 2012*.

2 Commencement

These Regulations commence on the day after the day on which they are published in the Gazette.

3 Interpretation

In these Regulations:

‘advisory committee member’ means a member of the advisory committee established under section 7 of the Act;

‘associate’ – a person is an associate of another person if:

- (a) one is a relative of the other; or
- (b) they are members of the same household; or
- (c) they are partners; or

- (d) they are both trustees or beneficiaries of the same trust, or one is a trustee and the other is a beneficiary of the same trust; or
- (e) one is a body corporate and the other is a director or member of the governing body of the body corporate; or
- (f) one is a body corporate and the other is a shareholder in the body corporate; or
- (g) a chain of relationships can be traced between them under one or more of the above paragraphs;

'beneficiary' of a trust includes an object of a discretionary trust;

'relative' of a person means the spouse, parent or remoter linear ancestor, son, daughter or remoter issue or brother or sister of the person.

PART 2 – ADVISORY COMMITTEE

Division 1 – Procedural matters

4 Chairperson

The Cabinet must appoint one of the members of the advisory committee to be the chairperson.

5 Procedures

- (1) Subject to this regulation, 3 members constitute a quorum of the advisory committee.
- (2) A meeting of the advisory committee will be chaired by the chairperson and, in his or her absence, the members present at a meeting of the advisory committee must choose one of their number to chair the meeting.
- (3) A decision carried by a majority of the votes cast by members of the advisory committee at a meeting is a decision of the advisory committee.

- (4) Each member present at a meeting of the advisory committee has one vote on any question arising for decision and the member chairing the meeting may exercise a casting vote if the votes are equal.
- (5) A proposed resolution of the advisory committee becomes a valid decision of the advisory committee despite the fact that it is not voted on at a meeting of the advisory committee if:
 - (a) notice of the proposed resolution is given to all members of the advisory committee in accordance with procedures determined by the advisory committee; and
 - (b) a majority of the members express concurrence in the proposed resolution by letter, fax, electronic mail or other written communication setting out the terms of the resolution.
- (6) The advisory committee must have accurate minutes kept of its meetings.
- (7) The advisory committee must meet at least 2 times each year and must not, without the approval of the Cabinet, meet more frequently than once each month.

6 Committees

- (1) The advisory committee may establish committees:
 - (a) to advise the advisory committee on any matter; or
 - (b) to carry out functions on behalf of the advisory committee.
- (2) The membership of a committee will be determined by the advisory committee and may, but need not, consist of, or include, members of the advisory committee.
- (3) The advisory committee will determine who will be the chairperson of a committee.
- (4) The procedures to be observed in conducting the business of a committee will be:
 - (a) as determined by the advisory committee; and
 - (b) to the extent that a procedure is not determined under paragraph (a)—as determined by the committee.