



REPUBLIC OF NAURU

NATIONAL DISASTER RISK MANAGEMENT (AMENDMENT) BILL 2020

No. of 2020

A Bill for an Act to amend the *National Disaster Risk Management Act 2016*.

Certified: []

Table of Contents

1	Short Title	1
2	Commencement	1
3	Amendment of the National Disaster Risk Management Act 2016	1
4	Amendment of Section 3.....	1
5	Amendment of Section 7.....	1
6	Amendment of Section 8.....	1
7	Amendment of Section 20.....	2
8	Amendment of Section 33.....	2
9	Amendment of Section 34.....	2
10	Amendment of Section 81.....	2
11	Amendment of Section 82.....	3
12	Amendment of Section 83.....	4
13	Amendment of Section 84.....	4
14	Amendment of Section 86.....	4

Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *National Disaster Risk Management (Amendment) Act 2020*.

2 Commencement

This Act commences on 16 March 2020.

3 Amendment of the National Disaster Risk Management Act 2016

The *National Disaster Risk Management Act 2016* is amended by the provisions of this Act.

4 Amendment of Section 3

Section 3 is amended by:

(a) deleting and substituting the following words and their definitions:

‘authorised officer’ includes a police officer and any person appointed or engaged by the Minister to respond to a disaster;

‘disaster’ means a serious disruption of the functioning of society, which poses a significant, widespread threat to human life, health, property or the environment whether arising from accidents, nature, human activities or such other unforeseeable causes, events or activities, whether occurring suddenly or developing as a result of long term processes;

(b) inserting the following in alphabetical order:

‘direction’ includes instructions, orders, rules or other administrative means of requiring persons to or not to do, perform or act, whether oral or written;

5 Amendment of Section 7

Section 7 is amended by inserting a new paragraph (d) as follows:

‘(d) any limitations or restrictions placed in respect of any rights or freedoms shall be interpreted with the spirit and intent of *Article 3* of the *Constitution*.’

6 Amendment of Section 8

Section 8 is amended:

(a) in subsection (1) by deleting the number ‘(1); and

(b) deleting subsection (2).

This clause now reads:

This Act binds all persons, including the Government.

7 Amendment of Section 20

Section 20 is amended by inserting a new subsection (9) as follows:

‘(9) Notwithstanding subsection (2), the Minister may appoint or assign the responsibilities of the National Controller to a person having the expertise, qualification or skills to manage a particular nature of disaster.’

8 Amendment of Section 33

Section 33(2) is deleted and substituted as follows:

(2) An authorised officer may exercise a power only during the period of the State of Disaster for the purposes of:

- (a) ensuring public safety, public order or public health;
- (b) preventing or minimising loss of life, or illness or injury to humans or animals;
- (c) preventing or minimising the loss of damage to property or environment;
- (d) national defence or in the public interest; or
- (e) otherwise prepare for, respond to or recover from a State of Disaster.

9 Amendment of Section 34

Section 34(4) is amended by:

- (a) deleting the word ‘office’ where it appears and substitute the word ‘officer’;
- (b) deleting the words ‘*ensure to*’ where they appear.

10 Amendment of Section 81

Section 81 is deleted and substituted as follows:

81 Offences

(1) A person commits an offence if he or she: