



REPUBLIC OF NAURU

# DERELICT SITES MANAGEMENT BILL 2017

No. of 2017

A Bill for an Act to make provision for the identification, control, removal, disposal and management of derelict properties, buildings and vehicles in the Republic and for related purposes

Certified: [ ]

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Enacted by the Parliament of Nauru as follows:

## PART 1 - PRELIMINARY

### 1 Short title

This Act may be cited as the Derelict Sites Management Act 2017.

### 2 Commencement

This Act commences upon certification by the Speaker.

### 3 General objectives of the Act

The general objectives of the Act are to make provision for the identification, control, removal and disposal of derelict, abandoned and problem buildings and vehicles in the Republic.

### 4 Definitions

In this Act, unless the context requires otherwise:

**‘authorised officer’** means a person or public officer who has been appointed under section 7 enabling him or her to perform certain functions and exercise particular powers under the Act;

**‘building’** includes, but is not limited to:

(a) any structure whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the:

- (i) accommodation or convenience of human beings or animals;
- (ii) manufacture, processing, storage, display or sale of any goods; and
- (iii) destruction or treatment of refuse or other waste materials;

(b) any wall or part of building; or

(c) any advertising sign, board or other structure.

**‘court’** means the District Court or the Supreme Court of Nauru, as the circumstances deems fit;

**‘Department’** means the Department of Infrastructure Development;

**‘derelict site’** means any property that detracts, or is likely to detract, to a material degree from the amenity, character or appearance of property in the neighbourhood of the property in question because of:

- (a) structures which are in a ruinous, derelict or dangerous condition;
- (b) the neglected, unsightly or objectionable condition of the land or of structures on it;

- (c) the presence, deposit or collection of litter, rubbish, debris or waste; or
- (d) the presence of an abandoned or inoperable vehicle;

**‘Minister’** means the Minister responsible for Infrastructure Development;

**‘property’** means any piece of land registered in the land registry and any public place such as a road, park or any piece of land of whatever nature;

**‘responsible person’** means:

- (a) the registered owner or owners having a security interest in a vehicle; or
- (b) the person who has control, use or occupation of a building or property or part thereof as owner or otherwise;

**‘vehicle’** means machinery that has been designed to be operated on a road and cannot be moved under its own power or is inoperable or abandoned or dismantled which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 14 days of notification under section 12;

## **5 Application of the Act**

This Act applies to all properties, buildings and vehicles in the Republic.

## **6 Act binds the Republic**

- (1) This Act binds all persons, including the Government.
- (2) Subsection (1) does not make the Government liable for an offence.

# **PART 2 – AUTHORISED OFFICERS**

## **7 Appointment of authorised officer**

- (1) The Minister shall appoint authorised officers he or she considers to have the necessary expertise or experience to implement and enforce the provisions of this Act.
- (2) Any authorised officer appointed under subsection (1) shall be issued with an identification card at the time of his or her appointment.

## **8 Identification of authorised officer**

An authorised officer must produce his or her identification card for the responsible person’s inspection or have his or her identification card displayed so that it is visible to the responsible person during the inspection of any vehicle, property or building.

## **9 Entry and inspection by authorised officer**

- (1) An authorised officer may enter any property and may inspect any vehicle or building at any reasonable time with a view to: