



REPUBLIC OF NAURU

**DEPARTMENT OF JUSTICE AND
BORDER CONTROL**

Annual Report 2021-2022

JBBC

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ACKNOWLEDGEMENTS

The significant contributions of each of the 17 Sections of the Department of Justice and Border Control (JBC) towards the completion of the Annual Report is greatly appreciated.

Thanks to the JBC Annual Report Committee for again putting together a Report that reflects the crucial role of the Department within the Nauru Public Service and the importance of its' work to the Government of Nauru as well as the fundamental service it provides to the people of Nauru.

The hard work and dedication of the Head of Department, Section heads and each of the staff members, is deeply acknowledged in making the year 2021 to 2022, yet another impressive year to report on.

PREFACE

The *Department of Justice and Border Control Annual Report 2021 – 2022* is an extraordinary presentation of the work of the Department of Justice and Border Control (JBC) evidenced by key performance indicators of the services delivered by each of its' 17 Sections with respect to work production, budget management, policy implementation and most importantly clientele reach.

The Report gives an account of JBC reaching the objectives of its' vision and mission statements as follows:

VISION STATEMENT

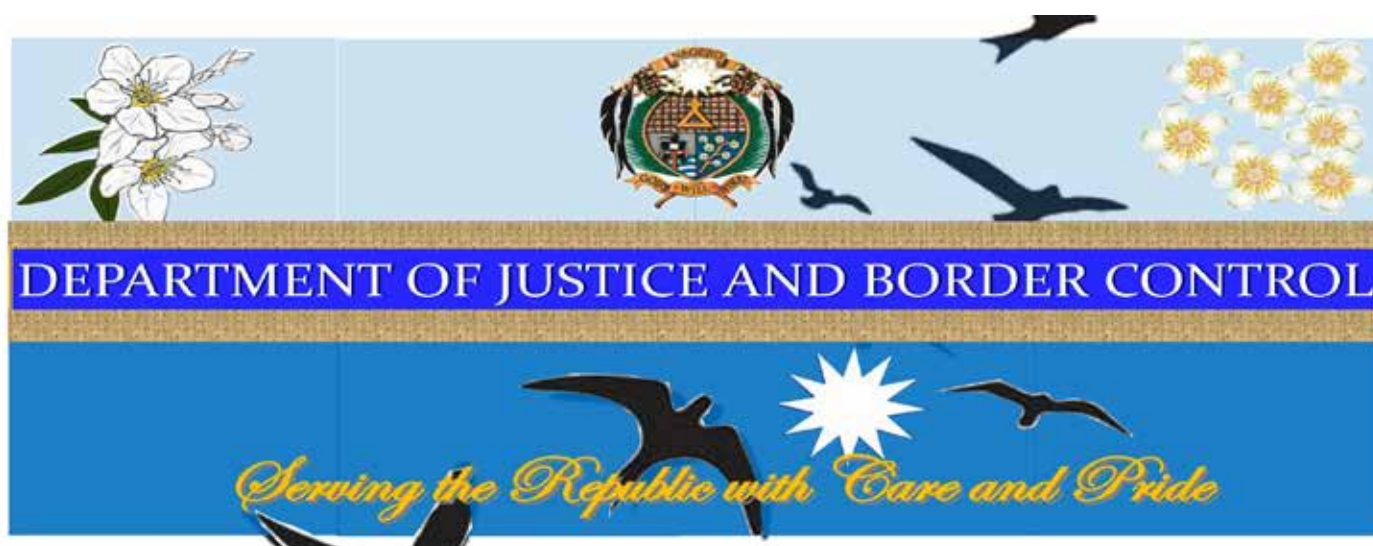
We will apply our country's laws with fairness, justice and transparency. We will without fear or favour, provide accurate and timely legal advice, litigation and law and justice information to the Government and people of Nauru. We will also protect the Republic from illegal immigration, serious fraud and from pests and diseases.

MISSION STATEMENT

The Department of Justice and Border Control is committed to the highest standards of ethical behavior, excellence and professionalism in the delivery of legal services to its' client, users and counterparts. Underpinned by international laws and Conventions and respect for the rule of law, Nauru's legal system and border security measures ensure a secure, stable and peaceful community.

It is clear with respect to the contents of the Report that JBC, like all other Government Departments, has a key role in the Nauru Public Service system ensuring that the Government of the day is able to fulfill its obligations to the people, whilst keeping at the fore the welfare of its staff ensuring that it stays true to its motto,

'Serving the Republic with Care and Pride'



Statement by the

MINISTER FOR JUSTICE AND BORDER CONTROL

‘The achievements highlighted in this Report is an indication of the commitment and dedication of all the staff of the Department.’



Another year has ended and the Department of Justice and Border Control has once again featured prominently as one of my productive portfolios. 2021- 2022 has been a challenging year for the Republic particularly with the community transmission of COVID-19.

Since the beginning of my tenure as the Minister for Justice and Border Control, my role has been and continues to be greatly supported by the dedication of the Department and its vigorous staff.

I thank the Secretary for Justice and Border Control for such magnificent efforts in leading such a high-spirited and committed team.

I want to reiterate what President John F Kennedy said in his inaugural speech as President of the United States and challenge not only the Department but the public service to do the same, and I quote,

“Ask not what your country can do for you – ask what you can do for your country”

The Department’s accomplishments emphasised in this Report are clear indicators of not only the strong leadership at the forefront of the Department, but also the commitment and dedication of all of the staff. Furthermore, the Report clarifies the integral role of the Department within the public service.

In reading this Report, I note and appreciate the steadfast commitment of the Department and its staff in carrying on and continuing with the routine operations, especially during the COVID-19 lockdown.

With Nauru being situated at the centre of the Pacific Region, the likelihood of COVID-19 reaching our shores was inevitable. The Department nonetheless re-arranged priorities, reshuffled staff and work and did not waiver from staying on track with serving the Republic with care and pride.

I am privileged to be the Minister for Justice and Border Control and I am honoured to present the Annual Report for the Department of Justice and Border Control for the reporting period 1 July 2021 to 30 June 2022.



Statement by the
SECRETARY FOR JUSTICE AND BORDER CONTROL

‘A sense of ownership by staff has become a hallmark journey of the Department. Indeed, it has been a profound pleasure to lead this team of staff and instil our nationhood, pride and nationalism in them. This is the beginning and it is hoped that it will only grow further.’

I was appointed as the Secretary for Justice and Border Control by the Government of Nauru in September 2019. Of course, in appointing me as the Secretary, the Government had bestowed in me trust and confidence. It was a challenging responsibility which I had to undertake in the circumstances.

Over the three years, with the full support of the Government, I led the Department of very talented and able staff. Our goal and objective at all times was to serve the Republic with care and pride. Indeed, it also gave me an opportunity to invest professionalism and develop the legal and justice sector.

The core function of the Department during the period remained constant, that is, to provide legal services, border protection and correctional services.

Since 2020, the country had been under a State of Disaster, as such, the role of the Department became more significant in ensuring that the Government’s objective of keeping the Republic and her people safe from the pandemic. This hampered our work but through enormous effort of all the staff, our energy and effort were diverted to matters which could be done internally. Virtual technology became our friend and our travel agent for communication purposes.

One of the highlights during the last 3 years has been the completion of the law revision project which saw the laws of Nauru made over 108 years revised, consolidated and published electronically and in bound or loose-leaf volumes. Its accessibility became an asset for the people and law users. This year, the work on law revision and consolidation continued. All the written laws passed by the Parliament or made by the Cabinet have been revised and consolidated. That gives Nauru an up to date electronic version of fully consolidated laws rather than pieces and parcels of amended laws scattered over PaCLII or RONLAW.

Whilst it may be unusual, the Department also took a very challenging job of containing the dog population in the Republic. Constant attacks by pet or stray dogs and those attacks being posted on social media required urgent action. The Cabinet through the Minister for Justice assigned this task to us.

A Dog Management and Control Unit was established and various methods, means and ways were designed to reduce the dog population. Although there was initial discontent amongst the members of the public, however, the benefits very quickly spread out to the community resulted in their becoming partners to resolve the issue. The Unit became independent and it was provided with vehicles, equipment, medication and all other

administrative support to arrest the increasing dog population. Of course, this showed an increase in the growth of local free-range chickens. The cyclists, pedestrians and the ever-happy children of Nauru were able to enjoy their freedom again. This is work in progress and we will ensure that this Unit is further enhanced by the services of a qualified veterinarian through which dog care would also be provided.

A critical issue that needed careful attention was capacity building. There has always been concern that Nauru's legal system is largely operated by expatriates.

Capacity building in the legal sector became a matter of urgency. The Minister gave me a specific task to ensure that Nauruans are able to take responsibility for much of the legal work. Consistent effort since 2015 paid dividends in the last 3 years.

Currently, there are 5 qualified barristers and solicitors who are Nauruan. They have recently graduated. There are an additional 3 barristers and solicitors in practice in the private sector or Government instrumentalities.

The Department consistently encouraged staff to undertake a Bachelor of Laws programme. Two of our staff are currently studying in Fiji and Australia.

A progressive organisational structure was devised to ensure that those who are qualified are given due recognition and transcend through their career in Nauru. Two of the barristers and solicitors have now become Senior Legal Officers.

The Pleders Course was again undertaken, but this has been delayed due to the community transmission of COVID-19. However, it will be completed and Pleders will be trained.

The visibility of capacity building no doubt has provided impetus in other young people to undertake legal courses at USP and other institutions. There is still much work to be undertaken to ensure that Nauruan qualified lawyers are given more senior responsibilities and take over the legal work of the Republic.

In addition to upgrading skills, with the assistance of the Minister, I have been able to transfer Sections under the responsibility of Nauruans. Currently, Quarantine, Correctional Services, Passports, Dog Management Unit, Human Rights, Curator Services, Immigration are headed by local staff. They prepare, manage and expend their respective budgets. Administrative control over the Sections has improved and, in most sectors, the performance has been enhanced.

A sense of ownership by staff has become a hallmark journey of the Department. Indeed, it has been a profound pleasure to lead this team of staff and instil our nationhood, pride and nationalism in them. This is the beginning and it is hoped that it will only grow further.

Many years of futile attempts to establish our Intellectual Property Section finally was given the embryo to grow. Today, the Department boasts a fully-fledged Intellectual Property Section which receives a substantial number of applications for registration of trademarks. The application forms can be found online on the Government of Nauru website.

The Correctional Centre currently houses 52 prisoners. I am pleased to note that part of the Centre's programmes for the prisoners is fishing. The Centre now has a fishing boat which is used for catching fish to not only supplement the dietary needs of the prisoners, but also to teach prisoners the life skills which they can utilise after their release from prison. The

correctional officers have been running the prisoners' rehabilitation programmes successfully, with prisoners taught farming and fishing skills which will help them provide for their families on their release.

Over the previous reporting period, the organisational structure of the Department was revised so that each Section was headed by a Director. The Legislative Drafting Section was previously headed by the Principal Legislative Drafter but is now headed by Director Legislative Drafting. The position was recently filled and the Legislative Drafting Section is now fully operational. The Legislative Drafting Section is responsible for the law revision and consolidation project as well as the updating of RONLAW.

During this reporting period, the Department made concerted efforts to ensure that the Nauru Court of Appeal had a sitting in order to dispose

of all pending appeals. All effort and assistance were provided by our Department to Nauru Judiciary to find and appoint suitable Justices of Appeal. After much endeavour, a qualified and experienced Justice from Sri Lanka was appointed as a Justice of Appeal and subsequently appointed as the Acting President of the Nauru Court of Appeal.

As Head of Department, I am honoured to have a group of very devoted and loyal staff who have endured through the yet to be over, difficult times.

I also express my appreciation to the Government and the Minister for Justice and Border Control, whose firm confidence and trust in me and my staff has enabled us to successfully complete another year despite the difficulties.

Mo Tubwa kor.

Overview of JBC Sections

This Report is based on the operational performance of the Department of Justice and Border Control (JBC) which features how each section manage their strengths and weakness and their ability to challenge opportunities and mitigate as well as resolve threats that they are faced with. The combination of the work of each of the 17 Sections establishes the cross-cutting function of JBC as an integral agent that provides access to justice, enables the business economy, secures our national border, takes care of property ownership, ensures appropriate citizenship and adoption processes, promotes community safety, coordinates the implementation of human rights treaty obligations and aim for rehabilitation of prisoners.



The 17 Sections of JBC are; 1) The Office of the Secretary for Justice and Border Control; 2) Office of the Solicitor General; 3) Office of the Legislative Drafter; 4) Office of the Curator; 5) Business Registration, Business Licencing, Security Licencing, Import Licencing and Beneficial Ownership Division; 6) Corporations, Partnerships, Associations and Trusts Registration Division; 7) Intellectual Property Division; 8) Citizenship and Adoption Division; 9) Office of the Director of Public Prosecution; 10) Office of the Public Legal Defender; 11) Office of Human Rights; 12) Financial Intelligence Unit; 13) Quarantine Division; 14) Dog Management and Control Unit; 15) Correctional Services; 16) Nauru Immigration and 17) Passport Division. There are a total number of 115 JBC Staff members.



Each of the 17 Sections of JBC capitalize on their strengths and strive to overcome weaknesses by seizing opportunities and finding solutions to threats that pose as a challenge to their objective and more importantly productivity in achieving the mandates of the Government of Nauru and in serving the people.

The Report highlights the role and objective of JBC as a whole and its progressive realization of the *Department of Justice and Border Control Strategic Plan 2015 – 2025* which is guided by the overarching strategic document of the Government of Nauru, the *Nauru Sustainable Development Goals (NSDS) 2009 – 2025* which is and always will be essential to the intentions of JBC in contributing to the national target of key outcome areas. It is imperative that the NSDS is underscored in every operational plan that is implemented by all the JBC Sections because therein lie the national priorities that have been identified by the people and the Government.

Furthermore, it is significant to note that JBC does not work in a silo. Interdepartmental collaboration is necessary and vital for JBC to implement its work plans and achieve high quality results.

SECTION REPORTS

OFFICE OF THE SECRETARY FOR JUSTICE AND BORDER CONTROL

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
Localise senior positions	Increase number of Director positions held by Nauruan staff	<p>Cross-Goal 1: Strengthen and develop the institutional capacity of the Nauru Public Service</p> <p>Econ-Goal 7: An effective and stable financial system that will enhance economic growth and development</p> <table border="1"> <tr> <td>Strength</td> <td>Long service experience of staff members</td> </tr> <tr> <td>Weakness</td> <td>The need for more staff members</td> </tr> <tr> <td>Threats</td> <td>Policy changes that affect the administration of the office</td> </tr> <tr> <td>Opportunities</td> <td>2 Staff members attending USP courses for upskilling</td> </tr> </table>	Strength	Long service experience of staff members	Weakness	The need for more staff members	Threats	Policy changes that affect the administration of the office	Opportunities	2 Staff members attending USP courses for upskilling
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Weakness	The need for more staff members									
Threats	Policy changes that affect the administration of the office									
Opportunities	2 Staff members attending USP courses for upskilling									
Recruit and fill JBC Vacancies	Decrease number of vacant positions in all Sections of JBC									
Appropriate use of JBC budget	100% budget execution rate of JBC Budget head and all JBC subheads									

Section Summary

The Office of the Secretary for Justice and Border Control, known as the JBC Secretariat, has ensured the full capacity of human resources within all Sections of the Department. It has also thoroughly managed logistics, procurement and assets making sure that necessary supplies are available for the implementation of section projects, programs and activities. It is inevitably responsible for overseeing the execution of section work plans and facilitating the appropriate usage of the JBC budget accordingly.

Each Section submits periodic reports to the Secretariat, updating the Secretary for Justice and

Border Control on completed and pending activities on either a weekly or monthly basis.

During this annual reporting year of 2021 to 2022 the main objective of the office has been to localize senior positions and ascertain the recruitment of qualified staff to long standing vacant positions.

There has been a significant number of local and expatriate recruitments, promotions of officers and unfortunately a few resignations and cessation of expatriate contract.

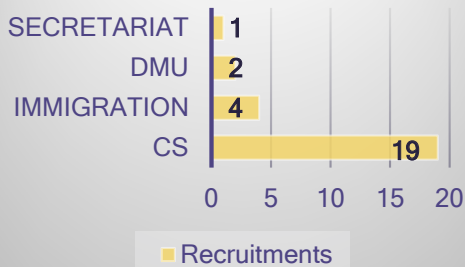
LEGISLATIVE MANDATE:

PUBLIC SERVICE ACT 2016

PERFORMANCE HIGHLIGHT

Human Resource Management

Recruitments



The JBC Staff Attendance Rate has generally remained consistent at 89% this year. This is a 4% increase from last year's 85%.

The Correctional Service (CS) has temporarily employed 19 correctional officers whilst the Dog Management and Control Unit (DMU) has successfully recruited 2 permanent Dog Management and Control Officers. Nauru Immigration employed 3 immigration officers under temporary status who have now been approved permanent employment statuses. The Immigration Clerical Officer is also a welcome addition to the team. The JBC Secretariat has also enlisted a clerical officer with the Administration and Finance subsection which has significantly eased relevant work flow.

HR Management



A total of 7 expatriate officers have renewed their contracts and 2 officers have seen the end of their contracts with JBC.

Currently, the vacant placements with the Correctional Services, Office of the Legislative Drafter, Office of the Director of Public Prosecutions are in the process of being advertised for recruitment.

Promotions have been awarded to:

- a legal officer of the Office of the Solicitor General (OSG) to Senior Legal Officer;
- a legal officer of the Officer of the Public Legal Defender to Senior Public Defender;
- a Senior Immigration Officer of Nauru Immigration to the position of Assistant Director of Immigration;
- an Immigration Officer to Senior Immigration Officer; and
- a Dog Management and Control Officer to Supervisor of Dog Management and Control.

89%
ATTENDANCE
RATE

All promoted officers are local Nauruans who have been exemplary in all aspects of the conduct of their duties. This is a major achievement of the Secretariat in its target to localize senior positions.

The staff turnover for the Department has been very low this year which is an indicator that work performance has been generally uninterrupted and the maintenance of institutional memory has been so far intact in this regard.



PERFORMANCE HIGHLIGHT

'...The available budget remaining as at 14 June 2022 was AUD135,192 indicating that JBC's budget execution rate is 94.2%.'

SUMMARY OF JBC BUDGET EXECUTION

The JBC Secretariat operates under the Justice Secretariat Budget Head 43 which manages 26 subheads including the financial operations of the following Sections:

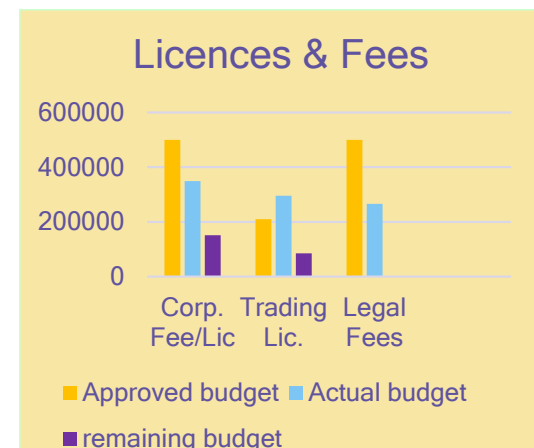
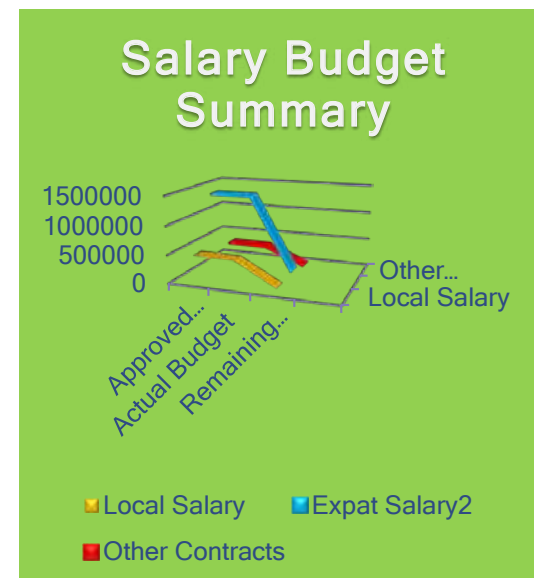
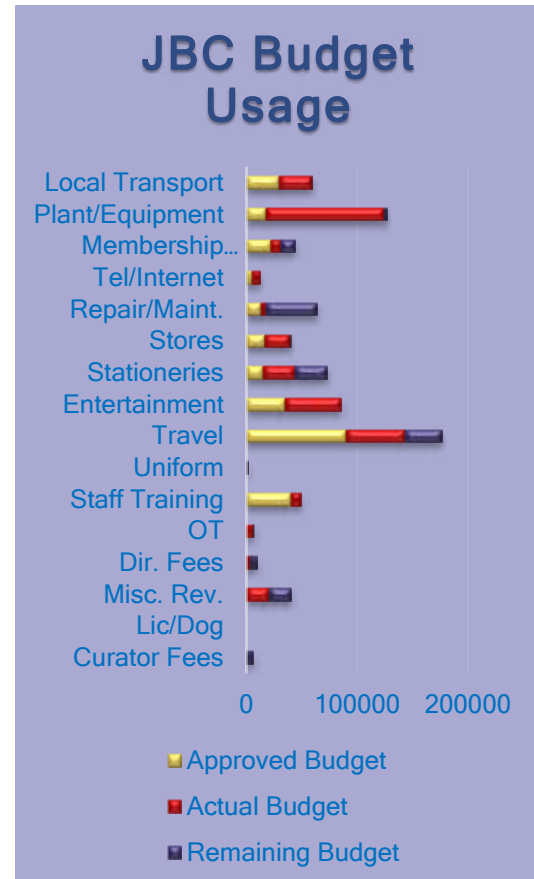
- 1) Office of the Curator
- 2) Corporations, Partnerships, Associations and Trusts Registration Division
- 3) Business Registration, Business Licencing, Security Licencing, Import Licencing and Beneficial Ownership Division
- 4) Dog Management and Control Unit
- 5) Office of Human Rights
- 6) Financial Intelligence Unit
- 7) Office of the Director of Public Prosecutions
- 8) Office of the Public Legal Defender
- 9) Intellectual Property Division
- 10) Office of the Solicitor General
- 11) Office of the Legislative Drafter

The approved Annual Budget 2021/2022 for JBC was AUD2,254,604. An additional supplementary budget of AUD50,000 was further approved during the course of the year, increasing the budget to a revised amount of AUD2,304,604. A total of AUD769,842 within the allocated budget was moved via inter-subhead transfer (ISHT) across various subheads to allow for certain activities to be fully and properly completed. The available budget remaining as at 14 June 2022 was AUD135,192 indicating that JBC's budget execution rate is 94.2%.

Goals Set and Achieved for 2021 -2022

✓	<i>Efficient monitoring and evaluation system based on department restructuring</i>
✓	<i>Staff attendance rate increase by 5%</i>
✓	<i>Section reports received as scheduled as per new monitoring and evaluation policy</i>

JBC Budget Management



OFFICE OF THE SOLICITOR GENERAL

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<i>Attend to backlogged civil litigation cases and at the same time attend to new cases</i>	<i>Decrease number of backlogged civil litigation cases Ensure capacity to also attend to new cases</i>	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control								
<i>Provide timely legal advice to Government Departments and agencies</i>	<i>All legal advice are provided within a 7-day time frame</i>									
<i>Improve case file management and maintain institutional memory of legal advice given for future reference</i>	<i>Paralegal officer appointed for the purpose of appropriate filing and record keeping of legal advice</i>									
		<table border="1"> <tr> <td>Strength</td> <td>A strong team of dedicated legal practitioners</td> </tr> <tr> <td>Weakness</td> <td>Short staffed for the time being due to staff members studying abroad</td> </tr> <tr> <td>Threats</td> <td>Major Increase in number of civil cases</td> </tr> <tr> <td>Opportunities</td> <td>Promotion of local staff to senior positions</td> </tr> </table>	Strength	A strong team of dedicated legal practitioners	Weakness	Short staffed for the time being due to staff members studying abroad	Threats	Major Increase in number of civil cases	Opportunities	Promotion of local staff to senior positions
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Threats	Major Increase in number of civil cases									
Opportunities	Promotion of local staff to senior positions									

Section Summary

The Office of the Solicitor General (OSG) is headed by a Solicitor General who carries 2 decades of experience in legal practice. Her team is composed of 2 local barristers and solicitors, one of whom is currently studying in South Korea for a Masters in Intellectual Property Law and there is also a Pleader who is in Australia aiming to attain a law degree.

A paralegal officer was recently appointed who assists in case file management and record keeping of dispatched legal advice. She is enrolled in the Pleader's Program which is scheduled for completion by the end of the year.

With 2 legal officers studying abroad, the Office has engaged the assistance of legal practitioners from other JBC Sections to assist with civil cases and drafting of legal advice. The demanding workflow of the office has been maintained ensuring that expectations are met.

The OSG team have succeeded in addressing the issue of backlog in civil cases that have significantly impacted the Office for nearly a decade. The team have certainly gained more traction at the Supreme Court for such cases that have been pending for a long time. Simultaneously, the team has been effective in the management of new civil cases.

With the execution of the 7-day turnaround time related to responses to requests for legal advice by other departments and government agencies, a sustainable system is now in place, guaranteeing timeliness and properly analysed advice.

LEGISLATIVE MANDATE:

REPUBLIC PROCEEDINGS ACT 1972
CIVIL PROCEDURE ACT 1972

PERFORMANCE HIGHLIGHT

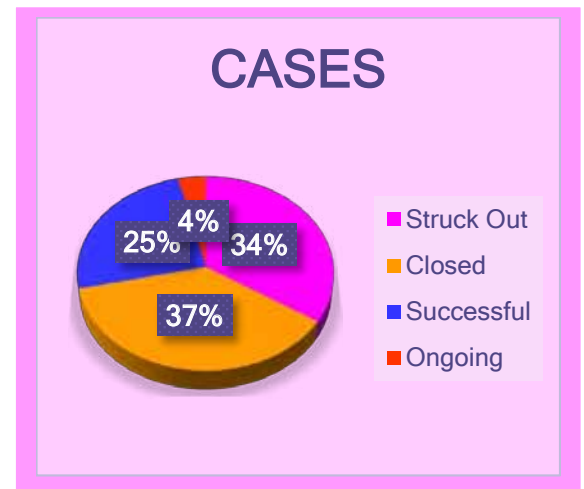
Case and Legal Advice Management

'...A 7-day turn around response time is a new policy that is being implemented by the OSG in place of a pre-existing ad hoc system ...'

During this fiscal year, the Office of the Solicitor General has attended to 57 civil cases mostly relating to claims against the Nauru Lands Committee (NLC) with regards to distribution of estates as well as claims against the Government or its agencies on alleged breaches of land leases. 11 cases have been struck out due to the technical legalities that were not satisfied by the other parties. 12 cases are now closed with 8 being successful. Currently, the team is handling a total of 24 active cases.

On average, the team has a 15hour case load per week which means that 25% of standard working hours is dedicated to civil litigation.

A significant issue of concern that the Office is faced with is the need for upkeep of institutional memory by corresponding agencies that they are representing to prevent delays in filing of court documents and allow the furtherance of civil proceedings.



123 requests for legal advice have been received by the Office as well as 42 requests for review or drafting of contracts and 36 land leases to be vetted. The OSG has formulated a template for Government contracts for standardization measures warranting a legally structured approach to drafting of contracts and equitable and enforceable terms safeguarding the legal rights of both parties.

A 7-day turn around response time is a new policy that is being implemented by the OSG in place of a pre-existing *ad hoc* system. The timeframe allows for legal advice, contracts and land leases to be thoroughly analysed whilst ensuring a more manageable and sustainable execution of such tasks.

An average of 12 legal advice and 2 vetted contracts are dispatched each week.

Goals Set and Achieved for 2021 - 2022

✓	Capacity building of local staff
✓	An efficient case file management system based via electronic and physical filing in alphabetic order of names of complainants
✓	A sustainable electronic backed up filing system of dispatched legal advice according to names of requesting departments
✓	A data sharing data base for efficient work flow and access to case files for follow through between officer having carriage and other members of the team

OFFICE OF THE LEGISLATIVE DRAFTERS

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area	
Update RONLAW	Consolidated versions of Nauru primary and subsidiary laws are uploaded	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control	
Conduct law reform consultations for significant amendments	Constitutional Amendments passed		
Assist other Government departments and agencies in formulating new laws	Inclusion of Persons with Disabilities Bill completed		
		Strength	Expansion of the office
		Weakness	Staff turn over
		Threats	Slow feedback from stakeholders during law reform consultations
		Opportunities	Utilizing new methods of consultation forums to motivate more stakeholder feedback

Section Summary

2022 has been another fruitful year for the Office of the Legislative Drafter. It is now headed by the Director of Legislative Drafters, which is a newly created position in place of the Principal Legislative Drafter. The recently appointed Director was recruited late last year. This has led to the required expansion of the drafting team to meet the demands and obligations of the office. With the increased number of expertise, the law reform process has become more efficient.

26 laws have been passed by parliament and 34 subsidiary laws have been made by Cabinet advancing the national legislative

framework with respect to criminal law and procedures, land law, policing, COVID-19 provisions, general election processes, tax laws and price and product control laws.

The revision of the *Constitution of Nauru* as allowed by Article 84 of the same has been a major task for the drafting team. It takes qualified experience and sound knowledge to ensure that the spirit of the original supremacy of the *Constitution* is maintained whilst addressing emerging issues that face the people today. This was successfully achieved by the Office of Legislative Drafter.

LEGISLATIVE MANDATE:

**CONSTITUTION OF NAURU
LEGISLATIVE DRAFTING MANUAL
LAW REVISION AND CONSOLIDATION ACT
2019**

PERFORMANCE HIGHLIGHT

Law Reform

'...that the necessary legislative frameworks are in place for government operations and in turn institutional strengthening of the public service...'

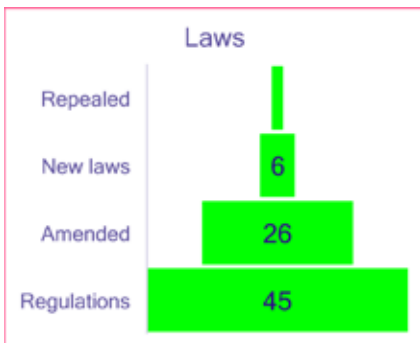
Law Reform through drafting of laws and regulations is the main objective of the Office of the Legislative Drafter. It has assisted various Government Departments in drafting substantive Bills, amendments and subsidiary laws to ensure that the necessary legislative frameworks are in place for operations and in turn institutional strengthening of the public service.

In September 2021, a significant amount of work was done with the Electoral Commission for the amendment of the *Electoral Act 2016* to include provisions for candidates to declare their intentions to run for parliamentary elections. It was passed by Parliament in November 2021. A conclusive national information session was done in collaboration with the Commission throughout all 7 constituencies of Nauru. 86 persons have declared their intent to run as parliamentary candidates in the 2022 upcoming General Elections under this new provision.

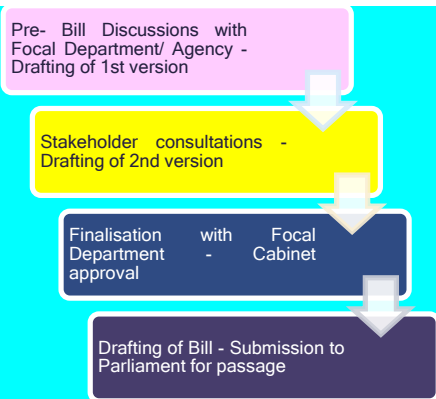
Crucial amendments were made to the *Constitution of Nauru* expanding the disqualification criteria of parliamentary candidates to only include natural citizens of Nauru and those who attained Nauruan citizenship prior to 1968. Another constitutional amendment followed by amendments to the *Nauru Court of Appeal Act 2018* was done to improve access to justice by affording full judicial capacity to the Nauru Court of Appeals in effect removing the possibilities of conflict with the jurisdictions of the Supreme Court. The Chief Justice no longer sits as the President of the Nauru Court of Appeals.

Since February 2022 the Office of the Legislative Drafters has been immensely involved with the Department of Persons Living with Disabilities (PLWD) in the domestication of the *Convention on the Rights of Persons Living with Disabilities (CRPD)* through drafting of the first stand-alone disability legislation. The consultation of the Bill has commenced and progression towards its finalization will likely see completion by the end of 2022. This is an important piece of legislation as its implementation will be dedicated to the provision of reasonable accommodation and enforcement of social inclusion for persons with disabilities.

A few of the spent and redundant legislation and provisions have been repealed.



Law Reform Process



Goals set and achieved for 2021 - 2022

✓	Law Revision and Consolidation Project completed successfully
✓	Revised written laws of Nauru launched
✓	Repeal and revision of spent and redundant provisions and legislations
✓	RONLAW updated with revised and consolidated versions
✓	Updating the Legislative Drafting Manual

OFFICE OF THE CURATOR OF INTESTATES ESTATES

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
Distribute estates of deceased persons to beneficiaries	Beneficiaries are receiving notifications for collection of payments of estates	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control								
Prioritize overdue payments to beneficiaries	Up to date pay out of beneficiaries including those living overseas									
Raise awareness on legal requirements for the collection of estates and claims against beneficiaries	Less vexatious claims are being made									
Improving access to estates to beneficiaries who are minors under trusteeship	Succession Probate and Administration Act 1976 is revised to allow access to accounts by minors once they come of age									
		<table border="1"> <tr> <td>Strength</td> <td>An effective and much needed service</td> </tr> <tr> <td>Weakness</td> <td>Need for capacity building of staff</td> </tr> <tr> <td>Threats</td> <td>Pending pay outs due to disputes</td> </tr> <tr> <td>Opportunities</td> <td>Loopholes in legislation to be addressed through policies or regulations</td> </tr> </table>	Strength	An effective and much needed service	Weakness	Need for capacity building of staff	Threats	Pending pay outs due to disputes	Opportunities	Loopholes in legislation to be addressed through policies or regulations
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Section Summary

The Office of the Curator of Intestates Estates is a vital section of the Department of Justice and Border Control because it is the caretaker of the estates of deceased Nauruan persons. It safeguards the estate and facilitates its' passage to the rightful beneficiary.

The necessity of the ongoing existence Office within the Department has been questioned as to whether it should be placed alongside Nauru Lands Committee (NLC) as another agency dealing with the distributions of estates of Nauruans. However, it must be noted that the Office of the Curator has a caretaking function of estates whilst NLC is the determining body for the estates of persons for both intestate and willed estates.

There are some court injunctions in relation to estates are under dispute in the Supreme Court of Nauru causing delay to payments to beneficiaries. Until a decision has been made

by the Court as to who the legal beneficiaries are then the pay outs will occur accordingly.

The Office is also awaiting estates that are yet to be determined through NLC in order for pay outs to be formulated and notifications sent to beneficiaries.

Under the management of the Curator of Intestate Estates who has worked with the Department since 2014, the Office is excited to put in place more policies to guarantee the rights of ownership of beneficiaries and that the estates of deceased Nauruans are distributed legally.

LEGISLATIVE MANDATE:

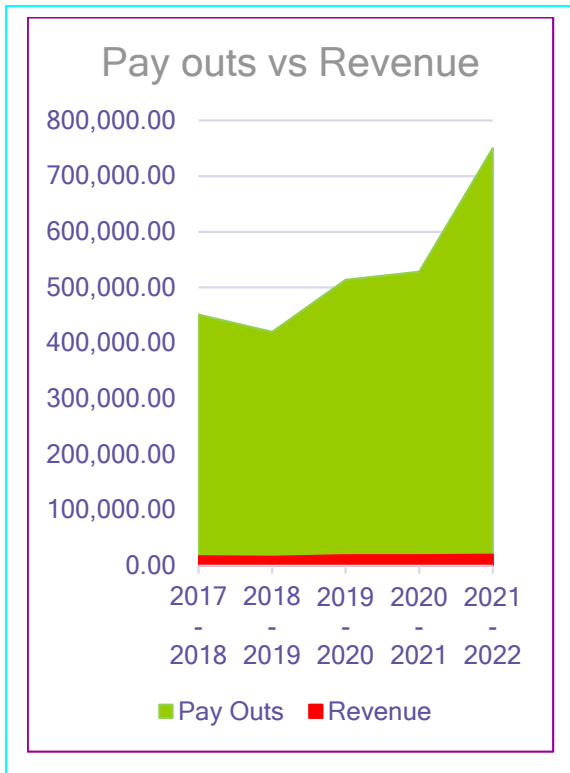
SUCCESSION, PROBATE AND ADMINISTRATION ACT 1976

PERFORMANCE HIGHLIGHT

Distribution of Intestate Estates

Several estates were paid out to beneficiaries through the Office of the Curator of Intestate Estates during the reporting period 2021 – 2022 totaling AUD750,250. The procedures of distribution are according to the provisions of the *Succession, Probate and Administration Act 1976*. The total revenue of Curator fee summed up to a total of AUD30,000 with a slight increase from the revenue of the last fiscal year.

In the past 5 years revenue has increased gradually, proportionate to the increase of total pay out to beneficiaries. It does not necessarily mean that the mortality rate has increased since 2017 as it may also merely be a representation of the value of estates that is deposited into the Curator Account.



Consideration of a New Policy

Since the enforcement of the succession and probate law in 1976, the Office has facilitated the distribution of estates through the existing process. With respect to beneficiaries who are not yet of age therefore considered minors, trustees are appointed to receive and safe-keep the estates as well as utilize some of the funds for the welfare of the child whilst under their care and guardianship. Trustees have one hundred percent access to the child's benefits. However, there have many instances where once the minors have come of age, the estate has been depleted by the trustee.

The establishment of a new policy has been in the pipeline for the Section to sanction trustees from using up any inherited monies from land rentals and leases, royalties and final entitlements. It would require the Curator to open up a savings account for the child whilst affording the legal guardian a limited part of the estate to fund for the child's welfare. This has been part of the Section's work plan for 2 years but it is yet to materialize after further consultations for a representative view of the public.

Goals Set and Achieved for 2021-2022

- ✓ Updated distributions of estates – decreased number of pending pay outs
- ✓ Establishment of a process for payments to beneficiaries living overseas

BUSINESS REGISTRATION, BUSINESS LICENSING, SECURITY LICENCING, IMPORT LICENSING AND BENEFICIAL OWNERSHIP DIVISION

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<i>Enforce the laws on business registration and licensing</i>	<i>No businesses, security firms and importers are operating without a license and those that have shut down have notified the section of cessations</i> <i>All imports are licensed</i>	<i>Econ-Goal 5: Promote development of small and micro-enterprises, foreign investment and economic integration into the global economy</i> <i>Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control</i>								
<i>Monitor and track the registration of businesses and corporations and issue licenses accordingly</i>	<i>The business, corporation and security and import registry is up to date and all information have been stored on a specific data base</i>	<table border="1"> <tr> <td>Strength</td> <td>The Section has updated its work system making the process more efficient</td> </tr> <tr> <td>Weakness</td> <td>Punctuality of staff members</td> </tr> <tr> <td>Threats</td> <td>Online business owners and those apathetic to the process</td> </tr> <tr> <td>Opportunities</td> <td>Many capacity building opportunities preparing local staff to lead the section</td> </tr> </table>	Strength	The Section has updated its work system making the process more efficient	Weakness	Punctuality of staff members	Threats	Online business owners and those apathetic to the process	Opportunities	Many capacity building opportunities preparing local staff to lead the section
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Weakness	Punctuality of staff members									
Threats	Online business owners and those apathetic to the process									
Opportunities	Many capacity building opportunities preparing local staff to lead the section									
<i>Facilitate the licensing of businesses, security firms and imports through the legal processes provided under the appropriate business licensing laws</i>	<i>Businesses, security firms and importers are aware of the process</i>									

Section Summary

The Business Registration, Business Licensing Security Licensing, Import Licensing and Beneficial Ownership Division is known in short as the business section. This is a fundamental section of JBC because of its contributions towards the growth and maintenance of the economy in Nauru.

More than ever, with the COVID-19 pandemic having reached our shores, the tracking and monitoring of the economic environment has become vital.

Most businesses in Nauru sell imported food products and other goods and the pandemic has greatly impacted an already high standard of living due to price inflations. Unfortunately, 17 businesses were penalized during the

COVID lock down period for taking advantage of the situation and increasing the price of essential goods and staple foods such as rice, boxes of bottled water and masks.

Since the beginning of the COVID pandemic many business owners have been late in renewing business licenses. Instead of charging proprietors with the maximum penalty fees, the section practice leniency to first time offenders charging only the late penalty fee at AUD200. Maximum charges can be up to AUD10,000.

LEGISLATIVE MANDATE:

- BUSINESS LICENSING ACT 2017*
- BUSINESS NAMES REGISTRATION ACT 2018*
- PRIVATE SECURITY ACT 2012*

PERFORMANCE HIGHLIGHT

Business Section Revenue

'...Businesses have generally complied with the notices received by the Business Section as an authorized agency of business law enforcement...'

258 new businesses were registered this year accounting for 42% of the business section revenue at AUD129,000.

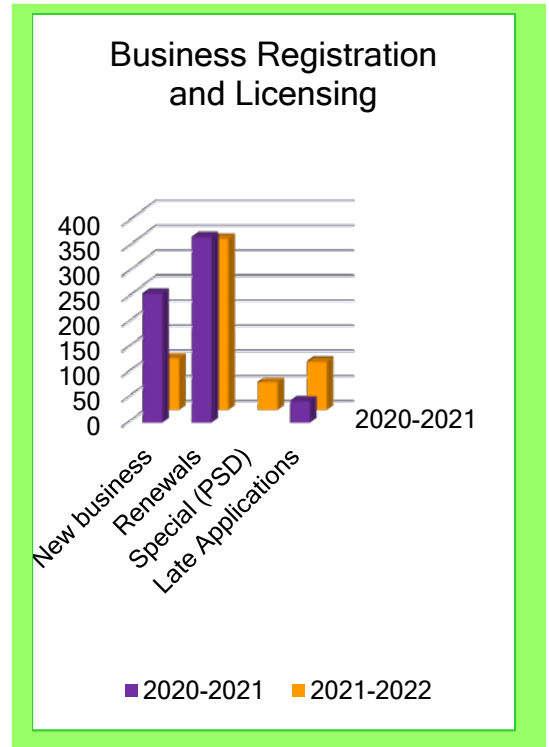
Out of the 406 businesses that were registered in 2020- 2021, 371 renewed their business licenses, some adding more than one or two natures of businesses to their licenses. Renewal of licenses and variation of business nature equaled a revenue of AUD138,300.

21 out of 32 security firms have renewed their licenses and registration whilst 7 new firms have been registered decreasing the revenue from 2020-2021. This deflation is partly due to less demands for security services with most of RPC facilities having shut down.

There have been 97 late submissions for business renewal of licenses incurring late fees of up to AUD19,400 in total.

The existing 5 RPC licenses have been renewed at a fee of AUD50,000 each.

The total revenue of the Business Section for 2021-2022 is AUD550,700.



Business Inspection

An integral function of the Business Section is monitoring the authentic licensing of businesses and that the nature of business being conducted is within the ambits of the law.

In 2021-2022, 97 businesses were issued notices of warnings for submitting renewal applications after the expiry of the business licence. The minimum payment of AUD200 was charged against the businesses for late application, waiving high penalties of up to AUD10,000. The aim of the business section is to generally ensure that businesses are legally registered and

licensed to operate therefore there is a high level of empathy toward reasonable justifications by business owners in turn penalty fees will be minimized. However, constant breaches of the business laws will incur maximum penalty fees.

Businesses have generally complied with the notices received by the Business Section as an authorized agency of business law enforcement.

Goals Set and Achieved for 2021-2022

√	Improving the business legislative framework by enacting a law that provides a redress mechanism for consumers to support price and product control
√	Provide an efficient business application system with timely turn-around time
√	Minimise penalty fees to encourage the continuation of businesses for the promotion of economic growth and development

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<i>Appoint staff to stabilize the stand-alone unit</i>	<i>An efficient registration process</i>	<p><i>Econ-Goal 5:</i> Promote development of small and micro-enterprises, foreign investment and economic integration into the global economy</p> <p><i>Cross-Goal 2:</i> Strengthen Parliament, Audit, Justice, Law, Order and Border Control</p> <table border="1"> <tr> <td>Strength</td> <td>Business Section staff as designated staff of the unit</td> </tr> <tr> <td>Weakness</td> <td>Need to fill in the positions</td> </tr> <tr> <td>Threats</td> <td>Unregistered corporations</td> </tr> <tr> <td>Opportunities</td> <td>Being an avenue for bigger businesses to be accredited and recognized Civil Society Organizations can be officially registered to be recognized for donor programs and grants</td> </tr> </table>	Strength	Business Section staff as designated staff of the unit	Weakness	Need to fill in the positions	Threats	Unregistered corporations	Opportunities	Being an avenue for bigger businesses to be accredited and recognized Civil Society Organizations can be officially registered to be recognized for donor programs and grants
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Weakness	Need to fill in the positions									
Threats	Unregistered corporations									
Opportunities	Being an avenue for bigger businesses to be accredited and recognized Civil Society Organizations can be officially registered to be recognized for donor programs and grants									
<p><i>Enforce corporation and business partnership laws</i></p> <p><i>Provide a registration system that works in synchronization with the Business Section</i></p>	<i>All corporations and partnership operating within the jurisdictions of Nauru are registered</i>									
<i>Raise awareness with regards to the requirements of the registration of associations and trusts</i>	<i>An increase of associations and trust applications for registration</i>									

Section Summary

The advancement of the Corporation, Partnership, Association and Trust Division is gradually gaining traction as a young stand-alone Section within JBC.

At present, the Business Section staff are designated to run the unit which for the time being is an effective process because the corporation registration process practically overlaps with the business registration process. Corporations must initially register their business names and attain a business licence as a criterion to apply for a corporation certificate.

Capacity building for Section staff is a priority in developing the efficiency and knowledge of corporate law.

Only a few associations, trusts and partnerships have been registered and this may be owing to the need to raise awareness of the services being in existence.

Once the Section is sufficiently staffed with a substantive Deputy Registrar and a Pleader, awareness raising efforts will be executed to motivate the registration of more partnerships, associations and trusts.

LEGISLATIVE MANDATE:
CORPORATIONS ACT 1972
PARTNERSHIP ACT 2018
TRUSTS ACT 2018
REGISTRATION OF ASSOCIATIONS ACT 2020

PERFORMANCE HIGHLIGHT

Registration Processes

Corporations

Register Business Name	To Apply for Business Licence	To Apply for incorporation of corporation
<p>WHERE? Business Section</p> <p>WHO? Registrar of Business</p> <p>HOW? Statutory Forms provided by the Business Section</p> <p>WHEN? When you want to open a new business - no need if business is existing</p> <p>WHY? You need a business name to apply for a business licence</p>	<p>WHERE? Business Section</p> <p>WHO? Business Licensing Authority</p> <p>HOW? Statutory Forms provided by the Business Section</p> <p>WHEN? If existing business - before expiry of licence - if new, after registration of business name</p> <p>WHY? It is a legal requirement to have a business licence to operate a business</p>	<p>WHERE? CPAT Division</p> <p>WHO? Registrar of Corporations</p> <p>HOW? Statutory Forms provided by the CPAT Division</p> <p>WHEN? If existing Corporation - before expiry of certificate - if new, after registration of business name</p> <p>WHY? Obtaining a corporation certificate is a legal requirement in order to be officially recognized as a company</p>

The incorporation of corporations is a stringent but friendly process that encourages business companies to register and adhere to legal requirements expected of them as provided for under the *Corporations Act 1972*.

During the financial year of 2021-2022, 7 new corporations have been registered and 37 corporation certificates have been renewed.

In summary, 44 corporation certificates have been issued equating to a revenue of AUD140,000.

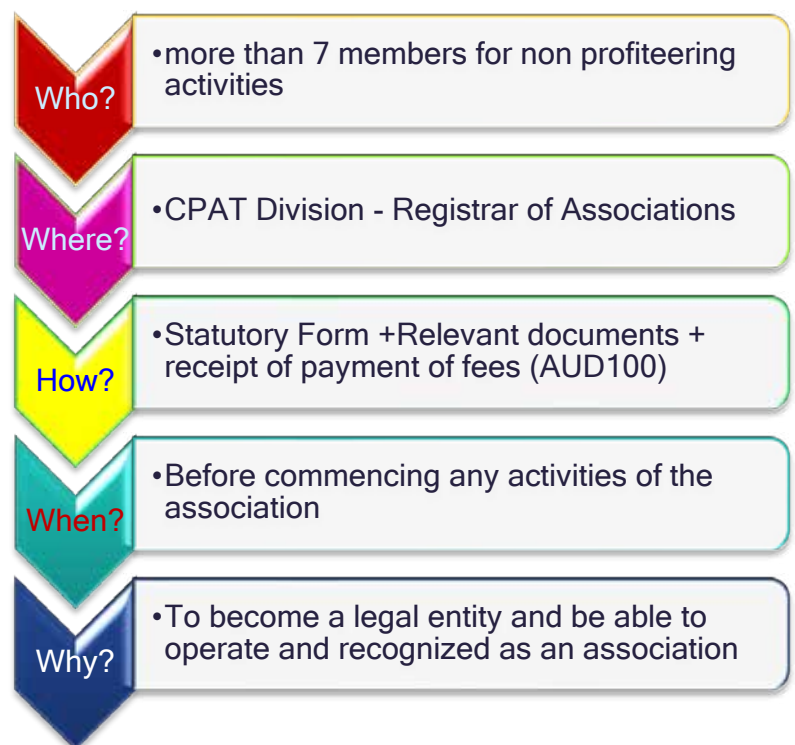
Associations

The registration of an association is mandated by the *Registration of Associations Act 2020* which is a fairly new piece of legislation allowing civil society organizations (CSO's) and other non-profit organizations to be registered and run significant activities to achieve their objectives and aims.

Compared to 2020-2021, an additional 3 associations have been issued with a registration certificate increasing the number of registered associations to 6.

It is known that there are certainly more than 6 CSO's in Nauru and hopefully, in time, they will all be registered.

There are many advantages to being a registered association one of which is to receive donor funding and grants whilst also be exempted from standard fees because of their charitable nature.



GOALS SET AND ACHIEVED FOR 2021-2022

√	Increase number of registered associations and registered corporation
√	Stabilising the CPAT Division
√	Capacity building for specific knowledge advancement of relevant staff

INTELLECTUAL PROPERTY DIVISION (IPD)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area	
<i>Develop the Intellectual Property System</i>	<i>A comprehensive data base for record keeping and easy follow up</i> <i>Statutory requirements are complied with by clients</i>	Cross-Goal 2: <i>Strengthen Parliament, Audit, Justice, Law, Order and Border Control</i>	
<i>Attract clientele nationally and internationally for revenue generation</i>	<i>Increased revenue from the IP Division</i>	Strength	<i>WIPO Support</i>
<i>Take up all available capacity building opportunities especially for local staff</i>	<i>An efficient IP processing system and timely turn-around time especially for international clients</i>	Weakness	<i>Need to fill in the vacant positions</i>
		Threats	<i>Limited expertise in IP</i>
		Opportunities	<i>Capacity building through WIPO</i>

Section Summary

The Secretary for Justice and Border Control is the Registrar of Intellectual Property. Substantively, the Registrar would be assisted by a Pleader and a paralegal officer. Unfortunately, these 2 positions are still vacant. Therefore, as an interim measure, the Division is administrated by pleaders, legal and paralegal officers from the Business Section, the Office of the Solicitor General and Office of Public Legal Defender.

The IP Division is one of the busiest within JBC especially receiving tremendous clientele demands from international companies such as Toyota, Samsung, Blue Jeans, Mazda amongst many others.

Capacity building have so far occurred online, in the form of workshops, conferences, and trainings. It has been a huge priority for the interim staff as

extensive technical knowledge on all aspects of IP are imperative. This has addressed the major challenge of limited expertise in the specific field.

A local senior legal officer is currently undergoing her Masters in Intellectual Property, through a scholarship funded by the World Intellectual Property Organization (WIPO) in South Korea.

This should serve as an inspiration to Nauruans to take pride in the ownership of managing the services that our Government provides. After all, Nauruans are the experts of their own local context.

LEGISLATIVE MANDATE:

COPYRIGHT ACT 2019
PATENTS REGISTRATION ACT 1973
TRADEMARKS ACT 2019

PERFORMANCE HIGHLIGHT

The interim IP Division staff have attended 13 capacity building forums during the course of 2021-2022 mostly coordinated through WIPO which is a globally known institution and agent for developing knowledge on IP world-wide.

Nauru, among 193 member-states, has been a party to the organization since May 2020 which through its' membership, has appreciated many upskilling opportunities. These have been beneficial to the development and growth of IP in Nauru and the knowledge building of the Division within JBC as the focal department.

About WIPO

It is essential to know who or what WIPO is because of its global significance in the field of IP.

WIPO was founded in July 14, 1967. It is one of 15 specialized agencies of the United Nations and its parent organization is the United Nations Economic and Social Council. Its headquarters is situated in Geneva, Switzerland.

WIPO's mission statement is *'to lead the development of a balanced and effective international intellectual property (IP) system that enables innovation and creativity for the benefit of all'*.

This is where the objective of the IP Division is derived which is, *'Protecting creations of the minds such as inventions, literary, artwork, designs, symbols, names and images used in commerce.'*



In order to understand the presentation of IP statistics, it is crucial to firstly understand the differences between the aspects of IP which are as follows:

- a Patent protects new inventions, processes or scientific creations;
- a trademark protects brands, logos and slogans; and
- a copyright protects original work of authorship e.g. a book or a song

Capacity Building

UP-COMING IP CAPACITY BUILDING OPPORTUNITIES

7-Sep-2022 to 8-Sep-2022

- Webinar: Introduction to IP

20-Sep-2022 to 14-Nov-2022:

- e-Tutorial on using Patent Information

15-Sep-2022 to 15-Dec-2022

- IP Panorama 2.0 (Open Access Course)

27-Sep-2022 to 28-Sep-2022

- International Conference on Software Licensing and Intellectual Property

9-Jan-2023 to 10-Jan-2023

- 2023 Sedona Conference on Global Intellectual Property Litigation

Goals Set and Achieved for 2021-2022

√	Develop the Intellectual Property Process
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CITIZENSHIP AND ADOPTION DIVISION

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<p>Ensure that citizenship and adoption applications are complete and all legal requirements are complied with before submission to Cabinet</p>	<p>Timely cabinet resolutions relative to the time of submission</p>	<p>Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Strength</td> <td>Facilitation function is easy to manage</td> </tr> <tr> <td style="text-align: center;">Weakness</td> <td>Need to recruit more substantive staff</td> </tr> <tr> <td style="text-align: center;">Threats</td> <td>Sometimes there is no feedback as to the Cabinet or Court Decisions</td> </tr> <tr> <td style="text-align: center;">Opportunities</td> <td>Positions are established and are still vacant.</td> </tr> </table>	Strength	Facilitation function is easy to manage	Weakness	Need to recruit more substantive staff	Threats	Sometimes there is no feedback as to the Cabinet or Court Decisions	Opportunities	Positions are established and are still vacant.
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Weakness	Need to recruit more substantive staff									
Threats	Sometimes there is no feedback as to the Cabinet or Court Decisions									
Opportunities	Positions are established and are still vacant.									
<p>Formulate appropriate cabinet submissions for the consideration of the applications</p>	<p>Determination of all applications based on clear cabinet submissions and complete documentations</p>									

Section Summary

The objective of the Citizenship and Adoption Division is to facilitate the process for persons who apply for Nauruan citizenship pursuant to the *Naoero Citizenship Act 2017* and those who apply for adoption of Nauruan children as provided for under the *Adoption of Children Act 1965*.

The function of the Division is to process applications and ensure that applicants have provided the relevant documents. A cabinet submission is prepared for applications that are complete and the Cabinet is the determining authority for whether a person becomes a Nauruan citizen or not and as to whether the adoption of a child is approved to proceed in Court.

Decisions are received by the Secretary for Justice and Border Control to be recorded in the Register of Citizenship and Adoption respectively.

Concerns have been constantly raised with regards to Cabinet's mandate in approving an application for the adoption of a child. The answer is simple. This is based on traditional practice provided for by law where the members of Cabinet members, being community members of high standing and knowledge about their people, must consider risk factors pertaining to the welfare of the child in relation to the inheritance and disinheritance of certain estates as a result of an adoption.

2021-2022 has been another hectic year for the Division as there was a high number of applications for both, citizenship and adoption considering that it is a very small division of 1 substantive staff and 2 assisting officers.

LEGISLATIVE MANDATE:

ADOPTION OF CHILDREN ACT 1965
NAOERO CITIZENSHIP ACT 2017

Just as the **CORONAVIRUS COVID-19** suddenly **DISRUPTED** the work of **THE DEPARTMENT OF JUSTICE AND BORDER CONTROL** along with the whole of the Nauru Public Service, it also **INTERRUPTS THE REPORT** here!!!

From late May to early June 2022, the operations and services of the Nauru Public Service including the Department of Justice and Border Control (JBC) suddenly stopped due to a COVID-19 Lock Down that was imposed, following the detection of the Omnicron strand of the Coronavirus, within the Community. The transmission of the virus was occurring at an extremely high rate therefore drastic COVID measures had to be implemented to slow down the infection rates.

The Department of Justice and Control immediately activated the *JBC COVID Response Plan*. The Plan was made to be as comprehensive and easy to follow to avoid confusing *ad hoc* practices that may intervene with the work of the Department.

JBC COVID RESPONSE PLAN SUMMARY

ACTION	DESCRIPTION	DURATION
COVID Lock Down	JBC Office to close office All staff to be tested for COVID and status to be reported to the Office	1 day
Activate Skeleton Staff Mode Skeleton staff: Lawyers of the SG Office, ODPP, OPLD and Legislative Drafters Office	Non-skeleton staff, if tested negative must collect work equipment and materials to work from home. If tested positive, must only collect equipment once tested negative.	Until COVID Lock Down measures uplifted
Business Staff stay home but are on-call duty COVID Protocols – Wear mask, sanitizise, distancing	Skeleton staff are on half day work shifts COVID PROTOCOLS MUST BE PRACTICED AT ALL TIMES	Until normal working hours are restored
COVID Lock Down Uplifted	ALL STAFF MUST RESUME DUTY AT NORMAL WORKING HOURS	

STAY SAFE EVERYONE

&

GOD BLESS THE REPUBLIC
OF NAURU

PERFORMANCE HIGHLIGHTS

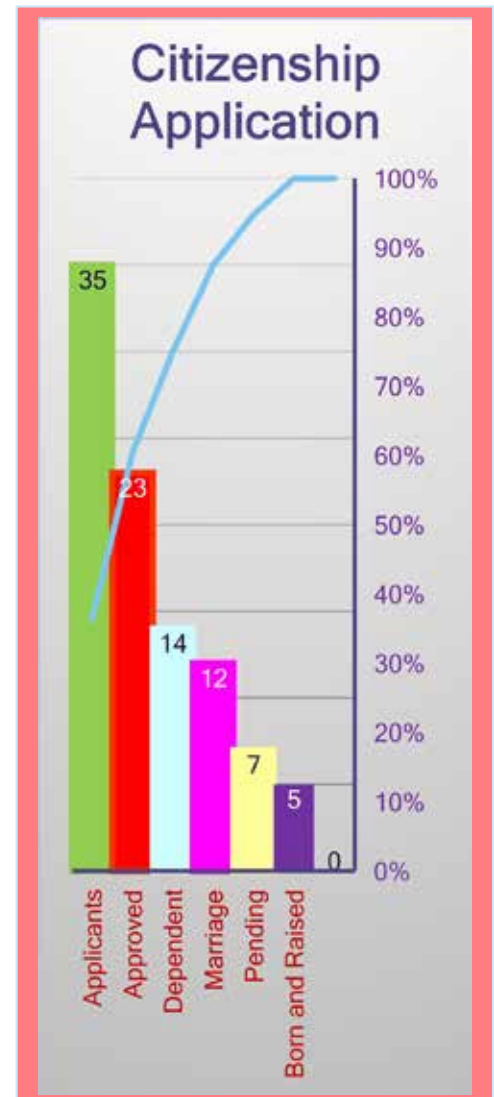
The issue of Citizenship has been one of the major highlights of 2021 – 2022 with regards to qualifications for membership of parliament.

Concerns were raised by the people on the question of eligibility of ‘new citizens’ to be able to contest in General Elections. The term ‘new citizen’ refers to those having received citizenship on the grounds of marriage, adoption and being born and raised in the Republic regardless whether the parents are non-Nauruans. The question also included those who received Nauruan citizenship under the 50th anniversary special provisions.

A national poll was facilitated by the Nauru Electoral Commission with the assistance of the Department of Justice and Border Control as the focal Department for citizenship. It was mandatory for all Nauruan persons who were of voting age are registered voters to vote ‘yes’ or ‘no’ to the question, ‘Should the membership of Parliament including the Office of the President and Minister be reserved for Nauruans and their descendants who became Nauruan citizens in 1968 when the Constitution came into force?’ 70% answered ‘yes’.

Article 31 of the *Constitution of Nauru* was amended accordingly to include that a person who became a citizen of Nauru after 1968 is disqualified from being a candidate in a parliamentary election.

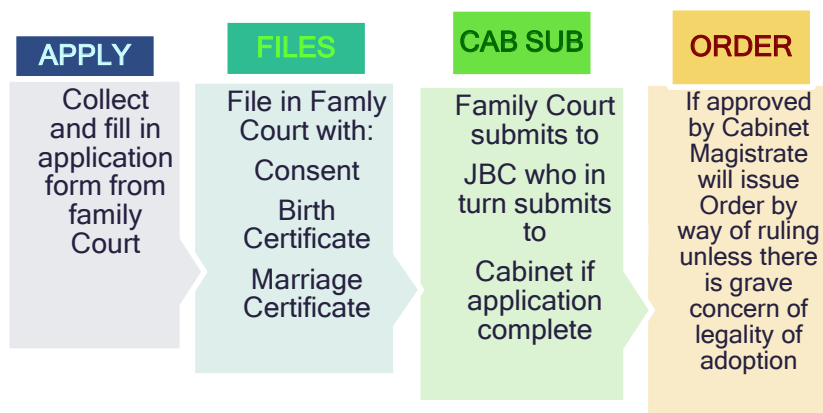
During this fiscal year, 23 applicants have been successful in their application for Nauruan citizenship.



Process for Adoption of Children in Nauru

Goals Set and Achieved from 2021-2022

✓ Provide good service and a timely application process



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS (ODPP)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area
Complete the Handbook for the Office of the Director for Public Prosecutions	More efficient prosecutorial process leading to less back logging of cases on the part of ODPP	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control
Enforce the collection of traffic fines and the imprisonment for non-compliant traffic offenders	Deterrence of traffic offences being committed decreasing the statistics for traffic offences	
Implement the action plans as per the PILON Strategic Plan 2019 - 2021	The jurisprudence for Sexual and Gender Based Violence and sensitization of judicial officers is evident in the legal practice in Nauru	
Achieving full capacity of the ODPP	Decrease of the crime rate overall	

Strength	Full capacity of the Office
Weakness	Absence of proper filing system
Threats	Withdrawals from complainants
Opportunities	Set up proper communication channels for information flow between partner agencies

Section Summary

The overall objective of the Office of the Director of Public Prosecutions (ODPP) is to represent the Republic of Nauru in criminal proceedings. Its main function is to prosecute offenders for crimes which includes criminal, traffic, cybercrime and other offences that are under the ambit of criminal or quasi-criminal law.

Other key roles of the Office are to review the evidence relating to any offence in order to consider appropriate charges to be laid against the offender. They work closely with the Nauru Police Force in collating sufficient evidence needed for the institution of criminal proceedings against any person in breach of the criminal laws of Nauru.

The ODPP also prosecutes and manages traffic offences and enforce the collection of traffic fines as well as conduct all criminal appeals in the Nauru Court of Appeal.

2021-2022 saw zero tolerance towards sexual gender-based violence (SGBV) offences especially when committed against women and children. Several domestic violence cases were dealt with by the office. Furthermore, violence against the police were frequent charges during this year.

A challenge that constantly faces the ODPP is the need for efficient collaboration between relevant agencies.

LEGISLATIVE MANDATE:

CRIMINALPROCEDURE ACT 1972
CRIMES ACT 2016

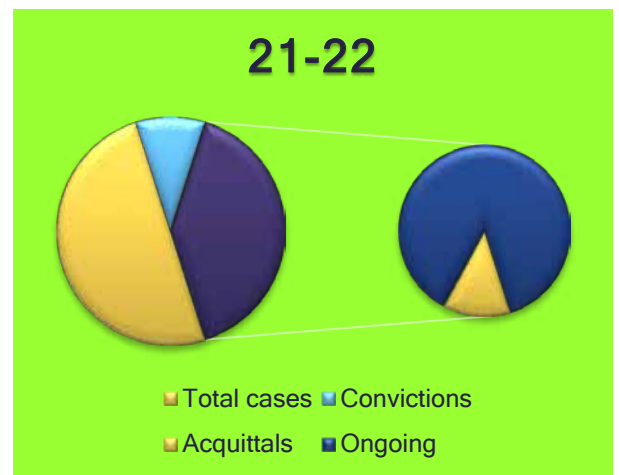
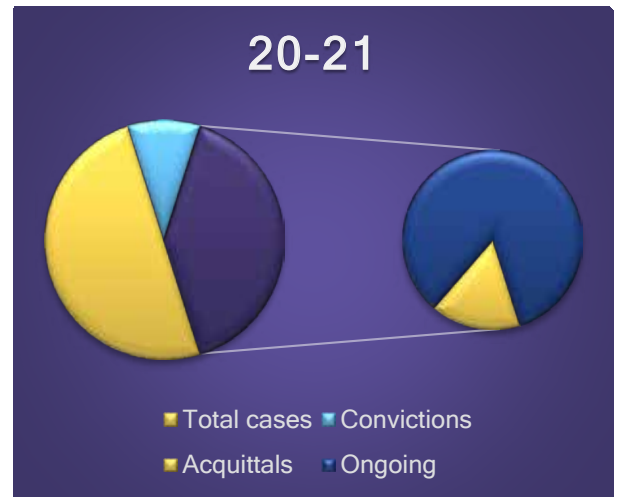
PERFORMANCE HIGHLIGHTS

Prosecution Statistics

During this reporting period, ODPP has prosecuted 87 criminal cases resulting in 17 convictions, 9 acquittals and 61 cases still ongoing.

There are 21 cases at the District Court and 40 cases at the Supreme Court that are pending. There was an increased number of remand applications compared to last financial year due to the nature of offences that were allegedly committed.

It is interesting to note that the statistics are somewhat similar although the most prevalent offence last fiscal year was intentionally causing serious harm and attempted murder while this year is indecent acts in relation to a child under 16 years and causing harm to a police officer.



Handbook for the Office of the Director for Public Prosecutions

During the 2020-2021 reporting period, the ODPP was working on the completion of the Handbook for the Office of the Director for Public Prosecutions which now, has come to fruition with its completion. The Handbook will serve as an important tool for maintaining institutional memory

within the Office ensuring that transition of staff does not disrupt the work flow and it will also be a useful reference guide for prosecutorial activities and ethics for legal officers, Pleaders and paralegals of the ODPP.

Goals Set and Achieved for 2021-2022

- | | |
|---|---|
| ✓ | Completion of the Handbook |
| ✓ | Achieving the full capacity of the ODPP |

OFFICE OF THE PUBLIC LEGAL DEFENDER (OPLD)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area
Implement the Office Policy Guideline	More efficient service leading to less back logging of cases	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control
Check that applicants are eligible for legal aid as per policy and advise applicants of requirements and criteria	Appropriate clients are being represented	
Family cases are filed in the Family Court	There is a decrease in the rate of family case back log	
Achieving full capacity of the ODLP	Decrease of the crime rate overall	

Strength	Full capacity of the Office
Weakness	Need for more legal officers
Threats	High rate of public demand for legal aid
Opportunities	Having a local senior legal officer on board

Section Summary

The Office of the Public Legal Defender (OPLD) also known as the legal aid office continues to provide free legal services to citizens and residents of the Republic of Nauru.

Over the years the Office has grown in the number of legal officers with a paralegal that handles the administrative and logistics aspect of the work.

The Office's objective is to represent clients who cannot afford the services of a legal practitioner, in family, civil, land and criminal matters; provide legal advice to persons; assist in the drafting of statutory declarations and provide funding for the engagement of private legal practitioners as prescribed in the *Criminal Procedures Act 1972*.

Legal literacy continues to progress in Nauru and as the availability of legal aid is

becoming common knowledge amongst members of the public, the demand upon the Office is increasing. This year, 86 applications have been submitted by divorce petitioners and applicants for maintenance orders and variations thereof. The Office defended 47 respondents in criminal cases.

It has been a busy year once again for the Office.

LEGISLATIVE MANDATE

- CRIMINAL PROCEDURES ACT 1972**
- CRIMES ACT 2016**
- FAMILY COURT ACT 1973**
- MATRIMONIAL CAUSES ACT 1973**
- MAINTENANCE ACT 1959**

CASE PRECEDENT

In a divorce case, the Public Legal Defender created precedent in proving Section 9(a)(i), that the breakdown of the marriage was due to the respondent behaving in such a way that the petitioner could not reasonably be expected to live with the respondent. The divorce was granted.

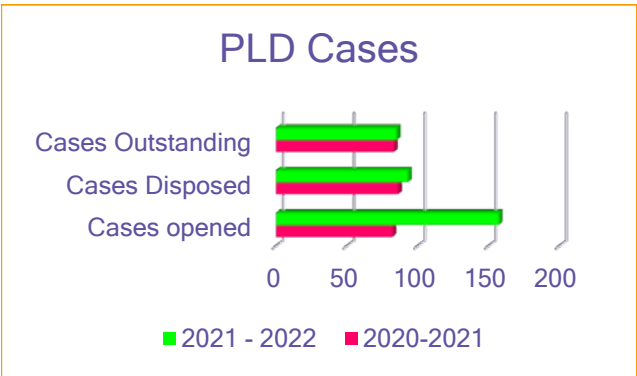
It is usually the case that for proof of breakdown of marriage, most have filed petitions based on proving desertion or continuous separation pursuant to Section 9(a)(ii), (iii) and (iv) of the *Matrimonial Causes Act 1959* due to the complex evidence required to prove Section 9(a)(i).

This is an achievement and a necessary precedent that may be an avenue for spouses seeking divorce in cases of unresolvable domestic violence.

FAMILY MATTERS CHECKLIST
for Legal Aid Application

- ❖ Form - to collect at OPLD
- ❖ Marriage Certificates
- ❖ Birth Certificates
- ❖ Submission - make sure that every detail is filled
- ❖ Consultation with appointed counsel if approved

Statistics



A comparison between the years 2020 to 2021 and 2021 to 2022 show a higher number of cases opened which reflects an increasing demand for legal aid by the public.

There are 75 more cases opened this fiscal year compared to 2020-2021.

GOALS SET AND ACHIEVED FOR 2021-2022	
✓	<i>Implementing the new Office Guideline to progress office and case management</i>
✓	<i>A checklist policy is implemented to improve the process of legal aid application in family matters</i>
✓	<i>Increase in staffing including a more efficient team of legal officers</i>

OFFICE OF HUMAN RIGHTS

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
Drafting of midterm Universal Periodic Review (UPR) State Report and other treaty reports that Nauru is a party to, such as Convention on Torture (CAT) and Convention on the Rights of Persons with Disability (CRPD)	UPR Report meets deadline CAT and CRPD treaty report are submitted despite delays	<p>Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control</p> <table border="1"> <tr> <td>Strength</td> <td>Mechanism for treaty reporting</td> </tr> <tr> <td>Weakness</td> <td>Not much interest in the field of human rights</td> </tr> <tr> <td>Threats</td> <td>Lack of understanding and sensitization on human rights</td> </tr> <tr> <td>Opportunities</td> <td>Staffed by locals assuming ownership of human rights obligations especially during UPR process</td> </tr> </table>	Strength	Mechanism for treaty reporting	Weakness	Not much interest in the field of human rights	Threats	Lack of understanding and sensitization on human rights	Opportunities	Staffed by locals assuming ownership of human rights obligations especially during UPR process
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Weakness	Not much interest in the field of human rights									
Threats	Lack of understanding and sensitization on human rights									
Opportunities	Staffed by locals assuming ownership of human rights obligations especially during UPR process									
Assist OPLD in family cases which is relevant to human rights work	Appropriate clients are being represented									
Assist in law reform consultations in advising on human rights aspects of legislations	There is a decrease in the rate of family case back log									
Junior staff to attend international conferences and trainings regarding human rights for capacity building purposes	Office of Human Rights is a go-to desk for human rights knowledge and advise									

Section Summary

The Office of Human Rights is primarily responsible for drafting human rights treaty reports and the UPR State Report. Furthermore, one of its objectives is to provide advice on human rights aspects of law reform and address issues posed by walk-ins. An additional responsibility of the Office is to assist OPLD in family cases and at times in minor criminal defence cases.

The Office completed the final drafting of the *Initial State Report on the Convention on the Rights of Persons with Disabilities (CRPD)* with near completion of the second draft of the *Initial State Report on the Convention Against Torture*.

The National Monitoring, Implementation Reporting and Follow Up (NMIRF) manual is

an information gathering working guide for the purpose of treaty report drafting and more importantly implementation monitoring that has been an on-going task for the Office as part of the Working Group on Treaties (WGT). Its completion would pave a pathway for a more proficient process with regards to implementation and the reporting thereof.

Human rights sensitization is a constant challenge faced by the Office where the understanding of the concepts and principles of human rights are based on misinformation that still occurs across the public sector. This makes it difficult to work with other Departments and agencies.

LEGISLATIVE MANDATE:

CONSTITUTION OF NAURU
CRC, CRPD, CAT & CEDAW
ANY OTHER HUMAN RIGHTS RELATED TREATIES & LAWS
LAWS DOMESTICATING TREATIES

PERFORMANCE HIGHLIGHTS

ADOPTION OF UPR RECOMMENDATIONS

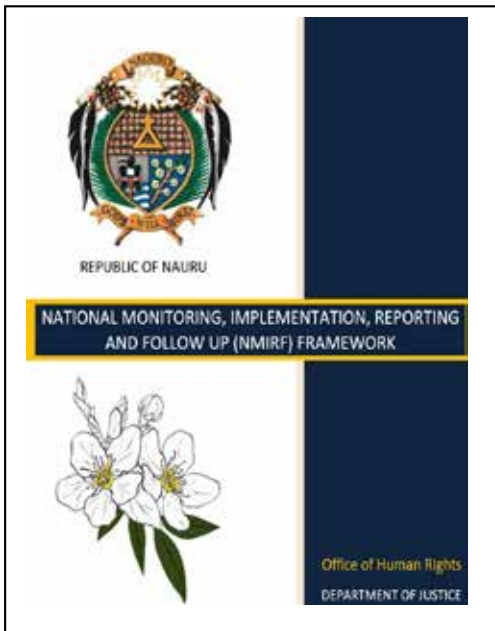
On 11 October 2021, at the 47th Session of the Human Rights Council, the Office of Human Rights facilitated the Adoption of the UPR Recommendations which was led by the Minister for Justice and Border Control, Honorable Maverick Eoe, MP following the presentation of the UPR State Report in February 2021. Although, it was conducted virtually, the event was just as interactive and constructive.

A total of 156 UPR recommendations were submitted to Nauru based on the UPR State Report and 133 were accepted. This shows our national commitment to seriously address a number of recommendations which were valuable proposals to improving government services for the welfare of Nauruans.

The Minister stated in his speech, ‘...Our ultimate goal is to ensure that the human rights obligations are all given its appropriate legislative and administrative framework. This is necessary for our small nation to prosper and succeed as human rights, no doubt, is needed for the benevolence and livelihood of our society...’

The UPR recommendations have been formulated into the UPR Recommendation Implementation Plan which is the commencement of the NMIRF for the 4th Cycle UPR which is due in 2023. The plan will be disseminated to the relevant departments as key stakeholders of the issue to be addressed through the specific recommendation.

NMIRF Manual



To resolve the issue of *ad hoc* treaty implementation and reporting process, the Office of Human Rights has written a manual that will serve as a user-friendly guide for Departments who are part of the NMIRF mechanism in Nauru. The manual will be called the *National Monitoring, Implementation and Follow up (NMIRF) Framework*. It is designed to direct users as to the specific functions and roles of key departments and agencies in providing information as well as find their way around the UN and national treaty reporting systems in relation to Nauru’s reporting obligations.

Furthermore, the Manual will describe Nauru’s NMIRF mechanism in detail on how to monitor and track implementation status of recommendations. It will also direct users to information and data sources required for the drafting of UPR and treaty reporting.

GOALS SET AND ACHIEVED FOR 2021-2022

- ✓ Completing the UPR Recommendation Implementation Plan
- ✓ Closing 2 divorce cases and 1 maintenance case
- ✓ Developing an NMIRF tool

FINANCIAL INTELLIGENCE UNIT (FIU)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<i>To prepare and then coordinate the Mutual Evaluation</i>	<i>Join EGMONT Group of Financial Intelligence Units</i>	<p>Cross-Goal 2: <i>Strengthen Parliament, Audit, Justice, Law, Order and Border Control</i></p> <p>Econ-Goal 7: <i>An effective, competitive and stable financial system that will enhance economic growth and development</i></p> <table border="1"> <tr> <td style="background-color: #800000; color: white; text-align: center;">Strength</td> <td>An active and experienced head of Section in the field of financial intelligence</td> </tr> <tr> <td style="background-color: #800000; color: white; text-align: center;">Weakness</td> <td>The need for more local staff</td> </tr> <tr> <td style="background-color: #800000; color: white; text-align: center;">Threats</td> <td>Gaps in the AML Legislative framework</td> </tr> <tr> <td style="background-color: #800000; color: white; text-align: center;">Opportunities</td> <td>Strong partnership with APG, AUSTRAC and FATF</td> </tr> </table>	Strength	An active and experienced head of Section in the field of financial intelligence	Weakness	The need for more local staff	Threats	Gaps in the AML Legislative framework	Opportunities	Strong partnership with APG, AUSTRAC and FATF
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Weakness	The need for more local staff									
Threats	Gaps in the AML Legislative framework									
Opportunities	Strong partnership with APG, AUSTRAC and FATF									
<i>To ensure compliance of on Financial Action Task Force (FATF) 40 recommendations to prevent Money Laundering and Terrorist Financing</i>	<i>Receive membership benefits from APG and FATF</i>									
<i>Work with Asia Pacific Group (APG) on Anti-Money Laundering (AML) legislative framework</i>	<p><i>There is legislative compliance of AML and TF throughout relevant laws</i></p> <p><i>AML and TF activities are effectively sanctioned and remains low</i></p>									
<i>Public awareness on AML and Terrorist Financing</i>	<i>Key stakeholders and relevant money agencies are educated and conform to adopt compliant policies</i>									

Section Summary

The Financial Intelligence Unit (FIU) is headed by the FIU Supervisor who has had a decade of experience in relation to financial crimes. Assisting him is the FIU Officer and a paralegal in training who are both keen locals in the field. This makes for a strong administrative support team implementing activities that will be aggressive towards deterring money laundering and terrorist financing in Nauru.

The Unit's main objective is to ensure that the national reporting framework is sufficient and being used by agencies who are obligated to file suspicious transaction reports (STR's).

Despite the COVID-19 travel restrictions, the Unit has remained in full motion attending online conferences, trainings and workshops in preparation for the Mutual Evaluation that is to be conducted on island. The result of the assessment will determine the compliance of Republic's AML/CFT framework with international standards.

Recently, the JBC Office underwent renovations which included upgrading the FIU office to restrict access by other general staff of JBC and any other persons. This will maintain a secure setting for the Unit as the nature of its work require limited access to highly confidential information in order for intelligence investigations to be effective.

LEGISLATIVE MANDATE:
ANTI MONEY LAUNDERING ACT 2008
PROCEEDS OF CRIME ACT 2004

PERFORMANCE HIGHLIGHTS

FIU Law Reform and Capacity Building

A Technical Assistance Project by APG is underway with Nauru FIU to enact a new Anti-Money Laundering Act and amended Proceeds of Crime Act aligned with the FATF Recommendations and Criterion to strengthen technical compliance and effectiveness of AML/CFT systems in Nauru. Upon successfully enacting the legislations and supporting regulations, guidance will be issued to stakeholder to ensure Nauru meets the standards to combat Money Laundering Terrorism Financing and Prolifereation Financing.

A virtual Financial Investigation Training was conducted, under the coordination of Nauru FIU, to law enforcement agencies including Nauru Police Force (NPF), Customs and the JBC. Another Australia Border Force virtual Aviation Border Fundamentals training was provided to NPF, Immigration and Customs relating to human trafficking, intelligence and document detection. These sepcialised trainings have boosted the capacity of Nauru in combatting and preventing money laundering and terrorist financing.



Advanced Fee Fraud Scam Investigations

FIU conducted investigations in relation to Advanced Fee fraud scam based on a report it received by the Unit. It involved identity hijacking of a Nauru member of Parliament. The offender used the MP's profile purporting to be the MP to send friend requests to victims and luring them to apply for grants that were United Nations funded schemes. Victims were advised that the scheme would be used to start a new business, education for children, for disabled persons, widows and many more and that as a requirement to receive the grant, certain fees had to be paid through the Commonwealth Bank of Australia. However, it was found that the suspect was operating out of Australia. Communications were done using the messenger app.

SMR RECEIVED				
Total	Finalised	Disseminated	Closed	Pending
140	2	1 (DPP)	3	135
IFTIs				
93*	0	0	0	93
International Funds Transfer Instructions (IFTIs)				
Jan - March 21	April - June 21	July - Sep 21	Oct - Dec 21	Jan - Mar 22
38	27	29	38	34

FIU escalated the matter to AUSTRAC who confirmed

that the suspect was under investigations. In turn, FIU sent out alert notices through Digicel blast and via Nauru Television (NTV) warning the public to practice caution with respect to identity hijackers offering false grants to scam victims out of thousands of dollars. FIU continues to receive reports from AUSTRAC as shown in the table.

GOALS SET AND ACHIEVED FOR 2021 - 2022

√	Preparations for mutual evaluation of Nauru 2022-2023
√	Revision process of AML Legislations
√	Put in place an accessible reporting system for suspicious transaction reports

QUARANTINE DIVISION (QD)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
Enrol officers in USP basic and foundational courses	Literacy level of Quarantine Officers are up to par Officers are able to enroll in further studies	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control Cross-Goal 4: Sustainable use and management of the environment and natural resources for present and future generations								
Build technical capacity of staff	Decrease in staff turn-over for the Division									
Adapt COVID-19 protocols into Quarantine measures without compromising bio security protocols	No pests or diseases carried by cargo infiltrates the border regardless of the COVID capture and contain measures									
Revise outdated provisions of the quarantine laws	Form new policies and modern quarantine practices supported by new and relevant laws	<table border="1" style="width: 100%;"> <tr> <td style="background-color: #FFDAB9; text-align: center;">Strength</td> <td>Full capacity of the unit - no vacancies</td> </tr> <tr> <td style="background-color: #FFDAB9; text-align: center;">Weakness</td> <td>Small Office Space</td> </tr> <tr> <td style="background-color: #FFDAB9; text-align: center;">Threats</td> <td>Personal attitudes towards further studies missing out on capacity building opportunities</td> </tr> <tr> <td style="background-color: #FFDAB9; text-align: center;">Opportunities</td> <td>Support from donors like Taiwan</td> </tr> </table>	Strength	Full capacity of the unit - no vacancies	Weakness	Small Office Space	Threats	Personal attitudes towards further studies missing out on capacity building opportunities	Opportunities	Support from donors like Taiwan
Strength	Full capacity of the unit - no vacancies									
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Opportunities	Support from donors like Taiwan									

Section Summary

The Quarantine Division is one of the essential services in the border control branch of JBC. It has a staff population of 14 and is considered one of the biggest Sections in the public service.

With a big team of trained officers, it strives to implement its objective in ensuring safe import and export that does not alter the Nauru environment or harm the livelihood of the people of Nauru. Specifically, their mandate is to be the first line of border security defense and put in place policies and measures that protect Nauru at its borders from the entry of pests

and disease-causing organisms and in effect prevent their spread and multiplication in Nauru.

An issue has arisen for the Division at the ports where COVID protocols have restricted the officers from boarding the vessels therefore instead conduct quarantine checks once cargo has been off loaded. This poses as a threat to the containment of potential harmful organisms as the cargo has already landed within the border.

LEGISLATIVE MANDATE:

QUARANTINE ACT 1908
AGRICULTURAL QUARANTINE ACT 1999

PERFORMANCE HIGHLIGHTS

NPP For New Quarantine Office

Currently, the office of the Quarantine Division is located at Nauru Airport in a small space fit for several officers at a time. Plans to build an infrastructure for quarantine facilities has been under discussion during the past year. This would establish a new main office at the Government buildings for the handling of customer related works while the office spaces at the seaport and airport will be open only during air flight and sea vessel operations.

A New Project Proposal (NPP) was submitted as part of the 2022-2023 budget process, seeking donor funding of AUD50,000 from Taiwan (Republic of China) to build the Office.

Taiwan through its Nauru-based embassy has, for a long time, supported the Quarantine Division through its Bio-Security programs.

Destruction of Termite Infested Cargo

On 6 January 2022 the Quarantine Division, during a routine check of shipped containers came across a container that was filled with termite infested timber. No treatment certificate had been presented to the Officers.

Pursuant to Nauru quarantine laws, the container was ordered into quarantine. Treatment and disinfection was not an option as the infestation was of a hazardous quantity. The value of the timber material including freight costs totaled AUD20,000 therefore ministerial approval was successfully sought for its destruction.

Section 48(2) provides that if the goods to be destroyed exceed AUD1000 in value approval must be sought from the Minister for Justice and Border Control.

REVENUE	
Vessel Clearance	AUD2,500
Phytosanitary Certificates	AUD450
Import Permit (Single)	AUD3,000
Import Permit (Multiple)	AUD12,500
Disposal/ Incineration of materials	AUD24,000
Vehicle Examination	AUD16,000
Container Examination	AUD32,000

GOALS SET AND ACHIEVED FOR 2021 - 2022

√	Enrolment of officers in USP to build literacy of the Division and enable more engagement and interactions in trainings, workshops and conferences
√	Traction for building new office through submission of NPP

DOG MANAGEMENT AND CONTROL UNIT (DMU)

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area
<i>Establish more positions within the Unit</i>	<i>Reports are sufficient attended to especially urgent matters like dog attacks</i>	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control
<i>Revise the membership Dog Management Committee and commence meetings in resolving dog issues</i>	<i>There is proper implementation of the Dog Management and Control Act, 2017</i> <i>Relevant agencies are effective in their role within the operations of dog management and control</i>	
<i>Control and management of stray dog population</i>	<i>Further decrease of stray dogs</i>	
<i>Attend to reports of dog attacks</i>	<i>Dangerous dogs are managed and dog owners prosecuted</i>	

Strength	Passionate Officers
Weakness	No Office Infrastructure and place for dog pound
Threats	Aggressive dog owners
Opportunities	Strong legal mandate that needs support from other enforcement agencies

Section Summary

Since the establishment of the Dog Management and Control Unit (DMU), it has made extraneous efforts to implement its objective of facilitating the sterilization of dogs and conducting operations on the eradication of stray and diseased dogs. The task of the Unit which is composed of a Director and 5 officers is not an easy one, however, it is necessary, to keep our communities safe from dog attacks and diseases that are communicated through infected dogs.

The number of pit bull owners has exceeded 1000, almost one tenth of the total population of Nauru. Dog management and control measures are put in place to ensure that potentially dangerous dogs do not pose a danger to the Nauruan community.

DMU plans include the engagement of a specialist to periodically visit Nauru and perform spaying of dogs

Dog licensing ensures legal requirements are met by both dog owners and the Unit in the handling of pets. In a situation where issues of dog danger are reported against a licensed dog, legal protocols need to be followed in resolving the issue. However, where a pet dog has been reported and found to be unlicensed, the Unit has legal authority to immediately destroy the pet. Many times, dog owners are violent towards the officers who are left with no choice but to involve the Nauru Police Force to deal with the owner.

LEGISLATIVE MANDATE:

DOG MANAGEMENT AND CONTROL ACT 2017

PERFORMANCE HIGHLIGHTS

Dog Licensing

During the 2020- 2021 Public Service Day event, special licences were issued at the JBC stall to dog owners, free of charge, as an incentive to encourage the licensing of pet dogs. This was also a strategy to approximate the average number of dog owners who had not yet registered their pets. 542 licenses under this special offer were issued. During the course of this year another 357 dog licences were issued under the standard provisions of dog registration which cost AUD100 or AUD200 for dangerous dogs. This equates the total registered pet dog population to 899 with a revenue of AUD4,200.

Dog owners are generally compliant to dog licensing laws which supports the work of DMU. However, during investigations of dog attack reports, most dogs have been found to be unlicensed. This is a grave concern to the Unit because unregistered dogs will be immediately destroyed.

Most often, officers of the Unit are seen as inhumane in what they do but what must be realized by dog owners is that the lives of their pet dogs are in their hands and it is their responsibility to register them. It is also the dog owner's obligation to train their canines so that dog attacks do not happen and no unfortunate legal consequences has to occur.

List of Illegal Dog Breeds

Schedule 2 of Dog Management and Control (Import) Regulations 2021

- ❖ American Pit Bull Terrier
- ❖ Rottweiler
- ❖ American Bulldog
- ❖ Siberian Husky
- ❖ Staffordshire Bull Terrier
- ❖ Bull Terrier
- ❖ American Bully
- ❖ Miniature Terrier
- ❖ Boston Terrier
- ❖ Boxer
- ❖ Alapaha Blueblood Bulldog
- ❖ Dogo Argentino
- ❖ Doberman

Management of Dog Attacks



There has been an alarming rate of dog attacks that have been reported to the DMU. The statistics is at a high number of 28 reports during this reporting period. The Unit attends to the Report but the challenge they face is when dog owners become abusive and violent towards them, they are unable to perform the dog capture operations as they are prevented from entering the property.

GOALS SET AND ACHIEVED FOR 2021-2022

√	Stray dog population is decreased through dog management measures implemented by the Unit
√	Vacant positions are filled
√	Attend to reports of dog attack

CORRECTIONAL SERVICE

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area
Run rehabilitation program of prisoners	Increase number of reformed prisoners Eligible prisoners are released on parole	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control
Conduct remission assessments of prisoners	Submissions for remission of prisoners are submitted to JBC and MJBC	
Assist prisoners in welfare needs such as medical, training and visitation and ensure their specified times for	Prisoners are healthy mentally, physically, spiritually and emotionally	

Strength	Strong legislative framework
Weakness	Need for a revised training module
Threats	Non-compliant prisoners
Opportunities	Strong leadership

Section Summary

The Chief Correctional Officer (CCO) manages the Correctional Service that has a staff population of 48 officers. This is the biggest section of JBC.

The key objective of the Correctional Services is to provide a safe, secure and humane service to offenders held in custody.

As Nauru is a party to the *Convention Against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment*, the legislative framework for imprisonment are in-compliance as an obligation to domesticate the Convention is a requirement.

At present, there is a prison population of 52 inmates consisting of 27 remandees and 25 convicted prisoners. The facility is divided into high, medium and low risk sections.

This year new prison protocols were introduced to adapt COVID-19 measures into the running of the facility. This included standard practices like masking, hand sanitization and distancing between prisoners and correctional officers.

During the COVID-19 lock down period, there were temporary limitations imposed on visitation to prevent the outbreak of the virus within the facility which would be catastrophic for such an enclosed setting. Fortunately, there is a 100% vaccination rate of prisoners.

Rehabilitation of prisoners is the core function of the Correctional Services.

LEGISLATIVE MANDATE:

CORRECTIONAL SERVICES ACT 2009
CRIMINAL JUSTICE ACT 1999

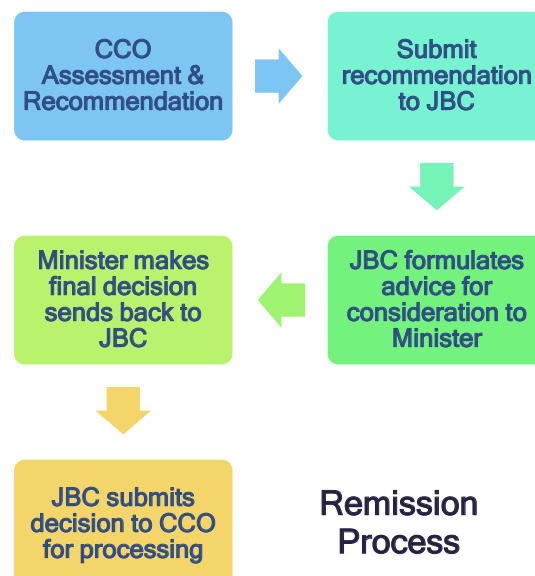
PERFORMANCE HIGHLIGHTS

Remission of Prisoners

One of the key roles of the Chief Correctional Office (CCO) is to assess prisoners and make recommendations for early release, also known as remission. This is a legal mandate provided for under Section 46 of the *Correctional Service Act 2009* whereby a prisoner serving a sentence of imprisonment of more than one month, other than a life sentence, may be granted early release on the grounds of ‘good conduct and industry’. This is subject to legal requirements that a prisoner does not serve less than 31 days and has served more than two thirds of their total sentence.

During this reporting period, 3 prisoners were granted remission based on positive assessments by the CCO.

Granting early release based on good conduct serves as an incentive to the prisoners in the sense that they would make efforts to be of good behavior and improve their discipline by observing the correctional rules and actively participate in the rehabilitation programs, in anticipation of being recommended by the CCO for early release.



Arrival of Boat for Rehabilitation Fishing Program



In early April 2022, the Correctional Service fishing boat was off loaded and released. This marked the beginning of the Prisoner Rehabilitation Fishing Program which has been part of the correctional plan since 2017.

Previously the Correctional Service have been chartering boats to implement the program but now, with access to their own vessel the fishing program can be scheduled as a routine activity.

GOALS SET AND ACHIEVED FOR 2021-2022

- ✓ Enhancement of Prisoner Rehabilitation Program
- ✓ 19 vacant positions are filled with temporary recruits
- ✓ Engage the remission program

IMMIGRATION DIVISION

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area								
<i>Strengthen visa document screening</i>	<i>Granted visas are according to legal criteria</i>	<p>Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control</p> <p>Econ-Goal 6 Promote development of small-scale sustainable eco-tourism</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #90EE90; text-align: center;">Strength</td> <td>Interactive team work</td> </tr> <tr> <td style="background-color: #90EE90; text-align: center;">Weakness</td> <td>Need constant updating of data base</td> </tr> <tr> <td style="background-color: #90EE90; text-align: center;">Threats</td> <td>COVID-19</td> </tr> <tr> <td style="background-color: #90EE90; text-align: center;">Opportunities</td> <td>Enrolment in USP courses</td> </tr> </table>	Strength	Interactive team work	Weakness	Need constant updating of data base	Threats	COVID-19	Opportunities	Enrolment in USP courses
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Weakness	Need constant updating of data base									
Threats	COVID-19									
Opportunities	Enrolment in USP courses									
<i>Enforcement of visa compliance and immigration protocols</i>	<i>Decrease number of overstayers</i> <i>Penalty fees are paid</i>									
<i>Advertise vacant positions within the division</i>	<i>All advertised positions have been filled</i>									
<i>Improving record keeping systems</i>	<i>Accurate data is maintained and the database contains reliable information</i>									

Section Summary

As a fundamental Section of the border control branch of JBC, the Immigration Division is staffed by 13 officers. 4 are located at the Nauru Airport Immigration Office while 9 are working at the main office situated within the Government buildings. 2021 to 2022 saw the recruitment of 3 visa officers and a clerical officer and the resignation of 2 officers.

The key objective of the Division is to foster regular migration and protect Nauru borders from the entry or stay of illegal migrants.

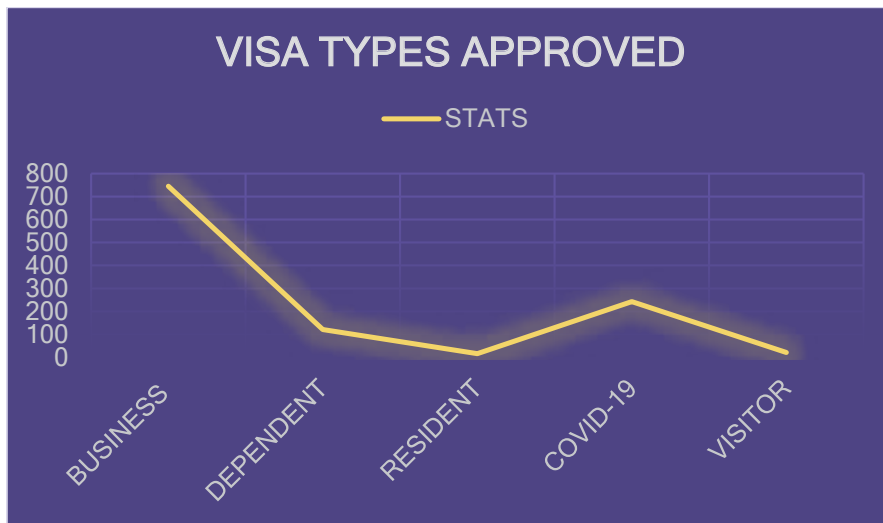
Upon the arrival and departure of passengers, the immigration officers perform detailed screening by verifying the travel documents, travel history and if required conduct specific interviews for further clarifications.

Thorough review of visa applications and other required documents based on a statutory checklist is done before the issuance of a visa.

The breach of visa conditions is an offence that is stringently penalized by the Division to deter foreign persons from taking advantage of the Nauru border security processes. Furthermore, the Division enforces timely visa rectifications and compliance according to law.

Record keeping is a function that needs to be improved by the Division as the information gathered is vital for monitoring and evaluation purposes.

LEGISLATIVE MANDATE:
IMMIGRATION ACT 2014



BUSINESS	745
DEPENDENT	121
RESIDENT	16
COVID-19	243
VISITOR	21

Dealing with Overstayers

Section 10(6) provides that ‘Any persons who remains in Nauru after the expiration of their visa, is deemed to be an overstayer and shall pay the relevant fee...’ The fee that is imposed on overstayers is AUD50 per day for every day after the expiration of a person’s visa. This is a high sum of money keeping in mind that flights are at most, departing only twice a week from Nauru.

However, a new provision for COVID Visas allowed persons to stay in Nauru until travel restrictions to their home countries were uplifted. This was introduced late last year. This provision will be revoked once COVID protocols are flexible enough for travel routes to be open whereby COVID Visas will no longer be necessary.

GOALS SET AND ACHIEVED FOR 2021-2022	
√	Opening of the passport scanning machine
√	Successful implementation of COVID visa regulations
√	Recruitment of officers to fill in vacant positions
√	Enrolment of officers at USP for basic and foundational studies leading up to border security tertiary programmes

ASSISTING THE COVID TASK FORCE

At the beginning of this year, the Immigration Division worked with the COVID Taskforce in enforcing the ‘Capture and Contain’ strategy by screening visa applicants then submitting to the Taskforce for final screening and assurance that vaccination certificates were valid.

This policy ascertained whether passengers travelling to Nauru were essential workers and whether they were identified as priority.

PASSPORT DIVISION

Section Work Plan 2021 - 2022

Main Activities 2021-2022	Key Performance Indicator	NSDS Priority Area	
<i>Process new passports, renewals and re-purchasing of lost or damaged passports</i>	<i>Nauruans are able to travel on valid passports</i>	Cross-Goal 2: Strengthen Parliament, Audit, Justice, Law, Order and Border Control	
<i>Enforce emergency fee policies and penalty fees for lost or damaged passports</i>	<i>Emergency and penalty fees are paid into the revenue office</i>		
<i>Restructuring of personnel for promotion opportunities</i>	<i>2 officers promoted to reclassified positions</i>		
		Strength	Long serving staff
		Weakness	Passport processing supplies are sourced from Thailand
		Threats	Border restrictions
		Opportunities	Reclassification of more positions

Section Summary

The Passport Division is staffed by the Director of Passports, a Senior Passport Officer, a Passport (Records & Data Management) Officer and a Passport (Customer Care Service) Officer. 3 of the officers have served in the Division for more than a decade commencing when it was a unit housed with the Department of Foreign Affairs and Trade. JBC is looking to reclassify another position at the Division to establish a more sustainable structure.

In promoting the legal identity and national recognition of all Nauruans, the Division's functions is to:

- (a) Issue new passports to new Nauruan travellers or travel documents to Refugees and stateless persons;
- (b) Replace lost and damaged passports; and
- (c) Issue certificates of identities to non-Nauruans including deportees, foreigners with expired passports.

The transition of moving from Machine Readable Passports (MRP) to Electronic Passports has commenced and yet to be completed.

Passport revenue has remained at a low this fiscal year with the imposition of COVID-19 travel restrictions.

As a way forward from the last financial year, the Passport Division is working closely with the Registry of Births, Deaths and Marriages to rectify errors found in the certificates that are significant for the accurate processing of passports.

LEGISLATIVE MANDATE:

PASSPORTS ACT 2011

PERFORMANCE HIGHLIGHTS

Passport Statistics

PASSPORT TYPE	QUANTITY	FEE	AMOUNT
Local	720	AUD60	AUD43,200
Lost/Damaged	45	AUD160	AUD7,200
Emergency Fees	39	AUD100	AUD3900
Refugee	3	AUD40	AUD120
Non- Citizen	27	AUD30	AUD810
Certificate of Identity	5	AUD30	AUD150
TOTAL			AUD55,380

There was a 51% decrease in the issuance of ordinary passports as the Coronavirus COVID-19 neared our Nauru borders and flights were restricted following COVID travel protocols. Only persons travelling for the purpose of overseas medical referrals and other official reasons were for a time, the only customers for the Division.

This period was used by the Division as an opportunity to upgrade filing systems and update log books as well as revise office policies such as the reinforcement of the 7-day processing period subject to the payment of emergency fees for 24-hour passport processing.



With the opening of borders, pre-COVID lock down, 73 official passports were issued while 5 were cancelled and 34 Diplomatic passports were renewed upon expiry.

GOALS SET AND ACHIEVED FOR 2021-2022

√	Opening of the passport scanning machine
√	Successful implementation COVID visa regulations
√	Recruitment of officers to fill in vacant positions
√	Enrolment of officers at USP for basic and foundational studies leading up to border security tertiary programmes

CAPACITY BUILDING 2021-22

Masters in Law (Intellectual Property)

Ms. Patricia Grundler, Senior Legal Officer with the Office of the Solicitor General, is currently undertaking a *Masters in Law (Intellectual Property)* in South Korea under a scholarship programme funded by World Intellectual Property Organization (WIPO). This programme is undertaken via 2 modules of teaching. The first 6 months was undertaken via online teaching. The last 6 months sees Patricia studying face to face in South Korea. Patricia will complete her studies in December 2022 and will return with a Masters in Law degree.



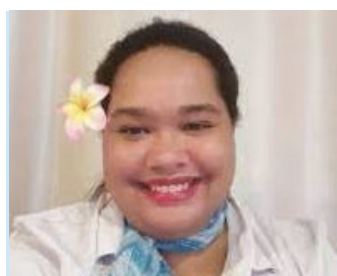
Patricia Grundler

From a Pleader to a Bachelor of Law degree

The Pleaders Course has been a stepping stone for many pleader graduates to advance to the attainment of a Bachelor of Laws degree. In 2021 – 2022 Victor Soriano and Raynor Tom, have each obtained a Bachelor of Law degree after dedicating 3 years to the study programme in Queensland Australia. A big congratulations to both individuals for a terrific life achievement and for taking a leap in reaching a milestone in the legal practice pathway.



Jeruska Togoran



Deborah Togoran



Victor Soriano

Mr. Soriano will continue his employment with JBC and will be placed in one of the legal sections as part of the Department strategy in transitioning senior legal officer roles commonly held by expatriates to Nauruan legal practitioners.

Mr. Tom has resigned from the Nauru Police Force to contest in the 2022 Parliamentary Elections.

In late 2021, Deborah Togoran, a Pleader with the Office of the Legislative Drafter took her study leave to attend USP in Fiji for a Bachelor of Laws degree. In early 2022, Jeruska Togoran, another Pleader with the Office of the Solicitor General departed Nauru for Queensland to undertake a Bachelor of Laws degree.

It is anticipated that both will successfully complete their studies and return to the Department to utilise their degrees and serve Nauru.

Commissioner for Oaths Training on signing off of business forms



On 9 June 2022, the Business Licencing and Registration Team conducted a training for all Commissioners for Oaths on how to complete and sign off on all business forms. These forms include applications for registration of business name, business licence, incorporation of corporations and incorporation of trusts. Applicants are required to sign before a Commissioner for Oaths before lodging their applications with the Department.

The training was important because if the forms are incorrectly completed or contain false information, the penalty for the same is a term of imprisonment of 5 years. The Commissioners for Oaths who attended the training actively participated and left the training with full knowledge of how the forms must be completed and the importance of ensuring the applicants understand that they must provide true statements.

Training on Illicit Drugs (Drug Testing Kit) Regulations 2021

On 13 October 2021, a training on the *Illicit Drugs (Drug Testing Kit) Regulations 2021*, was conducted by *Mele Tagivakatini* of the Legislative Drafting Section with the assistance of *Francis Puleiwai* and *Saif Shah* of the Office of the Director of Public Prosecutions and *Marilyn Deireragea* of the Legislative Drafting Section. The training focused on the comprehensive report required to be completed by the drug seizing officer, the Illicit Drugs Test Certificate to be completed by an authorised testing officer as well as the chain of custody for the process.

The 12 police officers authorised as drug testing officers took part in the training.



Correctional Officers Training on the Correctional Service Act 2009

In October 2021, the Legislative Drafting Section conducted a training for all correctional officers on the *Correctional Service Act 2009*. The training focused on powers, duties and responsibilities as well as the obligations of all correctional officers, the rights of the prisoners and the authorised programmes for the prisoners. In addition, the officers were directed to consider the offences that they may potentially commit while on duty and how to deal with circumstances which may arise during the course of performing their duties.

The correctional officers actively participated in the training by asking questions, responding to questions and doing role-play to demonstrate their knowledge of the Act.

JBC ACHIEVEMENT HIGHLIGHTS 2021 -2022

Promotions

As part of the intervention strategies for the Department to enable institutional strengthening and to follow through from JBC’s revision of its organizational structure in 2020 to 2021, vacancies in senior positions within various Sections of the Department were identified. Well-earned promotions were awarded to well-deserved officers to fill in the positions during 2021 to 2022. In effect, opportunities were opened up for recruitment at the lower level where capacity building can easily fill in the knowledge gap of recruits, if any.

Promotion of staff show JBC’s commitment to upgrade the professional status of the individual as an expert in the justice and border control field respective to their position as well as develop and enhance the integrity of the Department.

OFFICER	PREVIOUS POSITION	PROMOTION
Patricia Grundler	Legal Officer (OSG)	Senior Legal Officer
Francilia Akubor	Public Defender (OPLD)	Senior Public Defender
Stella Duburiya	Pleader (Human Rights)	Director Human Rights
Amy Tsitsi	A/Principal Quarantine Officer (Quarantine Division)	Director Quarantine
Sheba Hubert	Quarantine Officer	Principal Quarantine Officer
Darlene Dabana	Senior Immigration Officer	Assistant Director Immigration
Greg Garoa	Immigration Officer	Senior Immigration Officer

Pleaders Course 2021-2022

In addition, the current cohort of Pleader students have almost completed the Pleaders Course. The community outbreak of COVID-19 and the subsequent lockdowns derailed the timely completion of the Course. However, the Department and teaching staff will exert all such necessary effort to ensure the Course is completed this year and a graduation ceremony is held before the end of 2022. There are several Pleader positions that are vacant within the Department and it is anticipated that a number of newly minted Pleaders will fill in those positions.



Launch of the Revised Written Laws of Nauru

After 2 years of intense revision and consolidation of all the laws of Nauru made over the past 108 years, the Department finally launched the Revised Written Laws of Nauru. The obstacles felt by the effects of COVID-19 did not deter the spirit and willpower of the Department from continuing with the work to ensure all the laws were revised and consolidated. On 1 October 2021, the Department officially launched the Revised Written Laws before the Honourable Speaker, Members of Parliament, Judiciary, legal fraternity and members of the public. The determination of the enthusiastic staff as well as the support and confidence of the Minister for Justice and Border Control resulted in a valuable end product which proves to be easily accessible and being used on a daily basis.

The Department is now in the process of updating the revised and consolidated written laws with the new laws recently passed by the Parliament and made by the Cabinet over the reporting period.



Correctional Centre Prisoner Rehabilitation Programme

Part of the day to day programme of the Correctional Service as mandated under the *Correctional Service Act 2009*, is the rehabilitation of prisoners. Such rehabilitation paves the way for the re-integration of prisoners into the community with useful life skills. The programme include fishing, farming and gardening. The Correctional Centre currently has a flourishing vegetable garden, productive chicken coop and piggery. All three are sources of nutritional sustenance for prisoners. However, fishing was for a while, an issue as the Centre did not have a boat as a means for productive fishing.

During this reporting period, the Correctional Service was finally able to purchase a fishing boat. The fishing boat has been utilised effectively and has resulted in fruitful catches for the Correctional Centre and the prisoners.

Relationship with Zoom and other audio-visual fora

Since the declaration of COVID-19 as a pandemic, the JBC staff have developed close relationships with Zoom and other audio-visual fora such as Blue Jeans and Microsoft Teams.

147 meetings, trainings and workshops have been conducted through audio-visual platforms addressing border restriction as a barrier to capacity building opportunities that are usually conducted overseas. This included both international and regional agendas on intellectual property, human rights, anti-money laundering, proceeds of crime, sexual and gender-based offences, corruption and cybercrime.

All major United Nations conferences that would otherwise be conducted in Geneva, Switzerland or New York were also facilitated via various virtual forums for example, the *Adoption of the UPR Recommendations for the Republic of Nauru*.



New look for the JBC Secretariat



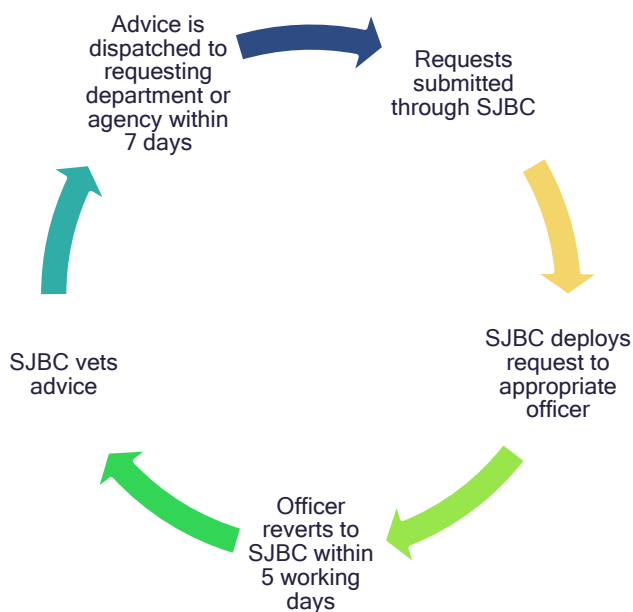
The Department underwent some renovations which has included a specific office for the Corporations and Businesses Division as well as shelving for the Offices of the Director of Public Prosecutions and Public Legal Defender.

The Department is also well on its way with establishing a law library in the Secretariat for the benefit of the staff. Enclosed shelves for the law books are now in the Secretariat, law books and the laws of Nauru have been placed in the shelves. The law library will be fully equipped with up to date law books on different areas of the law such as administrative law, law of contracts, law of torts, criminal law, family law and environmental law. There will be a classification system created and used specifically for the law library to ensure the books are used and returned to the responsible staff.

ESSENTIAL PARTNERSHIP

– Working with other Government Departments and Agencies

Processing Department Requests



JBC, like all other Departments of the Nauru Public Service, plays a fundamental and central role in the machinery of Government. It is the legal adviser to the Executive, Government departments and instrumentalities of the Republic.

In order to perform its functions to the best of its and its staff's ability, the Department works collaboratively with the Government departments and instrumentalities of the Republic to ensure the objectives of the Government are achieved and that Nauru is protected by and under the law.

Throughout the reporting period, numerous requests for legal advice, legal opinions, contracts and laws were received by the Department. Responses were prepared by and under the Office of the Secretary for Justice, the Office of the Solicitor General, Office of the Legislative Drafter and the Office of Human Rights.

All agreements, contracts, legal matters and any new laws must be provided to the Department for consideration and review, for a legal opinion and for drafting. In this respect, the Department is always available to provide the necessary legal services to all Government departments as was done over the reporting period.

Some of the advice provided by the Department included potential disciplinary action against public service employees, interpretation of contracts and other agreements, obligations under international or regional agreements the Republic may potentially sign, the interpretation and application of the laws as it relates to issues which may arise and the powers and functions of a department or instrumentality of the Republic or a specific person under a specific legislation.

SIGNIFICANT COLLABORATIONS WITH OTHER DEPARTMENTS

Requesting Department/ Agency	Request	Office deployed for task
Department of Foreign Affairs and Trade (DFAT)	Economic Cooperation Agreement	Office of Solicitor General (OSG)
	MOU between GON and Government of Tuvalu on Facilitation of Trade	Office of the Legislative Drafter (OLD)
	MOU with India on reciprocal recognition of vaccines	OSG
Department of Commerce, Industry and Environment (CIE)	Training on the <i>Environment and Climate Change Act 2020</i>	Office of Human Rights (OHR) & OSG
Nauru Police Force (NPF)	Training 12 members of the Police Force on the <i>Illicit Drugs (Drug Testing Kit) Regulations 2021</i>	OLD
Electoral Commission	<i>Constitution (Amendment) Bill 2022</i>	OLD OHR



Training NPF on Illicit Drugs Act



Working with WASDA, NPF, Child Protection and ICT on Cybercrimes Act

The Department also facilitates trainings on legislation when required for Departments and the community. For example, in early 2022, two of the Department’s legal practitioners facilitated a one-day training on the *Environmental Management and Climate Change Act 2020* for the various stakeholders of the Department of Commerce, Industry and Environment. The stakeholders included other Government departments as well as instrumentalities of the Republic.

Further, three of the Department’s staff including one expatriate lawyer were keen observers in community consultations on the Constitutional amendments. The Department staff worked collaboratively with the Nauru Electoral Commission to ensure that the issues and the law were clearly explained to members of the community. The feedback from the consultations were central to the drafting of the *Constitution (Amendment) Bill 2022* which was subsequently passed by the Parliament and is now law in Nauru.

The Department has an open-door policy and encourages all other departments and instrumentalities of the Republic to contact the Department on any matters or issues which may require legal advice.

ESSENTIAL PARTNERSHIP

JBC's ROLE IN COVID-19

All the Government departments in addition to the National Taskforce had a role to play in keeping Nauru safe from COVID-19. For 2 years, Nauru was able to successfully keep COVID-19 from entering Nauru, but despite all best efforts, the pandemic finally reached our shores and subsequently was transmitted into the community.

During the entire reporting period, the Department had provided numerous legal advice relating to local businesses, traveling passengers, public servants unable to return to the island, work from home arrangements and commercial contracts including the construction of the port and so forth. The Department also continued to monitor the extension of the *Declaration of National Emergency* on the instructions of His Excellency the President.

With the community transmission, as the responsible Department, the Department of Justice did not hesitate to take a hands-on role in providing advice and drafting the necessary orders and directions as required by the Cabinet.

The orders and directions assisted the Department of Health and Medical Services, the National Taskforce and the Nauru Police Force with maintaining public health and public safety. During the 'soft' lockdown period in Nauru, a few businesses took advantage of the situation and increased the retail prices of essential goods they were selling. The Department immediately acted by requiring the businesses to provide justification to the Registrar of Business Licences as to why they were increasing their retail prices. The failure to justify the increase in prices resulted in the businesses being made to close temporarily.

The Quarantine and Immigration Sections of the Department continue to play an active role in ensuring not only passenger clearance, but also cargo clearance. The 2 Sections continued to do this until the end of the reporting period. It is likely that this will continue until a solution is found to address the containment of the virus.

Orders and directions made under the *National Disaster Risk Management (Management and Minimisation of the Impacts of Coronavirus (COVID-19)) Regulations 2020*:

- *Order No. 1/2022 – Prohibition on Mass Gatherings*
- *Order No. 2/2022 – Prohibition on Hoarding and Price Inflation*
- *Order No. 3/2022 – Restrictions on Travel*
- *Order No. 4/2022 – Prohibition on Mass Gatherings*
- *Order No. 5/2022 – Revocation of Restrictions on Travel*
- *Order No. 6/2022 – Travel Restrictions*
- *Order No. 7/2022 – Prohibition on Mass Gatherings*
- *Order No. 8/2022 – Prohibition on Mass Gatherings*
- *Order No. 9/2022 – Travel Restrictions*
- *Order No. 10/2022 – Order Revoking the Prohibition of Mass Gatherings and Restricted Movements; and*
- *Directions for Public Health and Public Safety*

JBC PHOTO EXHIBITION

CODE OF ETHICS



Keeping our families safe from COVID while we are hard at work



Communication is a vital part of JBC work



Forms are double checked to assist customers



Customer service is crucial for Immigration Officers



Clear explanations are important to achieve desired results



DPP giving instructions to his senior legal officer



Commitment is what it takes



Focus is key



Asking questions is important



A job is not a choice, it is a duty that we signed up for

JBC PHOTO EXHIBITION

Play Hard, Work Harder



DEPARTMENT OF JUSTICE AND BORDER CONTROL

ORGANIZATIONAL STRUCTURE

Office of the Secretary for Justice and Border Control (JBC Secretariat)	Secretary for Justice	Janmai Jay Udit	M	Contract
	Senior Personal Assistant	Blossom Lisi Tsiode	F	Band 8 – \$16,052 pa
	Director Finance and Administration	Angelina Itsimaera	F	Band 12 - \$21,837
	Assistant Director Finance and Administration	Letima Adire	F	Band 9 – \$17, 336 pa
	Paralegal [Citizenships, Adoptions, Trusts and Seabed Mining]	Kayla Akua	F	Band 9 – \$17, 336 pa
	Clerical Officer	<i>Vacant</i>		Band 4 - \$12, 248
Office of the Solicitor General (OSG)	Solicitor General	Bhavna Narayan	F	Contract
	Personal Assistant	Taasha Aliklik	F	Band 7 - \$14,863
	Principal Legal Officer	Kerryn Kwan	F	Contract
	Senior Legal Officer	Patricia Grundler	F	Band 13.1.2 - \$23,879 pa
	Senior Legal Officer	<i>Vacant</i>		Band 13.1.2 - 23,879 pa
	Legal Officer	Surely Kamataura	F	Band 13 - \$23,584 pa
	Legal Officer	<i>Vacant</i>		Band 13 - \$23,584 pa
	Pleader (Civil Litigation)	Jeruska Togoran <i>[study leave]</i>	F	Band 11 – \$20, 220 pa
	Pleader (Civil Litigation)	<i>Vacant</i>		Band 11 – \$20, 220 pa
Paralegal (Civil Litigation)	Ofa Fay Temaki	F	Band 9 – \$17, 336 pa	
Corporations, Partnerships, Associations and Trusts (CPAT)	Registrar	<i>Vacant</i>		Band 14 – \$28, 846 pa
	Deputy Registrar	<i>Vacant – Acting Capacity Victor Soriano</i>	M	Band 10 – \$18,722 pa
	Pleader [Corporations and Businesses]	Victor Soriano <i>[study leave]</i>	M	Band 11 – \$20, 220 pa
	Paralegal [Corporations and Businesses]	Wylie Detenamo	M	Band 9 – \$17, 336 pa
	Paralegal [Business Registration, Business Licences, Beneficial Ownership]	Camellia Renzo	F	Band 9 – \$17, 336 pa

	Business Licencing Inspector	Kosak Kosam	M	Band 5 - \$12,983 pa
Intellectual Property Division (IPD)	Pleader [Intellectual Property]	<i>Vacant</i>		Band 11 – \$20, 220 pa
	Pleader [Intellectual Property]	<i>Vacant</i>		Band 11 – \$20, 220 pa
	Paralegal [Intellectual Property]	<i>Vacant</i>		Band 9 – \$17, 336 pa
Office of the Legislative Drafter (OLD)	Director Legislative Drafting	Loretta Afamasaga Teueli	F	Contract
	Senior Legislative Drafter	Lyanne Jarausi		Band 13.1.2 - \$23,879 pa
	Legislative Drafter	Mele Lemaki Tagivakatini	F	Contract
	Pleader	Deborah Togoran [study leave]	F	Band 11 – \$20, 220 pa
	Pleader	<i>Vacant</i>		Band 11 – \$20, 220 pa
	Paralegal	Starison Engar	M	Band 9 – \$17, 336 pa
Office of the Director of Public Prosecutions (ODPP)	Director of Public Prosecutions	Ronald Beit Talasasa Jnr	M	Contract
	Principal Public Prosecutor	<i>Vacant</i>		Band 13.1.3 - \$24,174 pa
	Senior Public Prosecutor	Saif Izaan Shah	M	Contract
	Senior Public Prosecutor	Francis Puleiwai	F	Contract
	Police Liaison Officer	Peter Leaupepe	M	Contract
	Public Prosecutor	Wenona Deiye	F	Band 13 - \$23,584 pa
	Public Prosecutor	<i>Vacant</i>		Band 13 - \$23,584 pa
	Pleader	Marilyn Deireragea	F	Band 11 – \$20, 220 pa
	Pleader	<i>Vacant</i>		Band 11 – \$20, 220 pa
	Paralegal	Kori Itsimaera	F	Band 9 – \$17, 336 pa
Office of the Public Legal Defender (OPLD)	Director Public Legal Defender	Ravuanimasei Tagivakatini	M	Contract
	Principal Public Legal Defender	<i>Vacant</i>		Band 13.1.3 - \$24,174 pa
	Senior Public Defender	Thomson Lee	M	Contract
	Senior Public Defender	Francilia Julius Akubor	F	Band 13.1.2 - \$23,879 pa
	Public Defender	<i>Vacant</i>		Band 13 - \$23,584 pa
	Public Defender	<i>Vacant</i>		Band 13 - \$23,584 pa
	Pleader	<i>Vacant</i>		Band 11 – \$20, 220 pa

Office of the Public Legal Defender (OPLD)	Pleader		<i>Vacant</i>		Band 11 – \$20, 220 pa
	Paralegal		Regina Deidenang	F	Band 9 – \$17, 336 pa
	Public Defender/legal aid		Lisa-Marie Solomon	F	Band 11 – \$20, 220 pa
Office of the Curator	Curator Intestate Estates		Brenda Soriano	F	Band 10 – \$18, 722 pa
	Curator Clerical Officer		Febony Detenamo	F	Band 4 - \$12,248 pa
Financial Intelligence Unit (FIU)	Supervisor – Financial Intelligence Unit		Rajas Swamy	M	Contract
	Assistant Supervisor – Financial Intelligence Unit		<i>Vacant</i>		Band 13 - \$23,584 pa
	Financial Intelligence Unit Officer		Roqous Aingimea	M	Band 11 – \$20, 220 pa
Office of the Director of Human Rights	Director Human Rights		Stella Duburiya	F	Band 13.1 – \$26, 002 pa
	Pleader [Human Rights]		<i>Vacant</i>		Band 11 – \$20, 220 pa
	Paralegal [Human Rights]		Katherine Belong	F	Band 9 – \$17, 336 pa
Immigration Division	Director of Immigration		<i>Vacant</i>		Band 13.1 – \$26, 002 pa
	Assistant Director of Immigration		Darlene Dabana	F	Band 12 - \$21,837
	RPC Visa Manager		Bronia Detageouwa (nee Hiram)	F	Band 10 - \$18,722
	Senior Immigration Officer		<i>Vacant</i>		Band 9 – \$17, 336 pa
	Senior Immigration Officer		<i>Acting capacity – Greg Garoa</i>	M	Band 9 – \$17, 336 pa
	Visa and Immigration Officer		Barry Deireragea	M	Band 5 - \$12,983 pa
	Visa and Immigration Officer		JJ Bop	M	Band 5 - \$12,983 pa
	Visa and Immigration Officer		Cheisty Duburiya	M	Band 5 - \$12,983 pa
	Visa and Immigration Officer		Whitney Botelanga	F	Band 5 - \$12,983 pa
	Visa and Immigration Officer		<i>Vacant</i>		Band 5 - \$12,983 pa
	Immigration Officer		<i>Greg Garoa Vacant</i>	M	Band 5 - \$12,983 pa
	Immigration Officer		Deuce Hedmond	M	Band 5 - \$12,983 pa

Immigration Division	Immigration Officer	Starrington Dowabobo	M	Band 5 - \$12,983 pa
	Immigration Officer	Amuson Bernicke	M	Band 5 - \$12,983 pa
	Immigration Officer	Ideana Atto	F	Band 5 - \$12,983 pa
	Immigration Officer	Stanton Dame	M	Band 5 - \$12,983 pa
	Clerical officer	<i>Dawnia Aiyunge</i>		Band 4 - \$12,248 pa
Passports Division	Director Passports	Ruby Amram	F	Band 13.1 – \$26, 002 pa
	Senior Passports Officer	Zita Itsimaera	F	Band 9 – \$17, 336 pa
	Passports Officer [Records and Data Management]	Kerryn Notte	F	Band 7 – \$14, 863 pa
	Passports Officer [Customer Care Services]	Girlina Brechtefeld	F	Band 7 – \$14, 863 pa
Quarantine Division	Director of Quarantine	Amy Tsitsi	F	Band 13.1 – \$26, 002 pa
	Principal Quarantine Officer	Sheba Hubert	F	Band 12 – \$21,837 pa
	Senior Quarantine Officer	Tremaine Dick	M	Band 9 – \$17, 336 pa
	Senior Quarantine Officer	<i>Vacant</i>		Band 9 – \$17, 336 pa
	Quarantine Officer	Kazna Benjamin	M	Band 5 - \$12,983 pa
	Quarantine Officer	Pat Cook	M	Band 5 - \$12,983 pa
	Quarantine Officer	Kane Akubor	M	Band 5 - \$12,983 pa
	Quarantine Officer	Link Uera	M	Band 5 - \$12,983 pa
	Quarantine Officer	Norman Cook	M	Band 5 - \$12,983 pa
	Quarantine Officer	Wilkes Deiye	M	Band 5 - \$12,983 pa
	Quarantine Officer	Zac Detenamo	M	Band 5 - \$12,983 pa
	Quarantine Officer	<i>Vacant</i>		Band 5 - \$12,983 pa
	Quarantine Officer	Kyle Brechtefeld	M	Band 5 - \$12,983 pa
	Quarantine Officer	Tana Finch	M	Band 5 - \$12,983 pa
Quarantine Officer	Bren Heinrich	M	Band 5 - \$12,983 pa	
Quarantine Officer	Chamrock Agir	M	Band 5 - \$12,983 pa	
Clerical Officer	Simona Khaizmen	M	Band 4 - \$12,248 pa	
Dog Management and Control Unit (DMU)	Director Dog Management and Control Unit	<i>Vacant</i>		Band 13.1 - \$26,002 pa
	Dog Control Supervisor	Daniel Tsiode	M	Band 5 - \$12,983 pa
	Dog Control Officer	Peter-Posa Deireragea	M	Band 4 - \$12,248 pa
	Dog Control Officer	Jethro Tamakin	M	Band 4 - \$12,248 pa
	Dog Control Officer	<i>Vacant</i>	M	Band 4 - \$12,248 pa

Correctional Service	Chief Correctional Officer	Jezza Uepa	M	Band 13.1 - \$26,002 pa
	Deputy Chief Correctional Officer [Administration]	Vitromich Limen		Band 11 - \$20,220 pa
	Deputy Chief Correctional Officer [Operations]	Max Kamtaura	M	Band 11 - \$20,220 pa
	Supervisor [Administration]	Darwina Spanner		Band 8 – \$16, 052 pa
	Supervisor [Stores]	Michael Namaduk	K M	Band 8 – \$16, 052 pa
	Supervisor	<i>Vacant</i>	M	Band 8 – \$16, 052 pa
	Supervisor	Ringo Tannang	M	Band 8 – \$16, 052 pa
	Supervisor	Rojay Wabeiya	M	Band 8 – \$16, 052 pa
	Supervisor	Wisdom Tannang	M	Band 8 – \$16, 052 pa
	Supervisor	Jett Demauna	M	Band 8 – \$16, 052 pa
	Supervisor	Lincoln Eoaeo	M	Band 8 – \$16, 052 pa
	Supervisor	Jasper Uepa	M	Band 8 – \$16, 052 pa
	Supervisor	Jesse Uepa	M	Band 8 – \$16, 052 pa
	Supervisor	Mutima Dake	M	Band 8 – \$16, 052 pa
	Supervisor	<i>Vacant</i>		Band 8 – \$16, 052 pa
Correctional Services	Correctional Officer	Brendan Waidabu	M	Band 5 - \$12,983 pa
	Correctional Officer	Brammel Teimitsi	M	Band 5 - \$12,983 pa
	Correctional Officer	Langitupu Taleka	M	Band 5 - \$12,983 pa
	Correctional Officer	Conack Maaki	M	Band 5 - \$12,983 pa
	Correctional Officer	Greco Tom	M	Band 5 - \$12,983 pa
	Correctional Officer	Jude Reweru	M	Band 5 - \$12,983 pa
	Correctional Officer	Barcelona Star	M	Band 5 - \$12,983 pa
	Correctional Officer	Jester Duburiya	M	Band 5 - \$12,983 pa
	Correctional Officer	Jesse Cannon	M	Band 5 - \$12,983 pa
	Correctional Officer	Iona Julius	M	Band 5 - \$12,983 pa
	Correctional Officer	Jaywan Ephraim	M	Band 5 - \$12,983 pa
	Correctional Officer	Ramoun Dongobir	M	Band 5 - \$12,983 pa
	Correctional Officer	Yanmar Bam	M	Band 5 - \$12,983 pa
	Correctional Officer	Ronrico Togagae		Band 5 - \$12,983 pa
	Correctional Officer	Vincent Deireragea		Band 5 - \$12,983 pa
	Correctional Officer	Gaunbwe Fritz		Band 5 - \$12,983 pa
	Correctional Officer	Thomas Fritz		Band 5 - \$12,983 pa
	Correctional Officer	Jackovick Uepa		Band 5 - \$12,983 pa
	Correctional Officer	Jason Teimitsi		Band 5 - \$12,983 pa
	Correctional Officer	Tuda Bam		Band 5 - \$12,983 pa
	Correctional Officer	Rhet Uepa		Band 5 - \$12,983 pa
	Correctional Officer	Jacob Temaki		Band 5 - \$12,983 pa
	Correctional Officer	Ruki Kam		Band 5 - \$12,983 pa
	Supervisor [Women]	Sandy Angabate	F	Band 8 – \$16, 052 pa
	Supervisor [Women]	Jerusha Mau	F	Band 8 – \$16, 052 pa
	Correctional Woman Officer	Thiana Fritz	F	Band 5 - \$12,983 pa

Correctional Services	Correctional Woman Officer	Tokaibure Josiann	F	Band 5 - \$12,983 pa
	Correctional Woman Officer	Joliene Ika	F	Band 5 - \$12,983 pa
	Correctional Woman Officer	Katherine Agigo		Band 5 - \$12,983 pa
	Correctional Woman Officer	Wynette Demaunga		Band 5 - \$12,983 pa
	Correctional Woman Officer	Litany Eoaeo		Band 5 - \$12,983 pa
	Supervisor [Juvenile]	Ibncatuta Deireragea		Band 8 – \$16, 052 pa
	Supervisor [Juvenile]	Preslin Aubiat		Band 8 – \$16, 052 pa
	Juvenile Correctional Officer	Kurt Oscar		Band 5 - \$12,983 pa
	Juvenile Correctional Officer	Bradly Deireragea		Band 5 - \$12,983 pa
	Juvenile Correctional Officer	<i>Vacant</i>		Band 5 - \$12,983 pa
	Juvenile Correctional Officer	<i>Vacant</i>		Band 5 - \$12,983 pa
	Administrative Officer	Ikinalla Thoma		Band 5 - \$12,983 pa
	Medical Officer	<i>Vacant</i>		Band 11 - \$20, 220 pa
	Cook	<i>Vacant</i>		Band 5 - \$12,983 pa

ASSET REGISTRY 2021-2022

IT ASSETS	JBC SECTIONS								
	Sec	ODPP	OPLD	DMU	Immi	P/Ports	Quarantine	CS	TOTAL
Computers	24	5	5	0	5	4	8	7	58
L/Tops	10	0	2	0	2	1	2	0	17
UPS	10	5	3	0	0	1	0	0	19
Dongle keys	0	0	0	0	0	3	0	2	5
Wifi modems	5	0	0	0	1	1	0	2	9
Printers	7	1	1	0	2	0	3	2	16
Passport printer	0	0	0	0	0	3	0	0	3
Passport scanner	0	0	0	0	0	3	0	0	3
Shredders	3	1	1	0	1	1	1	0	8

WHITE GOODS	JBC SECTIONS								
	Sec	ODPP	OPLD	DMU	Immi	P/Ports	Quarantine	CS	TOTAL
Air con [split]	8	5	4	0	2	2	4	20	45
Air con [wall/portable]	2	0	0	0	0	0	0	0	2
Refrigerators	1	1 share		0	0	0	1	2	5
Freezer	0	0	0	0	0	0	1	2	3
Oven	0	0	0	0	0	0	0	1	1
Microwave	1	1 share		0	0	0	0	0	1

AUTO-MACHINERIES	JBC SECTIONS								
	Sec	ODPP	OPLD	DMU	Immi	P/Ports	Quarantine	CS	TOTAL
Vehicles	10	3		3	1	2	1	3	6
Motorbikes	0	0	0	0	0	0	0	4	4
Fishing boat	0	0		0	0	0	0	0	1

OFFICE FURNITURE	JBC SECTIONS								
	Sec	ODPP	OPLD	DMU	Immi	P/Ports	Quarantine	CS	TOTAL
Televisions	4	1 share		0	0	0	0	1	6
Safe	0	0	0	0	0	1	0	0	1
Desks	18	6		6	0	6	2	8	24
Chairs	28	14	12	0	8	4	15	90	171
Conference table	1	1 share		0	0	0	1	0	3
Whiteboards	14	8		3	0	0	0	3	3
Coffee tables	1	0		0	0	0	0	1	0
Couches	0	1		0	0	0	0	1	2

CLEANING EQUIPMENT	JBC SECTIONS								
	Sec	ODPP	OPLD	DMU	Immi	P/Ports	Quarantine	CS	TOTAL
Rubbish bins [wheelies]	7	3 Share		0	0	0	2	10	22
Bush knives	0	0	0	0	0	0	0	6	6
Grass cutter	0	0		1	0	0	0	0	2
Rakes	2	1	0	0	0	0	0	6	9
Shovels	0	0		0	0	0	0	0	6

ASSET REGISTRY 2021-2022

CONCLUSION

2021 to 2022 was again, an extremely eventful year for the Department of Justice and Border Control as it continuously and consistently serves the Republic and her people with care and pride.

The collation process of the information and data by the Sections that have been adapted into this report have presented an opportunity for reflection and self-analysis for JBC. The identification of strengths, weaknesses, opportunities and threats has paved revised, if not new, strategic pathways for the Sections to implement policies, execute tasks and resolve challenges.

The work of other Departments and agencies supplements and enhances JBC's role in the Nauru Public Service, highlighting the fact that without JBC, gaps would exist that would make the public service incomplete. This is in fact true for every Government Department and agency where each has a purpose and function within the sequence of government services that need to exist. Thus, JBC appreciates the collaborations with other Government departments in ensuring the goals and objectives of the Government are achieved.

As another fiscal year commences, JBC moves forward with determination and hope that 2022-2023 will be another fruitful year for the Government of Nauru, the Nauru Public Service, the Department of Justice and Border Control and each and every one of its staff members.

In staying true to the JBC motto, 'Serving the People with Care and Pride', the Department must first also keep in mind and spirit the motto of the Republic of Nauru,

“God's Will First”

