



REPUBLIC OF NAURU

## Laws Repeal and Adopting Act 1922

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**As in force from 15 April 2011**

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This compilation comprises Ordinance No. 8 of 1922 as amended and in force from 15 April 2011 (being, at the time the compilation was prepared on 20 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions. The Historical Table of Adopted Laws in the notes section provides a full account of the laws adopted under this Act throughout its currency.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

This compilation is prepared and published in a legislation database by the Nauru Parliamentary Counsel under the *Legislation Publication Act 2011*.

## Contents

1	Short title .....	1
2–9	<i>[Repealed]</i> .....	1
10	Application of certain Commonwealth laws .....	1
11	<i>[Repealed]</i> .....	1
12	Adopting Statutes of Queensland.....	1
13	<i>[Repealed]</i> .....	2
14	Adopting Ordinances of Papua .....	2
15	<i>[Repealed]</i> .....	2
16	Adopted law to be construed to meet circumstances of the Island.....	2
17	<i>[Repealed]</i> .....	2
SCHEDULES .....		3
Schedule 1 .....		3
Schedule 2 .....		3
Schedule 3 .....		3
NOTES.....		4
Tables of Constituent Legislation .....		4
Table of Amendments .....		5
Historical Table of Adopted Laws.....		7

REPUBLIC OF NAURU

## Laws Repeal and Adopting Act 1922

An Act to adopt certain laws of the Commonwealth of Australia, Queensland and the former Territory of Papua as laws of Nauru

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**1 Short title**

This Act may be cited as the *Laws Repeal and Adopting Act 1922*.

**2–9 [Repealed]**

**10 Application of certain Commonwealth laws**

Subject to this Act, the Acts of Parliament of the Commonwealth of Australia specified in Schedule 1 shall, so far as they are applicable, apply to Nauru.

**11 [Repealed]**

**12 Adopting Statutes of Queensland**

Those portions of the Acts and Statutes of the State of Queensland specified in Schedule 2 and any amendments thereto that were in force in the said State on 1 July 1921, and those portions of every regulation or rule made under the provisions of any of the said Acts or Statutes that were in force at the date aforesaid are hereby adopted as laws of Nauru, so far as the same are applicable to the circumstances of Nauru, and are not repugnant to, or inconsistent with the provisions of any Act, Ordinance, law, regulation, rule, order, or proclamation having the force of law, that has been, or may hereafter be expressed to extend to, or applied to, or made or promulgated in Nauru.

13 *[Repealed]*

14 **Adopting Ordinances of Papua**

Those portions of the Ordinances of the former Territory of Papua specified in Schedule 3 that were in force in that Territory on 23 September 1922, and those portions of every regulation or rule made under the provisions of any of the Ordinances that were in force in that Territory on 23 September 1922 are adopted as Ordinances, regulations, and rules of Nauru so far as the same are applicable to the circumstances of Nauru, and are not repugnant to, or inconsistent with the provisions of any Act, Ordinance, law, regulation, rule, order, or proclamation having the force of law, that has been or may hereafter be expressed to extend to, or applied to or made or promulgated in Nauru.

15 *[Repealed]*

16 **Adopted law to be construed to meet circumstances of the Island**

All or any references to authorities, persons, places, subjects, matters, or things in any Act, Statute, law, regulation, or rule hereby adopted shall be taken as referring to corresponding or analogous authorities, persons, places, subjects, matters, or things in Nauru, and for the purpose of facilitating the application of any of the aforesaid Acts, Statutes, laws, regulations, or rules hereby adopted, it shall be lawful for any Court or magistrate to construe the same with such verbal alteration not affecting the substance as may be necessary to render the same applicable to the matter before the Court or magistrate.

17 *[Repealed]*

## **SCHEDULES**

### **SCHEDULE 1 – ACTS OF THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA APPLIED BY THIS ACT**

Section 10

*Audit Act 1901-1920*  
*Commerce (Trade Descriptions) Act 1905*  
*Marine Insurance Act 1909*  
*Meteorology Act 1906*  
*Quarantine Act 1908-1920*  
*Secret Commissions Act 1905*  
*Trade Marks Act 1955-1958*

### **SCHEDULE 2 – ACTS OF THE STATE OF QUEENSLAND APPLIED BY THIS ACT**

Section 12

*The Criminal Code Act 1899 — The First Schedule*

### **SCHEDULE 3 – ORDINANCES OF THE FORMER TERRITORY OF PAPUA APPLIED BY THIS ACT**

Section 14

*Criminal Code Amendment Ordinance of 1907*  
*Insolvency Ordinance 1912*  
*Mercantile Ordinance 1912*  
*Wreck and Salvage Ordinance of 1902*

## Notes for Laws Repeal and Adopting Act 1922

### Tables of Constituent Legislation

#### Ordinances

Citation	Number	Made	Gazettal*	Commencement
<i>Laws Repeal and Adopting Ordinance 1922</i>	1922/08	23.09.1922	—	23.09.1922
<i>Laws Repeal and Adopting Ordinance 1925</i>	1925/01	03.01.1925	—	03.01.1925
<i>Laws Repeal and Adopting Amendment Ordinance 1927†</i>	1927/02	19.03.1927	—	19.03.1927
<i>Laws Repeal and Adopting Ordinance 1933</i>	1933/02	30.01.1933	—	30.01.1933
<i>Laws Repeal and Adopting Ordinance 1935</i>	1935/05	16.11.1935	—	16.11.1935
<i>Laws Repeal and Adopting Ordinance 1936</i>	1936/03	22.02.1936	—	22.02.1936
<i>Laws Repeal and Adopting Ordinance 1938</i>	1938/03	08.07.1938	—	08.07.1938
<i>Laws Repeal and Adopting Ordinance 1952</i>	1952/03	11.02.1952	—	11.02.1952
<i>Laws Repeal and Adopting Ordinance 1956</i>	1956/05	11.09.1956	12.09.1956	17.09.1956 (GN 75/1956)
<i>Laws Repeal and Adopting Ordinance 1957</i>	1957/05	28.11.1957	02.12.1957	06.12.1957 (GN 301/1957)
<i>Births, Deaths and Marriages Ordinance 1957</i>	1957/08	31.12.1957	04.01.1958	09.03.1959 (GN 45/1959)
<i>Laws Repeal and Adopting Ordinance 1964</i>	1964/04	12.05.1964	18.05.1964	18.05.1964
<i>Laws Repeal and Adopting Ordinance 1965</i>	1965/08	31.12.1965	04.01.1966	14.02.1966
<i>Ordinances Revision Ordinance 1967</i>	1967/25	29.12.1967	29.12.1967	29.12.1967 (GN 316/1967)

\* Gazettal date is of no legal significance for Ordinances made before 30.08.1956 (commencement of the *Interpretation Ordinance 1956*).

† Ordinance No. 2 of 1927 'cancelled' Ordinance No. 5 of 1926, which was made and commenced on 15 October 1926; 1926/05 had made an almost identical substitution of section 13 (now section 12) of the Ordinance to that effected by 1927/02, except that it had not included the words 'and any amendments thereto'.

*Laws Repeal and Adopting Act 1922*

**Acts**

Short title	Number	Certification	Commencement
<i>Custom and Adopted Laws Act 1971</i>	1971/11	05.01.1972	21.02.1972 (GN 38/1972)
<i>Corporation Act 1972</i>	1972/05	17.02.1972	17.02.1972 (s. 251)
<i>Criminal Procedure Act 1972</i>	1972/21	24.11.1972	27.11.1972 (GN 321/1972)
<i>Patents Registration Act 1973</i>	1973/10	25.10.1973	01.06.1976 (GN 121/1976)
<i>Matrimonial Causes Act 1973</i>	1973/21	08.11.1973	03.10.1977 (GN 393/1977)
<i>Wireless Telegraphy Act 1974</i>	1974/16	31.12.1974	01.03.1977 (GN 64/1977)
<i>Weights and Measures Act 1976</i>	1976/10	10.09.1976	11.10.1976 (GN 323/1976)
<i>Lands Act 1976</i>	1976/13	23.09.1976	23.09.1976
<i>Oaths, Affirmations and Statutory Declarations Act 1976</i>	1976/18	29.10.1976	29.10.1976
<i>Succession, Probate and Administration Act 1976</i>	1976/21	29.10.1976	29.10.1976
<i>Partnership Act 1976</i>	1976/25	10.11.1976	10.11.1976
<i>Inquests Act 1977</i>	1977/02	01.04.1977	01.04.1977
<i>Immigration Act 1999</i>	1999/06	18.10.1999	06.07.2000 (GN 200/2000)
<i>Statute Law Revision Act 2011</i>	2011/08	15.04.2011	15.04.2011

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted  
om. = omitted    os. = omitted and substituted

Provision affected	How affected
Long title	Rs. by Act 2011/08.
Section 1 (former s. 2)	Am. by Ord. 1967/25. Renumbered by Ord. 1967/25. Rs. by Act 2011/08.
Section 2 (formerly s. 3)	Renumbered by Ord. 1967/25. Rep. by Act 2011/08.
Section 3 (formerly s. 4)	Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 4 (formerly s. 5)	Renumbered by Ord. 1967/25. Rep. by Act 1976/13.

*Laws Repeal and Adopting Act 1922*

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Provision affected	How affected
Section 5 (formerly s. 6)	Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 6 (formerly s. 7)	Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 7 (formerly s. 8)	Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 8 (formerly s. 9)	Renumbered by Ord. 1967/25.
Section 9 (formerly s. 10)	Am. by Ord. 1967/25. Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 10 (formerly s. 11)	Renumbered by Ord. 1967/25. Am. by Act 2011/08.
Section 11 (formerly s. 12)	Am. by Ord. 1967/25. Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Section 12 (formerly s. 13)	Subst. by Ord. 1927/02. Renumbered by Ord. 1967/25. Am. by Act 2011/08.
Section 13 (formerly s. 14)	Renumbered by Ord. 1967/25.
Section 14 (formerly s. 15)	Renumbered by Ord. 1967/25. Am. by Act 2011/08.
Section 15 (formerly s. 16)	Renumbered by Ord. 1967/25, rep. by Act 1971/11.
Section 16 (formerly s. 17)	Renumbered by Ord. 1967/25. Am. by Act 2011/08.
Section 17 (formerly s. 18)	Am. by Ord. 1936/03, Ord. 1967/25. Renumbered by Ord. 1967/25. Rep. by Act 1971/11.
Schedule 1 (formerly First Schedule)	Am. by Ord. 1925/01, Ord. 1933/02, Ord. 1935/05, Ord. 1938/03, Ord. 1956/05, Ord. 1957/05, Ord. 1964/04, Ord. 1965/08, Ord. 1967/25, Act 1971/11, Act 1973/10, Act 1974/16, Act 1976/18, Act 1999/06, Act 2011/08.
Schedule 2 (formerly Second Schedule)	Am. by Act 1971/11, Act 1976/21, Act 2011/08.
Schedule 3 (formerly Third Schedule)	Am. by Ord. 1952/03, Ord. 1957/08, Act 1971/11, Act 1972/05, Act 1972/21, Act 1973/21, Act 1976/10, Act 1976/18, Act 1976/21, Act 1976/25, Act 1977/02, Act 2011/08.

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*Laws Repeal and Adopting Act 1922*

**Historical Table of Adopted Laws**

**Note:** This table lists only those laws the adoption of which is provided for by the *Laws Repeal and Adopting Act 1922*. Certain other laws are adopted under separate adopting Acts.

**Acts of the Commonwealth of Australia**

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	<i>Applied in Nauru</i>	
	<i>From —</i>	<i>To —</i>
<i>Aliens Registration Act 1920</i>	23.09.1922	17.05.1964
<i>Audit Act 1901-1920</i>	23.09.1922	~
<i>Bills of Exchange Act 1909-1912</i>	23.09.1922	07.07.1938
<i>Bills of Exchange Act 1909-1936</i>	08.07.1938	20.02.1972
<i>Census and Statistics Act 1905-1920</i>	23.09.1922	29.01.1933
<i>Coinage Act 1909</i>	23.09.1922	13.02.1966
<i>Commerce (Trade Descriptions) Act 1905</i>	23.09.1922	~
<i>Commonwealth Workmen's Compensation Act 1912</i>	23.09.1922	10.09.1956
<i>Copyright Act 1912</i>	23.09.1922	15.11.1935
<i>Copyright Act 1912-1933</i>	16.11.1935	20.02.1972
<i>Crimes Act 1914-1915</i>	23.09.1922	20.02.1972
<i>Designs Act 1906-1912</i>	23.09.1922	15.11.1935
<i>Designs Act 1906-1934</i>	16.11.1935	14.04.2011
<i>Evidence Act 1905</i>	23.09.1922	20.02.1972
<i>Immigration Act 1901-1920</i>	23.09.1922	05.07.2000
<i>Marine Insurance Act 1909</i>	23.09.1922	~
<i>Meteorology Act 1906</i>	23.09.1922	~
<i>Nationality Act 1920</i>	23.09.1922	05.12.1957
<i>Patents Act 1905-1909</i>	23.09.1922	15.11.1935
<i>Patents Act 1905-1934</i>	16.11.1935	31.05.1976
<i>Patents, Trade Marks and Designs Act 1910</i>	23.09.1922	14.04.2011
<i>Patents, Trade Marks and Designs Act 1914-1915</i>	23.09.1922	14.04.2011
<i>Patents, Trade Marks and Designs Act 1932</i>	16.11.1935	14.04.2011
<i>Quarantine Act 1908-1920</i>	23.09.1922	~
<i>Sea-Carriage of Goods Act 1904</i>	23.09.1922	02.01.1925
<i>Sea Carriage of Goods Act 1924</i>	03.01.1925	20.02.1972
<i>Seamen's Compensation Act 1911</i>	23.09.1922	14.04.2011
<i>Secret Commissions Act 1905</i>	23.09.1922	~

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*Laws Repeal and Adopting Act 1922*

	<i>Applied in Nauru</i> <i>From —</i>	<i>To —</i>
<i>State Laws and Records Recognition Act 1901</i>	23.09.1922	20.02.1972
<i>Statutory Declarations Act 1911</i>	23.09.1922	28.10.1976
<i>Trade Marks Act 1905-1919</i>	23.09.1922	15.11.1935
<i>Trade Marks Act 1905-1934</i>	16.11.1935	17.05.1964
<i>Trade Marks Act 1955-1958</i>	18.05.1964	~
<i>Wireless Telegraphy Act 1905-1919</i>	23.09.1922	28.02.1977

**Acts of the State of Queensland**

	<i>Applied in Nauru</i> <i>From —</i>	<i>To —</i>
<i>The Criminal Code Act 1899 — The First Schedule</i>	23.09.1922	~
<i>Statute of Frauds and Limitations of 1867</i>	23.09.1922	20.02.1972
<i>Succession Act of 1867</i>	23.09.1922	28.10.1976
<i>Succession Act Declaratory Act 1884</i>	23.09.1922	28.10.1976

**Ordinances of the former Territory of Papua**

	<i>Applied in Nauru</i> <i>From —</i>	<i>To —</i>
<i>Bills of Sale Ordinance 1912</i>	23.09.1922	20.02.1972
<i>Companies Ordinance 1912</i>	23.09.1922	16.02.1972
<i>Coroners Ordinance 1911</i>	23.09.1922	31.03.1977
<i>Criminal Code Amendment Ordinance of 1907</i>	23.09.1922	~
<i>Criminal Procedure Ordinance of 1889</i>	23.09.1922	26.11.1972
<i>Defamation Ordinance 1911</i>	23.09.1922	20.02.1972
<i>Employers' Liability Ordinance 1912</i>	23.09.1922	14.04.2011
<i>Insolvency Ordinance 1912</i>	23.09.1922	~
<i>Marriage Ordinance 1912-1914</i>	23.09.1922	14.04.2011
<i>Matrimonial Causes Jurisdiction Ordinance 1910</i>	23.09.1922	02.10.1977
<i>Mercantile Ordinance 1912</i>	23.09.1922	~
<i>Oaths Ordinance 1912</i>	23.09.1922	28.10.1976
<i>Partnership Ordinance 1912</i>	23.09.1922	09.11.1976
<i>Post and Telegraph Ordinance 1912-1916</i>	23.09.1922	10.02.1952
<i>Probate and Administration Ordinance 1913-1915</i>	23.09.1922	28.10.1976

*Laws Repeal and Adopting Act 1922*

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	<i>Applied in Nauru</i>	
	<i>From —</i>	<i>To —</i>
<i>Registration of Births, Deaths and Marriages Ordinance 1912</i>	23.09.1922	08.03.1959
<i>Seamen (Foreign) Ordinance 1912</i>	23.09.1922	14.04.2011
<i>Weights and Measures Ordinance 1913</i>	23.09.1922	10.10.1976
<i>Wreck and Salvage Ordinance of 1902</i>	23.09.1922	~