



REPUBLIC OF NAURU

# REFUGEES CONVENTION (AMENDMENT) REGULATIONS 2017

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SL No. 4 of 2017

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Notified: 14<sup>th</sup> March 2017

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Cabinet makes the following Regulations under section 52 of the Refugees Convention Act 2012:

**1 Citation**

These Regulations may be cited as the *Refugees Convention (Amendment) Regulations 2017*.

**2 Commencement**

These Regulations commence on the day they are notified in the Gazette.

**3 Amendment of Refugees Convention Regulations 2013**

These Regulations amend the Refugees Convention Regulations 2013.

**4 Amendment of regulation 3**

**Omit**

Regulation 3

**Substitute**

For section 5(2) of the Act, the prescribed form:

- (a) for an application to be recognised as a refugee is set out in Schedule 1 to these Regulations;
- (b) for an application to be given derivative status is set out in Schedule 2 to these Regulations.

**5 Insert new Schedule 2**

Schedule 2 is inserted as follows:

## SCHEDULE 2

Regulation 3



Republic of Nauru

Department of Multicultural Affairs

**Refugees Convention Regulations 2013, Form 2**

### **Application for Derivative Status**

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#### **About this form**

Important – please read this information carefully before you complete your application. Once you have completed your application we strongly advise that you keep a copy for your records.

#### **Who should complete this form**

You should complete this form if you believe you are entitled to **derivative status**. You may be entitled to **derivative status** if:

- you are not a refugee, and you are not owed complementary protection; **but**
- you are a **dependent** of a person who is a refugee, who is owed complementary protection, or who has been given derivative status.

You may be a **dependent** of a person if you are:

- that person's spouse;
- that person's child under the age of 18 years; or
- dependent on that other person for financial, emotional, psychological or physical support.

If you were included in that person's application for refugee status, you are taken to have already applied for **derivative status** and do not need to use this application form. You do not need to make another application for **derivative status** unless you are applying as a **dependent** of a different person. You must use a separate form for each person you are applying to be a **dependent** of.

If you are given derivative status, you will be given a Refugee Determination Record.

#### **Making a valid application**

To make a valid application, you must:

- use this application form
- complete the form in English
- answer all questions truthfully.

Any application that does not meet these requirements will not be a valid application and cannot be processed.

#### **The information you provide**

Information you provide in this application and any accompanying statements may be disclosed by the Secretary to other Government of Nauru agencies, including those involved in security and law enforcement. It may also be disclosed to the authorities in a potential country of resettlement, and to international organisations such as IOM or UNHCR. By signing this form, you consent to the information being shared to the extent required.

#### **The assessment process**

This application form is your opportunity to satisfy the Secretary that you are a dependent of a person who has been given a Refugee Determination Record. You should include all of the information you have in support of your claim of dependency on that person. It is possible that you will be invited to an interview with respect to your application, however **your application may be determined without an interview.**