



REPUBLIC OF NAURU

CRIMES (AMENDMENT) BILL 2020

No. of 2020

A Bill for an Act to amend the *Crimes Act 2016*.

Certified: []

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Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Crimes (Amendment) Act 2020*.

2 Commencement

This Act commences on certification of the Speaker.

3 Amendment of the Crimes Act 2016

The *Crimes Act 2016* is amended by the provisions of this Act.

4 Insert new Section 55A

55A Attempt to murder

A person commits an offence, if the person:

(a) attempts to kill another person; or

(b) does any act which is capable of or likely to endanger human life or kill another person.

Penalty: life imprisonment.

5 Amendment of Part 12

The title of Part 12 is deleted and substituted as follows:

‘PART 12 – CRIMES AGAINST THE REPUBLIC AND PARLIAMENT’

6 Amendment of Section 238

Section 238 is deleted and substituted as follows:

238 Interference with members of Parliament

A person commits an offence, if the person engages in any conduct, which interferes or is capable of interfering with the exercise or performance of any of the powers, duties or responsibilities of a member of Parliament.

Penalty: 10 years imprisonment.

7 Amendment of Section 239

Section 239 is deleted and substituted as follows:

239 Disturbing Parliament

- (1) A person commits an offence if the person:
- (a) engages in conduct in the immediate view and presence of Parliament when it is sitting; or
 - (b) engages in conduct when the Parliament is in session; and
 - (c) does so with the intention of:
 - (i) disrupting the proceedings of the Parliament; or
 - (ii) impeding the function, power or authority of the Parliament.
- (2) For the purposes of this Part, the meaning of ‘*session*’ or ‘*sitting*’ in *Article 81* of the *Constitution* applies.

Penalty: 10 years imprisonment.

8 Amendment of Section 240

Section 240 is deleted and substituted as follows:

240 Unlawful possession of offensive weapon in precincts of Parliament

- (1) A person commits an offence if the person has unlawful physical possession of an offensive weapon in the precincts of Parliament.

Penalty: 5 years imprisonment.

- (2) In this Section:

‘offensive weapon’ includes any object that is capable of being used to cause injury or incapacitate a person;

‘physical possession’ is where a person has ‘physical possession’ of a weapon if the person has the weapon on the person’s body, including in something carried or worn by the person; and

‘precincts of Parliament’ means the Chamber and offices of the Parliament and all places provided for the use or accommodation of members, officers or strangers, and includes, while the Parliament is sitting, and subject by exceptions made by the direction of the Speaker, the entire building in which the Chamber of the Parliament is situated, and any forecourt, yard, garden enclosure or open space