



REPUBLIC OF NAURU

## CRIMES (AMENDMENT) NO. 2 BILL 2020

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No. of 2020

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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) No. 2 Act 2020*.

**2 Commencement**

This Act commences on certification by the Speaker.

**3 Amendment of the Crimes Act 2016**

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

**4 Amendment of Section 8**

Section 8 is amended by inserting the following in alphabetical order:

**'intimidation'** or **'intimidates'** means the use of violence or threats to compel a person to do or abstain from doing any act which he or she has a legal right to do or abstain from doing;

**5 Amendment of Section 77**

Section 77 is amended by:

**Deleting** the following where it appears:

Penalty:

- (i) if aggravating circumstances apply - 10 years imprisonment; or
- (ii) in any other case - 8 years imprisonment.

**Substituting**

Penalty:

- (i) if aggravating circumstances apply – life imprisonment of which at least 12 years imprisonment to be served without any parole or probation;
- (ii) in any other case – 20 years imprisonment of which imprisonment term at least one third to be served, without any parole or probation;

**6 Insert new Section 77A**

A new Section 77A is inserted as follows:

**'77A Intimidating or threatening a police officer**

A person commits an offence, if the person intimidates or threatens a police officer in the execution of the police officer's duties.

Penalty: a maximum term of 5 years imprisonment of which imprisonment term at least one third to be served, without any parole or probation.'

**7 Amendment of Section 105**

Sections 105(1) and (2) are amended by:

**Deleting** the following where it appears:

'Penalty:

- (i) if aggravating circumstances apply – 25 years imprisonment; or
- (ii) in any other case – 20 years imprisonment.'

**Substituting:**

'Penalty: life imprisonment of which imprisonment term at least 15 years to be served, without any parole or probation.'

**8 Amendment of Section 106**

Sections 106(1), (2) and (3) are amended by:

**Deleting** the following where it appears:

'Penalty:

- (i) if aggravating circumstances apply – 8 years imprisonment; or
- (ii) in any other case – 5 years imprisonment.'

**Substituting:**

'Penalty:

- (i) if aggravating circumstances apply – 20 years imprisonment; or
- (ii) in any other case – 10 years imprisonment.'

**9 Amendment of Section 107**

Section 107 is amended by:

**Deleting:**

‘Penalty:

- (i) if aggravating circumstances apply – 7 years imprisonment;  
or
- (ii) in any other case – 5 years imprisonment.’

**Substituting:**

‘Penalty: life imprisonment of which imprisonment term at least 12 years to be served, without any parole or probation.’

**10 Amendment of Section 109**

Sections 109(1) and (2) are amended by:

**Deleting** the following where it appears:

‘Penalty: 25 years imprisonment’

**Substituting:**

‘Penalty: life imprisonment of which imprisonment term at least 15 years to be served, without any parole or probation.’

**11 Amendment of Section 110**

Section 110(1) is amended by:

**Deleting:**

‘Penalty: 5 years imprisonment’

**Substituting:**

‘Penalty: a maximum term of 10 years imprisonment of which imprisonment term at least half to be served, without any parole or probation.’

**12 Amendment of Section 111**

Section 111(1) is amended by:

**Deleting:**

‘Penalty: 5 years imprisonment’

**Substituting:**