



REPUBLIC OF NAURU

# NAURU TOURISM CORPORATION BILL 2019

---

No. of 2019

---

A Bill for an Act to establish the Nauru Tourism Corporation, to provide for its functions and powers and for related purposes

Certified: [ ]

## Table of Contents

<b>PART 1 – PRELIMINARY .....</b>	<b>3</b>
1 Short Title.....	3
2 Commencement.....	3
3 Interpretation .....	3
<b>PART 2 – APPLICATION OF THE ACT .....</b>	<b>3</b>
4 General objectives of the Act .....	3
5 Guiding principles.....	3
<b>PART 3 – NAURU TOURISM CORPORATION.....</b>	<b>4</b>
7 Establishment of Corporation .....	4
8 Functions of the Corporation .....	4
9 Powers of the Corporation .....	5
10 Directions of Minister.....	5
11 Board of Directors .....	5

12	Qualifications of Directors .....	6
13	Meetings of the Board .....	6
14	Responsibilities and duties of Directors .....	7
15	Vacation of office.....	7
16	Remuneration of the Board .....	8
17	Disclosure of interest.....	8
18	Liability of Directors.....	9
	<b>PART 4 – ACCOUNTS AND AUDIT .....</b>	<b>9</b>
19	Account keeping .....	9
20	Funds of the Corporation .....	9
21	Audit of accounts.....	9
22	Annual report and accounts .....	10
	<b>PART 5 – CHIEF EXECUTIVE OFFICER AND OFFICERS .....</b>	<b>10</b>
23	Chief Executive Officer.....	10
24	Officers.....	10
	<b>PART 6 – MISCELLANEOUS.....</b>	<b>10</b>
25	Breach of confidentiality .....	10
26	Election candidates – Board of Directors .....	11
27	Jurisdiction of Court .....	11
28	Regulations .....	11

Enacted by the Parliament of Nauru as follows:

## **PART 1 – PRELIMINARY**

### **1 Short Title**

This Act may be cited as the *Nauru Tourism Corporation Act 2019*.

### **2 Commencement**

This Act commences on certification by the Speaker.

### **3 Interpretation**

In this Act:

**'Board'** means the Nauru Tourism Corporation Board established under section 11;

**'Corporation'** means the Nauru Tourism Corporation established under section 7;

**'Minister'** means the President of the Republic;

## **PART 2 – APPLICATION OF THE ACT**

### **4 General objectives of the Act**

The general objectives of the Act are to:

- (a) establish a legal and administrative framework to promote tourism development in the Republic;
- (b) establish the Nauru Tourism Corporation, its functions and powers;
- (c) empower the Corporation to carry out and promote the sustainable development of tourism in the Republic through effective planning and promotion; and
- (d) ensure the participation of relevant government and community stakeholders in the development of tourism policies and the resolution of issues arising as a result of tourism development.

### **5 Guiding principles**

In the interpretation and application of this Act in developing and promoting the tourism industry, the following guiding principles shall be given effect to:

- (a) provision of sustainable socio-economic benefit of all stakeholders;
- (b) recognition and respect for existing traditions and customary practices and contribution to inter-cultural understanding and tolerance;

- (c) conservation and management of natural, social and cultural resources, biodiversity and waste management;
- (d) support economic, socio-cultural and environmental protection through governance and infrastructure;
- (e) international or regional commitments of the Republic in particular relating to ecotourism and Blue Ocean Strategy;
- (f) public safety and security are to be preserved; and
- (g) be consistent with the written laws of the Republic.

### **PART 3 – NAURU TOURISM CORPORATION**

#### **7 Establishment of Corporation**

- (1) The Nauru Tourism Corporation is hereby established.
- (2) The Corporation is a body corporate with perpetual succession and shall have a common seal.
- (3) The Corporation may:
  - (a) sue and be sued;
  - (b) enter into contracts and legal obligations;
  - (c) acquire, hold, manage and dispose of real and personal properties; and
  - (d) perform all powers, functions, duties and responsibilities of a corporation under the Corporations Act 1972 and this Act.

#### **8 Functions of the Corporation**

The functions of the Corporation shall include:

- (a) to promote and market tourism;
- (b) to carry out and give effect to any policy directions of the Minister and the Cabinet in relation to developing the tourism industry;
- (c) to prepare each a short and a long term tourism action plan;
- (d) to engage all sectors and stakeholders to work together to contribute to tourism development;
- (e) to develop and implement marketing strategies including prioritised market segments;
- (f) to establish a brand or market distinct from other tourism destinations to be competitive both in the regional and the international tourism markets;

- (g) to drive the increase in the contribution of tourism for ongoing economic benefits through increases in tourist arrivals, tourism receipts and tourism investments;
- (h) to make recommendations and advise the Minister on matters connected with its functions; and
- (i) to perform such other functions or exercise such other powers conferred on the corporation under the Act.

## **9 Powers of the Corporation**

The Corporation shall have the power to do all things necessary, convenient or appropriate to be done, whether in the Republic or elsewhere, for carrying out its functions.

## **10 Directions of Minister**

- (1) The Corporation is responsible to the Minister.
- (2) The Minister may give directions to the Corporation as to the performance of its functions and powers to which the Corporation shall give effect to.
- (3) The Minister may require the Corporation to provide information in the custody, power or control of the Corporation.
- (4) The Corporation shall comply with the request under subsection (3).
- (5) In this section '*information*' includes digital records, any tape, disk, drive or other device or means of recording or storing information.

## **11 Board of Directors**

- (1) The Board shall consist of 7 members who shall be appointed by the Cabinet on the recommendation of the Minister.
- (2) The members of the Board shall consist of:
  - (a) the Chief Commercial Officer of Nauru Airlines or other Executive nominated by the Minister for Nauru Air Corporation;
  - (b) a private sector representative of the hospitality industry;
  - (c) a representative from the Menen Hotel;
  - (d) a community representative; and
  - (e) three ex officio members who shall be the:
    - (i) Secretary for Home Affairs or his or her nominee;
    - (ii) Secretary for Multicultural Affairs or his or her nominee; and