



REPUBLIC OF NAURU

CENPAC CORPORATION BILL 2018

No. of 2018

A Bill for an Act to establish the Cenpac Corporation and for related purposes

Certified: []

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Enacted by the Parliament of Nauru as follows:

PART 1 – PRELIMINARY

1 Short Title

This Act may be cited as the *Cenpac Corporation Act 2018*.

2 Commencement

This Act commences upon certification by the Speaker.

3 Definitions

In this Act:

‘Corporation’ means the Cenpac Corporation established under section 4;

‘Minister’ means the Minister responsible for Telecommunications.

PART 2 –CENPAC CORPORATION

4 Establishment of Corporation

- (1) There shall be established a statutory Corporation to be known as the Cenpac Corporation consisting of a Board, Chief Executive Officer and such number of staff as the Board in consultation with the Minister may from time to time determine.
- (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 other legal obligations;
 - (c) acquire, hold, manage and dispose of real or personal properties; and,
 - (d) perform all such powers, functions, duties and responsibilities of a Corporation under the Corporations Act 1972.
- (4) The affixing of the common seal of the Corporation shall be authenticated by the signature of the Chief Executive Officer.

5 Functions of the Corporation

The functions of the Corporation as a commercial entity are to:

- (a) establish, operate, manage and invest in communication services;
- (b) establish, operate and manage a network for accessing the world wide web and international gateway for communication to and from the Republic;

- (c) establish and operate as an internet service provider for wholesale and retail purposes;
- (d) register, assign and allocate domain names under Nauru's internet country code to –level – domain (ccTLD) “.nr”;
- (e) establish and operate a commercial business associated with the communication and broadcasting sector or such other activities as the corporation deems appropriate;
- (f) make prudent and secured investments to ensure the viability of the corporation;
- (g) perform such other functions or exercise such other powers conferred on the corporation under the Act; and
- (h) make recommendations and advise the Minister on matters connected with its functions.

6 Powers of the Corporation

Subject to this Act, the Corporation has the power to do all things necessary, convenient or appropriate to be done, whether in the Republic or elsewhere, for the fulfilment of its functions.

7 Board of Directors

- (1) The Board shall consist of 3 members who shall be appointed by the Cabinet on the recommendation of the Minister.
- (2) The Cabinet on the recommendation of the Minister shall appoint a member to be the Chairperson of the Board.
- (3) The Directors shall be appointed for a term not exceeding 2 years and may be eligible for reappointment.
- (4) The Directors shall be appointed on such terms and conditions as approved by the Cabinet.

8 Qualification of Directors

- (1) The Cabinet in appointing Directors shall have regard as to whether the persons so selected to be Directors shall collectively possess the appropriate knowledge, skills and experience to assist the Corporation in the exercise of its powers and performance of its functions.
- (2) A person is disqualified to be appointed or from continuing as a Director if he or she is:
 - (a) an undischarged bankrupt or an individual who has an arrangement with any of his or her creditors;