



REPUBLIC OF NAURU

Government Gazette

Published by Authority

No.15

25th March 1992

Nauru

G.N.No.111/1992.

SPECIAL MISSIONS PRIVILEGES AND IMMUNITIES

(AMENDMENT) ACT, 1992

It is notified for general information that the Speaker certified the following Act which had been passed by Parliament and presented to him for his Certificate -

No. 3 of 1992

Special Missions Privileges and Immunities
(Amendment) Act, 1992

DATED this twentieth day of March, One Thousand Nine Hundred and Ninety-Two.

F.CAIN
CLERK OF PARLIAMENT.

THE DISTRICT COURT OF NAURU

IN THE MATTER of certain
Complaints herein scheduled

DECISION OF THE COURT

The cases listed below are cases in which the Court has declined jurisdiction.

The Criminal Code and the Criminal Procedure Act 1972 provide for time limits for the laying of complaints in respect of summary offences - see S.55L of the Code (1 year) S.159 of the Criminal Procedure Act (6 months).

Before a Court can deal with any offence, it must have jurisdiction to do so. That jurisdiction is given to it by the Complaint or Charge presented to it. The Complaint must:

- (a) Specify the defendant.
- (b) State the offence with which he is charged - that must be an offence prescribed by law.
- (c) Be sworn or taken before the Magistrate, that requires the Complaint to be signed by both the Complainant and the Magistrate taking it.
- (d) The date when it is taken must be recorded on the Complaint. This is very important since the time limit which determines whether the charge can lawfully be prosecuted is settled by this date.

The Court's jurisdiction depends upon such date which to jurisdiction, must be within the time limited for the prosecution of the offences charged. The Complaint must be signed by the Complainant and the Magistrate taking. It is important to understand it is not the time when the Complaint is filed in the Court Registry that is the relevant time. The time when the Magistrate takes the Complaint is that which decides whether the prosecution has been begun in time.

While it is possible to amend a Complaint after the commencement of the trials, before a trial can be commenced it must be shown, on the face of the Complaint presented to the Court, that the prosecution proposed is commenced within the time limit fixed by law. There is no jurisdiction to amend a Complaint before a trial commences. All the cases in question are founded on Complaints which do not show on their face that they are within time. Some are signed but not dated; some are not signed by a Magistrate as having been taken or sworn. Most concern summary offences which occurred over two years ago. Fortunately, most offences are relatively minor ones. There is no lawful way in which these Complaints can now confer jurisdiction on the Court. For that reason jurisdiction is declined. The cases are:

G.N.No.112/1992 (cont'd)

Charges: Driving Offences.

<u>NO.</u>	<u>NAME OF DEFENDANT</u>
38/90	DONNA GADRAOWA
347/90	LUANNE DOGUAPE
430/90	ITSIBAB EPHRAIM
791/90	ARANG RAIDI
801/90	DIBIDOK EDWARD
805/90	DAVID DENGEA
862/90	WILFRED BATSTIL
868/90	PHILLIP QUADINA
990/90	AMOS KAM
991/90	SASA KAIARUA
992/90	JOHNNY HARTMAN
993/90	JANNICE SPANNER
994/90	ALEX DABUAE
995/90	DEM EOBOB
996/90	FRANCESCA BENJAMIN
997/90	GERALDINE GARABWAN
999/90	KEVIN OTTO
1000/90	NICHOLAS KARL
1001/90	ARAWINE AKIBWIB
1002/90	RUBBER DEDUNA
1003/90	ALFONSO KATANGAUWA
1004/90	TALOE BOUBA
1005/90	ESTHER GIOUBA
1006/90	LISA HIRAM
1007/90	VERONICA DEKURO
1008/90	FLINT EDWARD
1009/90	ALMA ADAM
1010/90	BLACKY DABWIDO
1021/90	UARAI HIRAM
1022/90	WAYNE TAGAMOUN
1028/90	DEMO MAAKI
1024/90	MASELINA MENKE
1025/90	BENTON SEYMOUR
1026/90	SWANA MURDOCH
1063/90	TAPINO DUBURIYA
1085/90	SAIM KARL
1086/90	JUSTIN MAAKI
1088/90	YVETTE STEPHEN
1090/90	JEFF BILL
1108/90	DORRIS DAGEAGO
1110/90	PRENTICE ADU
1116/90	ERNEST DETABOUW
1117/90	SONIA SCOTTY
1118/90	ANTHONY HARRIS
1119/90	MARCELLINA MENKE
1120/90	JULIAN CAPELLE
1121/90	QUINCY RATABIY
1124/90	JAELYN TOM
1129/90	BARON OLSSON
1130/90	MARILYN PICKERY
1131/90	LALIC SEYMOUR
1163/90	TERRY HARRIS
1164/90	LUI AUBIAT

1165/90	MILTON EOAEO
1166/90	DONAVEN ADDI
1167/90	ELENA KEPAE
1168/90	IGNATIUS NOKI
1171/90	KARUAKI IAAU
1172/90	JAMES HEDMOND
1173/90	BERNARD GRUNDLER
1174/90	BENTON SEYMOUR
1175/90	BARON WAQA
1176/90	TAMOA WIRAM
1177/90	ROBERT AMASIA
1178/90	TEBUTE IOANE
1179/90	IVEN NOTTE
1180/90	LOUISANA TANNANG
1181/90	SABINA DABWIDO
1182/90	CAGNEY SCOTTY
1183/90	JULIA APPI
1185/90	JOHANNES DETAGOB
1186/90	SHARON OSCAR
1187/90	NORMAN DAKE
1190/90	MARJORIE KEPAE
1194/90	MARILYN ADAM
35/91	ISSE TIMOTHY
36/91	GILLESPI RATABWIY
117/91	ESPEN FRITZ
140/91	HERISH BHATNAGAR
141/91	FANGAR HOPPO
142/91	TIURIANO KARIA
144/91	PATRICIA GADARAOA
145/91	BARKIKI GIOUBA
146/91	MILTON EOAEO
147/91	KIOSI DEPOUDU
148/91	BERNADETTE AMWANO
149/91	JOSE LUSUNG
150/91	WILLIAM TEABUGE
151/91	RENNY HARRIS
159/91	MARIA DEIDENANG
160/91	WILLIAM ROTINA
163/91	CURTIS OLSSON
164/91	ALOFA FOILAPE
165/91	PERCY TANO BOP
166/91	SAM AREMWA
235/91 (A)	BENJAMIN TATOUA
238/91 (A)	MISS NANAN NOTTE
236/91 (A)	ROTA TEMAKI
237/91 (A)	DINO BAGAGA
239/91 (A)	RANGSIME OSCAR
255/91	BEREKA AGADIO
256/91	STEVEN ADIRE
257/91	JANICE SPANNER
258/91	JOE HOEFELICH
259/91	DOUGLAS APAD
260/91	POLLY AKU
283/91 (A)	SPENCER TANNANG
284/91 (A)	DITTO DANANG

G.N.No.112/1992. (cont'd)

285/91 (A)	HERCULES HERMAN
286/91 (A)	DIAMOND EONGEN
287/91 (A)	GRAY DABANA
288/91 (A)	KELVIN TANNANG
289/91 (A)	MARY THOMA
290/91 (A)	PERCY TANO BOP
292/91 (A)	JAMIESON GIOUBA
342/91	SONNY ALIKLIK
343/91	DAVID ATSIME
344/91	LITO EOGNITON
345/91	DAVID DONGOBIR
346/91	DOLLY HOEFLICH
347/91	MARIA DEGIA
348/91	DELANEY FRITZ
349/91	DELANEY FRITZ
350/91	TIMOTHY RIBAUW
351/91	JAMIE PAD
352/91	PETER KAPUA
353/91	GARY DEGIA
354/91	CLINT DIEDENANG
355/91	CARRISSA GAUBIDI
356/91	LALICK SEYMOUR
357/91	BELSON AKUBOR
358/91	SAMOA WILLUM
359/91	DELANEY FRITZ
360/91	DELANEY FRITZ
361/91	DELANEY FRITZ
362/91	DELANEY FRITZ
404/91	JOSEPH ADAM
408/91	BAISY BERNICKE
411/91	NORMAN DAKE
413/91	ROBERICK KUN
414/91	KIKI SMITH
449/91	SWANA MURDOCH
453/91	MADONNA TSIODE
455/91	SABINA DABWIDO
520/91	BISHOP FRITZ
521/91	SHARON OSCAR
523/91	KAIDI RAIDI
597/91	MATERETI CAMIA
619/91	SHARON OSCAR
40/92	BATUD CAIN
43/92	KUTAN RIBAUW
45/92	BENIOUN JIMWEREIJ
57/92	PANTOK STAR
65/92	TABASCO TATUM
69/92	JOEL ABOUBO
142/92	INGE DEKARUBE

Charges : Drunken Offences.

10/90	DANIEL TOAMIMARAWA
170/90	DANIA DEDIYA
172/90	JULINA TIMOTHY
710/90	SKAY AGIGO
739/90	SASEMA DEGIA
744/90	BRAVETON DOWABOBO
826/90	KEDDIE TOM
1133/90	KARAITI TAKINOA
1137/90	WILLIAM STARR

1138/90	LOLE KARL
1144/90	JOHANNES DETAGOB
1146/90	MATIA TETARANGA
1198/90	ANDREW DETABOUW
1199/90	ELCID DEKARUBE
1200/90	ELCID DEKARUBE
1201/90	TERRANCE ADU
1202/90	TERRANCE ADU
1203/90	JOHANNES DETAGOB
55/91	HENRIETTA DEIRERAGEA
442/91	CHRIS AMANDUS
460/91	KISSINGER DAGEAGO

Charges : Drunken Driving:

746/90	FRANCIS KOKON GADEOUWA
804/90	REAGAN MOSES
794/90	KEIRIN KEKE
1128/90	ISSE TIMOTHY

Charges : Offensive Behaviour & Other Police Offences.

147/90	SKAY AGIGO
777/90	INGRAM SELO
1067/90	ALESTER AKIBWIB
1068/90	ALESTER AKIBWIB
1147/90	RENEIDI SELO
1204/90	JOHANNES DETAGOB
1211/90	CRYSTAL DICK
49/91	NAISALI FALEASIU
103/91	FREDRICK DUBURIYA
107/91	WARNER BILL
108/91	SKAY AGIGO
109/91	RANTAG HARRIS
112/91	MIZPE DAGEAGO
113/91	TED DABUAE
153/91	DANE AMANDUS
157/91	CAMERON BAM
190/91	POASA KALONG
250/91	DITTO DANNANG
252/91	ELCID DEKARUBE
264/91	TWEAROI AITII
366/91	KENNAN DOWEDIA
457/91	MOIMOI TAKAPE
461/91	BLACKKEY TEIMITSI
462/91	ORLANDO EIYIRE RAIDI
533/91	JOHN PORT DUBE
564/91	ATSIBEN OSCAR
566/91	JOHANNES DETAGOB
588/91	IAN MAAKI
652/91	SKAY AGIGO

G.N.No.112/1992. (cont'd)

Charges : Criminal Offences.

62/91	JIM MOTITI
168/91	ANGELA DOWEDIA
275/91	CHA DAGEAGO
440/91	NICHOLAS KARL
451/91	ALESTER AKIBWIB
535/91	MONTY DABWIDO
536/91	ANNIA GIOURA
537/91	FRINGO IKA
	AGATHA FRITZ
541/91	DANIEL AKUBOR
543/91	TIMOTHY RIBAUW
546/91	DANIEL AGIRI ITSIMAERA
560/91	JOYCE ALONA
561/91	DEKAY TEMAKI
587/91	JOE HOEFLICH

IUNAISE V. HELU
RESIDENT MAGISTRATE

Memorandum of Chief Justice

Pursuant to section 21 of the Appeals Act 1972, I have considered the above cases and I am satisfied the jurisdiction to hear them is properly declined by the Court. I would also note that the responsibility for this situation must lie with the Judiciary Department.

G.DONNE
CHIEF JUSTICE

G.N.No.113/1992.

THE DISTRICT COURT OF NAURU

IN THE MATTER of certain
Complaints Scheduled Hereunder.

DECISION OF THE COURT

The following cases have been "Dismissed for want of prosecution".

G.N.No.113/1992 (cont'd)

The Court considered each case and its prosecution to date. In all cases the proceedings were commenced with offences more than two years old. There has been in most of the cases no action taken at all to prosecute them. In some an initial mention in Court has been followed by complete inactivity by the prosecution and Court alike. In a few, the defendants have left Nauru, never to return.

Most of the cases are minor traffic offences. Delay of over 2 years in bringing cases of the nature of those considered here is inexcusable. To keep the defendants waiting to obtain justice as has been the case here will not be condoned.

As above stated they are "Dismissed for want of prosecution".

The cases are:

Charges: Trading After Hours.

<u>NO.</u>	<u>NAME OF DEFENDANT</u>
309/90	SIY YUIN CHOY
584/90	LAU WING

Charges: Drunken Offences.

160/90	BEULAH ADIMIM
401/90	BATIRITA TATAIO
658/90	IKE CAPELLE
671/90	BAIEUKE MWEMWE
760/90	CECIL WILSON
802/90	RAFINO NELMIDA
915/90	JOE NITOGA

Charges: Offensive Bahaviour.

681/90	HORIE HIRAM
601/90	SKAY AGIGO

Charges: Driving Offences.

46/90	ALFONSO RATABWIY
56/90	META TANNTA
60/90	KAMORIKI KAKIOUWEA
61/90	SHANE HIRAM
62/90	MIENE HEINRICH
65/90	ARANG RAIDI
73/90	ENEASI AKUBOR
74/90	CLARISSA OLSSON
79/90	NOEL KAMTAURA
89/90	MARY KARL
113/90	DAVID DENGEA
144/90	PETER DUMA
247/90	MYRNA SCOTTY
248/90	JURO BILL
254/90	OCDABIO NABIDAO

G.N.No.113/1992 (cont'd)

257/90	LEE BIAO YEING
270/90	KENON HIRAM
346/90	YVONNE AMANDUS
348/90	NIBAIDA BRAIDOGI
349/90	ELIZABETH DUBURIYA
350/90	JIMA HARRIS
351/90	JANICE SPANNER
352/90	SUE APADINUWE
368/90	LISA BILL
372/90	BEDUWON KAM
374/90	TONY IKA
377/90	PHILLIP QUADINA
378/90	PATTERSON BILL
445/90	WILSON TAMAKIN
447/90	JUNE ALIKLIK
452/90	PAUL TATUM
455/90 (B)	BORAIYA BATSIUA
457/90	JOHNNY HARTMAN
463/90	WILLIE TSIORE
466/90	HAU MAU
470/90	SODIBERG BILL
473/90	REAGAN MOSES
474/90	RANDY CAPELLE
475/90	DALE DEIRERAGEA
477/90	REAGAN CAPELLE
482/90	DEROA DAGEAGO
483/90	ELSA AMWANO
490/90	DRAIGO MENKE
491/90	KANTEI IOTEBATU
494/90	PERCY BOP
499/90	FABIAN DABANA
501/90	AUWAK DABWADAUW
502/90	DODOU KEPAE
504/90	MARIA DENUGA
505/90	LEDWARD SCOTTY
506/90	ANIA GIOURA
510/90	WONG WING HOI
512/90	JOEY HARRIS
513/90	PRENTIS ADU
514/90	ROGER IWUGIA
515/90	RARUBE DEIGAERUK
517/90	CHUNG KAM CHEUNG
521/90	CORNELUIES MALELE
526/90	GARRET APADINUWE
544/90	WILLIE TSIORE
561/90	ROSARIO TAUMEA
563/90	SANDY DABUAE
564/90	BRYNER KETNER
565/90	RICHARD AREMWA
568/90	DEL ROSARIO ARTEMRO
569/90	BARON OLSSON
579/90	PRESWICK AGIGO
579/90	MAINE HEINRICH
586/90	MOMMAND ALIKLIK
587/90	JEB BOP
588/90	GEORGE TAGAMOUN
589/90	NORA AKUBOR

No.15

25th March, 1992

Nauru.

G.N.No. 113/1992 (cont'd)

602/90	TASMEN ATTO
605/90	LAU LAU
606/90	REO TIMON
609/90	MARLITO LUCAS
610/90	RUFINO MOLMIDA
611/90	PETER ELE
848/90	RANDEROK DOWABOBO
858/90	FRANCIS AMWANO
861/90	PAUL BIRD
863/90	JEROME REWERU

IUNAISE V. HELU
RESIDENT MAGISTRATE

Memorandum of Chief Justice

Pursuant to section 21 of the Appeals Act 1972 I have examined the above cases and I am satisfied the decisions given thereon are correct and in accordance with law.

G.DONNE
CHIEF JUSTICE

G.N.No.114/1992

ENGAGEMENT TO MARRY

NAME OF PARTIES:

1. FRANCIS DEIRERAGEA of Anabar District and SYLVANNA SATTO of Boe District.
2. SPARKLE STANLEY DEGIA of Ewa District and AMANDA LANDONITA KUN of Nibok District.

DATE OF ENGAGEMENT:

1. 21st February, 1992
2. 18th March, 1992

BERNARD DOWIYOGO
CHAIRMAN
NAURU COUNCIL.

No.15

25th March, 1992

Nauru.

G.N.No. 115/1992

SPECIAL NOTICE

The Nauru Lands Committee proposes to effect distribution of the following deceased estates on time and dates as shown below:-

- | | | | |
|----|----------------|-----------|--------|
| 1. | Eipiron Hedmon | 30/3/1992 | 9.30am |
| 2. | Daniel Akubor | -do- | 2.30pm |
| 3. | Aiyubwe Mobit | -do- | 9.30am |

Those who have interest in the above estates are requested to be in attendance at the domaneab, Uaboe District.

SUNSHINE STEPHEN
SECRETARY
NAURU LANDS COMMITTEE.

AMENDMENT

Re-determination of the Estate of the late Ikidodo Fritz as published in Government Gazette No.24 of 1990, G.N.No.123/1990.

Delete :

Insert :

DISTRICT:	PORT NO:	NAME OF LAND:	BENEFICIARIES:	SHARE:
Meneng	63	Baji	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/24 1/24 1/24 1/24 1/24 1/24
Meneng	76	Aniwen	As for portion No.63 c.l Meneng	
Meneng	111	Atowedudu	-do-	
Meneng	127	Aratsi	-do-	
Meneng	128	Aratsi	-do-	
Meneng	145	Gadangidang	-do-	
Meneng	146	Gadangidang	-do-	
Meneng	197	Atai	-do-	
Meneng	260	Maeow	-do-	
Meneng	335	Adetaru	-do-	
Meneng	400	Adetaru	-do-	
Yaren	12	Dabodine	-do-	
Yaren	68	Eatdedabage	-do-	
Yaren	70	Idaderia	-do-	
Yaren	103	Atemeroro	-do-	
Ewa	8	Arubo	-do-	
Ewa	50	Bitune	-do-	
Ewa	71	Ibegu	-do-	
Ijuw	42	Ataijong	-do-	
Boe	126	Eateidurinimadang	-do-	
Boe	164	Iebi	-do-	
Yaren	78	Idadaria	-do-	
Meneng	402	Gadangidang	-do-	
Ewa	45	Idageang	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/48 1/48 1/48 1/48 1/48 1/48
Meneng	61	Ubada (Baiji)	As for portion No.45 p.l Ewa	
Meneng	282	Adetebor	-do-	
Yaren		F.G.W.S.L. CLM.31	-do-	
Ijuw	77	Ijibab	-do-	
Anibare	168	Mereberen	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/144 1/144 1/144 1/144 1/144 1/44
Aiwo	476		As for portion No.168 p.l Anibare	

DISTRICT	PORT NO:	NAME OF LAND	BENEFICIARIES	SHARE
Meneng	272	Atuwuro	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/216 1/216 1/216 1/216 1/216 1/216
Meneng	241	Anematte	As for portion No.272 p.1 Meneng	
Yaren	148	Ijongin	-do-	
Yaren	188	Ajuwur	-do-	
Aiwo	135	Anerue	-do-	
Aiwo	222	Yangor	-do-	
Aiwo	204	Yangor	-do-	
Boe	83	Batongebage	-do-	
Yaren	247	Bairereap	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/96 1/96 1/96 1/96 1/96 1/96
Aiwo	313	-	Keffrey D.R. Fritz Ismael D.R. Fritz Zora Patty E.R. Fritz Scarlet M.E.R Fritz Eigomage E.R. Fritz Rodney Fritz (LTO)	1/192 1/192 1/192 1/192 1/192 1/192

NOTE

Those who disagree with the above re-determination may appeal to the Supreme Court Registry within 21 days of the publication of this Government Gazette Notice.

MAEIN DEIRERAGEA
VICE CHAIRMAN