



**REPUBLIC OF NAURU  
GOVERNMENT GAZETTE  
PUBLISHED BY AUTHORITY  
EXTRAORDINARY**

No. 171

20<sup>th</sup> November, 2018

Nauru

G.N.No. 878/2018

**BENEFICIAL OWNERSHIP (FORMS & FEES) REGULATIONS 2018**

**SL No. [29] of 2018**

Notified: [20/11/2018 ]

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Cabinet makes the following Regulations under section 34 of the Beneficial Ownership Act 2018:

1           **Citation**

These Regulations may be cited as the *Beneficial Ownership (Forms and Fees) Regulations 2018*.

2           **Commencement**

These Regulations commence on the day they are notified in the Gazette.

3           **Legal entities to which the forms apply**

These Regulations shall apply to legal entities under the Act.

4           **Notice of appointment or change of nominated officer**

(1) For the purpose of section 8(5) of the Act, the form for notifying the Authority of:

(a) an appointment of a nominated officer, shall be in Form 1 of Schedule 1; and

(b) a change of a nominated officer, shall be in Form 2 of Schedule 1.

(2) The legal entity shall pay the fee for the notice of appointment or change of nominated officer as contained in Schedule 2.

5           **Registration of beneficial ownership information**

(1) The registration of the beneficial ownership information of a legal entity for the purpose of section 21(1) of the Act, shall be in Form 3 of Schedule 1.

(2) The legal entity shall pay the fee as contained in Schedule 2 for the registration of beneficial ownership information.

6           **Notice of change of beneficial ownership**

(1) Any change in the beneficial ownership of a legal entity shall be registered by the legal entity with the Authority within 30 days after the date of the decision of such change.

(2) The registration of any change of beneficial ownership shall be in Form 4 of Schedule 1.

(3) The legal entity shall pay the fee as contained in Schedule 2 for registering the notice of change of beneficial ownership.

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**7 Beneficial ownership information must be submitted when requested**

The form for providing beneficial ownership information by a legal entity when required by the Authority shall be in Form 5 of Schedule 1.

**8 Annual Returns**

- (1) The form for filing annual returns by corporations under section 43 of the Act shall be in Form 6 of Schedule 1.
- (2) The annual returns filed by corporations under the Corporations Act 1972 shall accompany Form 6.
- (3) The legal entity shall pay the fee as contained in Schedule 2 for the filing of annual returns.

**SCHEDULE 1**

**FORM 1**

Beneficial Ownership Act 2017

*Section 8(1); Regulation 4(1)(a)*

**NOTICE OF APPOINTMENT**

**PART 1 - DETAILS OF NOMINATING LEGAL ENTITY**

Name of legal entity:.....

Address:  
.....

Telephone:  
.....

Email:  
.....

Name of person notifying appointment:.....

Email:  
.....

Telephone:  
.....

**PART 2 - DETAILS OF NOMINATED OFFICER**

Surname:.....

Given names.....

Position:.....

Date of appointment: / / 20 .... Period of appointment: / /20.... to / /20....

Address:  
.....

Email (if available):  
.....

**PART 3 - CONSENT TO APPOINTMENT BY NOMINATED OFFICER**

I hereby consent to act as the nominated officer of the above legal entity:

Signature: .....

Date: / / 20 ....

**PART 4 - OFFICIAL PURPOSES ONLY**

Fee paid. Revenue receipt No: .....

Name of receiving officer.....

Signature:.....

Date: / / 20....

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**FORM 2**

Beneficial Ownership Act 2017

*Section 8(3); Regulation 4(1)(b)*

**NOTICE OF CHANGE OF NOMINATED OFFICER**

|  |
|--|
| <p><b>PART 1 - DETAILS OF NOMINATING LEGAL ENTITY</b></p> <p>Name of legal entity.....</p> <p>Address:.....</p> <p>Telephone:.....</p> <p>Email:.....</p> <p>Name of person notifying appointment.....</p> <p>Email:.....</p> <p>Telephone:.....</p>                 |
| <p><b>PART 2 - DETAILS OF NOMINATED OFFICER</b></p> <p>Surname:.....</p> <p>Given names:.....</p> <p>Position:.....</p> <p>Date of appointment: / / 20 .... Period of appointment: / /20.... to / /20....</p> <p>Address:.....</p> <p>Email (if available):.....</p> |
| <p><b>PART 3 - CONSENT TO APPOINTMENT BY NOMINATED OFFICER</b></p> <p>I hereby consent to act as the nominated officer of the above legal entity:</p> <p>Signature: .....</p> <p>Date: / / 20 ....</p>   |
| <p><b>PART 4 - OFFICIAL PURPOSES ONLY</b></p> <p><input type="checkbox"/> Fee paid. Revenue receipt No: .....</p> <p>Name of receiving officer: .....</p> <p>Signature:.....</p> <p>Date: / / 20....</p>   |

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**FORM 3**

Beneficial Ownership Act 2017

*Section 21; Regulation 5*

**REGISTRATION OF BENEFICIAL OWNERSHIP INFORMATION**

**PART 1 - DETAILS OF LEGAL ENTITY**

Name of legal entity:.....

Address:.....

Telephone:..... Email:.....

Name of authorised person:.....

Email:.....

Telephone:  
.....

**PART 2 - PARTICULARS OF REGISTRABLE BENEFICIAL OWNERSHIP**

Surname:  
.....

Given names: .....

Date of birth: / / .....

Country of residence: .....

Nationality:.....

Nature of beneficial ownership: .....

Details of beneficial ownership.....

Signature: ..... Date: / / 20 ....

**PART 3 - OFFICIAL PURPOSES ONLY**

Fee paid. Revenue receipt No: .....

Name of receiving officer: .....

Signature:.....

Date: / / 20....

**FORM 4**

**Beneficial Ownership Act 2017**

*Section 21; Regulation 6*

**NOTICE OF CHANGE OF BENEFICIAL OWNERSHIP INFORMATION**

**PART 1 - DETAILS OF LEGAL ENTITY**

Name of legal entity:.....

Address:.....

Telephone:..... Email:.....

Name of authorised person:.....

Email:.....

Telephone:.....

**PART 2 - PARTICULARS OF REGISTRABLE BENEFICIAL OWNERSHIP**

Surname:  
.....

Given names:.....

Date of birth: / / .....

Country of residence: ..... Nationality: .....

Nature of beneficial ownership: .....  
.....

Details of beneficial ownership: .....  
.....

Signature: ..... Date: / / 20 ....

**PART 3 - OFFICIAL PURPOSES ONLY**

Fee paid. Revenue receipt No: .....

Name ..... of ..... receiving ..... officer:  
.....

Signature:.....

Date: / / 20....



**FORM 5**

Beneficial Ownership Act 2017

*Section 23; Regulation 7*

**BENEFICIAL OWNERSHIP INFORMATION**

**PART 1 - DETAILS OF LEGAL ENTITY**

Name of legal entity:.....

Address:.....

Telephone:.....Email: .....

Name of authorised person:.....

Email:.....

Telephone: .....

**PART 2 - PARTICULARS OF REGISTRABLE BENEFICIAL OWNERSHIP**

Surname: .....

Given names: .....

Date of birth: / / .....

Country of residence: ..... Nationality: .....

Nature of beneficial ownership and description of change: .....

Details of beneficial ownership and description of change: .....

Signature: ..... Date: / / 20 ....

**PART 3 - OFFICIAL PURPOSES ONLY**

Fee paid. Revenue receipt No: .....

Name of receiving officer: .....

Signature:.....

Date: / / 20....

**FORM 6**

Beneficial Ownership Act 2017

*Section 43; Regulation 8*

**ANNUAL RETURNS**

|   |
|---|
| <p><b>PART 1 - DETAILS OF LEGAL ENTITY</b></p> <p>Name of legal entity:.....</p> <p>Registered office:.....</p> <p>Name of nominated officer reporting:.....</p> <p>Signature of nominated officer reporting:.....</p> <p>Telephone:..... Email:.....</p> <p>Annual return made up to:    /    /    [ date / month / year]</p> <p><input type="checkbox"/> Attach copy of annual return submitted under the Corporations Act 1972.</p>  |
| <p><b>PART 2 – DECLARATION</b> (<i>Section 42</i>)</p> <p>I ..... of ....., nominated officer for ..... (<i>name of legal entity</i>) make the following statement:</p> <p>(a) that the legal entity and the nominated officer have complied with the respective obligations under the Act;</p> <p>(b) that the required details in respect of the registrable beneficial owner under the Act has been duly submitted to the Authority; and</p> <p>(c) that to the best of my knowledge and information, the information contained in the entry of the Authority is current and accurate recording of information of the legal entity under the Act.</p> <p>Signed: ..... Date:    /    / 20.....</p> |

**SCHEDULE 2**

Beneficial Ownership Act 2017

*Section 35*

|   | <b>Nature of application</b>                     | <b>Section of Act/regulation</b> | <b>Fee (\$)</b> |
|---|--|----------------------------------|-----------------|
| 1 | Notice of appointment of nominated officer       | Section 8/ regulation 4          | \$25            |
| 2 | Notice of change of nominated officer            | Section 8/ regulation 4          | \$25            |
| 3 | Registration of beneficial ownership information | Section 21/regulation 5          | \$50            |
| 4 | Notice of change of beneficial owners            | Section 21/regulation 6          | \$30            |
| 5 | Annual returns                                   | Section 43/regulation 8          | \$20            |

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