



REPUBLIC OF NAURU

Antiquities Act 1935

As in force from 15 April 2011

This compilation comprises Ordinance No. 3 of 1935 as amended and in force from 15 April 2011 (being, at the time the compilation was prepared on 17 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

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Contents

1	Short title.....	1
2	Interpretation.....	1
3	Official acquisition and custody of antiquities.....	1
4	Antiquities to be offered first for official acquisition	1
5	Unlawful exportation	1
6	Seizure.....	2
7	Prohibited acquisition.....	2
8	Discoveries to be reported	2
9	Copies of exported antiquities.....	3
10	Determination of disputes	3
11	Regulations	3
NOTES		
	Tables of Constituent Legislation	4
	Table of Amendments	4

REPUBLIC OF NAURU

Antiquities Act 1935

An Act relating to Nauru antiquities, relics, curios and articles of ethnological and anthropological interest or scientific value

1 Short title

This Act may be cited as the *Antiquities Act 1935*.

2 Interpretation

In this Act unless the contrary intention otherwise appears:

'Nauru Antiquities' includes Nauru relics and curios and articles of ethnological and anthropological interest or value and articles manufactured by the natives according to Nauru methods and historical remains of any description, and such other articles or things of historical or scientific value or interest and relating to Nauru as may be prescribed.

3 Official acquisition and custody of antiquities

The Minister may out of funds appropriated for the purpose acquire on behalf of the Republic such Nauru antiquities as he deems expedient and provide for their safe custody.

4 Antiquities to be offered first for official acquisition

No person shall remove from Nauru any Nauru antiquities without first offering them for sale at a reasonable price to the Minister.

5 Unlawful exportation

- (1) Any person who without the express permission of the Minister exports or ships for export from Nauru any Nauru antiquities is liable to a fine not exceeding One hundred dollars and in default

of payment, to imprisonment for any period not exceeding three months.

- (2) Notice of the intention to export or ship for export any Nauru antiquities shall be given by the exporter or shipper to the Chief Collector or other proper officer of the Customs at least twenty-four hours before shipment.
- (3) Any Nauru antiquities entered or shipped for export contrary to this Act shall be forfeited to the Republic.
- (4) The Minister may after inquiry cancel the forfeiture if he thinks fit.

6 Seizure

It shall be the duty of the Chief Collector of Customs and the Director of Police to seize and detain any Nauru antiquities attempted to be removed from Nauru contrary to this Act.

7 Prohibited acquisition

The Minister may, by order published in the Gazette, forbid the acquisition by any person by purchase or otherwise of any Nauru antiquity specified in the order.

8 Discoveries to be reported

- (1) Any person who discovers or has good reason to believe that there exists in any locality:
 - (a) caves or other places in which ancient remains, human or other are to be found; or
 - (b) representations on rocks or in caves of living beings or inanimate objects; or
 - (c) deposits of historical remains of any description; or
 - (d) places used in former times as ceremonial or initiation grounds,

shall immediately inform the Officer in Charge of Police of the discovery or reputed existence of such places or objects.

- (2) Such places or objects shall not be defaced, damaged, uncovered or excavated or otherwise interfered with without the written permission of the Minister who will, if he thinks fit, appoint a suitable person to supervise any excavations.

Penalty: Ten dollars.

9 Copies of exported antiquities

The Minister may make it a condition to the granting of any application to export Nauru antiquities that the owner thereof allows them to be copied by photography or otherwise, or casts to be made of them, in such manner and by such person as the Minister directs.

10 Determination of disputes

In case any dispute arises as to whether any article or thing comes within the scope of this Act or as to what is a reasonable price therefor such dispute shall be determined by a board to be appointed by the Minister.

11 Regulations

- (1) The Cabinet may make regulations not inconsistent with this Act prescribing an matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and in particular for prescribing:
- (a) the duties and powers of the Chief Collector of Customs and the Director of Police in enforcing the provisions of this Act;
 - (b) the constitution of the board and the procedure thereof for settling disputes under this Act relating to the acquisition and payment for Nauru antiquities;
 - (c) penalties not exceeding Twenty dollars for the breach of any regulation.
- (2) All regulations shall be published in the *Gazette* and shall take effect from the date of such publication or from a later date specified therein.

Notes for Antiquities Act 1935

Tables of Constituent Legislation

Ordinances

Citation	Number	Made	Gazettal*	Commencement
<i>Nauru Antiquities Ordinance 1935</i>	1935/03	23.02.1935	—	23.02.1935
<i>Executive Council Ordinance 1966</i>	1966/03	14.02.1966	17.02.1966	17.02.1966

* Gazettal date is of no legal significance for Ordinances made before 30.08.1956 (commencement of the *Interpretation Ordinance 1956*).

Acts

Short title	Number	Certification	Commencement
<i>Statute Law Revision Act 2011</i>	2011/08	15.04.2011	15.04.2011

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
om. = omitted os. = omitted and substituted

Provision affected	How affected
Long title	Am. by Act 2011/08.
Section 1	Citation rs. by Ord. 1966/03. Rs. by Act 2011/08.
Section 2	Am. by Act 2011/08.
Section 3	Am. by Ord. 1966/03, Act 2011/08.
Section 4	Am. by Ord. 1966/03, Act 2011/08.
Section 5	Subs. (1) am. by Ord. 1966/03, Ord. 1967/25, Act 2011/08. Subs. (2) am. by Act 2011/08. Subs. (3) am. by Act 2011/08. Subs. (4) am. by Ord. 1966/03, Act 2011/08.
Section 6	Am. by Act 2011/08.
Section 7	Am. by Ord. 1966/03, Act 2011/08.
Section 8	Subs. (1) am. by Act 2011/08. Subs. (2) am. by Ord. 1966/03, Ord. 1967/25, Act 2011/08.
Section 9	Am. by Ord. 1966/03, Act 2011/08.
Section 10	Am. by Ord. 1966/03, Act 2011/08.
Section 11	Subs. (1) am. by Ord. 1966/03, Ord. 1967/25, Act 2011/08. Subs. (2) am. by Ord. 1967/25.