

THE ISLAND OF NAURU

No. 1 of 1938

AN ORDINANCE

To provide for Secrecy of Official matters pertaining to the Administration of the Island of Nauru.

BE it ordained by the Administrator of the Island of Nauru, acting in pursuance of the powers conferred by Article 1 of the Agreement dated the second day of July, 1919, between His Majesty's Government in London, His Majesty's Government of the Commonwealth of Australia and His Majesty's Government of the Dominion of New Zealand, as follows:

1. This Ordinance may be cited as the Official Secrecy Ordinance 1938.

2. This Ordinance shall have force and effect as on and from the 18th day of March, One thousand nine hundred and thirty eight.

3. In this Ordinance unless the contrary intention appears -

"Administrator" means the Administrator of the Island of Nauru, or other Officer duly appointed to act in his stead during the absence or inability of the Administrator.

"Officer" means any European or native person appointed to the Public Service by the Administrator of Nauru or by the Government of the Commonwealth of Australia and shall also include any Officer seconded for service in the Public Service of Nauru from any other Public Service, or any person in receipt of salary from the Administration of Nauru.

4. An Officer shall not -

- (a) Publicly comment upon any administrative action or upon the administration of any Department; or
- (b) Use for any purpose, other than the discharge of his official duties, information gained by or conveyed to him through his connexion with the Public Service.

5. Except in the course of official duty, no information concerning public business or any matter of which an officer has knowledge officially shall be given directly or indirectly, nor shall the contents of official documents be disclosed, by an Officer without the authority, in writing, of the Administrator.

6. An Officer shall not directly or indirectly disclose the contents of any official document to any person outside the Territory of Nauru, without the authority, in writing, of the Administrator.

7. (a) An Officer shall not solicit certificates or testimonials relating to official capacity or performance of official duties from any person without the authority, in writing, of the Administrator.

(b) An Officer shall not supply another Officer with certificates or testimonials relating to official capacity or performance of official duties without the authority, in writing, of the Administrator.

8. The Administrator may prescribe a form of Oath of Secrecy to be taken by Officers in the Public Service of the Administration of Nauru, and may prescribe what Officers shall be required to take this Oath with reference to the capacity in which they are employed.

9. Nothing in this Ordinance shall be repugnant to or inconsistent with the provisions of the following legislation adopted for the Territory of Nauru by the Laws Repeal and Adopting Ordinance 1922, namely -

- (a) The Queensland Criminal Code;
- (b) The Crimes Act 1914-1915 of the Commonwealth of Australia.

10. Officers infringing this Ordinance shall be liable to dismissal from the service of the Administration, or a fine not exceeding £50, or both.

GIVEN under my hand at the Administration Headquarters, NAURU, Central Pacific, this 18th day of March, One thousand nine hundred and thirty-eight.

RUPERT C. GARSIA,
Administrator of the Island of Nauru.
