



REPUBLIC OF NAURU

REFUGEES CONVENTION (AMENDMENT) REGULATIONS 2017

SL No. 4 of 2017

Notified: 14th March 2017

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Cabinet makes the following Regulations under section 52 of the Refugees Convention Act 2012:

1 Citation

These Regulations may be cited as the *Refugees Convention (Amendment) Regulations 2017*.

2 Commencement

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

3 Amendment of Refugees Convention Regulations 2013

These Regulations amend the Refugees Convention Regulations 2013.

4 Amendment of regulation 3

Omit

Regulation 3

Substitute

For section 5(2) of the Act, the prescribed form:

- (a) for an application to be recognised as a refugee is set out in Schedule 1 to these Regulations;
- (b) for an application to be given derivative status is set out in Schedule 2 to these Regulations.

5 Insert new Schedule 2

Schedule 2 is inserted as follows:

SCHEDULE 2

Regulation 3



Republic of Nauru

Department of Multicultural Affairs

Refugees Convention Regulations 2013, Form 2

Application for Derivative Status

About this form

Important – please read this information carefully before you complete your application. Once you have completed your application we strongly advise that you keep a copy for your records.

Who should complete this form

You should complete this form if you believe you are entitled to **derivative status**. You may be entitled to **derivative status** if:

- you are not a refugee, and you are not owed complementary protection; **but**
- you are a **dependent** of a person who is a refugee, who is owed complementary protection, or who has been given derivative status.

You may be a **dependent** of a person if you are:

- that person's spouse;
- that person's child under the age of 18 years; or
- dependent on that other person for financial, emotional, psychological or physical support.

If you were included in that person's application for refugee status, you are taken to have already applied for **derivative status** and do not need to use this application form. You do not need to make another application for **derivative status** unless you are applying as a **dependent** of a different person. You must use a separate form for each person you are applying to be a **dependent** of.

If you are given derivative status, you will be given a Refugee Determination Record.

Making a valid application

To make a valid application, you must:

- use this application form
- complete the form in English
- answer all questions truthfully.

Any application that does not meet these requirements will not be a valid application and cannot be processed.

The information you provide

Information you provide in this application and any accompanying statements may be disclosed by the Secretary to other Government of Nauru agencies, including those involved in security and law enforcement. It may also be disclosed to the authorities in a potential country of resettlement, and to international organisations such as IOM or UNHCR. By signing this form, you consent to the information being shared to the extent required.

The assessment process

This application form is your opportunity to satisfy the Secretary that you are a dependent of a person who has been given a Refugee Determination Record. You should include all of the information you have in support of your claim of dependency on that person. It is possible that you will be invited to an interview with respect to your application, however **your application may be determined without an interview.**

Part A – Details of applicant

1. Your family name

2. Boat ID

3. Your given name(s)

4. Name in your own language or script (if applicable)

5. Date of birth

6. Sex

Part B – Details of person on whom you are dependent

7. Person's family name

8. Boat ID

9. Person's given name(s)

10. Date of birth

11. Sex

12. Nature of relationship

Spouse

Child under 18 years

Dependency for support

Part C – Details of dependency

- 13. Please set out in writing the reasons why you are a ‘dependent’ of the person named in Part B.

Please include any documentary or other evidence (for example, marriage certificate, birth certificate, medical records etc).

IMPORTANT: This application form is your opportunity to satisfy the Secretary that you are a dependent of a person who has been given a Refugee Determination Record. You should include **all** of the information you have in support of your claim of dependency on that person. Where you are claiming dependency based on financial, emotional, psychological or physical support, you should include a statement which details the history of the relationship, living arrangements, daily interactions, any financial interaction etc.

You may attach additional pages to this application form.

Part D: Applicant's declaration and consent form

14. I, (name) _____
do solemnly declare that:

- I have read and understood the information supplied to me in this application.
- The information I have supplied on or with this application is to the best of my knowledge complete, correct and up to date in every detail.
- I will inform the Government of Nauru of any significant changes to my personal circumstances (eg marital status, changes to the composition of my family) while my application is being considered.
- I consent to the release of any information from this application for the purposes of any review of the assessment of my claims for derivative status, to potential resettlement countries, and to international organisations such as UNHCR or IOM.

Signature of the applicant:

Date:

Part E: Interpreter's declaration

15. If the services of an interpreter were used in the preparation of this application, the interpreter must complete this declaration.

I declare that:

I am competent in English and _____ (language)

I have faithfully interpreted all contents of this application form into the applicant's language, including the applicant's declaration on this page, as appropriate, and have faithfully interpreted the applicant's responses into English.

Signature of interpreter:

Date:

ID number: _____
