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G.N.No. 440/2021

**NAURU (RPC) CORPORATION (CANSTRUCT INTERNATIONAL PTY LTD ENGAGEMENT)
REGULATIONS 2021**

SL No. 13 of 2021

Notified: [30th June, 2021]

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G.N.No. 440/2021 (Cont'd)

The Cabinet makes the following Regulations under *Sections 19(1) and 34* of the *Nauru (RPC) Corporation Act 2017*:

1. Citation

These Regulations may be cited as the Nauru (RPC) Corporation (Canstruct International Pty Ltd Engagement) Regulations 2021.

2. Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3. Definitions

In these Regulations:

'authorised contract' for the purposes of these Regulations, refers to the contract between the Commonwealth of Australia represented by the Department of Home Affairs and Canstruct International Pty Ltd authorised by the Cabinet under *Section 24* of the Act:

- (a) on 29 October 2017 and endorsed by the Secretary for Multicultural Affairs on 31 October 2017;
- (b) which contract was extended to 30 April 2019 by a Deed of Variation, authorised by Cabinet on 12 October 2018 and endorsed by the Secretary for Multicultural Affairs on 23 October 2018;
- (c) was further extended to 31 July 2019 by the Cabinet on 30 April 2019 and endorsed by the Secretary for Multicultural Affairs on 30 April 2019;
- (d) was extended to 30 June 2020, which was subsequently extended to 31 December 2020;
- (e) was extended to 30 June 2021; and
- (f) is further extended to 31 December 2021.

'authorised service provider' means Canstruct International Pty Ltd.

4. Management and service fees

- 1) For the purposes of *Section 19(1)* of the Act, the authorised service provider shall pay management and service fees for the facilitation and administration of services at the Regional Processing Centres and Settlements or in relation to protected persons.
- 2) The management and service fees for the duration of the authorised extended contract shall be:
 - (a) \$10,000,000; and
 - (b) for the period commencing from 1st July 2021 and continues until 31st December 2021.
- (3) The fee referred to in sub regulation (2) shall be charged once only for the period commencing from 1st July 2021 and continues until 31st December 2021 regardless of whether there is a change of the authorised service provider.

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- (4) The Corporation shall charge and recover its management and service fees from the authorised service provider which shall be:
- (a) \$1,666,667 on or before 1st July 2021;
 - (b) \$1,666,667 per month with effect from 1st July 2021 until the total sum of \$10,000,000 is paid and payable on the 1st day of each successive month.
- (5) The arrangement for the payment of the management and service fees by Canstruct International Pty Ltd in subregulation (4) shall be complied with by any other authorised service provider that replaces Canstruct International Pty Ltd before 1st July 2021.

5. Regulations not to apply

These Regulations shall not apply to Eigigu Solutions Corporation.

6. Regulations repealed

The *Nauru (RPC) Corporation (Canstruct International Pty Ltd Engagement) Regulations No. 2 2020* SL No. 39 notified on 30th December 2020 are hereby repealed.