

**REPUBLIC OF KIRIBATI**  
(No. 6 of 1999)

I assent,

Beretitenti  
*Assented: 21<sup>st</sup> March 2000*

**AN ACT TO ESTABLISH THE KIRIBATI SPORT AUTHORITY, TO PROVIDE  
FOR THE REGISTRATION OF SPORT ASSOCIATIONS AND FOR  
CONNECTED PURPOSES**

Commencement:  
1999

Made by the Maneaba ni Maungatabu and assented to by the Beretitenti.

**PART I  
PRELIMINARY**

**Short Title**

1. This Act may be cited as the Kiribati Sport Authority Act, 1999.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“Authority” means the Kiribati Sport Authority established under section 3(1);

“Chairman” means the Chairman of the Authority appointed under section 3(2);

“island venue” means the island where the national sport tournament is to be held in Kiribati;

“Minister” means the Minister for the time being responsible for sport;

“Ministry” means the Ministry for the time being responsible for sport;

“national sport tournament” means a sport tournament involving the participation of at least six islands;

“Registrar” means the Registrar of sport associations appointed under section 7;

“sport” includes traditional sports and games;

“sport association” means an association the principal purposes of which are under its constitution, bylaws, or rules, the promotion of sport and regulating the relations between players and sport officials, or between the players themselves;

“sport officer” means a person referred to in section 6;

“sport official” includes sport officers, referees, umpires and linesmen;

“Vice-Chairman” means the person appointed by the Minister to be the Vice-Chairman of the Authority under section 3(2).

## **PART II THE KIRIBATI SPORT AUTHORITY**

### **Constitution of Authority**

**3.** (1) There is hereby established an Authority to be known as the Kiribati Sport Authority.

(2) The Authority shall consist of a Chairman and Vice-Chairman and eight other members who shall be nominated by any major sport association all of whom shall be appointed by the Minister, acting in accordance with the advice of Cabinet.

(3) Every member of the Authority (including the Chairman and Vice-Chairman) shall hold office for a term of three years and shall be eligible for reappointment from time to time.

(4) Any member may resign from the Authority by written notice to the Minister.

(5) When any vacancy occurs in the Authority due to the death or resignation of a member, the Minister shall as soon as practicable fill the vacancy by appointing a new member who shall, notwithstanding any of the other provisions of this section, hold office for the remainder of the term for which his predecessor had been appointed.

(6) The Chairman or Vice-Chairman and five members shall form a quorum.

### **Functions of Authority**

**4.** The Authority shall with the approval of the Minister acting in accordance with the advise of Cabinet have the following functions:—

- (a) to foster and promote the development of sport and recreation generally in Kiribati;
- (b) to promote the utilisation of sporting and recreational facilities in Kiribati;
- (c) to investigate developments in sport and recreation and disseminate knowledge and information about such developments;

- (d) to advise and implement policies relating to sport and recreation.

### **Sports Officers**

5. The Beretitenti acting in accordance with the advice of the Public Service Commission may appoint sport officers for the purposes of this Act.

## **PART III REGISTRATION**

### **Registrar**

6. The Minister may appoint any sport officer to be a Registrar of Sport Associations

### **Registration of Sport Association**

7. Any 100 or more members of a sport association may, by subscribing their names to the rules of the association and otherwise complying with the provisions of this Act with respect to registration, register such sport association under this Act.

### **Compulsory Registration**

8. Every sport association shall be registered in accordance with the provisions of this Act.

### **Registration**

9. (1) An application to register the sport association shall be sent to the Registrar with copies of the rules and a list of the titles and names of the officers of the sport association.

(2) The Registrar upon being satisfied that the sport association has complied with the rules respecting registry under this Act shall, subject to the provisions of section 11, register the sport association and its rules.

(3) A sport association shall not be registered under a name identical with that by which any other existing sport association has been registered or so nearly resembling such name as to be likely to deceive the members of the public.

(4) The Registrar upon registering a sport association shall issue a certificate of registration in the form set out in Schedule 1.

### **Refusal of registration**

10. (1) If the Registrar is satisfied that –

- (a) the purposes of the sport association is not to promote sport; or
- (b) the application is not in conformity with the provisions of this Act;

he may refuse registration.

(2) When the Registrar refuses to register a sport association, he shall notify the applicants in writing of the reasons of such refusal and the sport association shall be deemed to be dissolved.

### **Cancellation of registration**

**11.** (1) The Registrar may cancel the registration of any sport association —

- (a) at the request of the sport association, to be evidenced in such manner as he may direct; or
- (b) on proof to his satisfaction that
  - (i) a certificate of registration has been obtained by fraud or mistake;
  - (ii) such sport association has wilfully violated any of the provisions of this Act; or
  - (iii) such sport association has ceased to exist.

(2) A cancellation made by the Registrar under the preceding subsection shall be dated as of the date on which it was made and shall specify the reasons for the cancellation of the registration and shall forthwith be served on the sport association affected thereby.

### **Effect of cancellation**

**12.** A sport association the registration of which has been cancelled under this Act shall forthwith be dissolved and its funds shall be disposed of in accordance with its rules and no person shall, except for the purpose of defending proceedings against a sport association or of dissolving it and disposing of its funds in accordance with the rules thereof, take any part in the management or organisation or, act or purport to act on behalf of the sport association or as an officer thereof.

### **Appeals from decisions of Registrar**

**13.** (1) Any person aggrieved by the refusal of the Registrar under section 10 to register a sport association, or by a decision of the Registrar under section 11 cancelling the registration of any sport association may within 1 month of the date of such refusal or such decision to cancel, as the case may be, appeal in writing against such refusal or decision to cancel, to the Secretary to the Ministry who may decide as he thinks proper.

(2) The Secretary shall communicate in writing to the person aggrieved his decision on such appeal referred to in subsection (1) of this section.

## **PART IV PERMIT**

### **Permit for sport tournament**

**14.** (1) No national sport tournament shall be held except in pursuance of a permit granted by the Minister acting in accordance with the advice of Cabinet and in the form set out in Schedule 2.

(2) An application for a permit shall be made in writing by any sport association registered under this Act promoting a national sport tournament to the Minister, and shall state the time, date and place where it is proposed to hold a national sport tournament, the number of islands, competitors, officials and escorts participating.

(3) An application for a permit shall be made at least six (6) months before the date on which a national sport tournament is proposed.

(4) Subject to subsection 5 herein, a permit shall, unless otherwise so expressed, operate as a permit to hold a national sport tournament at the time not further or otherwise.

(5) If on account of unforeseen circumstances it is desired by way of alteration to hold a national sport tournament at some other time, or place, the Minister may if he shall think fit, on application made at any time prior to a national sport tournament being held, consent to and make such alteration, and the permit shall thereupon operate as a permit to hold a national sport tournament in terms of the permit as so altered.

## **PART V MISCELLANEOUS**

### **Non-liability of members and employees**

**15.** Neither the Authority nor any member or employee of the Authority shall be personally liable for any act or omission of the Authority or any committee of the Authority in good faith in the course of operations of the Authority or any committee of the Authority.

### **Offences**

**16.** (1) Any officer or person acting or purporting to act as an officer of a sport association who contravenes the provisions of Part III of this Act or any regulations made thereunder is guilty of an offence and upon conviction shall be liable to a fine not exceeding \$500.00.

(2) Any person who promotes, holds or is engaged in holding a national sport tournament in respect of which any of the provisions of Part IV of this Act or any regulations made thereunder are not complied with is guilty of an offence and upon conviction shall be liable to a fine not exceeding \$500.00.

(3) Any person who knowingly and wilfully act without authority under this Act or any regulations made thereunder is guilty of an offence and upon conviction shall be liable to a fine not exceeding \$500.00.

## **Regulations**

**17.** The Minister, acting in accordance with the advise of Cabinet, may make regulations not inconsistent with this Act, prescribing all matters that by this Act are required to be prescribed for the carrying out or giving effect to this Act and in particular without prejudice to the generality of the foregoing, with respect to all or any of the following:

- (a) the dates and the island venue the national sport tournament is to be held;
- (b) the number of competitors, accompanying officials and escorts to participate from each island at the national sport tournament;
- (c) transport in and out of the island venue, and transportation within the island venue for competitors, accompanying officials and escorts participating at the national sport tournament;
- (d) accommodation and basic facilities at the island venue for competitors, accompanying officials and escorts participating at the national sport tournament;
- (e) level of fee payable to the sport officials officiating at the national sport tournament;
- (f) sharing of the costs associated in holding the national sport tournament;
- (g) selecting of competitors to represent Kiribati in any international sport competition and the standards required of them;
- (h) payment of grants to any person or sport association engaged in the execution or promotion of any sporting or recreational activity;
- (i) assistance to Government departments, local councils and sport association on any matters concerning sport or recreation;
- (j) the procedure of the Authority to dispatch its business at the meeting; and
- (k) generally any fee, rate, matter or thing which is required to be prescribed under or in connection with this Act,

**SCHEDULE 1**

**REPUBLIC OF KIRIBATI**

**THE KIRIBATI SPORT AUTHORITY ACT**

**CERTIFICATE**

**OF**

**REGISTRATION**

Registered Number:

[Name of Sport association] was registered on..... day of ..... 19.....

.....  
Registrar of Sport Associations

**SCHEDULE 2**

**PERMIT TO HOLD A SPORT TOURNAMENT**

I, [name and title of Minister], at \_\_\_\_\_, hereby grant to \_\_\_\_\_ of \_\_\_\_\_, permission to hold a national sport tournament at \_\_\_\_\_ commencing the \_\_\_\_\_ day of \_\_\_\_\_ 19..., and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

This permit is granted subject to the provisions of the Kiribati Sport Authority Act and the Regulations made thereunder.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Signature  
[Minister]



# KIRIBATI SPORT AUTHORITY ACT 1999

## EXPLANATORY MEMORANDUM

This Act establishes the Kiribati Sport Authority. The main functions of the Authority is as set out in Section 4 which includes the fostering and promoting the development of sport and recreation generally in Kiribati. The word “sport” is defined to include traditional sports and games. The Authority will be an advisory body to the Minister responsible for sport who will generally act in accordance with the advice of Cabinet on any matters relating to sport and recreation. The Sport Authority is established at Section 3. The membership to such Authority is dealt with under the same section. Note the definition of the words “sport tournament” at section 2 which requires the participation of more than 6 islands.

Part III deals with registration of sport associations. The words “sport association” are defined at section 2 to mean basically an association with the principal purpose of promoting a sport. Section 8 makes registration compulsory. Section 9 provides how registration is done. Sections 10 and 11 empowers the Registrar to either refuse to register a sport association or cancel it. If anyone is aggrieved by the decision of the Registrar under sections 10 and 11, he may be able to appeal to the Secretary of the Ministry.

In order to hold a national sport tournament, a permit is required under Section 14. Only a sport association registered under this Act can apply for a permit to hold a national sport tournament. Section 16 creates an offence for a person who contravenes the requirement of registering as a sport association, or holding a national sport tournament without a permit or act in the absence of an authority under the Act. The limit of the fine of \$500.00 makes such offences triable in the magistrates’ courts.

Section 17 empowers the Minister to make regulations generally for the purpose of carrying out the provisions of this Act. In particular certain matters are specified such as regulating the dates and venue of a national sport tournament, transport to get in and out of the island venue, transport of participants at the venue, accommodation and basic facilities at the island venue, sharing of costs of holding a national sport tournament and generally any other matter which is required to be prescribed under this Act.

Michael N. Takabwebwe  
Attorney General  
21/05/99