



**REPUBLIC OF NAURU
GOVERNMENT GAZETTE
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No. 449

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Nauru

G.N.No. 1157/2025

**ELECTORAL (PROXY VOTING) (AMENDMENT)
REGULATIONS (NO.2) 2025**

SL No. 55 of 2025

Notified:

Table of Provisions

1	Citation	2
2	Commencement	2
3	Amendment of the Electoral (Proxy Voting) Regulations 2016	2
4	Amendment of Regulation 4	2
5	Amendment of Schedule 1	2
6	Consequential amendment to <i>Electoral (Remote Witness) Regulations 2019</i>	8
7	Transitional	8

The Electoral Commission makes the following Regulations under Section 136 of the *Electoral Act 2016*:

1 Citation

These Regulations may be cited as the *Electoral (Proxy Voting) (Amendment) Regulations (No.2) 2025*.

2 Commencement

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

3 Amendment of the Electoral (Proxy Voting) Regulations 2016

The *Electoral (Proxy Voting) Regulations 2016* are amended by these Regulations.

4 Amendment of Regulation 4

(1) Regulation 4(1) is amended by deleting '56(2)' and substituting with '50'.

(2) Regulation 4(3) is deleted and substituted as follows:

'(3) The application shall be received by the Returning Officer at least 24 hours before the early voting commences.'

(3) Regulation 4(5) is amended as follows:

(a) by deleting paragraph (d) and substituting with the following:

'(d) Nauru Ambassador, Republic of Nauru Embassy, People's Republic of China;';
and

(b) by deleting paragraphs (g) to (m) and substitute as follows:

'(g) Permanent Representative of Nauru to the United Nations Office, Geneva;

(h) Nauru High Commissioner, Nauru High Commission, Australia (Canberra);

(i) Nauru High Commissioner, Nauru High Commission, Republic of India (New Delhi);

(j) a legal practitioner, notary public, commissioner of oaths or justice of the peace duly appointed under the law of the respective country where the application is being witnessed; or

(k) any other person appointed by the Returning Officer to be a witness.'

5 Amendment of Schedule 1

(1) Forms 1, 2, 3 and 4 are deleted and substituted as follows:

G.N.No. 1157/2025 (Cont'd)

'FORM 1



REPUBLIC OF NAURU

ELECTORAL ACT 2016

[Section 78; Regulation 4(4)]

APPLICATION FOR PROXY VOTING AUTHORISATION

Part A — Application by voter

Electoral (Proxy Voting) Regulations 2016, Regulation 4(4) — to be completed by voter.

To the Returning Officer

I,

[insert full name]

of,

[insert current address or District of residence]

being on the roll to vote in the constituency of

[insert name of constituency]

apply for a proxy voting authorisation for the general election and referendum to be held on

.....

[insert date of polling day]

I declare that I am unable to vote in person at the election because I will not be in Nauru on polling day.

I nominate

[insert full name]

of,

[insert current address or District of residence]

being a person on the roll to vote in the same constituency, to be my proxy for the election.

I acknowledge that my proxy shall vote on my behalf according to my instructions on how to vote but that there are no controls to ensure that my instructions will be followed and the failure of the proxy to do so is not grounds for an electoral dispute.

My contact details are as follows:

G.N.No. 1157/2025 (Cont'd)

[Insert details for preferred form of notification if proxy voting authorisation is refused.]

email address:

fax:

phone:

postal address:

I understand that I will be committing an offence if I know, or am reckless about whether, a statement in this application (including in Part B) is false or misleading and that the maximum penalty is \$5,000 and imprisonment for 1 year.

Signature of applicant:

Date:

Signature of witness:

Full name of witness:

Title of witness:

The witness shall be one of the following: Returning Officer; Commissioner for Oaths; Nauru Permanent Representative to the United Nations (New York); Nauru Ambassador, Republic of Nauru Embassy, People's Republic of China; Nauru High Commissioner to Fiji (Suva); Nauru Consul General to Australia (Brisbane); Permanent Representative of Nauru to the United Nations Office, Geneva; Nauru High Commissioner, Nauru High Commission, Australia (Canberra); Nauru High Commissioner, Nauru High Commission, Republic of India (New Delhi); a person in a country other than Nauru who is a legal practitioner, notary public, commissioner of oaths or justice of the peace under the law of the country; or any other person appointed by the Returning Officer to be a witness.

The witness commits an offence if the witness knows, or is reckless about whether, a statement in the application (including in Part B) is false or misleading.

Part B — Consent of proxy

Electoral (Proxy Voting) Regulations 2016, Regulation 4(4) — to be completed by nominated proxy

I declare that I have not consented to be proxy for more than 4 voters

[insert full name]

of

[insert current address or District of residence]

being on the roll to vote in the constituency of

[insert name of constituency]

consent to vote as proxy of.....

[insert name of voter]

at the general election and referendum to be held on

.....

[insert date of polling day]

I acknowledge that I shall vote on behalf of the voter in accordance with the voter's instructions on how to vote.

I declare that I have not consented to be proxy for more than 4 voters.

G.N.No. 1157/2025 (Cont'd)

I declare that I am not under a sentence, or subject to be sentenced, for an offence punishable by imprisonment for 3 years or more.

I understand that I will be committing an offence if I know, or am reckless about whether, a statement in this application (including in Part A) is false or misleading and that the maximum penalty is \$5,000 and imprisonment for 1 year.

Signature of proxy:

Date:

FORM 2



REPUBLIC OF NAURU ELECTORAL ACT 2016

[Section 78; Regulation 4(4)]

PROXY VOTING AUTHORISATION

Electoral (Proxy Voting) Regulations 2016, Regulation 5(4) — to be completed by Returning Officer.

.....
[insert full name of proxy]

of

[insert current address or District of residence of proxy]

is authorised to vote on behalf of:

.....
[insert full name of voter]

of

[insert current address or District of residence of voter]

at the general election and referendum to be held on

.....
[insert date of polling day]

This authorisation will be withdrawn if the voter withdraws the nomination of the proxy in accordance with the regulations or the voter or proxy dies or ceases to be entitled to vote at the election.

G.N.No. 1157/2025 (Cont'd)

Signature of Returning Officer

Date:

Time:

You shall vote in your capacity as a voter and in your capacity as proxy at the same time. It is an offence not to vote in line with the voter's instructions.

This form shall be given to the presiding officer at the polling place where you attend to vote on polling day. If you do not take this form with you, you will not be able to vote as proxy on behalf of the voter.

FORM 3



REPUBLIC OF NAURU ELECTORAL ACT 2016

[Section 78; Regulation 5(5)]

NOTICE OF REFUSAL TO GRANT PROXY VOTING AUTHORISATION

Electoral (Proxy Voting) Regulations 2016, Regulation 5(5) — to be completed by Returning Officer.

To the voter:

[insert full name]

of

[insert current address or District of residence]

Your application for a proxy voting authorisation for the general election and referendum to be held on

.....

[insert date of polling day]

dated

[insert date on application]

is refused because: *[tick 1 or more boxes]*

- ☐ I am not satisfied that the applicant is enrolled to vote in a constituency for which the election is to be held.
- ☐ I am not satisfied that the application has been properly completed and signed by the applicant.
- ☐ I am not satisfied that the signature of the applicant has been properly attested by a witness of the relevant class.

G.N.No. 1157/2025 (Cont'd)

- ☐ I am not satisfied that the application has been properly completed and signed by the nominated proxy.
- ☐ The application was not received by the Returning Officer at least 24 hours before early voting commences.
- ☐ I am not satisfied that the nominated proxy is eligible to be a proxy for the voter because:
 - ☐ the person is not entitled to vote at the election.
 - ☐ the person is not enrolled in the same District as the applicant.
 - ☐ the person is under a sentence, or subject to be sentenced, for an offence punishable by imprisonment for 3 years or more.
 - ☐ the person is authorised to act as proxy for 4 electors.
- ☐ I am not satisfied that the applicant has exercised free will in deciding to apply to vote by proxy.
- ☐ I am not satisfied that the applicant will be outside Nauru on polling day.
- ☐ I am not satisfied that the nominated proxy has exercised free will in consenting to be proxy.
- ☐ I am not satisfied that the nominated proxy understands the responsibilities of a proxy.
- ☐ I am not satisfied that the nominated proxy will vote in accordance with the instructions of the applicant.
- ☐ I have reasonable grounds to believe that the applicant has been induced by another to vote by proxy.

Signature of Returning Officer.

Date:

FORM 4



**REPUBLIC OF NAURU
ELECTORAL ACT 2016**

[Section 78; Regulation 7(3)]

WITHDRAWAL OF NOMINATION OF PROXY

Electoral (Proxy Voting) Regulations 2016, Regulation 7(3) — to be completed by voter.

To the Returning Officer

I,

[insert full name]

of

[insert current address or District of residence]

being on the roll to vote in the constituency of

[insert name of constituency]

revoke the nomination of:

G.N.No. 1157/2025 (Cont'd)

.....
[insert full name of former proxy]

of

[insert current address or District of residence of former proxy]

to vote as my proxy at the general election and referendum to be held on

.....
[insert date of polling day]

Signature of applicant:

Date:

Signature of witness:

Full name of witness:

Title of witness:

The witness shall be 1 of the following: Returning Officer; Commissioner for Oaths; Nauru Permanent Representative to the United Nations (New York); Nauru Ambassador, Republic of Nauru Embassy, People's Republic of China; Nauru High Commissioner to Fiji (Suva); Nauru Consul General to Australia (Brisbane); Permanent Representative of Nauru to the United Nations Office, Geneva; Nauru High Commissioner, Nauru High Commission, Australia (Canberra); Nauru High Commissioner, Nauru High Commission, Republic of India (New Delhi); a person in a country other than Nauru who is a legal practitioner, notary public, commissioner of oaths or justice of the peace under the law of the country; or a person appointed by the Returning Officer to be a witness.'.

6 Consequential amendment to *Electoral (Remote Witness) Regulations 2019*

Regulation 4(2) of the *Electoral (Remote Witness) Regulations 2019* is amended as follows:

- (a) for paragraph (d), delete 'Nauru Ambassador to Republic of China (Taiwan – Taipei)' and substitute with 'Nauru Ambassador, Republic of Nauru Embassy, People's Republic of China;'; and
- (b) deleting paragraphs (g) to (m) and substitute as follows:
 - '(g) Permanent Representative of Nauru to the United Nations Office, Geneva;
 - (h) Nauru High Commissioner, Nauru High Commission, Australia (Canberra);
 - (i) Nauru High Commissioner, Nauru High Commission, Republic of India (New Delhi);
 - (j) a legal practitioner, notary public, commissioner of oaths or justice of the peace duly appointed under the law of the respective country where the application is being witnessed; or
 - (k) any other person appointed by the Returning Officer to be a witness.'.

7 Transitional

Where an application has been submitted to the Electoral Commission using the Forms before it was amended by the *Electoral (Proxy Voting) (Amendment) Regulations (No.2) 2025*, such application

No. 449

29th September, 2025

Nauru

G.N.No. 1157/2025 (Cont'd)

shall be deemed to be made under these Regulations and shall be considered under the *Electoral (Proxy Voting) (Amendment) Regulations (No.2) 2025*.
