



**REPUBLIC OF NAURU
GOVERNMENT GAZETTE
PUBLISHED BY AUTHORITY
EXTRAORDINARY**

No. 78

28th May, 2013

Nauru

G.N. No. 385 / 2013

**THE CONSTITUTION OF NAURU
PRESIDENTIAL DECLARATION
DECLARATION OF STATE OF EMERGENCY UNDER ARTICLE 77**

WHEREAS

- A. The late dissolution of the 20th Parliament and subsequent established dates for electoral activities would result in Supply Appropriation not being made in time in accordance to law to enable Government departments to perform their normal functions.
- B. Appropriation limits have been reached across a number of sectors and therefore Government no longer has legal authority to effect payment to maintain all government's functions. This includes the payment of some urgent overseas referrals, hospital meals as well as a number of critical needs.
- C. Nauru cannot function without the legal authority for Government to fund these essential needs. Nauru must and shall continue to function. It is therefore necessary to place all functions, operations and finances of the Republic of Nauru under the direct control of the President, and I Order by this Proclamation, that all government departments, entities and instrumentalities including the Nauru Police Force and Reserve Member of the Force shall continue to function as normal and subject to direct orders of the President.
- D. The situation has reached a state where Government cannot carry out its function in accordance with the Constitution and other laws and the only solution the Constitution provides for the situation, is through emergent and extraordinary measures.
- E. The situation has been reviewed by the President and Cabinet and having been satisfied on the advice that I have received, that there now exists a grave threat to the economy and security of the Republic of Nauru, such as to justify the declaration of a state of emergency.

G.N. No. 385 / 2013 (cont'd)

NOW, THEREFORE, in accordance with Article 77 of the Constitution of Nauru, and in pursuance of the deliberations and decisions of the said meetings, **I, HON. SPRENT ARUMOGO DABWIDO, M.P.**, President of the Republic on Nauru and Chairman of the Cabinet, **PROCLAIM**, as follows:

1. A State of Emergency exists throughout Nauru.
2. That the Constitution of the Republic of Nauru shall remain in place except for those Articles of the Constitution, specifically excluded from the application and operation by Presidential Order made under Part IX of the Constitution.
3. This Proclamation shall come into force at once and may be extended by further proclamations.

DECLARED AT NAURU this Twenty Seventh day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 386 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 1

AUTHORISATION OF TREASURY PAYMENTS

By the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY order and authorise the withdrawals of monies from the Treasury Fund to meet expenditures for the purposes and in accordance with the Supplementary Appropriation Bill 2013 approved by Cabinet on May 27th 2013.

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 387 / 2013

CONSTITUTION OF NAURU
PART IX
EMERGENCY POWERS
PRESIDENTIAL ORDER 2

WRIT FOR A GENERAL ELECTION OF MEMBERS OF PARLIAMENT

TO: RETURNING OFFICER,

GREETING!

FOLLOWING THE PUBLIC PROCLAMATION BY THE PRESIDENT DECLARING A STATE OF EMERGENCY ON MAY 27, 2013 EXERCISED UNDER PART IX OF THE CONSTITUTION OF NAURU. THIS IS TO COMMAND YOU TO CAUSE ELECTIONS TO BE MADE TO ELECT MEMBERS OF PARLIAMENT TO SERVE IN THE TWENTY FIRST PARLIAMENT OF THE REPUBLIC OF NAURU AND I APPOINT JUNE 8TH 2013 TO BE THE DATE WHEN THE POLL FOR THE PURPOSES OF THE SAID ELECTIONS SHALL BE TAKEN.

GIVEN UNDER MY HAND AT NAURU THIS 27th DAY OF MAY 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 388 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 3

ELECTION DATES

By virtue of the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY order and declare that the dates for the General Elections be as follows:-

Date of Issues of President's Writ	-	27 th May 2013
Closure of the Electoral Rolls	-	29 th May 2013 (12.00 noon)
Nominations Open	-	29 th May 2013 (12.00 noon)
Nomination Close	-	1 st June 2013 (12.00 noon)
Last date of Withdrawal of Nomination	-	5 th June 2013 (5.00 P.M.)
Polling Day	-	8 th June 2013 (11.00 A.M. – 6.00 P.M.)

Insofar as any part of section of the Electoral Act or any other law is inconsistent with this order, it is to the extent necessary, hereby be suspended.

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 389 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 4

APPOINTMENT OF RETURNING OFFICER

By the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY appoint Mr. Bernard Grundler, the Acting Chief Secretary to be the Returning Officer to conduct a General Election to elect members of Parliament to serve in the Twenty First Parliament of the Republic of Nauru.

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 390 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 5

APPOINTMENT OF ELECTORAL REGISTRAR AND DEPUTY ELECTORAL REGISTRAR

By the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY make the following appointments for the General Election to elect members of Parliament to serve in the Twenty First Parliament of the Republic of Nauru.

1. Mr. Antonius A. Maybir as Electoral Registrar
2. Ms. Ophelia Caleb as Deputy Electoral Registrar

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 391 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 6

APPOINTMENT OF DEPUTY RETURNING OFFICERS

By the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY appoint Mr. Sasi Kumar and Mr. Michael Cain to be the Deputy Returning Officers for the General Election to be held on June 8th, 2013 to elect members of Parliament to serve in the Twenty First Parliament of the Republic of Nauru.

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 392 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 7

REFERENCE TO SUPREME COURT

By the powers vested in that behalf in me under Part IX of the Constitution of Nauru and all other powers enabling me, I, HON. SPRENT ARUMOGO DABWIDO, M.P, President of the Republic of Nauru DO HEREBY order and declare that all rights and obligations conferred upon the citizens of Nauru under the Constitution or any other law on Nauru, to refer to the Supreme Court any question regarding any Articles of the Constitution or to initiate any proceedings in the Supreme Court are hereby revoked, unless expressly ordered under my hand.

GIVEN under my hand this 27th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, M.P
PRESIDENT

G.N. No. 393 / 2013

CONSTITUTION OF NAURU

PART IX

EMERGENCY POWERS

PRESIDENTIAL ORDER 8

REMOVAL OF SPEAKER AND DEPUTY SPEAKER

Despite all the efforts that have need made to dissolve the 20th Parliament in an orderly fashion that would take into consideration the timely dates to avoid Elections disrupting the budgetary process. The Deputy Speaker, Hon. Landon Deireragea, M.P and Speaker, Hon. Godfrey Thoma, M.P has deliberately and needlessly prolonged the dissolving of the 20th Parliament and refusing to comply with the Presidential letter of dissolution.

THEREFORE

In order to avoid further disruption to the Electoral process and also to allow clear passage of Presidential Order 2. I write to the Returning Officer by superseding any previous order by the Speaker. I therefore with immediate effect remove the Speaker and the Deputy Speaker of Parliament from their respective offices.

GIVEN under my hand this 28th day of May, 2013

HON. SPRENT ARUMOGO DABWIDO, MP
PRESIDENT
