



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

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No. 69

11<sup>th</sup> June, 2010

Nauru

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G.N.No. 290 / 2010

**CONSTITUTION OF NAURU**  
**ARTICLE 77**

**DECLARATION OF A STATE OF EMERGENCY**

**WHEREAS**

- A. Despite 6 weeks and 14 sittings of Parliament since General Elections were held for Members of the 19<sup>th</sup> Parliament on the 24<sup>th</sup> of April, 2010, the 19<sup>th</sup> Parliament has remained unable to progress to the election of the President due to an ongoing political stalemate. This has also resulted in the inability of the Parliament to entertain any other business, including any Appropriation or financial Bills.
- B. Despite all the efforts that have been made to find a political resolution to enable the 19<sup>th</sup> Parliament to progress, I am now convinced that whilst a political resolution would be desirable, unfortunately the political stalemate cannot be broken and would otherwise persist.
- C. I have received advice that Appropriation limits have been reached across a number of sectors and therefore Government no longer has the legal authority to effect payment to maintain all of government's functions. Nauru cannot function without the legal authority for Government to fund these essential needs. The consequences for the economy of Nauru, the welfare of our people, Nauru's social stability and its international standing will be severe.
- D. As a consequence of the ongoing political deadlock and Parliament's inability to consider and vote on any appropriation bills, the only feasible option available to government to ensure the functions of government, the welfare of our people and social stability, is to exercise the authority available to me under Constitutional Emergency Powers.
- E. The situation has been reviewed by the President in Cabinet and having been satisfied, on the advice that I have received, that there now exists a grave threat to the economy of the Republic;

G.N.No. 290 / 2010 (cont'd)

**NOW THEREFORE**, in accordance with Article 77 of the Constitution of Nauru, I, **MARCUS STEPHEN**, President of the Republic of Nauru, publicly **PROCLAIM** as follows:

1. A State of Emergency exists in Nauru.
2. That the Constitution of the Republic of Nauru shall remain in place, except for those Articles of the Constitution specifically excluded from application and operation by Presidential Order made under Part IX of the Constitution.
3. This Proclamation shall come in to force at once and will lapse upon the election by Parliament of a President, or after 21 days, whichever occurs sooner.
4. This proclamation may be extended by further proclamations.

**DECLARED at NAURU** this Eleventh day of June, 2010 at one o'clock in the afternoon.

**H.E. MARCUS STEPHEN, MP**  
**PRESIDENT**

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G.N.No. 291 / 2010

**CONSTITUTION OF NAURU**  
**PART IX**

**EMERGENCY POWERS**

**PRESIDENTIAL ORDER 1**  
**ARTICLE 78**

A State of Emergency having been declared under Article 77(1) of the Constitution of Nauru and, being satisfied that this order is reasonably required to safeguard the interests of the community, by virtue of the powers vested in me under Article 78(1) of the Constitution of Nauru, I **MARCUS STEPHEN**, President of the Republic of Nauru hereby order as follows:

1. The 19<sup>th</sup> Parliament of Nauru is dissolved with immediate effect.
2. Each roll of electors kept under section 6 of the Electoral Act shall be closed from 1:30pm today until the lapse of the State of Emergency.

Given under my hand this Eleventh day of June, 2010.

**HON. MARCUS STEPHEN M.P.**  
**PRESIDENT**

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G.N.No. 292 / 2010

**CONSTITUTION OF NAURU**  
**PART IX**  
**EMERGENCY POWERS**

**PRESIDENTIAL ORDER 2**  
**ARTICLE 78**

**APPOINTMENT OF RETURNING OFFICER**

A State of Emergency having been declared under Article 77(1) of the Constitution of Nauru and, being satisfied that this order is reasonably required to safeguard the interests of the community, by virtue of the powers vested in me under Article 78(1) of the Constitution of Nauru, I MARCUS STEPHEN, President of the Republic of Nauru hereby order as follows:

1. Acting Chief Secretary Mr. Michael Cain, is appointed as the Returning Officer to conduct a General Election to elect Members of Parliament to serve in the Twentieth Parliament of the Republic of Nauru.

Given under my hand this Eleventh day of June, 2010.

**HON. MARCUS STEPHEN MP**  
**PRESIDENT**

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G.N.No. 293 / 2010

**CONSTITUTION OF NAURU**  
**PART IX**  
**EMERGENCY POWERS**

**PRESIDENTIAL ORDER 3**  
**ARTICLE 78**

**RESTRICTIONS ON SUPREME COURT ACTIONS**

A State of Emergency having been declared under Article 77(1) of the Constitution of Nauru and, being satisfied that this order is reasonably required to safeguard the interests of the community, by virtue of the powers vested in me under Article 78(1) of the Constitution of Nauru, I MARCUS STEPHEN, President of the Republic of Nauru hereby order as follows:

1. No person may institute in the Supreme Court proceedings under any provision of the Constitution of Nauru or proceedings that in any way concern an application for judicial review of administrative action.
2. This order shall lapse upon the lapse of the State of Emergency, unless sooner revoked by order under my hand.

Given under my hand this Eleventh day of June, 2010.

**HON. MARCUS STEPHEN MP**  
**PRESIDENT**

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