



REPUBLIC OF NAURU

**Constitution of Nauru (Executive
Amendments) Bill 2013**

Serial No. 4 of 2013

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REPUBLIC OF NAURU

**Constitution of Nauru Alteration
(Executive Amendments) Bill 2013**

Serial No. 4 of 2013

A Bill for:

An Act to alter The Constitution of Nauru to improve the operation of the executive and for other purposes

Certified on []

Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Constitution of Nauru (Executive Amendments) Act 2013*.

2 Commencement

This Act commences on the day of the general election next following its certification.

3 Alteration of Constitution of Nauru

The Schedule alters The Constitution of Nauru.

SCHEDULE — ALTERATION OF CONSTITUTION OF NAURU

[1] Insertion of Articles 16C and 16D

Before Article 17

insert

16C The Deputy President

- (1) Whenever a President is elected, the President must, as soon as practicable, appoint a member of Parliament to be Deputy President and Minister.
- (2) Whenever the office of Deputy President is vacant, the President must appoint a Minister to be Deputy President.
- (3) The Deputy President must, before undertaking official duties, swear before the Chief Justice or the Speaker an oath in the form set out in the Eighth Schedule.
- (4) The office of Deputy President is vacated if:
 - (a) the Deputy President resigns by signed written notice to the President; or
 - (b) the Deputy President ceases to be a member of Parliament otherwise than by reason only of its dissolution; or
 - (c) the appointment of the Deputy President is revoked by the President; or
 - (d) the Deputy President ceases to be a member of Cabinet; or
 - (e) a new President is elected.
- (5) If the Deputy President is absent from Nauru or is unable by reason of illness or other cause to discharge official functions, the President may appoint 1 of the other Ministers to perform the functions of the Deputy President and a person so appointed will discharge those functions accordingly until:
 - (a) the appointment is revoked by the President; or
 - (b) the person ceases to be a Minister; or

- (c) a new President is elected; or
 - (d) the Deputy President returns to Nauru or resumes official functions.
- (6) However, a person, who as a result of an appointment under clause (5) and the operation of Article 16D, is performing the functions of the President must not exercise the power of the President to revoke the appointment of the Deputy President.
- (7) If the Deputy President is performing the functions of the President in accordance with Article 16D, the Deputy may appoint 1 of the other Ministers to perform the functions of the Deputy President and a person so appointed will discharge those functions accordingly until:
- (a) the appointment is revoked by the Deputy President; or
 - (b) the person ceases to be a Minister; or
 - (c) the Deputy President ceases to perform the functions of the President.

16D Discharge of functions of President during absence, illness, etc.

- (1) Whenever the President is absent or considers it desirable to do so by reason of illness or other cause, the President may, by directions in writing, authorise the Deputy President to discharge specified functions of the President (and the Deputy President will discharge those functions until the Deputy's authority is revoked by the President).
- (2) If the President is unable by reason of illness or other cause to discharge official functions and the infirmity or other cause is of such a nature that the President is unable to authorise another person under this Article to discharge those functions, the Deputy President will discharge the functions of the President.
- (3) Whenever the Deputy President is discharging the functions of the President under clause (2), the Deputy must cease to discharge those functions if the Deputy is notified by the President that the President is about to resume those functions.