



REPUBLIC OF NAURU

Government Information Office

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Stephen Government gets on with the job of governing in spite of Parliament stalemate

President Marcus Stephen was happy to confirm today that an effective government is still operating in spite of the ongoing stalemate in Parliament.

However the President also expressed concern that some members of Parliament appear to be confused about the fact that his government still holds office under the Constitution.

His Excellency said "Article 16(4) of our Constitution is very clear. It says that the President holds office until the election of another person as President. Under Article 20, all of my Cabinet members also remain Ministers until a new President is elected."

He said "perhaps the confusion has arisen because this has been an unusually long caretaker period, but the law is clear. Even in caretaker mode, the government remains in power until Parliament is able to form a new government, and Parliament has not been able to do anything for months because of the ongoing stalemate."

The concept of 'caretaker' government refers to a government that continues in office after the dissolution of Parliament and after a new Parliament has been elected in a general election, until the formation of a new government.

The term 'caretaker government' does not appear in the Constitution of Nauru, nor in the Standing Orders or laws of Nauru. It is a concept common to all parliamentary systems of government, and is in some places (such as England and Australia) governed by *unwritten* constitutional 'conventions' or customs.

In some parliamentary systems, a caretaker government will usually avoid making major policy decisions, entering into new treaties and acquiring or disposing of major public assets because of the general acceptance of these unwritten conventions.

Under the law of Nauru, the executive powers of a government in caretaker mode are no different to the executive powers of a government during a normal parliamentary term.

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