

REPUBLIC OF NAURU



In the Supreme Court

Miscellaneous Case No. 4/2006

In the Matter of an application for an Order for Certiorari

BETWEEN: Vincent Detenamo, Derog Gioura, Kinza Clodumar & Ors
AND: The Secretary for Finance

PLAINTIFFS
1ST RESPONDENT

ORDER OF CERTIORARI granted peremptorily on ex parte application

Upon reading the affidavit of Vinson Detenamo, sworn on 4th October 2006, and filed herein and the exhibits therein referred to with a copy of the statement lodged in accordance with Order 38, Rule 1 (2) of the Civil Procedure Act 1972 on the ex parte application on behalf of the Plaintiffs for leave to issue a Notice of Motion for an Order of Certiorari directed to the Secretary for Finance to remove into this

Honorable Court and quashed a determination by the Secretary for Finance and published in the Nauru Bulletin on 4th October 2006, whereby the said Secretary stated that all outstanding salaries of present and former employees of the public service, already accrued as interests of the employees are to be transferred in total to the Bank of Nauru, and where it has been stated in the affidavits that such an action is unlawful without a proper bill of payment to facilitate payment of the salaries.

And the Court being of the opinion that in the circumstances of this case a Peremptory Order should be made.

It is Ordered that the said determination be removed into the Supreme Court.

And it is Ordered that there upon the said directive to be stayed until final determination of the Court.

A handwritten signature in blue ink, appearing to be a stylized name, is written above the text "By the Court".

By the Court