

TITLE 11 – FINANCE
CHAPTER 8 - MINISTRY OF JUSTICE SPECIAL REVENUE FUND



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

MINISTRY OF JUSTICE SPECIAL REVENUE FUND
ACT 1989

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MINISTRY OF JUSTICE SPECIAL REVENUE FUND
ACT 1989

AN ACT to provide for the creation of a Ministry of Justice Special Revenue Fund and for related purposes.

Commencement: September 18, 1989
Source: P. L. 1989-70
Amended By: P. L. 1991-128 P. L. 1992-14 P. L. 1994-99
 P. L. 2005-47 P. L. 2006-66 P. L. 2007-80 P.L. 2010-49
 P.L. 2011-56 P.L. 2018-82

§801. Short title.

This Chapter may be cited as the Ministry of Justice Special Revenue Fund Act of 1989.[P.L. 1989-70, §1.]

§802. The Ministry of Justice Fund.

The Ministry of Justice Special Revenue Fund (the Fund) is hereby established. The Fund shall be a revolving fund within the National Treasury and under the control and supervision of the Ministry of Finance, which shall provide for its administration in accordance with the Financial Management Act of 1990, as amended, 11 MIRC 1.[P.L. 1989-70, §2; amended by P.L. 1994-99, §3(1).][amended by P.L.2010-49]

§803. Payment into the Fund.

(1) There shall be paid into the Fund:

- (a) any money appropriated by the Nitijela for the purposes of the Fund;
 - (b) all fees, fines, and other sums paid to and collected by the court for or with respect to the violation of National Government laws, except such sums as may be paid to Local Government Councils under the Judiciary Fund Act of 1989 (27MIRC 1A), except as otherwise provided for by any other Act;
 - (c) all grants, and gifts, received by the Ministry of Justice, other than money appropriated by the Nitijela; and
 - (d) all administrative fees and charges collected by the Office of the Attorney General, and all subdivision and agencies that for the time being responsible to the Office of the Attorney General, and shall include those fees and charges collected:
 - (i) for all passports;
 - (ii) for citizenship matters;
 - (iii) for all visas;
 - (iv) for all documents and filings made pursuant to the provisions of the Associations Law under 52 MIRC and any regulations promulgated pursuant thereto.
- (2) The Secretary of Finance is hereby authorized to deposit into the Fund an amount equal to \$400,000 of all collections made during a fiscal year. [P.L. 1989-70, §3.][Amended by P.L. 2005-47.][Amended by P.L. 2007-80.][Amended by P.L.2010-49; P.L. 2011-56][§2 amended by P.L. 2018-82].

§803A.[Deleted in its entirety by P.L.2010-49]

§804. Payments out of the Fund.

- (1) Payments shall be made out of the Fund for or to the following purposes:
 - (a) with respect to monies appropriated by the Nitijela, for the purposes for which the monies were appropriated; and
 - (b) with respect to fees, fines, and other sums received by the Ministry of Justice:
 - (i) for the education and training, supplies and equipment, and capital improvements for the Department of Public Safety; and

- (ii) for the education and training, supplies and equipment, and capital improvements for other departments of the Ministry of Justice which may generate such fees, fines, and other sums; and
- (iii) for witness and defendant transportation; and
- (iv) for fees, costs, dues and contributions required of regional and international police organizations and travel expenses incurred by the attendance of meetings of such organizations;

provided, however, sums received for a specific purpose may and shall only be used for said purpose.

- (2) The Attorney-General shall in advance of each financial year prepare and present to the Minister of Justice (the Minister), for his approval, a budget for the withdrawal and expenditure of monies out of the Fund for that financial year. The budget may, with the approval of the Minister, be revised from time to time as the Attorney-General deems necessary. Approved budgets shall be forwarded to the Secretary of Finance to guide him in the proper administration of the Fund. For each budget year the Commissioner of Public Safety shall furnish to the Secretary of Finance information on the anticipated fees, costs, dues, or contributions required for the Republic's membership in Interpol. The Secretary of Finance shall assure that sufficient funds are retained to meet such costs.
- (3) The Secretary of Finance shall deposit into the Marshall Islands General Fund any sum of money in excess of \$400,000 from all collections made under Section 803 (1)(a)(b)(c)(d) during a fiscal year. [P.L. 1989-70, §4; amended by P.L. 1991-128, §2; P.L. 1992-14, §2, P.L. 1994-99, §3(1).]§3 is inserted by P.L.2018-82].

§805. Accounts and records.

- (1) The Secretary of Finance shall cause to be maintained accounts and records in accordance with generally accepted accounting principles for government funds, as adopted and occasionally amended by the Government Accounting Standards Board, of:
 - (a) the (fund);
 - (b) the disposition of money paid out of the fund; and
 - (c) the property purchased with money from the Fund.

- (2) The accounts and records referred to in Subsection (1) of this Section are subject to audit under Article VIII, Section 15 of the Constitution.[P.L. 1989-70, §5.]

§806. Taxation.

The fund and related transactions are not subject to any tax, rate, charge, or impost under any other law.[P.L. 1989-70, §6.]