



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

# **CONSTITUTIONAL CONVENTION (AMENDMENT) (3) (A) ACT 2016**

**Introduced by:**

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**HON. MINISTER AMENTA MATTHEW & SENATOR  
DAISY-ALIK MOMOTARO**

**Received:**

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**HON. SPEAKER KENNETH A. KEDI**

**BILL NO. 30ND1 P.L. 2016- 19**



**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

**CONSTITUTIONAL CONVENTION (AMENDMENT) (3)  
(A) ACT 2016**

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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016



Republic of the Marshall Islands  
*Jepililin Ke Ejukaan*

**CONSTITUTIONAL CONVENTION (AMENDMENT) (3)  
(A) ACT 2016**

AN ACT to amend the Constitutional Convention Act 2015, in order to include additional proposals for the amendment of the Constitution of the Republic of the Marshall Islands.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

**§1. Short Title**

This Act may be cited as the Constitutional Convention (Amendment) (3) (A) Act 2016.

**§2. Amendments**

(1) Schedule 1 of the Constitutional Convention Act, 2015 is further amended by adding new Proposal 21 and to be inserted after Proposal No. 20 to read as follows:

""Proposal No. 21. – Article I, Section 4 (7): To amend Article I, Section 4 (7) which gives legal protection of witnesses giving evidence against himself, spouse, parent, child, or sibling, etc to read as follows:

(7) No person shall be compelled in any criminal case to be a witness against himself, or against his spouse, parent, child, or sibling, or to give testimonial evidence against any such person whenever that evidence might directly or indirectly be used to obtain such person's criminal conviction. Notwithstanding, where:

(a) an allegation of violence is against the spouse or partner;

- (b) an allegation of violence against a person who was at the material time under the age of eighteen years;
  - (c) an alleged sexual offence against a victim who was at the material time under the age below 18 years; or
  - (d) the person is attempting, conspiring or aiding and abetting, counselling and procuring to commit the offences in the categories above,
- a person may be compelled to testify against his or her spouse, parent, child, or sibling

**§3. Effective Date**

This Act shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution.

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**CERTIFICATE**

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**I hereby certify:**

1. That Nitijela Bill No: 30ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 28<sup>th</sup> day of September 2016; and
2. That I am satisfied that Nitijela Bill No: 30ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 18<sup>th</sup> day of October 2016.

  
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**Hbn. Kenneth A. Kedi**  
 Speaker  
 Nitijela of the Marshall Islands

**Attest:**

  
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**Morean Watak**  
 Clerk  
 Nitijela of the Marshall Islands