

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
44TH CONSTITUTIONAL REGULAR SESSION, 2023**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RMI SOCIAL SUPPORT SCHEME ACT, 2023

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RMI SOCIAL SUPPORT SCHEME ACT, 2023

AN ACT to create new Chapter under Title 49 MIRC, in order to establish for the people of the Republic of the Marshall Islands a non-contributory pension and disability support scheme to provide basic income support for eligible retirement age residents and persons with disabilities who are not currently receiving any retirement or disability income benefits from the Marshall Islands Social Security Administration or any other retirement, pension, or disability program and for matters connected therewith and incidental thereto.

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

PART I - PRELIMINARY

§101. Short title.

This Act may be cited as the RMI Social Support Scheme Act, 2023.

§102. Definitions.

Unless the context otherwise requires:

- (a) “disabled” or “disability” has the same meaning as defined under Rights of Persons with Disabilities Act of 2015;
- (b) “MISSA” means the Marshall Islands Social Security Administration;
- (c) “Permanent residency” means someone who has been granted the right to live in the RMI indefinitely. Permanent residence includes the right to work and resident in the RMI for 20 years or more;
- (d) “RMI” means the Republic of the Marshall Islands

- (e) "Social Support Scheme" means the RMI Social Support Scheme established under this Chapter;

§203. Purpose

To establish a non-contributory pension and disability support scheme to provide basic income support for eligible retirement age residents and persons with disabilities who are not currently receiving any retirement or disability income benefits from the Marshall Islands Social Security Administration or any other retirement, pension, or disability program.

PART II – ESTABLISHMENT AN ADMINISTRATION OF THE SCHEME

§204. Establishment.

There is hereby established the RMI Social Support Scheme.

§205. Phased Introduction and Administration of the Scheme

- (1) The scheme shall be administered by the Marshall Islands Social Security Administration (MISSA). Upon passage of this Act, an initial pilot phase of the scheme of three (3) financial years shall commence, from FY2024 to FY2026.
- (2) Upon passage of this Act, MISSA shall establish a dedicated operational unit to administer and monitor the scheme during the pilot phase and ultimately when it is mainstreamed. To guide its administration of the scheme, upon passage of this Act, the MISSA administration and board shall develop standard operating procedures for the scheme.
- (3) Upon completion of the pilot phase and based on experiences and lessons drawn from the pilot phase, the scheme shall be mainstreamed and made permanent through an amendment to the Social Security Act of 1990 that integrates the scheme as a permanent component of MISSA's programs and operations. At that juncture, the relevant sections of this Act shall be incorporated into the amended MISSA Act. Necessary corresponding amendments to MISSA's regulations shall also be made.

§206. Eligibility Requirements

- (1) To be eligible for the non-contributory pension scheme, beneficiaries must meet the following criteria:
 - (a) Age: must be at least 60 years of age
 - (b) Residency: must be a permanent resident of the RMI
 - (c) Non-duplication of benefits: must not be a recipient of any MISSA retirement related benefit or any other retirement or pension program in the RMI or any other jurisdiction
- (2) To be eligible for the disability scheme, beneficiaries must meet the following criteria:
 - (a) Age: people of all ages are eligible
 - (b) Residency: must be a permanent resident of the RMI
 - (c) Non-duplication of benefits: must not be a recipient of any MISSA disability related benefit or any other disability related program in the RMI or any other jurisdiction

§207. Registration and Verification Process

Upon passage of this Act, MISSA shall establish guidelines for a registration and verification process for both beneficiary groups. This shall include an initial nation-wide call-for-registration process whereby potential beneficiaries are invited to register and provide necessary documentation and substantiation for their eligibility.

§208. Initial Benefit Level and Subsequent Adjustments

The initial monthly benefit level to be provided per beneficiary during the three-year pilot phase shall be \$100. Upon completion of the pilot phase and taking into account RMI inflation levels and other relevant considerations, the benefit level shall be adjusted by Cabinet based on analysis and advice provided by the MISSA administration and board.

PART III - FINANCING, REPORTING, AND AUDIT

§209. Annual Appropriation

A special appropriation of \$750,000, made through the Appropriations Act for FY2024, shall be provided to launch the pilot phase of the scheme. Subsequent appropriations by Nitijela shall be made based on Cabinet proposals backed by analysis and advice of the MISSA administration and board.

§210. MISSA Administrative Costs

A portion of the annual Nitijela appropriation for the scheme shall be kept and used by MISSA for reasonable administrative costs. The amount to be kept and used annually by MISSA for the scheme shall be projected by the MISSA administration and approved by the MISSA board for each fiscal year.

§211. Monitoring and Reporting

The MISSA administration and board shall provide Cabinet and Nitijela with an annual report on the piloting and administration of the scheme.

§212. Annual Audit

Resources provided and used for the scheme, as administered by MISSA, shall be included in the annual MISSA audit.

PART IV - MISCELLANEOUS

§213. Regulation

The Marshall Islands Social Security Administrator shall promulgate regulation for this Act pursuant to the Administration Procedures Act.

§214. Effective Date

This Act shall take effect on the date of its certification in accordance with the Constitution and the Rules of Procedures for the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: **105** was passed by the Nitijela of the Republic of the Marshall Islands on the **28th** day of **September** 2023; and
2. That I am satisfied that Nitijela Bill No: **105** 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 25th day of October 2023.



Hon. Kenneth A. Kedi

Speaker

Nitijela of the Marshall Islands

Attest:



Carl Alik

Assistant Clerk

Nitijela of the Marshall Islands