

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



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**COUNCIL OF IROIJ (COMPENSATION AND EXPENSES)
(AMENDMENT) ACT, 2023**

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**COUNCIL OF IROIJ (COMPENSATION AND EXPENSES)
(AMENDMENT) ACT 2023**

AN ACT to amend the Council of Iroij (Compensation and Expenses) Act of 1979 by inserting a new Section to provide for the gratuity benefits in the event of death of any person recognized as Irojlaplap/Leiroij or Owner as primary title holder pursuant to Article VIII, Section 1, the customary law or traditional practices and other related purposes.

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

§101. Short title.

This Act may be cited as the Council of Iroij (Compensation and Expenses) (Amendment) Act, 2023.

§102. Amendment.

(1) Section 207 is hereby inserted as new section to which it shall read as follows:

§207. Gratuity.

- (1) In the event of death of any person recognized pursuant to Article III, Section 1 (2) of the Constitution, customary law or to any traditional practice as having rights and obligations of Irojlaplap/Leroij or Owner as primary title holder, a gratuity in a lump sum of up to \$25,000 shall be paid to his or her immediate family, or if he/she leaves no such family, to his/her heirs at law; and/or
- (2) If, in any, district, a group of persons becomes recognized pursuant to Article III, Section 1 (2) and(3), the customary law or to any

traditional practice, as having rights and obligations analogous to those of Irojlaplap/Leiroij or Owner, that person, or a member of that group nominated by the group, shall be deemed to be primary title holder and therefore a gratuity benefit in a lump sum of up to \$25,000 shall be paid to his/ her immediate family, or if he/she leaves no such family, to his/her heirs at law.

- (3) For the avoidance of any doubt, gratuity shall not be paid to any probate law of the Republic.
- 4) The gratuity benefits will not apply to any members who are currently sitting as "Proxy".

For the purposes of this Section, "funeral expenses" shall means the costs of returning remains or ashes of the deceased person to a location of the family's choice and all other costs of deceased person's funeral, including venue hire, catering and public notice.

(2) Section 208 is hereby inserted as new section as follow:

§208. Finance: Council of Iroj Gratuity Fund.

- (1) There shall be established a Council of Iroj Fund.
- (2) The Fund shall be a fund other than the General Fund within the meaning and for the purposes of Article VIII, Section 3 of the Constitution.

(3) Section 209 is hereby inserted as new section as follow:

§209. Payment into the Fund.

- (1) There shall be deposited into the Fund:
 - (a) all monies appropriated by the Nitijela for the purposes of the Council of Iroj gratuity benefits pursuant to Section 207.

(4) Section 210 is hereby inserted as new section as follow:

§210. Payment out of the Fund.

(1) Payment may be made out of the Fund only for:

(a) a lump sum payment for costs and expenses for funeral expenses pursuant to Section 207.

§103. Effective date.

This Act shall take effect in accordance with the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: **107** 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: **107** 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