NITIJELA OF THE MARSHALL ISLANDS

24th CONSTITUTIONAL REGULAR SESSION, 2003 **BILL NO:143**

P.L. 2003-89

An Act

To amend the Marshall Islands Nuclear Claims Tribunal Act 1987, 42 MIRC Chp. 1, to allow a justice of the High Court to serve as a member of the Nuclear Claims Tribunal, other than as the Chairman, and to repeal the requirement that the Chairman remain in residence in the Republic during the duration of his term.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

Section 1. **Short Title.**

This Act may be cited as the Nuclear Claims Tribunal (Amendment) Act 2003.

Section 2. **Amendments.**

(1) Subsection 110(3) of the Marshall Islands Nuclear Claims Tribunal Act 1987, 42 MIRC Chp. 1 ("NCT Act"), is amended to reads as follows:

> (3) If the Tribunal is unable to render a decision due to either the temporary disability or disqualification under Subsection (13) of this Section of one or more members, then the Cabinet shall appoint temporary members consistent with the qualifications set forth in Subsection (4) of this Section below, to enable the Tribunal to carry out its duties. In the event of a vacancy in the Tribunal other than a temporary disability or disqualification, the Chief Justice of the High Court at the request of the Chairman of the Tribunal may

designate a justice of the High Court to serve pro tem as a member of the Tribunal, other than as Chairman of the Tribunal. The designation under this subsection shall not be deemed to be an appointment to fill a vacancy under Subsection (7).

(2) Subsection 110(5) of the NCT Act is hereby repealed.

Section 3 **Effective Date.**

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

CERTIFICATE

I hereby certify:

(1) that Nitijela Bill No. 143 was passed by the Nitijela of the Marshall Islands on the 29th day of September, 2003; and

(2) that I am satisfied that Nitijela Bill No. 143 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 .

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P.L.2003-89

I hereby place my signature before the Clerk of the Nitijela this 3rd day of December, 2003.

Litokwa Tomeing,
Speaker,
Nitijela of the Marshall Islands

Attest:

Joe E. Riklon
Clerk,
Nitijela of the Marshall Islands