NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
45TH CONSTITUTION REGULAR SESSION, 2024

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

PRESIDENTIAL SPECIAL APPOINTMENT ACT 2024

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PRESIDENTIAL SPECIAL APPOINTMENT ACT, 2024

AN ACT to provide under Title 3, Chapter 1 for Presidential Special Appointments; to repeal the Presidential Special Consultant; and for related matters related thereto.

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

§101. Short title.

This Act may be cited as the Presidential Special Appointment Act 2024.

§102. Interpretation.

In this Chapter, unless the context otherwise requires:

(a) "President" means the President of the Republic of the Marshall Islands;

(b) "Special Appointments" means special appointments made by the President of certain person or persons to a specific task or role, to conduct special negotiations, or attend coronations, or inaugurations, or any other state ceremonies of special importance to advise the President or cabinet on important matters, such appointment may be temporary or long-term, including the appointment of Special Envoy, Presidential Envoy, Special Representative, Special Coordinator, Special Negotiator, Special Consultant, Special counsel, or Special Advisor;

(c) "Special Advisor" means a person appointed to advise on special issues of national interests;

(d) "Special Envoy" means a person appointed by the President temporarily and assigned a specific task or role or to conduct special negotiations or attend coronations, inaugurations, or any other state ceremonies of special importance;

(e) "Special Representative" means someone who speaks or officially represents the president or a member of Cabinet at a special event;

(f) "Special Consultant" means the Special Consultant to the President whose is appointed under Section 103 of this Chapter;

(g) "Special Counsel" shall mean an attorney other than the Attorney General who by demonstrated ability, background, training, or experience, and qualification to carry out any specific functions and provide advice to the President but subject to Article VII, Section 3(3) of the RMI Constitution;

(e) "Special Coordinator" means a person who appointed to coordinate presidential special events other than coordination functions and powers vested in the Chief Secretary under Article VII, Section 2(2) of the Constitution.

PART II – PRESIDENTIAL SPECIAL APPOINTS; PROCEDURES

§103. President Special Appointments.

(1) Subject to Section 104(1), President may appoint or maintain Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special counsel, or Special Advisor positions whenever required for specific task, or for specific tasks outside the public service.

(2) Pursuant to the Constitution or other laws, the renumeration or allowance of a Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special Consultant, Special counsel, or Special Advisor positions shall be promulgated by Regulations.

(3) A Nitijela Member appointed under this Chapter shall receive an allowance of not more than $15,000 per annum to help meet any expenses in the performance of their duties.

§104. Appointment of the Special Envoy, Special Consultant, Special Advisors, and etc.

(1) A Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special Consultant or Special Advisor shall be appointed by the President, with the approval of the Cabinet, for such period as the President determines, and based on the terms and conditions pursuant to Section 103(1).

(2) To ensure that the appointment of Nitijela Members under this Chapter does not adversely affect the Nitijela's functions by limiting the appointments of said Members to 4.

§105. Functions

A Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special counsel, or Special Advisor, or Special Consultant has such functions as are designated to him or her by the President which shall be limited to areas of policy, diplomacy and specialized designed task.

§106. Special Appoints, Decisions and Actions does not Diminish Cabinet's responsibility to the Nitijela.

(1) The special appointments made pursuant to this Chapter shall be subject to the terms of reference of such appointment and contracts which specify the terms that allow theses special appointments to compliment the Minister responsible for such role.

(2) Any decisions or actions taken by such Special Envoys, Special consultants, Special Advisors and etc, will not diminish Cabinet's responsibility to the Nitijela for the direction and implementation of the executive policies.

PART III - MISCELLANEOUS

§107. Regulation

The Minister responsible shall promulgate Regulation in accordance with the Marshall Islands Administrative Procedures Act 1979.

§108. Repeal

The Presidential Special Consultant Act of 1980 is hereby repealed in its entirety.

§109. 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: **5ND1** was passed by the Nitijela of the Republic of the Marshall Islands on the 12th day of April 2024; and

2. That I am satisfied that Nitijela Bill No: **5ND1** 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 29th day of April 2024.

Brenson S. Wase
Speaker
Nitijela of the Marshall Islands

Attest:

Morean S. Watak
Clerk
Nitijela of the Marshall Islands