NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

MINISTRY OF ENVIRONMENT ACT, 2018

Index

Section **Page**

§601. Short Title....3
§602. Interpretations....3
§603. Intention....5
§604. Intention....6
§605. Portfolio....6
§606. Role....6
§607. Annual Report....7
§609. Establishment of the Ministry of Environment....8
§610. Composition of the Ministry....8
§611. Role & Authority of the Minister....8
§612. Functions of the Ministry of Environment....9
§613. Definition of the Climate Change Directorate....9
§614. Reporting on Adaptation and Mitigation Measures....12
§615. Climate-Proofing....12
§616. National Council on the Environment....14
§617. Functions....14
§618. Meetings and Composition....15
§619. Regulations, Policies and Strategies for Outer Islands....17
§620. Repeal....17
§621. Relationship With Other Acts....17
§622. Conflicts....20
§623. Transition....20
§624. Effective Date....20

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

MINISTRY OF ENVIRONMENT ACT, 2018

AN ACT to establish the Ministry of Environment and to enhance or strengthen collaboration and coordination in protection of the environment, conservation, restoration and sustainable use of natural and genetic resources, including safe guarding of related cultural resources, utilization of sustainable energy, including renewable energy, and to address mitigation and adaptation to climate change impacts and natural hazards, including through increased communication within government and stakeholders and enhanced implementation of existing Acts.

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

Part I. Preliminary

§601. Short Title.

This Act shall be known and cited as the *Ministry of Environment Act 2018.*

§602. Interpretations

(1) In this Act unless the context otherwise requires:

(a) "Adaptation" refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damage associated with climate change, as well as current conditions and existing vulnerability to natural hazards and climatic events;

(b) "Chief Secretary" refers to the Chief Secretary of the Republic of the Marshall Islands;

(c) "Climate change" refers to a change in the state of the climate that can be identified (e.g. by scientific observation) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. It refers to any change in climate over time, whether due to natural variability or as a result of human activity;

(d) "Climate-proofing" describes the act of engaging in adaptation, e.g. protecting the built and natural environment from climate change impacts, including through, but not limited to, treatment within policies, programs, projects and measures, as well as constructing buildings and infrastructure in less vulnerable areas or with adaptation design features, or improvements to existing infrastructure, such as elevation, structural intervention or moving electrical infrastructure within buildings to higher levels;

(e) "Environment" means the physical factors of the surroundings of human beings and includes the land, soil, water, atmosphere, climate, sound, odors, tastes and the biological factors of animals and plants of every description situated within the territorial limits of the Republic including the exclusive economic zone;

(f) "EPA" refers to the National Environmental Protection Authority established through the *National Environmental Protection Act 1984*;

(g) "Greenhouse gas" refers to any gaseous compound in the atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere;

(h) "Infrastructure" refers to the basic physical and organizational structures and facilities (e.g., buildings, roads, and power supplies) needed for the operation of society;

(i) "Land" includes:

1. Any interest in, or any benefit to arise out of any land, according to persons holding the title of Iroij Laplap, Iroij Erik, Alab, or Senior Dri Jerbal, or any or all persons claiming under the foregoing title holders on the basis of law and custom;

2. Any leasehold or other interest held by any person; and 3. Things attached to the earth.

(j) "Minister" refers to the Minister responsible under this Act;

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

(l) "Office of the President" refers to the Office of the President of the Republic of the Marshall Islands;

(m) "Protected" means maintained, intact, preserved, conserved, or otherwise managed in a sustainable manner;

(n) "protection and management" includes all rules, regulations, methods and measures that:

(i) are required to build, restore or maintain, or are useful in building, restoring or maintaining the environment; and

(ii) are designed to ensure that:

(A) beneficial uses may be made on a continuing basis;

(B) irreversible or long-term ill effects on the environment are avoided; and, (C) there will be a multiplicity and variety of options available with respect to uses of the environment;

(o) "Republic" refers to the Republic of the Marshall Islands; and

(p) "UNFCCC" refers to the United Nations Framework Convention on Climate Change.

(q) "IPCC" refers to the Intergovernmental Panel on Climate

Change Part II. Declaration of Intent

§603. Intention

It is the intent of Nitijela to provide a comprehensive and collaborative focus on all matters relating to the environment, conservation, energy policy, and climate change, including through a unified approach to implementing and adjusting the Republic's existing and future relevant laws, regulations and policies, and a dedicated structure to address the unique challenges of climate change and its treatment, including adaptation to its effects.

§604. Intention

1. It is the intent of Nitijela to:

A. establish a Ministry of Environment, and further define and strengthen effectiveness of Ministerial engagement and function to assist in inter-agency communication and coordination on environment, conservation, energy and climate change;

B. to provide for a national director and directorate dedicated to addressing climate change, within the Office of the Chief Secretary, and ensure climate-proofing of all government policies and infrastructure; and C. to strengthen the implementation of the National Environmental Policy Act of 1984, as amended, or any related successor Act, and the role of the Environmental Protection Authority established therein D. to strengthen and assist with the implantation of the Office of Energy Act of 2018, or any related successor Act, and the role of the Office of Energy established therein

E. to establish an annual national council on the environment to give effect to interagency collaboration, and establish environmental and climate liaison officers in all government ministries and relevant national entities.

Part III. The Minister

§605. Portfolio

Whereas the President may, pursuant to her powers under Article V, Section 5, of Constitution, allocate the portfolio of the Minister of Environment to a member of the Cabinet, including Minister holding the portfolio of the Minister in Assistance to the President.

§606. Role

1. The Minister's role is to ensure the Republic strives towards and ultimately achieves adoption of effective climate mitigation measures and adequate protection of the environment and its due consideration of the effects of climate change and the protection of

the environment in decision-making, effective conservation of the Republic's natural and cultural resources, ensuring development and implementation of policies and measures which ensure appropriate utilization of sustainable energy practices, energy conservation and the promotion of renewable energy, and addressing climate change through increasing resilience to its adverse impacts as well as reducing greenhouse gas emissions.

2. The Minister shall, in consultation and coordination with the responsible Ministry, ensure domestication and implementation of all treaties, international instruments and agreements relevant to this Act, to which the Republic is a signatory or member, and all other relevant treaties, international instruments and agreements which may be adopted or approved, acceded to or ratified by the Republic.

§607. Annual Report

1. The Minister shall, upon advice and input from appropriate agencies and stakeholders, including through the National Council on the Environment, prepare and present to Nitijela, an annual state of the environment report, which shall, inter alia, summarize present information, legislation, policies and initiatives regarding the environment, conservation, energy and climate change, including status of implementation therein, and recommend further development and direction thereof, to achieve the objectives of this Act, including acts referenced in Part VIII and any subsequent relevant Acts. Such report may be presented by the Minister orally, in writing, or both.

2. The Minister may provide the above report in subsection (1) to the Council of Iroij, jointly or separately, in writing or orally, particularly if or as any matters therein may relate to customary law, or any traditional practice, or land tenure, or any related matter.

3. This report may supplement or replace current environmental reporting functions at the discretion of officials and directors of agencies and secretaries responsible for such as described in other acts listed in Part VIII. Any such exercise of such discretion shall be referenced in the Minister's annual state of environment report.

Part IV. Ministry of Environment.

§609. Establishment of the Ministry of Environment

The Ministry of Environment is herein established.

§610. Composition of the Ministry

1). The Ministry shall be composed of the following entities, or any future successor entities established by any other law:

A. The Environmental Protection Authority, as established in the National Environmental Protection Act of 1984, as amended, or any other successor entity;

B. The Climate Change Directorate, as established herein;

C. The Director of the National Energy Office, as established by National Energy Office Act, 2018;

D. The National Council on the Environment, as established herein;

2). Additional offices, entities and authorities may be added to the Ministry's composition by amendment to this Act or by any other law.

§611. Role & Authority of the Minister

1). The Climate Change Directorate shall report to the Minister, as specified herein;

2). The Environmental Protection Authority shall report to the President and Minister under the provisions of its Act

3). The Office of Energy shall report to the Minister under the provisions of its Act

4). The Minister or designee shall chair the National Council on the Environment, as specified herein

5). For the Acts mentioned in Part VIII, as well as all other Acts applicable to the environment, conservation and/or climate change, and any relevant future Acts or revisions, secretaries and directors of applicable ministries, offices and authorities and appropriate agencies, including but not limited to members of the Council in part

VI, shall report jointly to the Minister responsible for this Act and any other Minister responsible for such other Acts as apply, regarding relevant policy recommendations and/or regulations relating to the environment, energy, conservation and/or climate change.

§612. Functions of the Ministry of Environment

The Ministry of Environment shall ensure, and assist with, implementation of this Act and Acts referenced in Part VIII, and all subsequent successor or relevant Acts, including through direct action by the Environmental Protection Authority, Climate Change Directorate, the Office of Energy, as well as through cross-sectoral and inter-agency consultation to be facilitated by the National Council of Environment as defined herein.

Part V. Climate Change Directorate

§613. Definition of the Climate Change Directorate

1. There is hereby established a Climate Change Directorate. The Climate Change Directorate shall be led by a National Climate Change Director, who shall be appointed by the Public Service Commission, in consultation with the Minister, and who shall be a suitably qualified person. The Officer shall report to the Minister.

2. The Director shall be assisted by as many subsidiary officers, staff members, policy advisers, assistants and experts as necessary to implement this section of the Act, to be appointed by the Public Service Commission and who shall be suitably qualified. Such individuals may be temporarily seconded from or to appropriate agencies at the discretion of the Officer.

3. Among other duties and responsibilities stipulated in this Act, the Director shall:

   A. ensure that consideration of vulnerability to climate change impacts and reduction of greenhouse gas emissions shall be an integral part of all government planning and decision-making, to the greatest extent practicable, and to assist in facilitating such consideration in all aspects of wider society in the Republic, as appropriate, including as addressed in Section 13 of this Act;

B. be the formal National Operational Focal Point of contact to the UNFCCC, associated protocols, agreements, and relevant climate change finance mechanisms, including the Green Climate Fund and the Global Environment Facility, although domestic implementation of said agreements, particularly in respect to reducing vulnerability to climatic effects, shall be the urgent and overriding priority and thus primary function of the Directorate.

C. liaise with the Ministry of Foreign Affairs and Trade regarding engagement with international climate change bodies, including in regards to the Ministry's responsibility in Part VIII, and the National Council on the Environment, as well as relevant informal working groups defined in Part VI Section 18 (5) of this Act.

D. jointly with appropriate agencies, or individually, advise the Council in Part VI, the Chief Secretary, Environmental and Climate Liaison officers in Part VIII, the Minister, the President and, at its request, Nitijela, on projections of future climate impacts, including, where practicable, potential financial, budgetary or economic implications (including input into Economic Policy Statements referred to in Section105 of the Economic Policy, Planning and Statistics Act of 2003), as well as challenges to human health and safety, human rights, development efforts and national security; and shall provide advice to these sources and others regarding policy or legislative options, and related initiatives, which may facilitate access to bilateral and multilateral finance sources, as well as private sector and philanthropic investment, which address climate and sustainable development.

E. develop, revise, and implement climate change adaptation and mitigation policies, strategies or measures, and may substitute or utilize existing government initiatives or policies on an interim basis to implement this responsibility in whole or part, with an initial climate adaptation plan or policy to be completed for adoption by the National Council on the Environment within one year of this Act's enactment; and be responsible for leading and providing secretariat support for one or more inter-agency working groups or other means to

address climate change adaptation, including implementation of this Act, and as described under the National Council in Part VI of this Act, and to be convened regularly by the Chief Secretary or designee to meet at least quarterly or more frequently as needed. Minutes or summaries of the meetings shall be made publicly available.

F. work in cooperation with the National Council on the Environment, relevant Council members individually, and any other relevant entity, organization or person(s) to develop research, dialogue and policy tools or instruments or other outcomes, regarding long-term projections risks of climate change impacts, inter alia, sea-level rise, including threats to the Republic's security and eventual habitability, as well as it's development aspirations, and to ensure such considerations of long-term impacts are adequately addressed; recommend legislation, regulations, policies, measures or other appropriate actions to government agencies, offices, authorities, state owned enterprises or any other entity, public or private, deemed necessary by the Officer, to further address climate change adaptation, and further, to assist with integration into national strategic planning efforts. Copies of any such written recommendations shall be forwarded to the Chief Secretary and Minister.

G. assist the Chief Secretary and any other entity with participation in efforts to develop, implement and revise disaster risk reduction measures, including hazard mitigation planning, and joint climate change adaptation and disaster risk reduction strategies, policies and measures, and to coordinate with the Chief Secretary generally regarding climate change and adaptation measures and strategies.

H. liaise with local government mayors and/or councils, national planning entities, the Environmental Protection Authority, and other stakeholders, including the public, regarding integration of climate change adaptation with regulations, policies, best practices or measures, in the absence of, or with implantation of, local planning or zoning efforts under the Planning and Zoning Act of 1987, regulatory and planning measures under the Coast Conservation Act of 1988, and/or a Land Use Scheme

pursuant to the National Environmental Protection Act of 1984. Such engagement may also be undertaken through the Council's modalities as described in Part VI of this Act.

§614. Reporting on Adaptation and Mitigation Measures

The Officer shall undertake timely reporting, on both domestic and international levels, on adaptation and mitigation measures, including, with the assistance of the Energy Policy Office, greenhouse gas inventories and progress towards any of the Republic's international or domestic commitments or measures to reduce or address greenhouse gas emissions and reduce vulnerability to climatic effects, and may, with input from the Energy Policy Office, and/or other relevant agencies or offices, including the Environmental Protection Authority, provide the Chief Secretary and Minister with recommendations for related legislation, policies or measures to help achieve any such commitments;

§615. Climate-Proofing

1. The Officer shall also develop and maintain appropriate guidance, best practices and input for climate-proofing non-public and private infrastructure and construction, including residential and commercial buildings, upon stakeholder and landowner engagement, and shall liaise with the Ministry of Works, Infrastructure and Utilities in this regard, in the absence of updated building codes which address climate change adaptation should the Officer determine the absence of regulations or updated building codes which adequately address climate change adaptation, or the absence of their adequate implantation or compliance. The Officer shall also assist the Environmental Protection Authority in achieving non-public or private sector climate-proofing goals through implementation of its law and regulations, or suggesting revision or addition thereof, including through the Coast Conservation Act of 1988. An initial report or product shall be developed by the Officer within one year of this Act's enactment, then updated at least every six years thereafter, in timing where possible to take into account regular outcomes of the Intergovernmental Panel on Climate Change (IPCC). In this regard, the Officer shall request regular meetings with stakeholders, including local mayors and traditional leaders and landowners, may establish reasonable sitting fees for such meetings, and may include

summaries in reports, and such meetings may also be conducted through the Council's modalities in Part V;

2. It is also hereby established that the Ministry of Works, Infrastructure and Utilities with the assistance of the Director and/or members of the appropriate agencies, is required to produce, at least every six years, a Public Climate-Proofing Infrastructure Guidance Report and best practices, the first of which shall be completed within one year of enactment of this Act, then at least every six years thereafter, in timing where possible to take into account regular outcomes of the IPCC, in the absence of updated building codes which address climate change adaptation, should the Director determine the absence of regulations or updated building codes which adequately address climate change adaptation, or the absence of their adequate implantation or compliance. The Director shall also assist the Environmental Protection Authority in achieving public climate-proofing goals through implementation of its regulations, or suggesting revision or addition thereof, including through the Coast Conservation Act of 1988.

3. The function of the Public Climate-Proofing Guidance report shall be to assist in this Act's implementation and provide all government agencies, contractors, organizations, foreign governments or international agencies, and other entities involved in the construction or substantial repair or renovation of public buildings, infrastructure or other related physical interventions, including those utilizing international funding or assistance, guidance on how to prepare and complete public infrastructure and construction projects in a way that prepares for, addresses and moderates the impacts of climate change as well as natural hazards and potential disaster events;

4. It is hereby established that all past, future and present public policies, government-funded construction projects and undertakings (or those requiring relevant government approval, permits or decisions), including but not limited to buildings and physical infrastructure, must be climate-proofed to the extent practicable, including projects and undertakings utilizing international and bilateral finance or assistance, and that the Officer shall bear primary responsibility for implementation, working in coordination with national liaison officers as defined in Section 16 of this Act, in addition to regulation by the EPA other entities, and through any

other law. To the extent practicable, the Officer shall work to ensure such climate-proofing practices should also be implemented for non-public and private sector policies, construction projects and undertaking, including as addressed through regulation by the EPA or other entities, and through any other law.

Part VI. National Council on the Environment.

§616. National Council on the Environment

It is herein established a National Council on the Environment, which shall be convened by the Minister or designee and coordinated by the Chief Secretary.

§617. Functions

1. The Council's primary annual function is to assist the Minister in preparation for the annual report to the Nitijela described in Part III, including by, inter alia: reporting on relevant data, research and observations affecting the Republic's environment; reporting on development, revision and implementation of relevant legislation, regulation, initiatives, action plans, strategies and policies including but not limited to legislation described in part VII, including interagency collaboration and providing related recommendations, including further institutional arrangements, related legislative mandates, and other issues or modalities relevant to this Act.

2. The Council shall produce, consider and adopt a National Environmental Policy, inclusive of conservation and climate change adaptation (or separate policies therein), for consideration of the Cabinet, within one year of this Act's Effective Date, and shall review and update this Policy at least every three years, with recommendations to the Minister on subsequent products, activities or adjustments.

3. This policy, and related products, shall be consistent with the National Strategic Plan or other related products, and may supplement or replace current policy functions at the discretion of officials and directors of agencies and secretaries responsible for such, as described in other acts listed in Part VIII. Any such exercise

of such discretion shall be referenced in the Minister's annual state of environment report.

4. The Council shall take further action, and provide any recommendations to the Minister, necessary for the implementation of this Act, including regarding implementation of legislation referenced in Part VIII, as well as all other Acts applicable to the environment, conservation and/or climate change, and any relevant future Acts or revisions, as well as relevant treaties and instruments to which the Republic is or may be a member.

§618. Meetings and Composition

1. The Council shall meet annually, in advance of the Minister's report to Nitijela, for a period of two days or longer as deemed necessary, and shall be chaired by the Minister or designee, and coordinated by the Chief Secretary or designee, and consist of the following:
   - A. General Manager of the EPA
   - B. National Climate Change Director
   - C. Director of the Office of Energy
   - D. Attorney General
   - E. EPPSO
   - F. The Chief Secretary or designee
   - G. Secretary of the Foreign Affairs & Trade or designee
   - H. Secretary of Public Works & Infrastructure or designee
   - I. Director of the Marshall Islands Marine Resources Authority or designee
   - J. Secretary of Natural Resources and Commerce or designee
   - K. Secretary of Finance or designee
   - L. Secretary of Culture and Internal Affairs (including in the capacity of Historic Preservation Officer) or designee
   - M. Secretary of Health or designee
   - N. Transportation/ Ports Authority Director
   - O. Representative of / chair of the Marshall Islands Mayors Association, or designee

P. Representative of private industry, to be nominated by the Minister

Q. Representative of the public, to be nominated by the Minister

R. Other observers, as appropriate, and as may be nominated by any Council member and approved by majority vote of Committee members present and voting.

2. The Council may also meet quarterly or otherwise so often as deemed necessary by the Minister or designee, but must meet no less than once annually as described in (1) of this Section.

3. The Council shall adopt formal rules of procedure at its first meeting and may take or adopt decisions, if necessary, by majority vote of those members present and voting, where all efforts at consensus are exhausted. The Council shall adopt a budgetary modality, with expenses met by its government members within their existing budgetary allocations.

4. The Council may also meet informally, as may be decided by the Council at its formal meeting, within working groups, committees, or other formats or modalities, composed of some or all of the Council's membership or designees, in addition to any other member of the groups named herein, to address the environment, conservation and climate change, jointly or as individual topics, and that such working groups or other means may also be existing inter-agency working groups or other means already in effect at the time of enactment, with a view to avoiding duplication of efforts. In this informal modality, the Council shall also encompass the Coastal Management Advisory Council (CMAC) and Technical Advisory Committee as defined in the Protected Areas Network Act of 2015, the Environmental Advisory Council as defined in the National Environmental Protection Act of 1984 as amended, and the Advisory Council on Historic Preservation as defined in the Historic Preservation Act of 1991 (as amended in 1992), recognizing that all such entities herein may also continue to formally function independently as necessary or appropriate, within the terms of their respective Acts.

5. All national government Ministries, Authorities, State Owned Enterprises, and relevant national offices shall designate an Environmental & Climate Liaison Officer, which may be an existing senior staff member, and shall report the names of such persons to

the Office of the Chief Secretary within six months of enactment of this Act, and this list shall be updated at least every two years. Such Officers shall be responsible for providing critical information from their respective Ministry/Agency to the Council in timely manner to ensure that support is provided in assisting with implementation of this Act, including legislation referenced in Part VIII.

Part VII. Outer Islands

§619. Regulations, Policies and Strategies for Outer Islands

1. The Council, and appropriate agencies and entities under this Act, shall:

   A. address the need for regulations, policies, recommendations and implementation strategies which specifically address non-urban atolls (or those atolls and places within the Republic of a primarily rural or non-urban character), relating to the environment, conservation and climate change, taking into special account the unique character and challenges of such places, and acknowledging that many acts and related regulations referenced in the Act apply to the entire Republic; and B. liaise with the Ministry of Cultural and Internal Affairs, Marshall Islands Mayors' Association, and stakeholders, including traditional leaders and landowners, in this regard.

Part VIII. Relationship to Existing Environmental Laws.

§620. Repeal

The Office of Environmental Planning and Policy Coordination Act, 2003 is hereby repealed. All assets of the Office of Environmental Planning and Policy Coordination shall hereby transfer to the Ministry of Environment.

§621. Relationship With Other Acts

1. This Act is to assist with wider coordination, communication and effectiveness necessary for:

   A. the conservation, protection and sustainable use of the oceans and all resources therein, including as defined by the Marshall

Islands Marine Authority Act of 1997, as amended, and associated laws and regulations, under which the Marshall Islands Marine Resources Authority is charged with primary responsibility to "conserve, manage and sustainably develop all resources in the Fishery Waters and seabed and subsoil thereunder, in accordance with the principles and provisions in this Title and in sub-regional, regional and international instruments to which the Republic of the Marshall Islands is party;"

B. the conservation and protection of cultural and historic resources, including as defined under the Historic Preservation Act of 1991, in which "the cultural and historic properties of the Republic, including submerged resources, form a fragile, finite and unrenewable resource of the cultural heritage of the Republic in need of preservation and proper management" and in which the Historic Preservation Office is so charged;

C. the conservation and protection of natural resources, including as defined in the Protected Areas Network Act of 2015, under which the Ministry of Resources & Development is responsible for a "Protected Areas Network for the purposes of conservation and management of natural resources in the Marshall Islands", and including as defined through the Coast Conservation Act of 1988, in which the Environmental Protection Authority is responsible to "make provision for a survey of the coastal zone and the preparation of a coastal zone management plan; to regulate and control development activities within the coastal zone; to make provisions for the formulation and execution of schemes for coast conservation."

D. the protection of endangered species, including through the Endangered Species Act of 1975, under which "the indigenous plants and animals of the Republic are of esthetic, ecological, historical, recreational, scientific, and economic value and it is the policy of the Government of the Marshall Islands to foster the well-being of these plants and animals by whatever means necessary to prevent the extinction of any species or subspecies from the islands of the Republic or the water surrounding them" as currently assigned to the Ministry of

Resources and Commerce, and any other successor acts or responsible offices or entities.

E. the protection of the environment, including through the National Environmental Protection Act of 1984, and in which the Environmental Protection Authority is, among other tasks, "to improve and coordinate consistently with other essential considerations of national policy, governmental plans, functions, and programs and resources, so as to prevent, as far as practicable, any degradation or impairment of the environment".

F. the climate and disaster -resiliency of local communities, infrastructure and buildings, including that expressed in the Planning and Zoning Act of 1987, in which the Chief National Planner shall provide for "planning in land water use; the promotion of the health, safety and general welfare of the people; (c) the creation of zones in municipal areas in order to lessen the congestion" and in which the Ministry of Public Works is responsible for "the regulation and control of the construction of buildings and the prevention of overcrowding of land." as well as the Economic Policy, Planning and Statistics Act of 2003, in which the Office of Economic Policy, Planning and Statistics shall "act as an advisory body to the government of the day on matters of the economy of the Marshall Islands, and has the responsibility for the development of sound economic policies and strategic planning."

G. the environmental, energy and climate change -related aspects of foreign policy, including through the Foreign Affairs Act of 2007, in which the Ministry of Foreign Affairs is, among other tasks, charged with "negotiating and concluding international treaties and agreements with a view to pursuing foreign policy objectives," "providing representation for the Republic in all regional and international organizations," and "actively seeking bilateral, multilateral and international assistance to support national developmental goals."

H. sustainable energy approaches, including through The National Energy Office Act, 2018, in which the Office of Energy is "to foster local and international sources of

renewable energy generation; implement programs to improve energy efficiency; and to reduce reliance on fossil fuels across all sectors, particularly in the power generation and transportation sectors.

2. For the Acts mentioned in this Part, as well as all other Acts applicable to the environment, conservation and/or climate change, and any relevant future Acts or revisions, secretaries and directors of applicable ministries, offices and authorities and appropriate agencies, including but not limited to members of the Council in Part VI, shall report jointly to the Minister responsible for this Act and any other Minister responsible for such other Acts as apply, regarding relevant policy recommendations and/or regulations relating to the environment, energy, conservation and/or climate change.

3. This Act shall assist with the implementation of Article VI "Environmental Protection" of the Compact of Free Association, as amended (Compact of Free Association, as Amended Implementation Act, 2004,) and applicable to related provisions of any such future amendments, revisions or related modalities.

Part IX. Miscellaneous.

§622. Conflicts.

In the event of a conflict between the provisions of this Act and any other Act, the Minister shall consult with the Attorney-General, who shall provide appropriate advice.

§623. Transition.

Entities affected by the coming into effect of this Act, whether by repeal, transfer or otherwise of functions, duties, obligations and/or assets, shall be accorded a transition period of ninety (90) days within which to organize their affairs and complete the transition.

§624. Effective Date.

This Act shall take effect in accordance with the Article IV, Section 21, of the Constitution and the Rule of Procedures of the Nitijela, provided that nothing herein shall take effect until three months following the date of enactment of this Act.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 117 was passed by the Nitijela of the Republic of the Marshall Islands on the 24th day of September 2019; and

2. That I am satisfied that Nitijela Bill No: 117 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 2nd day of October 2019.

Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands

Attest:

Morean S. Watak
Clerk
Nitijela of the Marshall Islands