NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
42ND CONSTITUTIONAL REGULAR SESSION, 2021

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

PAROLE OF PRISONERS (AMENDMENT) ACT, 2021.

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PAROLE OF PRISONERS (AMENDMENT) ACT, 2021.

AN ACT to amend Title 32 MIRC Chapter 3 to clarify the role of the Board and on matters relating to sitting fee for Board members which are on a part-time basis, therefore this amendment will allow Board members to receive incentive for their services in the amount provided herein, the same with the rest of the Government Boards; and to provide for the regular and special meetings of the Board, and lastly to clarify the specific role of the Board with respect to granting of parole and also provide the responsibility to the Chairperson as a liaison between the Board and the Cabinet and to provide other 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 Parole of Prisoners (Amendment) Act, 2021.

§102. Amendments.

Section 304 of the *Parole of Prisoners Act 2021* is hereby amended as follows:

§304. Parole Board.

***

(4) The appointment of the members of the Parole Board shall be on a part-time basis and shall be entitled to receive a sitting fee in the amount of $200.00 compensation for their services.

***

Section 305 is hereby inserted as new:

§305. Meetings of the Board.

(1) The Board shall meet at such times and places as may be designated by the Chairperson, provided that the Board shall meet at least once every quarter. The members shall be notified in writing by the Chairperson or other person designated by the Chairperson at least one week before the date of any meeting.

(2) In the event an urgent matter requires attention of the Board, it may convene in a special meeting at such times and places as may be designated by the Chairperson. The number of special meeting will be determined by the Board in consultation with the Minister of Justice.

Section 306 is hereby renumbered as follows:

§306. Secretary of the Board.

The Secretary of the Board shall:

(a) administer the routine business of the Board;

(b) record promptly and accurately, and distribute and maintain the minutes of all Board meetings;

(c) convey to the Cabinet, any and all recommendations and reports of the Board as required under this Chapter or any other law or Regulations, and act as the liaison officer between the Board and all other government agencies and the general public; and

(d) perform such other functions as may be directed by the Board.

Section 307 is hereby amended as follows:

§307. Functions of the Parole Board.

(1) Subject to the provisions of any other law or to regulations made under this Chapter or any other Act regulating the grant of parole or pardon, the Parole Board shall:

(a) serve as the paroling authority of the Republic by way of granting parole at a time by which parole may be granted to any eligible person;

(b) make recommendations to the Cabinet on the grant of pardon by Cabinet to any person convicted of a criminal offense in the Republic;

(c) appraise prisoners and make decisions that will be compatible with the welfare of the community and of individual offenders, and as such, determine the time at which parole may be granted to any eligible person;

(d) acting on the report and recommendations referred to in Section 531 of the Public Safety Act, either release the prisoner on parole as recommended or release the prisoner subject to such terms and conditions as it may deem fit, or decline to grant parole to the prisoner;

(e) The Chairperson of the Board shall convey to the Cabinet, any and all recommendations and reports of the Board as required under this Chapter or any other law or Regulations, and act as the liaison officer between the Board and all other government agencies and the general public;

(f) where a paroled person has violated parole or any conditions of parole, make recommendations to the Attorney-General for the revocation or suspension of such parole, and upon court order, provide the facilities for the return to the correctional institution of the paroled person;

(g) discharge a person from parole when supervision is no longer needed; and

(h) send on a bi-annual basis, a detailed report of its operations to the Minister, who shall transmit such report to Cabinet.

(2) Any Regulations for the time being in force, regulating the granting of pardon and parole, shall to the extent that they are not inconsistent with this Chapter or any other law, remain applicable and have the force and effect of law.

§103. Effective Date.

This Chapter 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: 47 was passed by the Nitijela of the Republic of the Marshall Islands on the 4th day of November 2021; and

2. That I am satisfied that Nitijela Bill No: 47 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 16th day of November 2021.

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

Attest:

Morean S. Watak
Clerk
Nitijela of the Marshall Islands