FOREIGN AFFAIRS REGULATIONS 2016

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PART I – PRELIMINARY

1. Short title and commencement

(1) These regulations may be cited as the Ministry of Foreign Affairs Regulations 2006.

(2) These regulations, subject to the approval of Cabinet, will come into force on **[**date to take effect**]**.

2. Interpretation

(1) In these regulations, unless the context otherwise requires –

"Official dependents" shall have the same meaning as "Dependent" as defined in the Act.

(2) Expressions defined in the Act have the meanings so defined.

3. Purpose

(1) These regulations have been promulgated pursuant to section 33 of the Ministry of Foreign Affairs Act 2006 for the purposes of –
   (a) prescribing conditions of employment for overseas staff:
   (b) providing for such other matters as is contemplated by or necessary for giving full effect to the provisions of the Act and for its due administration.

PART II – ORGANISATIONAL STRUCTURE OF THE MINISTRY AND ITS MISSIONS

4. Organizational Structure

(1) In accordance with section 9(1) of the Act, the organizational structure of the Ministry headquarters and its overseas Missions is set out in Schedule 1.

(2) Changes to the organizational structure must be approved by the Public Service Commission and Cabinet and subsequently annexed as Schedule 1A of these Regulations.

PART III – REGISTERS TO BE ESTABLISHED AND MAINTAINED BY THE SECRETARY

5. Registers to be established and maintained by the Secretary

(1) In accordance with section 11(3) of the Act, a list of current Missions of the Republic and their jurisdictional areas of responsibility is hereby established and set out in Schedule 2. The Secretary shall maintain and update the list as approved by Cabinet. The updated list shall be annexed as Schedule 2A of these Regulations.

(2) In accordance with section 13(6) of the Act, a list of appointed Heads of Missions is hereby established and set out in Schedule 3. The Secretary shall maintain and update the list as approved by Cabinet. The updated list shall be annexed as Schedule 3A of these Regulations.

(3) In accordance with section 16(3) of the Act, a list of appointed Honorary Consuls of the Republic is hereby established and set out in Schedule 4. The Secretary shall maintain and update the list as approved by Cabinet. The updated list shall be annexed as Schedule 4A of these Regulations.

(4) In accordance with section 17(5) of the Act, a list of appointed Diplomatic or Consular Agents of the Republic is hereby established and set out in Schedule 5. The Secretary shall maintain and update the list as approved by Cabinet. The updated list shall be subsequently annexed as Schedule 5A of these Regulations.

PART IV – REPORTING RESPONSIBILITIES OF MISSIONS

6. Duty of every Mission to submit reports on pursuance of Government Foreign Policy objectives

(1) The Head of each Mission must ensure that each Mission submits monthly reports to the Secretary detailing:

(a) activities of the Mission;

(b) progress in pursuing foreign policy objectives of the Government as determined under section 4 of the Act;

(c) meetings with host government officials and purpose;

(d) meetings with private sector representatives and purpose:

(e) progress in promoting the national development goals of the Republic;

(f) social, political and economic developments in the host country, and in particular, issues that may impact on Government foreign policy objectives.

7. Duty of every Mission to submit financial reports

(1) The Head of Mission must ensure that each Mission submits a financial report on the administration, approval and expenditure of funds from the Mission's Imprest Fund.

(2) Every financial report must account for the expenditures of the Mission and attach valid invoices and receipts as evidence of the expended amount.

(3) Each Mission shall administer funds in accordance with relevant provisions of the Procurement Act, Financial Management Act and Income Tax Act of the Republic. Travel and other related expenditures shall be administered in accordance with Policies and Regulations on Official Government Travel.

ART V – CONDITIONS OF SERVICE

8. Base salary for staff members

(1) Heads of Missions and staff members of Missions assigned from Ministry headquarters shall be remunerated in accordance with salary levels under the Public Service Regulations of the Republic and entitlements promulgated under the Foreign Policy Manual of the Ministry.

(2) The Secretary and staff members of Ministry headquarters appointed under section 7(1) of the Act shall be remunerated in accordance with salary levels under the Public Service Regulations.

(3) Staff members employed by Missions under section 23(1) of the Act as locally engaged staff (LES) shall be remunerated at salary levels agreed upon by the Minister, Head of Mission and employee.

(4) Staff members seconded to international organizations under section 19(1) of the Act shall be remunerated at a salary level and employment conditions agreed upon by the employee, international organization and, if applicable, Public Service Commission.

9. Interns

(1) All interns engaged under section 22(1) of the Act shall not receive financial remuneration or entitlements unless determined appropriate by the Minister and Head of Mission.

(2) In the event that the Minister and Head of Mission determine that an intern should be remunerated or receive entitlements, it shall be in accordance with guidelines provided by the Foreign Policy Manual of the Ministry.

10. Staff seconded from other Ministries

(1) All staff members seconded from other Ministries to serve at Missions in accordance with section 21(1) of the Act shall be remunerated in accordance with salary levels under the Public Service Regulations of the Republic.

(2) Pursuant to section 21(2) of the Act, the Memorandum of Agreement between the Ministry of Foreign Affairs and relevant Ministry from which the staff member was seconded shall outline the employment conditions and entitlements, if any, to be received by the seconded staff member.

11. Payment of salaries of overseas staff

(1) Subject to subsection (2), salaries of all overseas staff, including Heads of Missions and diplomatic personnel shall be paid out of the Ministry of Finance, General Fund.

(2) Salaries of all LES shall be paid out of the Imprest Fund of each Mission.

12. Allowances and other entitlements

(1) In addition to their base salaries, Heads of Missions, diplomatic personnel and staff members assigned to Missions shall be eligible to receive the following allowances and entitlements at levels approved by the Cabinet under section 24(2) of the Act;

(a) cost of living allowance:
(b) representation allowance:
(c) educational allowance for official dependents:
(d) clothing allowance for Ambassador and spouse:
(e) health insurance cover.

PART VI – RECALL OF OVERSEAS PERSONNEL

13. Recall of Heads of Missions

(1) A Head of Mission shall be recalled to Ministry headquarters in accordance with sections 14(2) and 15(1) Act.

(2) In addition to any requirements under the Act, a Head of Mission shall, prior to his or her return to the Republic -

(a) observe usual protocols of the host country for departing personnel;
(b) conduct courtesy calls to appropriate officials;
(c) convey to appropriate officials the intended date of departure and details of his or her successor;
(d) depart from the post in accordance with established protocols of international diplomacy and of the host country.

14. Recall of Ministry staff assigned to Missions

(1) The Secretary may, in accordance with section 20(4) of the Act, recall any officer of the Ministry assigned to serve at a Mission.

(2) A recall shall be made in writing and shall take effect immediately, provided that the officer is given reasonable time to organize his or her personal effects prior to returning to the Republic.

(3) Upon being recalled, the officer shall be required to work at Ministry headquarters or at any other Ministry deemed appropriate by the Public Service Commission.

15. Recall of other Ministry staff seconded to Missions

(1) The Secretary may, in accordance with section 21(3), recall any officer of that Ministry assigned to serve at a Mission.

(2) A recall shall be made in writing and shall take effect immediately, provided that the officer is given reasonable time to organize his or her personal effects prior to returning to the Republic.

(3) Upon being recalled, the officer shall be required to work at the Ministry from which he or she was seconded or at any other Ministry deemed appropriate by the Public Service Commission.

PART VII - INTERNSHIP PROGRAMS AND TRAINING OF STAFF

16. Internships at Ministry headquarters

(1) The Secretary shall ensure that the Ministry establishes and maintains an internship program for persons interested in joining the foreign service of the Republic.

(2) Where feasible, existing or new staff intended for sectoral Ministries may take part in the internship programs of the Ministry, for the purposes of:
- (a) participating in relevant elements of foreign service induction;
- (b) strengthening links with important sectoral Ministries; and
- (c) forming a wider pool of potential staff for the Ministry.

(3) The Public Service may, on the recommendation of the Secretary, approve the employment of an intern at the Ministry headquarters or an overseas Mission.

17. Internships at overseas Missions and Embassies

(1) Recruitment of interns at Missions shall be in accordance with sections 22(1), (2) and (3) of the Act.

(2) Termination of service of interns at Missions shall be in accordance with section 22(4) of the Act.

PART VIII – OFFICIAL TRAVEL

18. Authorization prior to travel

(1) Heads of Missions and all staff members employed at Missions shall obtain prior approval from the Secretary for travel outside the host country or State, whether for official or unofficial purposes.

(2) Official travel, once approved, shall be administered by the Ministry headquarters through the standard process of travel authorization and in a manner consistent with the Policies and Regulations on Official Government Travel.

(3) Unless otherwise provided in an officer's contract of employment, expenses incurred during home leave, unofficial visits or official visits without the prior approval of the Secretary shall be borne by the employee and not by the Ministry.

19. Official visits to headquarters

(1) Heads of Missions shall be entitled to two (02) official visits to Ministry headquarters each year.

(2) The Mission's account shall be used to defray expenses accrued on an official visit under subsection (1).

PART IX - INTERNATIONAL ASSISTANCE

20. Missions to seek bilateral assistance

(1) Missions should seek bilateral assistance from the host country, including but not limited to:
- (a) grants;
- (b) project funding;
- (c) low interest loans;
- (d) cultural exchanges;
- (e) educational scholarships;
- (f) technical assistance;
- (g) training attachments;
- (h) other opportunities that may be useful to the Republic.

21. Missions to seek multilateral assistance

(1) Missions should seek multilateral assistance from countries, including but not limited to:
- (a) assistance programs of international organizations;
- (b) other multilateral assistance available within the jurisdictions of the Mission.

22. Missions to seek private assistance or investment

(1) Missions should seek private assistance or investment for the development of industries within the Republic, and in particular those industries that have potential for the creation of employment, earning foreign exchange revenue or other objectives specified by the Ministry of Trade and Development from time to time.

PART X - MEMBERSHIP IN INTERNATIONAL ORGANIZATIONS

23. Review of memberships in international organizations

(1) Every two years, the Secretary shall appoint a membership task force to conduct a review of all regional and international organizations of which the Republic is a member, and to make recommendations to the Minister on the following:
- (a) regional and international organizations in which the Republic has membership;
- (b) cost of membership;
- (c) benefits of membership;
- (d) recommendations on how benefits can be enhanced;
- (e) recommendations on memberships to be discontinued.

(2) The Cabinet may, upon the recommendation of the Minister, terminate the Republic's membership in organizations which are not considered to be of sufficient benefit.

PART XI – REPORTING, NOTIFICATION AND COMMUNICATION

24. Effective communications

(1) The Secretary shall co-ordinate an annual seminar for Ministry staff, focusing on improving communication, coordination and collaboration between Ministry headquarters, Missions and sectoral Ministries, with the objective of achieving effective representation of the Republic's policies and positions abroad.

25. Notifications regarding visits of foreign delegations

(1) All information and notifications related to visits of foreign delegations of any kind must be received by Ministry headquarters at least one month prior to arrival. All Missions should ensure that delegations from their host country are aware of this requirement.

26. Policy statements

(1) Except for re-statements of previously established policy, any intergovernmental communication or other statement of national policy, including the casting of votes at the United Nations and in other international organizations must receive the prior approval of the Minister or Secretary.

27. Classification and confidentiality of communications

(1) Communications received by the Ministry shall be classified as follows -
   (a) highly confidential information includes all official communications and diplomatic notes which relate to matters of great sensitivity, including Cabinet papers and minutes;
   (b) confidential information includes all official communications and diplomatic notes, notifications from international organizations, correspondences between Ministry personnel, and inter-Ministerial memorandums;
   (c) restricted information refers to information which may be made available for dissemination with the approval of the Secretary;
   (c) public information includes all information which can be made available for public dissemination without the prior approval of the Secretary.

(2) All communications should be stamped with the relevant classification type and filed accordingly.

(3) Every officer must ensure the confidentiality of each document under this section, and also under section 12 of the Act.

PART XII – FOREIGN POLICY MANUAL

28. Application of Foreign Policy Manual

(1) A Foreign Policy Manual outlining the administrative, operational and functional aspects of the Ministry is hereby established and shall be updated annually by the Secretary.

(2) Contents of the Manual shall be consistent with the provisions of the Act and regulations. Where there is any inconsistency between the documents, provisions of the Act and Regulations shall apply.

(3) The Foreign Policy Manual shall bind all officers of the Ministry, including all interns, assigned or seconded staff and locally engaged staff.

PART XIII – MISCELLANEOUS PROVISIONS

29. Internal Audits

(1) The Secretary shall ensure that the following audits are conducted annually:
   (a) an internal effective audit;
   (b) a financial audit.

(2) Terms of reference for the conduct of each audit shall be developed by the Secretary in consultation with the Minister.

(3) Outcomes of each audit shall be presented by the Minister in his annual report to the Cabinet under section 30 of the Act.

Schedules

Schedule 1

Organisational Structure of the Ministry Headquarters and Missions

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Chart I
Ministry of Foreign Affairs
Organizational Structure

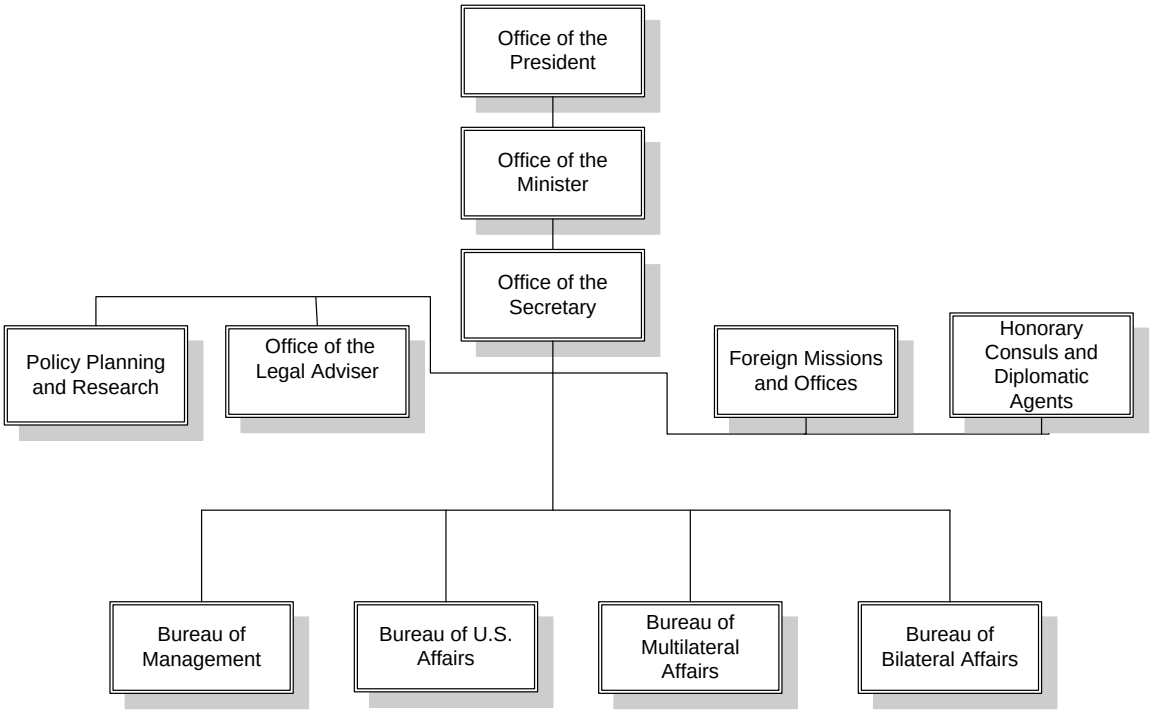


Chart II
Bureau of Management

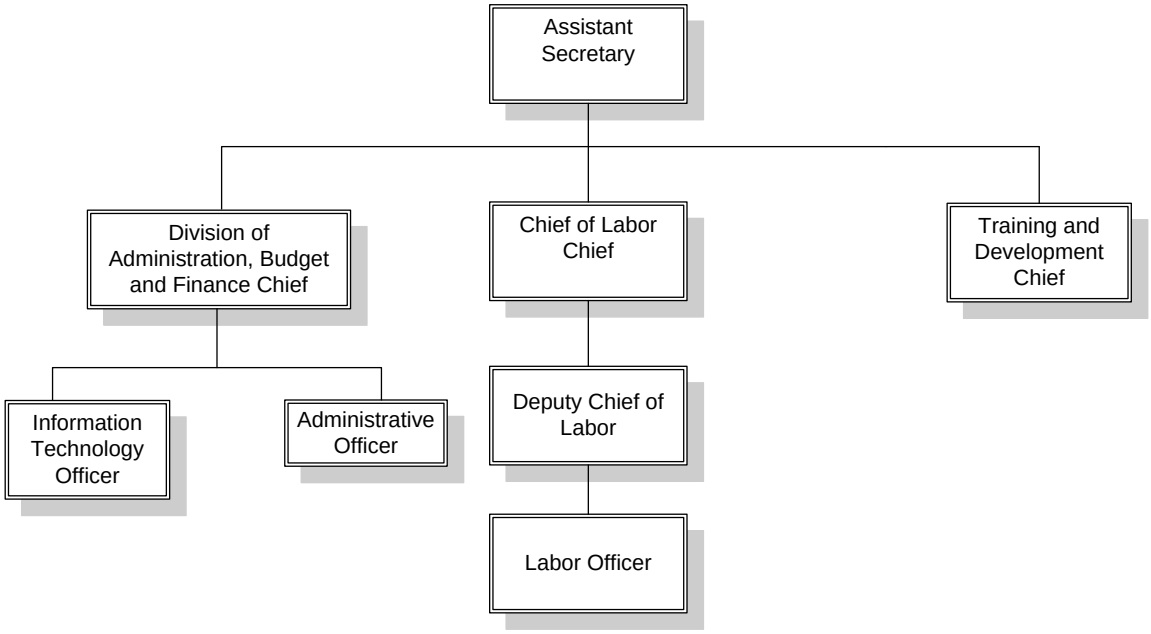


Chart III
Bureau of U.S. Affairs

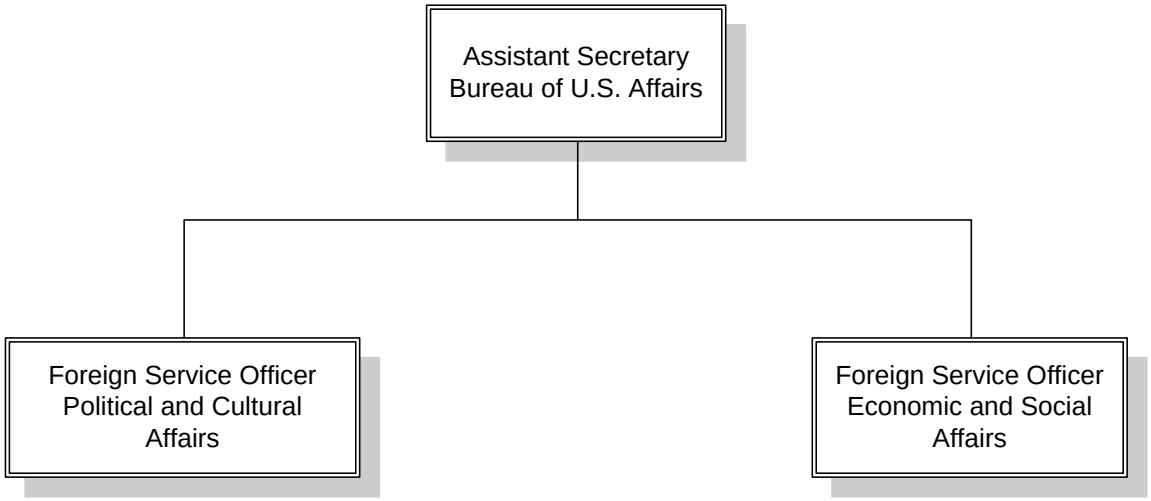


Chart IV
Bureau of Multilateral Affairs

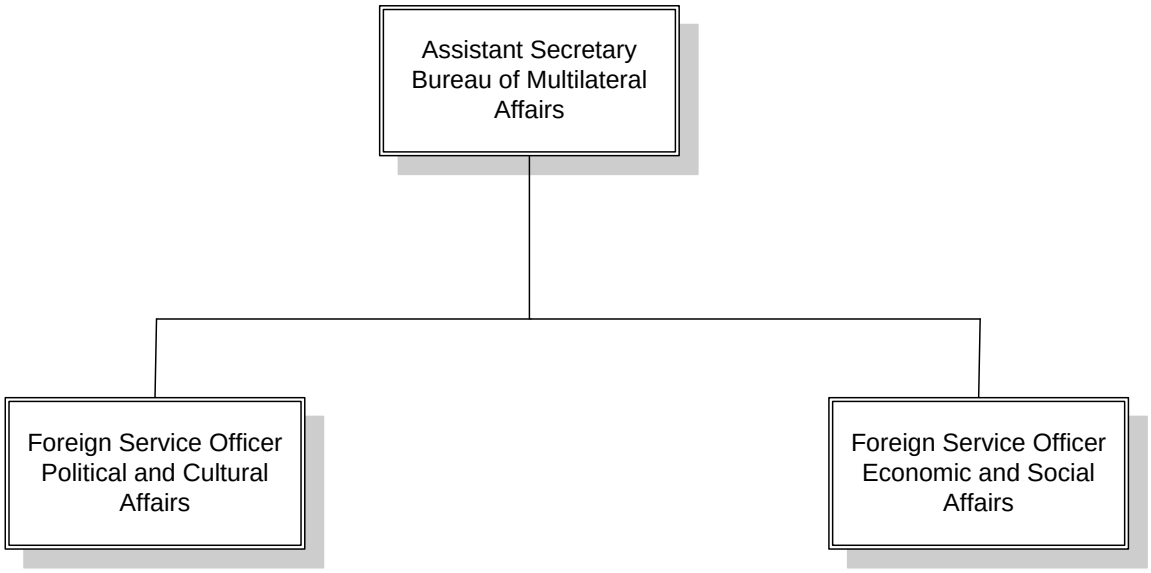


Chart V
Bureau of Bilateral Affairs

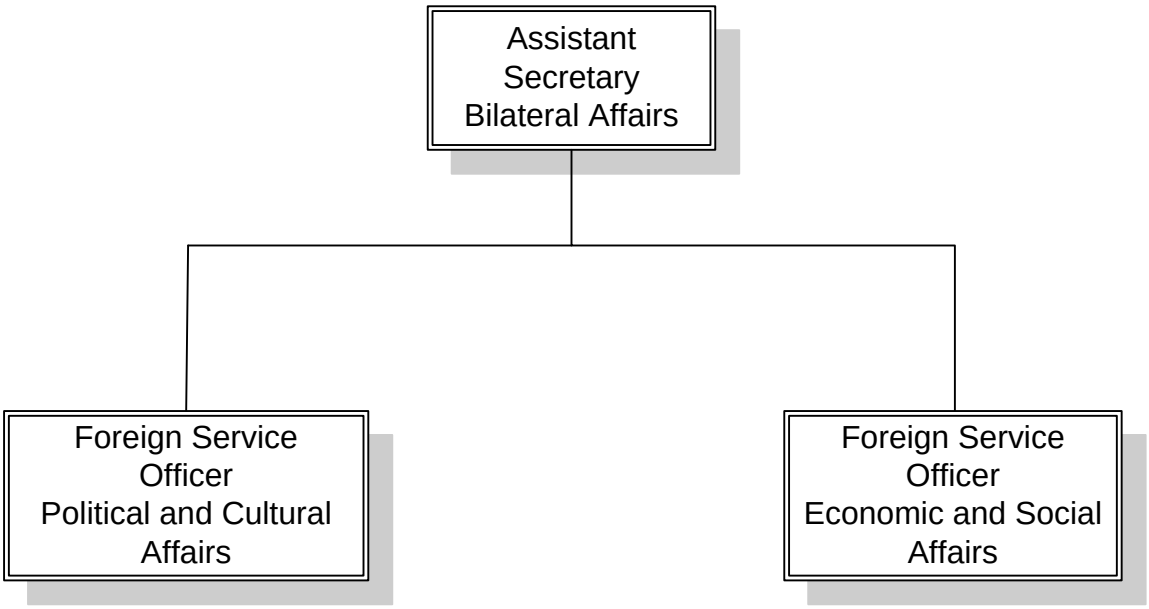


Chart VI
Policy Planning and Research

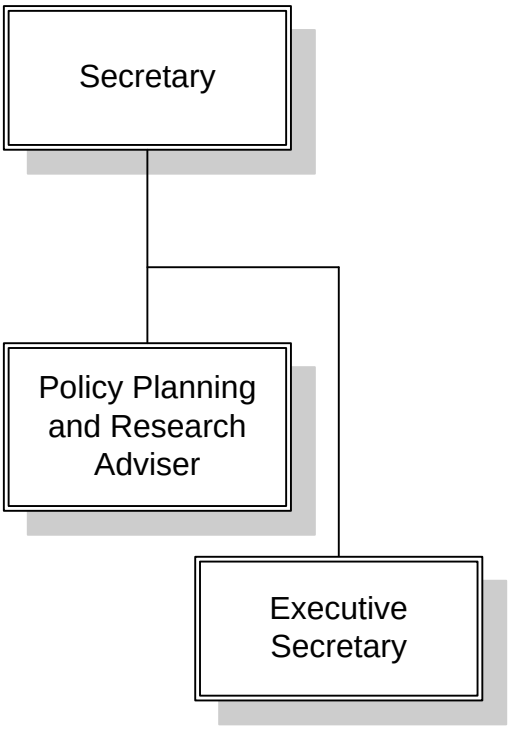


Chart VII
RMI Foreign Missions and Offices

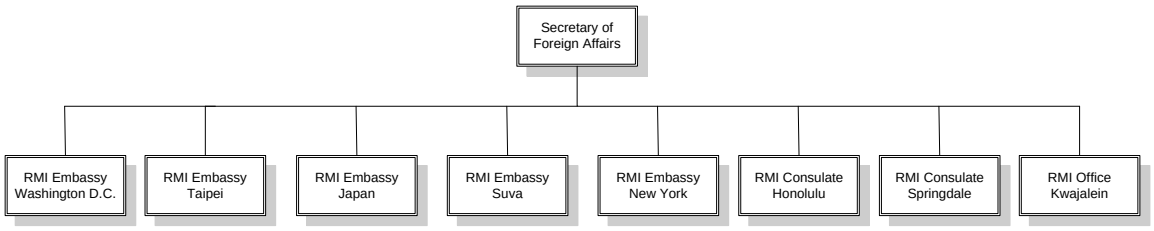


Chart VIII
RMI Embassy, Washington D.C.

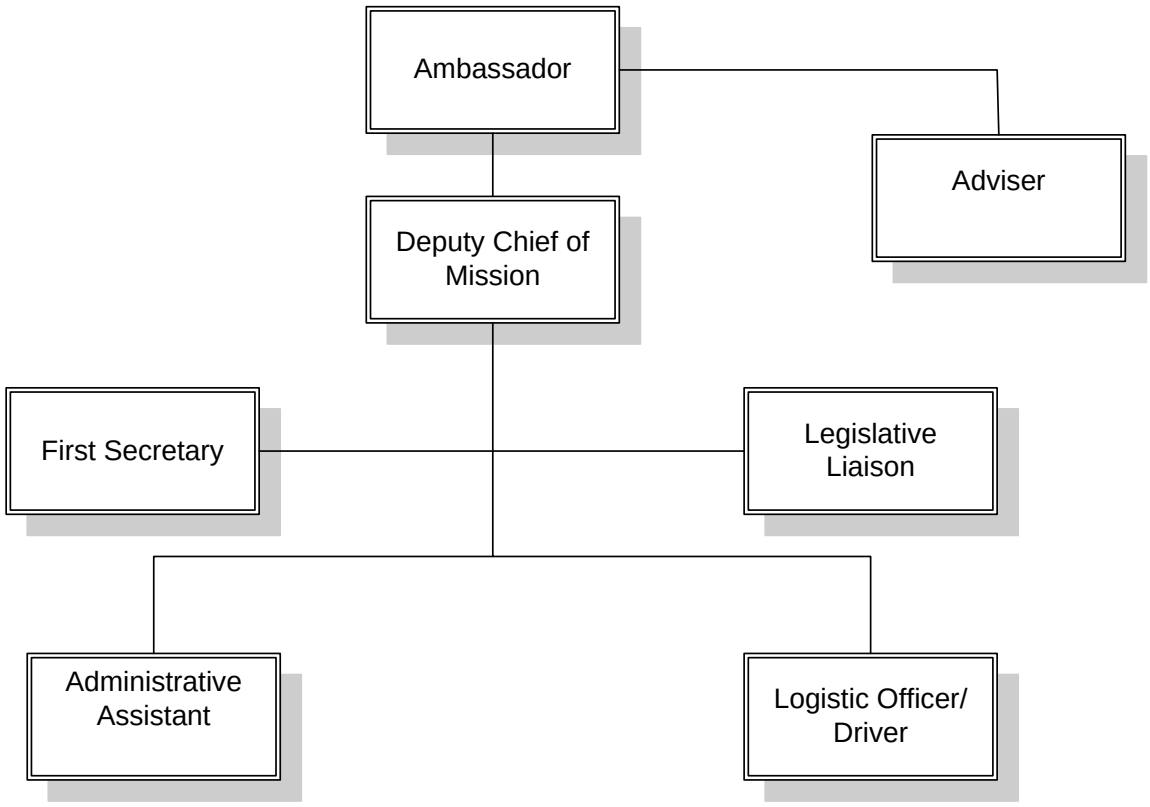


Chart IX
RMI Embassy, Taipei

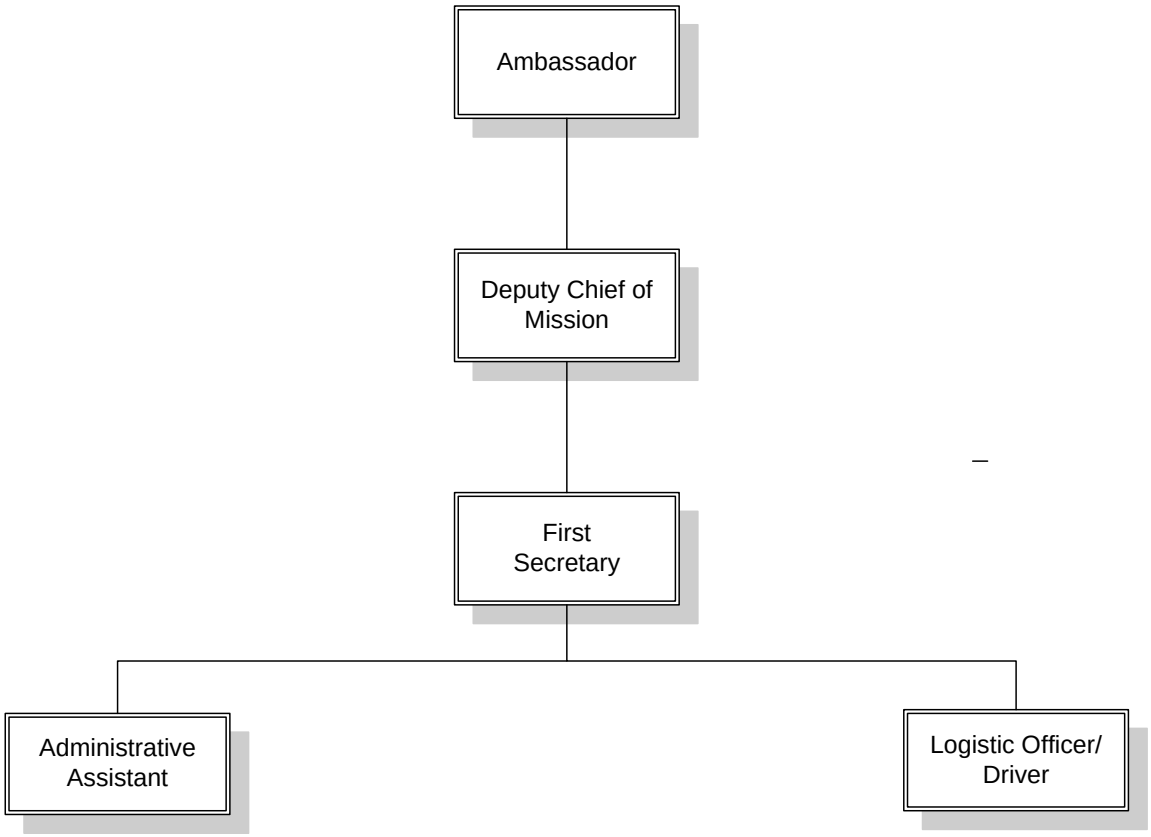


Chart X
RMI Embassy, Tokyo

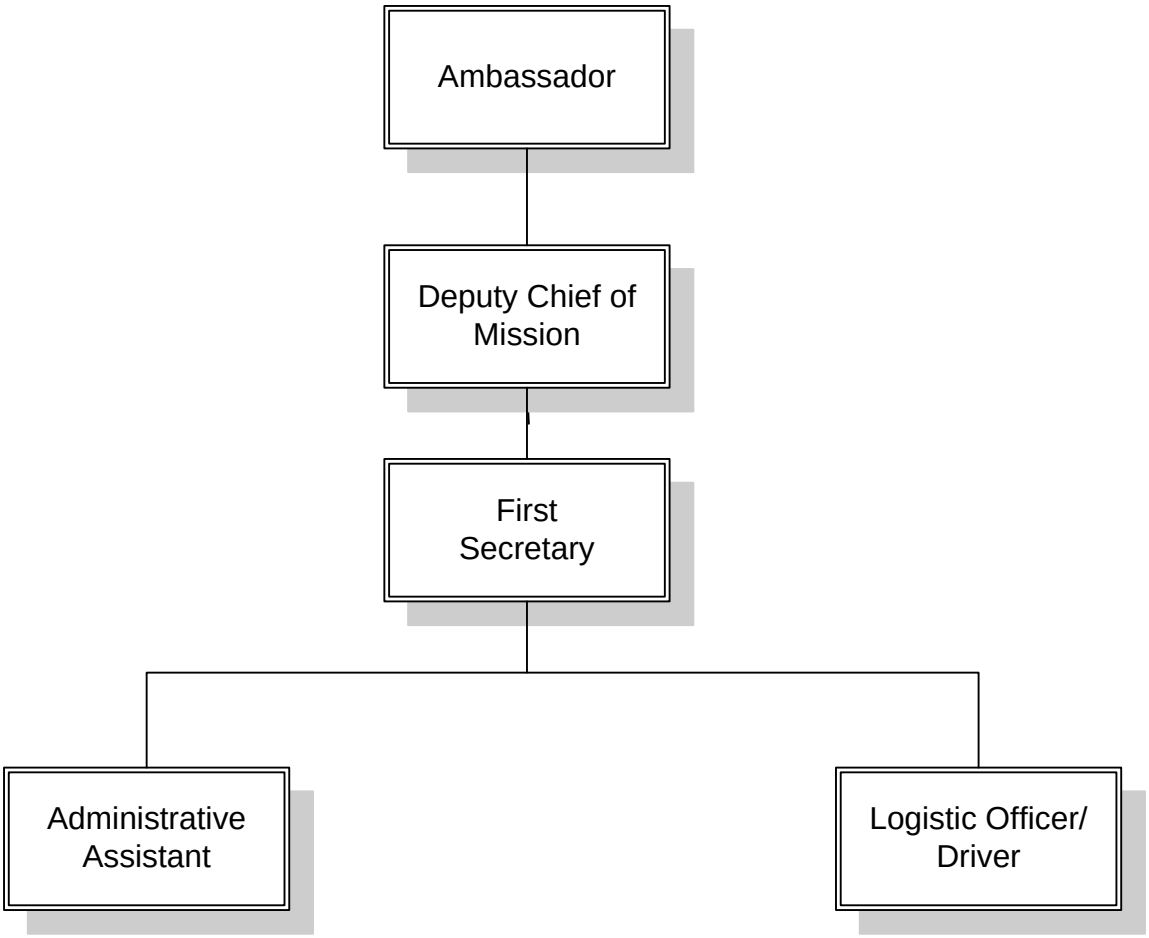


Chart XI
RMI Embassy, Suva

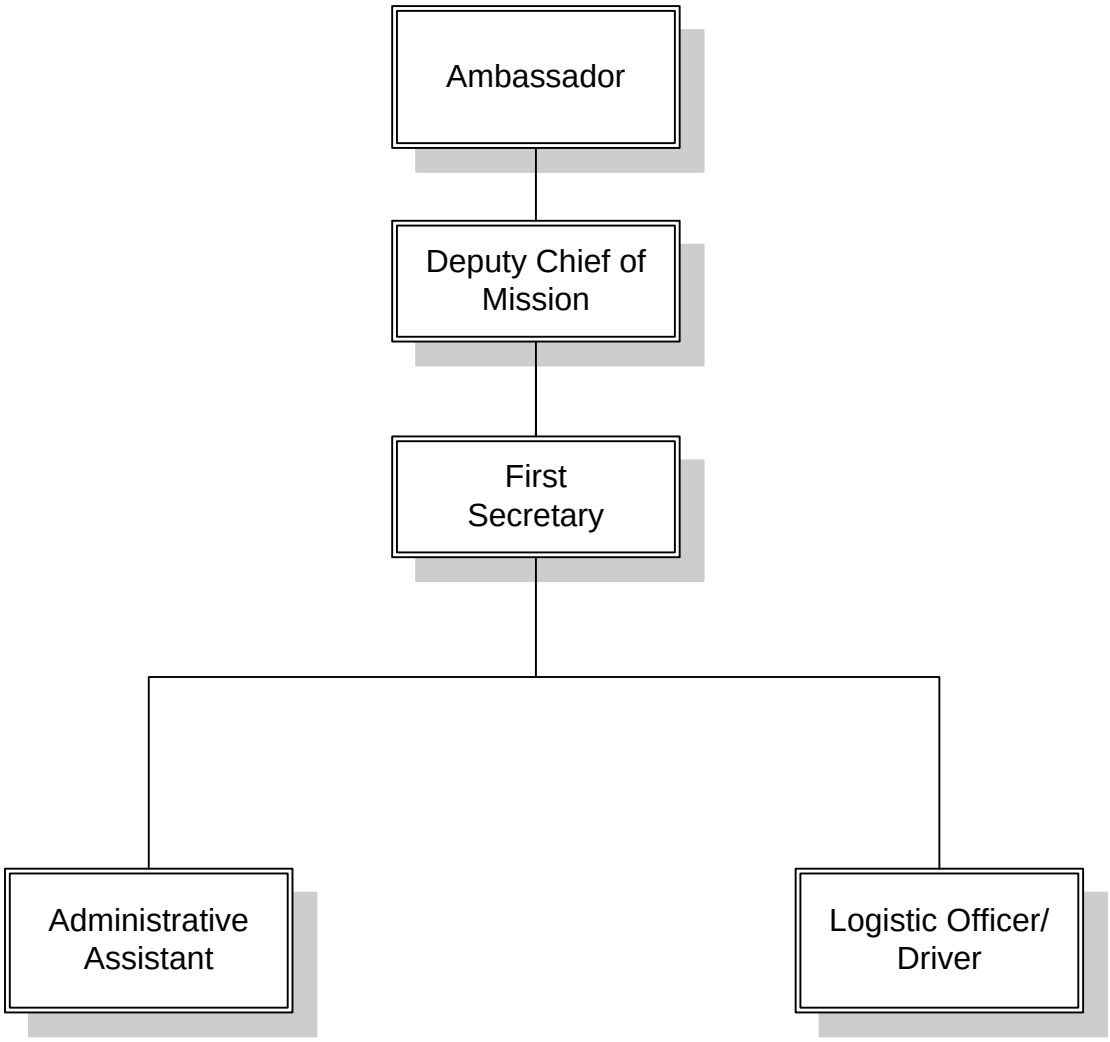


Chart XII
RMI UN Mission, New York

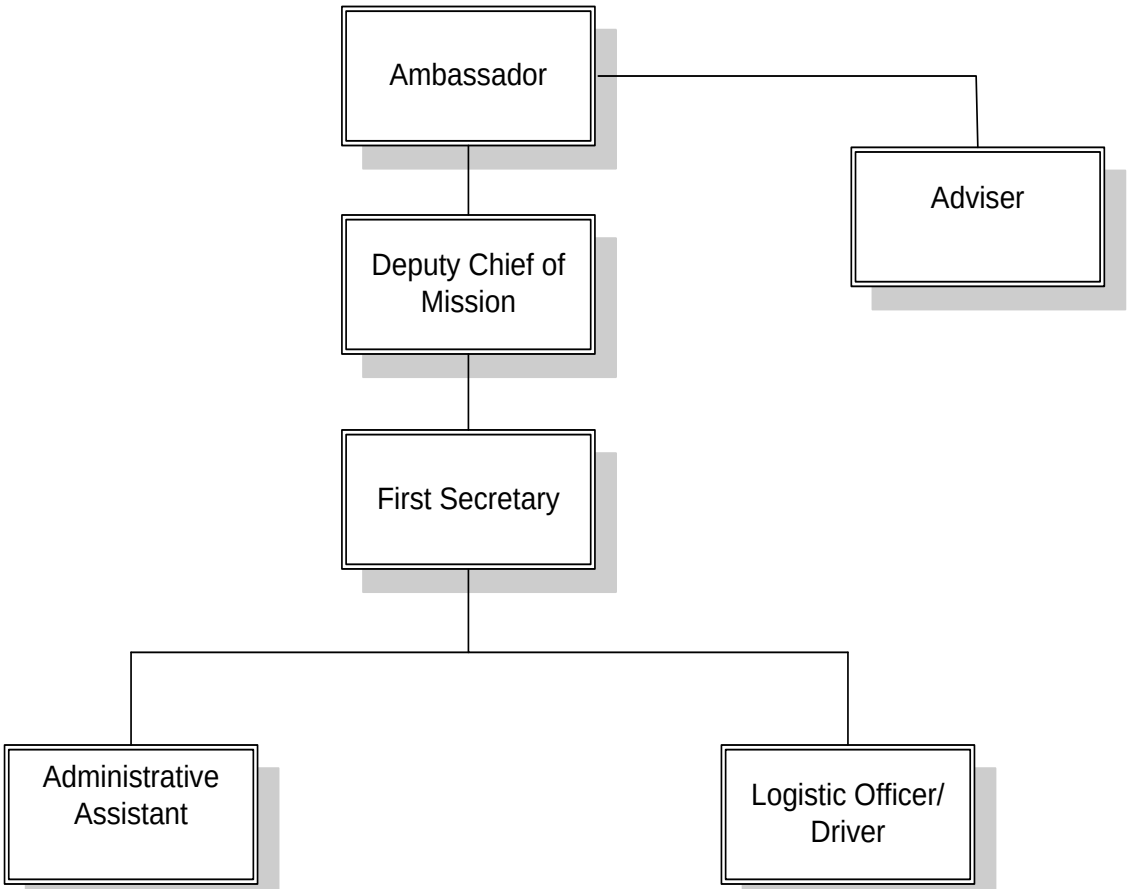


Chart XIII
RMI Office, Honolulu

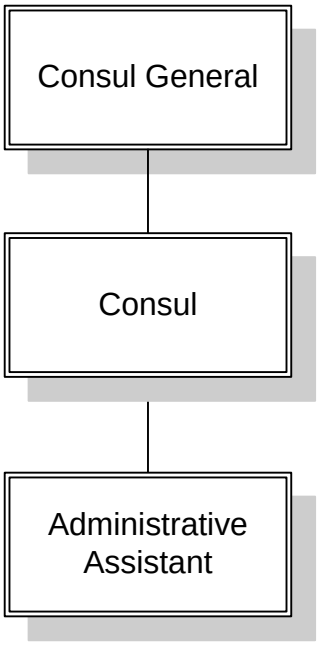


Chart XIV
RMI Consulate,
Springdale, Arkansas

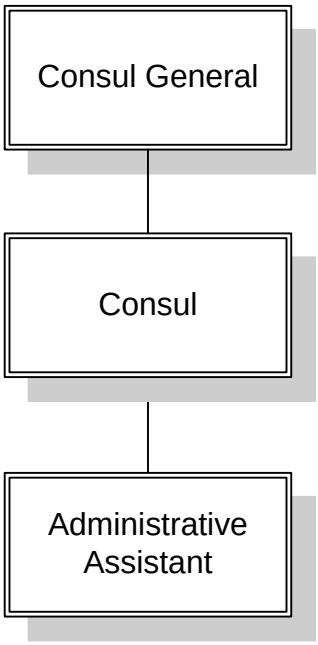
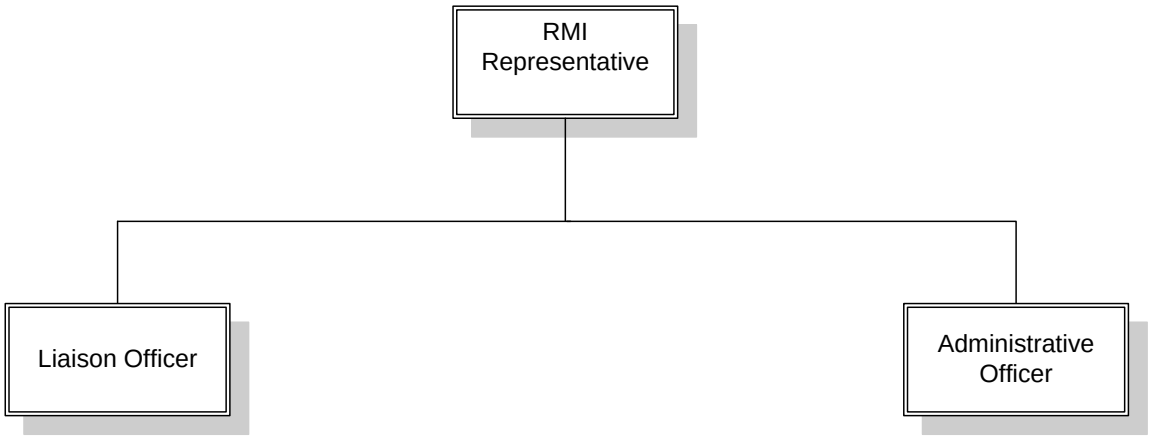


Chart XV
RMI Office, Kwajalein



Schedule 2

List of Missions of the Republic of the Marshall Islands and their jurisdictional areas of responsibility

Mission	Jurisdictional areas of responsibility
Permanent Mission to the United Nations	All activities relating to the United Nations and its agencies and other international organizations; Israel and the Middle East; political entities of the former Soviet Union
Mission to the United States, Washington D.C	The Americas, Canada, and shall coordinate and facilitate entitlements under the Compact of Free Association and other assistance from the United States Government
Mission to Japan, Tokyo	Japan, Republic of Korea, Philippines, Vietnam, Indonesia, Singapore, Malaysia, Thailand and India
Mission to Fiji, Suva	Republic of Fiji, all Forum and Pacific regional organizations, Secretariat of the Pacific Community members, EU countries
RMI Consulate General, Honolulu	The Hawaiian Islands
RMI Consulate General, Arkansas	Arkansas
RMI Representative to United States Army Kwajalein Atoll	Relations between the United States Army Kwajalein Atoll and the Republic

Schedule 3

List of Heads of Missions of the Republic of the Marshall Islands

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Mission	Head of Mission
Permanent Mission to the United Nations	
Mission to the United States, Washington D.C	
Mission to Japan, Tokyo	
Mission to Fiji, Suva	
RMI Consulate General, Honolulu	Consul General Noda Lojkar
RMI Consulate General, Arkansas	Consul General Carmen Chong-Gum
RMI Representative to United States Army Kwajalein Atoll	Mr. Jelton Anjain

Schedule 4

List of Honorary Consuls of the Republic of the Marshall Islands

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Country	Honorary Consul
RMI Representative to Israel	Mr. Ran Rahav

Schedule 5

List of Diplomatic or Consular Agents of the Republic of the Marshall Islands

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Country	**Diplomatic or Consular Agent**
Not yet listed	Not yet listed