

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
37TH CONSTITUTIONAL REGULAR SESSION, 2016**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**FISCAL YEAR 2016 SUPPLEMENTAL APPROPRIATION
ACT 2016**

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**FISCAL YEAR 2016 SUPPLEMENTAL APPROPRIATION
ACT 2016**

AN ACT to provide:

- (a) in accordance with Article VIII, Section 8 of the Constitution for a Supplemental Appropriation, from the Marshall Islands General Fund, from donor grants and donor project support, a total sum of **\$4,530,000** to meet certain special appropriations and capital expenditures of the Government as set out in Schedule 1, 2 and 3 of this Act.
- (b) for delegation of approved expenditure under Section 5 of Article VIII of the Constitution; and
- (c) for control on reprogramming and transfer of funds within program areas

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

§1. Short title.

This Act may be cited as the Fiscal Year 2016 Supplemental Appropriation Act 2016.

§2. Statement of National Objective.

It is the intention of the Government of the Republic of the Marshall Islands to hereby enact and implement a supplemental appropriation, to authorize certain special appropriations and capital expenditures over and above that

which was authorized by P.L.2015-44, in the manner set out in Schedules attached as Appendix A to this Act.

§3. Interpretation.

In this Act, unless the context otherwise requires:

- (a) “program area” means the program areas set out in Schedule 1 below.

§4. Appropriation and re-appropriation from the Marshall Islands General Fund.

A total sum of \$3,600,000 is hereby appropriated and re-appropriated, and may be withdrawn from the Marshall Islands General Fund being:

- (a) the revenue granted through MIMRA, a total sum of \$2,500,000; and
- (b) the revenue re-appropriated from P.L.2015-44 under the unused funds from the Trust Account (Account A) a sum of \$1,100,000, and shall be expended pursuant to Article VIII of the Constitution for program areas as set out in Schedule 1.

§5. Appropriation of Donor Project Support.

A total sum of \$930,000 is hereby appropriated, being the total sum of donor project support by the ROC (For Drought Relief), India (For Typhoon Nangka), ESCAP (Grant Assistance from Kazakhstan) and US (Disaster Assistance Emergency Fund) shall not be available for expenditure as reprogrammed expenditure under Article VIII Section 7 of the Constitution, except as authorized by or under the agreements with the donor nation and/or institution, and schedule 2.

§6. Funding of the Office of the Auditor General.

The Secretary of Finance shall withhold and deposit in the special account in the Marshall Islands General Fund, zero point eighth percent (0.8%) of all amounts appropriated in Schedules 1 and 2, and the sum so withheld and deposited may be withdrawn and expended by the Auditor-General in accordance with the budget approved for his/her office by the Cabinet, for the operations and activities of his/her office.

§7. Unanticipated Income.

Where, during the Financial Year, an amount of unanticipated income is received by the Government for a specified program area, that amount is appropriated for the corresponding program area in Schedules as the case may be, and the amount of the appropriation for that program area is increased accordingly.

§8. Notification to the Cabinet by the Minister.

When any money is received under Section 8 herein above, the Minister of Finance shall notify the Cabinet of the receipt of such money, and such money shall not be expended without the approval of the Cabinet.

§9. Lapsing of Funds

- (1) The appropriations made under Schedule 1 of this Act shall lapse at the end of the Financial year 2016.
- (2) The appropriation made under Schedules 2 and 3 of this Act shall not lapse at the end of the Financial year 2016 but shall remain until either:
 - (a) the purpose of the appropriation are satisfied, or
 - (b) the funds are expended, whichever occurs first.

§10. Delegation of Authority

- (1) For the purpose of Article VIII, Section 5(1) of the Constitution, the authority to approve expenditure in a program area in accordance with Schedule 1, is hereby delegated to:
 - (a) The member of the Cabinet primarily responsible for that program area and;
 - (b) If the responsible member of the Cabinet so directs by instrument in writing, and subject to any limitations imposed by the instrument and to general control by the member, an appropriate person, authority, or agency; or subject in either case to any limitations imposed by the Cabinet.
- (2) Any expenditure otherwise than in accordance with Schedules 1, 2 and 3 shall require the approval of the Cabinet in accordance with Article VIII, Section 5(1) of the Constitution.

- (3) Any expenditure for prior year liabilities made under schedule 1 shall not be available for expenditure as reprogrammed expenditure but shall be withheld and paid directly by the Secretary of Finance to the vendor or service provider.

§11. Budget Estimates and Statement.

- (1) The Budget Estimates for expenditures for the relevant program areas are set out in Schedules 1, 2 and 3 of this Act.
- (2) The Budget Statement from the Minister of Finance is attached as Appendix B to this Act.

§12. Reprogramming and Transfers

No funds may be reprogrammed or transferred to any other program areas or disbursed in any other manner except as set out in Schedule 1 of this Act.

§13. Effective Date.

This Act shall come into effect on the date of certification in accordance with Article IV Section 21 of the Constitution and Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

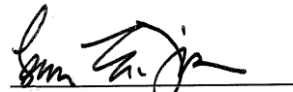
1. That Nitijela Bill No: 11ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 11th day of March 2016; and
2. That I am satisfied that Nitijela Bill No: 11ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 21st day of March 2016.

Attest:



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



Lena Tiobech
Clerk
Nitijela of the Marshall Islands

SCHEDULE

SCHEDULE SUBHEADING

REPUBLIC OF THE MARSHALL ISLANDS	
FISCAL YEAR 2016 SUPPLEMENTAL BUDGET	
<u>SUPPLEMENTAL GENERAL FUND APPROPRIATION</u>	<u>SCHEDULE 1</u>
AMENDED APPENDIX "A"	
LINE MINISTRIES	\$ 1,487,040.00
President & Cabinet	\$ 186,000.00
Nitijela	\$ 193,560.00
Ministry of Foreign Affairs	\$ 163,000.00
Office of the Attorney General	\$ 15,000.00
Ministry of Internal Affairs	\$ 160,000.00
Postal Services	\$ 106,100.00
Ministry of Finance	\$ 170,000.00
Banking Commission	\$ 106,000.00
Ministry of Public Works	\$ 180,000.00
Ministry of Justice	\$ 63,380.00
Ministry of Education	\$ 14,000.00
Office of the Chief Secretary	\$ 52,000.00
Ministry of Transportation and Communication	\$ 28,000.00
Marshall Islands Visitors Authority	\$ 50,000.00

SPECIAL APPROPRIATIONS	\$ 2,112,960.00
Copra Price Stabilization Subsidy (Tobolar)	\$ 650,000.00
Constitutional Convention (CONCON)	\$ 572,960.00
NTA	\$ 450,000.00
Court Judgement	\$ 200,000.00
Solar project (Honda)	\$ 200,000.00
WUTMI	\$ 40,000.00
TOTAL GENERAL FUND EXPENDITURES	\$ 3,600,000.00
PROJECT SUPPORT EXPENDITURES	SCHEDULE 2
ROC	\$ 30,000.00
Drought Relief	\$ 30,000.00
India	\$ 100,000.00
Typhoon Nangka	\$ 100,000.00
REPUBLIC OF THE MARSHALL ISLANDS	
FISCAL YEAR 2016 SUPPLEMENTAL BUDGET	
ESCAP (Grant Assistance from Kazakhstan)	\$ 50,000.00
Support Participation in International and Regional Meetings in Climate Change and Renewable Energy as well as preparation for Resource Mobilization.	\$ 50,000.00

US	\$ 750,000.00
Disaster Assistance Emergency Fund	\$ 750,000.00
TOTAL PROJECT SUPPORT EXPENDITURES	\$ 930,000.00
TOTAL ALL EXPENDITURES	<u>\$ 4,530,000.00</u>
SOURCE OF FUNDS	
GENERAL FUND REVENUES	\$ 2,500,000.00
MIMRA	\$ 2,500,000.00
OTHER REVENUES	\$ 1,100,000.00
Trust Fund	\$ 1,100,000.00
DONORS PROJECT SUPPORT	\$ 930,000.00
ROC	\$ 30,000.00
India	\$ 100,000.00
ESCAP (Grant from Kazakhstan)	\$ 50,000.00
US Disaster Assistance Emergency Fund	\$ 750,000.00
TOTAL ALL REVENUES	<u>\$ 4,530,000.00</u>