

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

34<sup>TH</sup> CONSTITUTIONAL REGULAR SESSION, 2013

BILL NO: 27ND1

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P.L. 2013 - 6

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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 **\$30,921,605**; 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:**

Section 1.     **Short title.**

This Act may be cited as the Fiscal Year 2013 Supplemental Appropriation Act, 2013.

Section 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.2012-3, in the manner set out in Schedules attached as **Appendix A** to this Act.

Section 3.     **Interpretation.**

In this Act, unless the context otherwise requires:

1 (a) "program area" means the program areas set out in Schedule 1 below.

2  
3 Section 4. **Appropriation from the Marshall Islands General Fund.**

4 A total sum of **\$5,300,000** is hereby appropriated, and may be withdrawn from the  
5 Marshall Islands General Fund and expended pursuant to Article VIII of the Constitution for  
6 program areas as set out in Schedule 1.

7  
8 Section 5. **Appropriation of other funds.**

9 A total sum of **\$925,500** is hereby appropriated, being the total revenue provided as  
10 grants by the U.S. Department of Interior Grant, Asian Development Bank Grant (Coconut  
11 Replanting), and UNDP (ADMIRE) and shall be credited to the National Treasury and shall be  
12 appropriated in accordance with the relevant provisions and Schedule 2.

13  
14 Section 6. **Appropriation of Donor Project Support.**

15 A total sum of **\$24,696,105** is hereby appropriated, being the total sum of donors project  
16 support by the United Nations, European Union, World Bank, Australia and Japan, shall not be  
17 available for expenditure as reprogrammed expenditure under Article VIII Section 7 of the  
18 Constitution, except as authorized by or under the agreements with the donor nation and/or  
19 institution, and schedule 3.

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21 Section 7. **Funding of the Office of the Auditor General.**

22 The Secretary of Finance shall withhold and deposit in the special account in the  
23 Marshalls Islands General Fund, one eighth percent (0.8%) of all amounts appropriated in

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1 Schedules 1 and 2, and the sum so withheld and deposited may be withdrawn and expended by  
2 the Auditor-General in accordance with the budget approved for his/her office by the Cabinet,  
3 for the operations and activities of his/her office.

4  
5 **Section 8. Unanticipated Income.**

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

10  
11 **Section 9. Notification to the Cabinet by the Minister.**

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

15  
16 **Section 10. Lapsing of Funds**

17 (1) The appropriations made under Schedule 1 of this Act shall lapse at the end of the  
18 Financial year 2013.

19 (2) The appropriation made under Schedules 2 and 3 of this Act shall not lapse at the end  
20 of the Financial year 2013 but shall remain until either:

21 (a) the purpose of the appropriation are satisfied, or

22 (b) the funds are expended,