

NITIJELA OF THE MARSHALL ISLANDS

21ST CONSTITUTIONAL REGULAR SESSION, 2000

BILL NO.30 N.D.2

P.L. 2001-30

An Act

To amend the Citizenship Act 1984, 43 MIRC, Chapter 4, Sections 402, 404(4), and insert a new Section 415 to the Act, to make provisions for the definition of the Minister responsible for the administration of the Act, and for the Minister's authorization to delegate the exercise of his powers to the Attorney General or in his absence the Deputy Attorney General.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

Section 1. **Short Title.**

This Act may be cited as the Citizenship (Amendment) Act of 2000.

Section 2. **Amendment**

The Citizenship Act 1984, 43 MIRC, Chapter 4, is hereby amended as follows:

(A) By the insertion of a new Section 402(1)(c) immediately after Section

402(1)(b):

"Section 402. Interpretation.

(1) In this Chapter:

(a) "child" means a person who is not of full age;

(b) "citizen" means a citizen of the Republic;

(c) "Minister" means the Minister to whom the functions of, and responsibility for, the administration of the Citizenship Act 1984 has been assigned by the President, unless expressly stated otherwise.

(2) For the purposes of this Chapter:

(a) a person is of "full age" if he has attained the age of eighteen (18)

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years; and

(b) a person is of full capacity if he is:

(i) not mentally disordered or defective person; or

(ii) so found and not discharged as sane, under the provisions of any law or any country relating to mental treatment.”

(B) By amending Section 403(2)(a) and (c) by substituting “five (5)” with “seven (7)”, and substituting “of Foreign Affairs” with “responsible for the administration of citizenship matters”, respectively; and by inserting a new clause (j) to the Section, to read as follows:

“Section 403. Citizenship by naturalization; general

(2) Where, on the application made pursuant to subsection (1) of this Section and as a result of such inquiries (if any) as the Cabinet may cause to be made, the Cabinet is satisfied that the person making the application:

(a) was (on the date of the application) and has been, during the period of seven (7) years immediately prior to the date of application, ordinarily legal resident in the Republic;

(c) is of good character, based upon available evidence, including the recommendations of the Ministry responsible for the administration of citizenship matters and the local government Council of the community in which he has been resident or intends to reside;

(j) has taken and passed a written test as may be prescribed by the Minister;”

(C) By deleting Section 404(4).

(D) By the insertion of a new Section 415 immediately after Section 414 to read

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as follows:

“Section 415. Authorization by the Minister to act on his behalf.

The Minister may either generally or specially authorize the Attorney General, or in his absence, the Deputy Attorney General, to perform or discharge any power, duty or function vested in, or imposed or conferred upon, the Minister, by or under this Chapter.”

Section 3. Effective Date.

This Act shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution.

Certificate

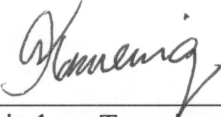
I hereby certify:

(1) that the Nitijela Bill No. 30 N.D.2 has been passed by the Nitijela of the Marshall Islands on the 24th day of September, 2001; and

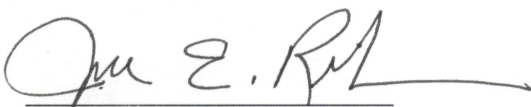
(2) that I am satisfied that Nitijela Bill No. 36 N.D.2 has been passed in accordance with the Constitution of the Republic of the Marshall Islands and the Rules of the Nitijela .

I hereby place my signature before the Clerk of the Nitijela this 18th day of October, 2001.

Attest:



Litokwa Tomeing, Speaker
Nitijela of the Marshall Islands



Joe E. Riklon, Clerk
Nitijela of the Marshall Islands