

AN ACT

To amend M.I. Code Section 2.402(2) and the Marshall Islands Administrative Procedure Act of 1979.

BE IT ENACTED BY THE MARSHALL ISLANDS NITIJELA:

1 Section 1. Short title.

2 This Act may be cited as the Administrative Procedure  
3 Amendment Act 1980.

4 Section 2. Public information; adoption of rules; availability  
5 of rules and orders.

6 Section 2.402(2) of the Marshall Islands Code is amended  
7 to read as follows: -

8 "(2) Any agency rule, order, or decision which fails  
9 to comply with Section 2.403, 2.404 or 2.406 of the Code shall  
10 remain in full force and effect notwithstanding that failure,  
11 and if a court determines that any of those sections has not  
12 been complied with relief shall be limited to an order compelling  
13 compliance."

14 Section 3. Validity of regulations.

15 (1) Section 5 of the Marshall Islands Administrative  
16 Proceudre Act of 1979 (P.L. 1979-23) is amended to read as follows: -

17 "Each rule and regulation, consistent with the  
18 Constitution and laws of the Marshall Islands, adopted pursuant  
19 to Chapter 1 of Title 17 of the Trust Territory Code, and in  
20 force on June 30, 1980, shall continue to be in full force and  
21 effect, unless it is repealed by law, or is voided by its own  
22 terms, or repealed by rule adopted pursuant to Chapter 2 of

1 the Marshall Islands Code".

2 (2) The second paragraph of Section 5 of the Marshall  
3 Islands Administrative Procedure Code 1979 (P.L. 1979-23) shall be of no  
4 force or effect, and shall be deemed never to have been of any force  
5 or effect.

6 Section 4. Effective date.

7 This Act shall be effective on the date on which it  
8 becomes law.

9 Certificate

10 I hereby certify:

11 (1) that the above Nitijela Bill No. 51 has been passed by  
12 the Marshall Islands Nitijela on the 13th day of December 1980; and

13 (2) that I am satisfied that Bill No. 51 has been passed  
14 in accordance with the Constitution of the Marshall Islands and  
15 the Rules of the Nitijela.

16 I hereby place my signature before the Clerk of the Nitijela this 19th  
17 day of December, 1980.

18

19 /s/ Atlan Anien  
Atlan Anien, Speaker

20

21 Attest:

22

23 /s/ Donald F. Capelle  
Donald F. Capelle, Clerk  
24 Marshall Islands Nitijela

25

26 Concurred: /s/ Adrian P. Winkel  
Adrian P. Winkel, High Commissioner  
1/8/81