

AN ACT

An Act to amend the Judiciary Act 1983 to provide for the appointment of an Associate Justice of the High Court; to provide for a majority for decisions of the Supreme Court; and to provide a procedure for certain orders to be made prior to hearings and determinations of appeals by the Supreme Court.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

1           Section 1. Short title.

2                     This Act may be cited as the Judiciary (Amendment  
3 Act 1984 and shall come into effect on the date on which  
4 it becomes law.

5           Section 2. Section 10 of the Judiciary Act 1983  
6 (in this Act referred to as the principal enactment) is  
7 hereby amended by the addition of the following new Section  
8 which shall have effect as Section 10(1)(a).

9                     "Section 10(1)(a). The High Court shall consist  
10                    of a Chief Justice and other judges who shall  
11                    be designated as Associate Justices of the  
12                    High Court".

13           Section 3. Section 6 of the principal enactment is  
14 hereby amended by the addition of the following four new  
15 Section which shall have effect as Section 6(4) (5) (6) and  
16 (7).

17                    "Section 6(4). Decision by majority and other orders.

18                    The concurrence of two or more judges shall  
19                    be necessary to a determination of any appeals  
20                    by the Supreme Court provided, however, that a

1 single judge may make all necessary orders  
2 concerning any appeal prior to the hearing  
3 and determination thereof, and may dismiss  
4 an appeal for failure to take any steps in  
5 accordance with the law or rules of procedure  
6 applicable in that behalf, or at the request  
7 of the appellant."

8 "Section 6(5). For the purpose of hearing and  
9 determining any appeal the Chief Justice or any  
10 Associate Justice of the High Court shall be  
11 eligible to act as a judge of the Supreme Court  
12 provided that he is otherwise qualified so to do."

13 "Section 6(6). All sessions of the Supreme  
14 Court shall be held in Majuro, Marshall Islands."

15 "Section 6(7). For the purpose of making rules  
16 of the Supreme Court the Chief Justice of the  
17 High Court shall be deemed to be a judge of the  
18 Supreme Court."

19 Certificate

20 I hereby certify:

21 (1) that the above Nitijela Bill No. 49 N.D.-1 has  
22 been passed by the Nitijela of the Marshall Islands on the 19th  
23 day of December, 1984; and

24 (2) that I am satisfied that Bill No. 49 N.D.-1 has  
25 been passed in accordance with the Constitution of the

1 Marshall Islands and the Rules of the Nitijela.  
2 I hereby place my signature before the Clerk of the Nitijela  
3 this 28th day of December, 1984.

4

5 /s/ Atlan Anien  
6 Atlan Anien, Speaker  
Nitijela of the Marshall Islands

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8 Attest:

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10 /s/ Donald F. Capelle  
11 Donald F. Capelle, Clerk  
Nitijela of the Marshall Islands

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13 Concurred: Janet McCoy  
14 High Commissioner  
1/21/85

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