
AN ACT

To provide immunity from tort claims for Government Officials, employees and volunteers, and to protect the assets of the Government and the local governments from attachment or execution, and for related purposes.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

1 Section 1. Short title.

2 This Act may be cited as the Government Liability (Amendment)
3 Act of 1986.

4 Section 2. Amendment of the Government Liability Act 1980.

5 (1) The Government Liability Act 1980 (P.L. 1980-19) is
6 hereby amended by inserting after Section 6(2) the following new
7 subsections (3) and (4):

8 "(3) The liability of the Government provided in
9 subsection 6(1) above for torts resulting from the acts
10 or omissions of its officers, agents and employees while
11 acting within the scope of their office or employment,
12 shall hereafter be exclusive of any other civil action or
13 proceeding by reason of the same subject matter against
14 the officers, agents and employees, or their estate,
15 whose act or omission gave rise to the claim.

16 "(4) In this Act "officers, agents and employees"
17 include officers, agents and employees of the Government
18 and its agencies, and, subject to Cabinet approval in
19 writing persons acting for or on behalf of the

1 Government, or its agencies, in an official or volunteer
2 capacity, temporarily or permanently, whether with or
3 without compensation."

4 (2) The Government Liability Act 1980 (P.L. 1980-19) is
5 hereby amended by inserting after Section 26 the following new Section
6 26A:

7 "Section 26A. Protection of Government Assets.

8 In furtherance of Section 4 of Article I of the
9 Constitution, no assets of the Government, any local
10 government, any statutory authority or any entity in which the
11 Government or any local government owns or controls a majority
12 of the beneficial interest shall be seized, attached or
13 subject to execution in respect to any claim or to satisfy any
14 judgment."

15 Section 3. Effective Date.

16 This Act shall become effective on the date on which it
17 becomes law.

18 Certificate

19 I hereby certify:

20 (1) that the above Nitijela Bill No. 20 has been passed by the
21 Nitijela of the Marshall Islands on the 12th day of February, 1986;
22 and

23 (2) that I am satisfied that Nitijela Bill No. 20 has been
24 passed in accordance with the Constitution of the Marshall Islands and
25 the Rules of the Nitijela.

1 I hereby place my signature before the Clerk of the Nitijela this 20th
2 day of February, 1986.

3
4 /s/ Atlan Anien
Atlan Anien, Speaker
5 Nitijela of the Marshall Islands

6 Attest:

7
8 /s/ Rufina N. Jack
Rufina N. Jack, Acting Clerk
9 Nitijela of the Marshall Islands

10
11 Concurred by: High Commissioner
12 2/21/86