



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

PRESIDENTIAL SPECIAL APPOINTMENT ACT 2024

Introduced by:

MINISTER BREMITY LAKJOHN

Received by:

SPEAKER BRENSON S. WASE

SIGNATURE

NB No. 5

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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
45TH CONSTITUTION REGULAR SESSION, 2024**



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Jepilpilin Ke Ejukaan

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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
45TH CONSTITUTION REGULAR SESSION, 2024



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

PRESIDENTIAL SPECIAL APPOINTMENT ACT 2024

A BILL FOR AN ACT to provide under Title 3, Chapter 1 for Presidential Special Appointments; to repeal the Presidential Special Consultant; and for matters related thereto.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

PART I - PRELIMINARY

§101. Short title.

This Act may be cited as the Presidential Special Appointment Act 2024.

§102. Interpretation.

In this Chapter, unless the context otherwise requires:

- (a) "President" means the President of the Republic of the Marshall Islands;
- (b) "Special Appointments" means special appointments made by the President of certain person or persons to a specific task or role, to conduct special negotiations, or attend coronations, or inaugurations, or any other state ceremonies of special importance to advise the President or cabinet on important matters, such appointment may be temporal or longterm, including the appointment of Special Envoy, Presidential Envoy, Special Representative, Special Coordinator, Special Negotiator, Special Consultant, Special counsel, or Special Advisor;

- 1 (c) "Special Advisor" means a person appointed to advise on special
2 issues of national interests;
- 3 (d) "Special Envoy" means a person appointed by the President
4 temporarily and assigned a specific task or role or to conduct special
5 negotiations or attend coronations, inaugurations, or any other state
6 ceremonies of special importance;
- 7 (e) "Special Representative" means someone who speaks or officially
8 represents the president or a member of Cabinet at a special event;
- 9 (f) "Special Consultant" means the Special Consultant to the President
10 whose is appointed under Section 103 of this Chapter;
- 11 (g) "Special Counsel" or "Special Advisor" shall mean an attorney other
12 than the Attorney General who by demonstrated ability, background,
13 training, or experience, and qualification to carry out any specific
14 functions and provide advice to the President but subject to Article
15 VII, Section 3(3) of the RMI Constitution;
- 16 (e) "Special Coordinator" means a person who appointed to coordinate
17 presidential special events other than coordination functions and
18 powers vested in the Chief Secretary under Article VII, Section 2(2) of
19 the Constitution.
20

21 **PART II – PRESIDENTIAL SPECIAL APPOINTMENTS; PROCEDURES**

22 **§103. President Special Appointments.**

- 23 (1) President may appoint or maintain Special Envoy, Special
24 Representative, Special Coordinator, Special Negotiator, Special
25 counsel, or Special Advisor" positions when ever required for specific
26 task, or for specific tasks outside the public service, and such
27 appointment shall be subject to the terms and conditions stipulated in
28 a contract or a term of reference in the case of a Nitijela Member
29 appointed as a special envoy.
- 30 (2) Pursuant to the Constitution or other laws, the remuneration or
31 allowance of a Special Envoy, Special Representative, Special
32 Coordinator, Special Negotiator, Special Consultant, Special counsel,
33 or Special Advisor positions shall be promulgated by Regulations.

1 (3) A Nitijela Member appointed as a Special Envoy under this Chapter
 2 shall receive an allowance of not more than \$15,000 per annum to
 3 help meet any expenses in the performance of their duties as a Special
 4 Envoy.”
 5

6 **§104. Appointment of the Special Envoy, Special Consultant, Special**
 7 **Advisors, and etc.**

8 A Special Envoy, Special Representative, Special Coordinator, Special
 9 Negotiator, Special Consultant or Special Advisor shall be appointed by the
 10 President, with the approval of the Cabinet, for such period as the President
 11 determines, and based on the terms and conditions pursuant to Section
 12 103(1).

13 **§105. Functions of the Special Consultant.**

14 A Special Envoy, Special Representative, Special Coordinator, Special
 15 Negotiator, Special counsel, or Special Advisor, or Special Consultant has
 16 such functions as are designated to him or her by the President which shall
 17 be limited to areas of policy, diplomacy and specialized designed task.

18 **§106. Special Appoints, Decisions and Actions does not Diminish**
 19 **Cabinet’s responsibility to the Nitijela.**

20 (1) The special appoints made pursuant to this Chapter shall be subject
 21 to the terms of reference of such appointment and contracts which
 22 specify the terms that allow theses special appointments to
 23 compliment the Minister responsible for such role.

24 (2) Any decisions or actions taken by such Special Envoys, Special
 25 consultants, Special Advisors and etc, will not diminish Cabinet’s
 26 responsibility to the Nitijela for the direction and implementation of
 27 the executive policies.

28 **PART III - MISCELLANEOUS**

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 30 **§107. Regulation**

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The Minister responsible shall promulgate Regulation in accordance with the Administrative Procedures Act.

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§108. Repeal

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The Presidential Special Consultant Act of 1980 is hereby repealed in it's entirety.

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§109. Effective Date

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

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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
45TH CONSTITUTION REGULAR SESSION, 2024**

PRESIDENTIAL SPECIAL APPOINTMENT ACT 2024

BILL SUMMARY

This Bill proposes to enact under Title 3 MIRC Chapter 1, to provide for special appointments by the President including the appointment of Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special counsel, or Special Advisor, or Special Consultant. .

The proposed Bill provides the guidelines for special appointments to the Office of the President when needed for special tasks other than appointments within the existing Ministerial functions. Subject to law, the Cabinet may exercise elements of its executive authority directly, or through its individual members, and through other officers responsible to the Cabinet; but neither the provisions of any such law, nor any delegation of elements of the Cabinet’s executive authority shall have the effect of diminishing the responsibility of the Cabinet and of each of its members responsibility to the Nitijela for the direction and implementation of executive policies.

Any decisions or actions taken by the Special Envoys, Special consultants, Special Advisors will not diminished Cabinet’s responsibility to the Nitijela for the direction and implementation of the executive policies. It is therefore recommended to ensure that any TOR and contracts specify terms that allow theses posts to compliment the Minister responsible role

The President shall appoint, with the approval of the Cabinet, for such period as the President determines.

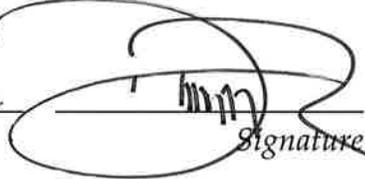
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PRESIDENTIAL SPECIAL APPOINTMENT ACT 2024

SIGNATURES

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DATE: _____ INTRODUCED BY HELTON T. KENDALL 
Print Name Signature

DATE: _____ INTRODUCED BY DAVID PAUL 
Print Name Signature

DATE: 2/19/24 INTRODUCED BY JULIA C. HEIMO JULIA C. HEIMO 
Print Name Signature

DATE: _____ INTRODUCED BY KALANI KAUKEO 
Print Name Signature

DATE: _____ INTRODUCED BY ERNEST LARJON 
Print Name Signature