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2
3 **An Act**
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5 To amend sections 102, 104 and 105 of the Judiciary Fund Act 1989, 27 MIRC Chp.1(the Act), in
6 order re-instate the authority of the Judiciary to maintain the Judiciary Fund as a fund other than the
7 General Fund, and for related matters.
8

9 **BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:**

10 Section 1. **Short Title.**

11 This Act may be cited as the Judiciary Fund (Amendment) Act 2003.

12 Section 2. **Purpose of this Act.**

13 The purpose of this Act is to preserve the independence of the Judiciary consistent with
14 Article VI, Section 1(1) of the Constitution.

15 Section 3. **Amendments.**

16 (1) Section 102 of the Judiciary Fund Act 1989, 27 MIRC Chp. 1 (“Judiciary Fund
17 Act”) is amended to read as follows:

18 **“Section 102. The Judiciary Fund.**

19 The Judiciary Fund (the Fund) is hereby established. The
20 Fund is a fund other than the General Fund for purposes of Article
21 VIII section 3 (2) of the Constitution of the Republic.

22 (2) Section 104 of the Judiciary Fund Act is hereby amended by inserting additional
23 language immediately following subsection (3) to read as follows:

1 “(4) A delegation under Article VIII , Section 5(1) of the
2 Constitution of the Republic to expend money out of the Fund is
3 given to the Chief Justice of the High Court and the Clerk of Courts
4 acting together.”

5 (3) Subsection 105 of the Judiciary Fund Act is amended to read as follows:

6 “105. **Accounts and records.**

7 (1) The Secretary of Finance, with the assistance of the Chief Justice of the
8 High Court, shall cause to be maintained books of accounts and records in
9 accordance with generally accounting principles for government funds, as adopted
10 and occasionally amended by the Government Accounting Standards Board, of:

- 11 (a) the Fund;
- 12 (b) any money paid into or out from the
- 13 Fund; and
- 14 (c) the property purchased with
- 15 money from the Fund.

16 (2) The accounts and records referred to in Subsection (1) of this Section,
17 are subject to audit under Article VIII, Section 15 of the Constitution of the
18 Republic of the Marshall Islands.

19 (3) The Chief Justice of the High Court and the Clerk of the Courts
20 acting together shall open and maintain as few bank accounts as is necessary for

1 the efficient operation of the Fund, which bank accounts shall likewise be subject
2 to audit under Article VIII, Section 15 of the Constitution of the Republic of the
3 Marshall Islands.”

4 Section 4. **Effective Date.**

5 The Act shall become effective upon certification in accordance with Article IV, Section
6 21 of the Constitution.

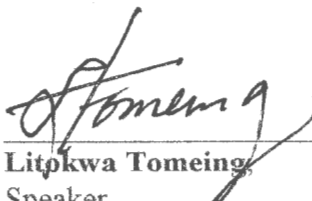
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8 **CERTIFICATE**

9 **I hereby certify:**

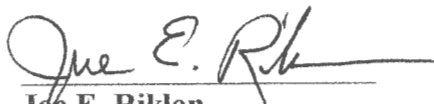
10 (1) that Nitijela Bill No. 135 was passed by the Nitijela of the Marshall Islands on the
11 4th day of September, 2003; and

12
13 (2) that I am satisfied that Nitijela Bill No. 135 was passed in accordance with the
14 relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of
15 Procedures of the Nitijela .

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19 I hereby place my signature before the Clerk of the Nitijela this 3rd day of December, 2003.

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24 
25 Litokwa Tomeing
26 Speaker,
27 Nitijela of the Marshall Islands

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Attest:


Joe E. Riklon
Clerk,
Nitijela of the Marshall Islands