

NITIJELA OF THE MARSHALL ISLANDS

24th CONSTITUTIONAL REGULAR SESSION, 2003

BILL NO: 130

P.L. 2003-83

AN ACT

1 to establish the Office of Environmental Planning and Policy Coordination and to provide for
2 matters associated therewith.
3
4

5 **BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:**
6
7

8 Section 1. **Short Title**

9 This Act may be cited as the Office of Environmental Planning and Policy Coordination
10 (OEPPC) Act, 2003.

11 Section 2. **Definitions**

12 Unless the context otherwise requires;

13 (1) “Director” means the Director appointed under Section 10 (1) herein;

14 (2) “GEF” means the General Environmental Facility established by representatives
15 of participating states in Geneva, Switzerland, in March of 1994, and which constitutes the
16 main funding mechanism under which the United Nations Conventions on Climate Change
17 (UNFCCC), Biological Diversity(UNCBD) and Land Degradation (UNCCD) source their
18 funding from.

19 (3) “ International environmental programs” means programs or projects

1 directly under the responsibility of the Office of Environmental Planning and Policy
2 Coordination, funded through international sources;

3 (4) “International projects” shall have the same meaning as international
4 environmental programs as defined under subsection (3) above.

5 (5) “Office” as used herein below means, the Office of Environmental
6 Planning and Policy Coordination .

7 (6) “Office of the President” refers to the Office of the President of the Republic
8 of the Marshall Islands.

9 (7) “President” refers to the President of the Republic of the Marshall Islands;

10 (8) “Republic” means the Republic of the Marshall Islands.

11 (8) “Unit” means one of the components of the Office of Environmental
12 Planning and Policy Coordination as set out under sections 4 (2), 5, 6 and 7 herein.

13 **Section 3. Establishment of the Office of Environmental Planning and Policy**
14 **Coordination.**

15 There is hereby established, within the executive branch of government, the
16
17 Office of Environmental Planning and Policy Coordination (OEPPC).

18 **Section 4. Purpose and Functions of the Office of Environmental Planning and**
19 **Policy Coordination**

20
21 (1) The Office of Environmental Planning and Policy Coordination is established;

22 (a). to act as an advisory body to the Office of the President, Cabinet,
23

1
2 the Ministries and government agencies, on matters of environmental planning and policy
3 generally; and

4 (b) to act as the focal point of contact in the coordination, management
5 and implementation of all international environmental projects/programs and to
6 ensure the successful implementation of such projects;

7 (c) to act as the national focal point of contact in all negotiations with
8 external sources and lending institutions on programs and/or projects of
9 assistance;

10 (2) In the discharge of the duties as enumerated under sub-section (1) above,
11 the Office of Environmental Planning and Policy Coordination shall be organized into the
12 following three units ;

13 (a) an Environmental Policy and Planning Unit;

14 (b) a Program coordination Unit;

15 (c). Data Collection and Analysis Unit

16 **Section 5. Duties of the Environmental Policy and Planning Unit**

17 In the normal discharge of the duties of the Office, the Environmental Policy and
18 Planning Unit shall;

19 (a) advice Cabinet (and the national government) on international conventions and
20 agreements in which the Republic is a Party to;

1 (b) advise Cabinet on international environmental instruments that may affect
2 the Republic in which the Republic may wish to consider being a Party to;

3 (c) Review all international environmental instruments that the Republic is a
4 Party to and prepare general key position papers and statements;

5 (d) Liaise with the Ministry of Foreign Affairs and other relevant ministries and
6 to act as a focal point in seeking financial assistance from the international
7 environmental fora, including all the conventions to which the RMI has acceded to;

8 (e) provide technical training, advice, and assistance to ministries, departments
9 and agencies in identifying, specifying and preparing sector and project plans,
10 programs and funding submissions to the international environmental conventions
11 financial mechanisms and to liaise with regional organizations regarding funding
12 assistance and capacity building schemes.

13 (g) Liaise with Ministry of Foreign Affairs, the Economic Policy, Planning and
14 Statistics Office, and other relevant Ministries and government agencies in the
15 development of sustainable and sound environmental policy;

16 (h) Prepare annual reports on the state of the environment in the Republic;

17 (i) Conduct environmental or scientific, reviews and assessments, including
18 vulnerability assessments as required for the purposes of reviewing sustainable
19 development goals and strategy planning.

20 (j) Work in partnership with other government ministries and agencies, and the

1 international community to prepare strategies to mitigate the negative impacts of
2 climate change and prepare adaptation plans;

3 (k). be responsible for the planning and implementing a workable system of
4 clearinghouse mechanism;

5 Section 6. **Duties of the Program Coordination Unit**

6 In the normal discharge of the duties of the Office, the Program
7 Coordination Unit, shall ;

8 (a). Coordinate, manage and implement international
9 environmental programs/projects and be responsible for its successful
10 implementation;

11 (b) liaising with government ministries/agencies, the private
12 sector and civil society on program implementation;

13 (c) Prepare monthly monitoring reports on budgets, spendings, project
14 and programs progress;

15 (d) shall prepare and implement educational awareness programs and to
16 liaise with RMI Environmental Protection Authority as necessary and
17 appropriate to implement awareness programs;

18 (e) Participate in regional and international meetings associated directly
19 with the project implementation;
20

1 Section 7. **Data Collection and Analysis Unit**

2 In the normal discharge of the duties of the Office, the Data Collection and
3 Analysis Unit shall ;

4 (a) collect and compile reports of international meetings
5 attended by the Republic; Such reports will be collated and shall be used to
6 assist the Office of Environmental Planning and Policy Coordination prepare
7 position papers on international conventions;

8 (b) collect and compile data on vulnerability assessments and
9 greenhouse gas inventories;

10 (c) compile annual reports on greenhouse gas emissions;

11 (d) liaise with the ministries and other government agencies,
12 both regionally and internationally, to assist in the collection of reports,
13 studies and other documents on environmental issues, for compilation into
14 comprehensive computer data bases and a physical library;

15 Section 8. **Financial matters**

16 (1) The Office of Environmental Planning and Policy Coordination
17 is the the focal point on project proposals submitted internationally through the
18 windows of Climate Change, Biodiversity, (UNCCD) and any projects which uses
19 financial windows of opportunity through any of the international environmental
20 conventions.

1 (2) All funds received from the convention financial mechanisms for
2 project implementation as anticipated under this Act, shall be deposited into a Special
3 Revenue Account in the General Fund, and shall be used only for implementation of
4 the particular project.

5 (3) The Office shall charge 3% of the total amount of funds received
6 from the external source, and in particular the Global Environmental Facility (GEF)
7 funding assistance.

8 (4) The said 3% surcharge shall be deposited into a trust fund account
9 to be used by the Office of Environmental Planning and Policy Coordination for
10 emergency purposes only, as defined under the trust fund policies and shall be a
11 separate account from the regular Office of Environmental Planning and Policy
12 Coordination account administered by Finance.

13 **Section 9. Delegation of program implementation**

14 The Office of Environmental Planning and Policy Coordination may delegate the
15 implementation of any of its international projects under each Convention to an appropriate
16 ministry or agency but will remain the operational focal point for any such project.

17 **Section 10. Staff of the Authority**

18 (1) The Office of Environmental Planning and Policy Coordination shall be
19 headed by a Director who shall be appointed by the Public Services Commission.

20 (2) The Director shall be directly responsible to the Office of the President or to

1 the member of Cabinet as may be designated by the President from time to time.

2 (3) The Office of Environmental Planning and Policy Coordination may,
3 through the Public Service Commission, employ clerical, administrative and or
4 professional staff to assist the Director in discharging the duties and responsibilities of the
5 office.

6 (4) The President may, from time to time, delegate ministerial responsibility and
7 oversight of the Office of Environmental Planning and Policy Coordination to another
8 member of Cabinet, as he sees fit.

9 Section 11. **Effective Date**

10 This Act shall take effect on the date of certification in accordance with Article IV, Section
11 21 of the Constitution and the Rules of Procedures of the Nitijela.

12
13 **CERTIFICATE**

14 I hereby certify:

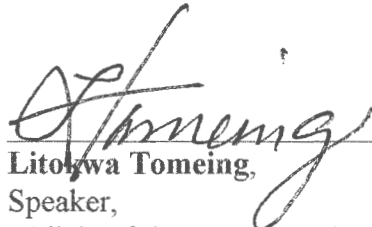
15 (1) that Nitijela Bill No. 130 was passed by the Nitijela of the Marshall Islands on the
16 30th day of September, 2003; and

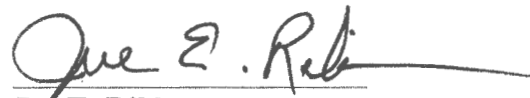
17
18 (2) that I am satisfied that Nitijela Bill No. 130 was passed in accordance with the
19 relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of
20
21
22

1 Procedures of the Nitijela .
2

3 I hereby place my signature before the Clerk of the Nitijela this 3rd day of December, 2003.
4

5 **Attest:**

6
7 
8 Litolwa Tomeing,
9 Speaker,
10 Nitijela of the Marshall Islands
11
12
13
14
15
16
17
18
19
20
21
22
23


Joe E. Riklon
Clerk,
Nitijela of the Marshall Islands