

**\NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

SENIOR CITIZENS ACT, 2018

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SENIOR CITIZENS ACT, 2018

AN ACT to grant benefits and privileges to Senior Citizens and related purposes.

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

§101. Short Title.

This Chapter may be cited as the *Senior Citizens Act, 2017*.

§102. Interpretation.

- (1) In this Chapter, unless the context requires:
 - (a) "Act" shall mean this Senior Citizens Act, 2017;
 - (b) "Disabilities" includes a long-term physical, mental, intellectual or sensory impairment which, in interaction with various attitudinal and environmental barriers, may hinder full and effective participation of a person in society on an equal basis.
 - (bc) "Government" shall mean the Government of the Republic of the Marshall Islands and shall include State-Owned Enterprises;
 - (ed) "Office of Senior Citizens Affairs" shall mean the Office established under Section 8 of this Act;
 - (de) "Senior Citizens" shall mean those persons who have reached the retirement age set forth in the Social Security Act of 1990;

- (ef) "Minister" shall mean the Minister to whom the responsibility of this Chapter has been assigned as part of that Minister's portfolio;
- (fg) "Person" shall mean any individual, retail store, restaurant, hotel, service-oriented shop, State-Owned Enterprise, or establishment or institutions in the Republic;
- (gh) "Republic" shall mean the Republic of the Marshall Islands

§103. Application of this Act.

This Act applies inside the Republic.

§104. Government Policy.

It is the policy of the Government to support vulnerable groups, including senior citizens.

§105. Objectives.

- (1) The objectives of this Act are to—
 - (a) Recognize the rights of senior citizens to take their proper place in society, the responsibility of which lies with the family, community and the Government;
 - (b) Support the total well-being of senior citizens and their full participation in society given that senior citizens have an integral role in Marshallese society;
 - (c) Encourage families and communities in which senior citizens live to re-invigorate the Marshallese custom of demonstrating respect, dignity and care towards senior citizens; and
 - (d) Recognize the important role of the private sector in the welfare of senior citizens and to actively seek their partnership.

§106. Benefits and Privileges of Senior Citizens--Government.

- (1) The Government shall provide, at the minimum, twenty-five percent (25%) discount per month to any senior citizen for the following:

- (a) On medication and other essential supplies, accessories and equipment purchased from the Ministry of Health and Human Services;
 - (b) On medical and dental services provided by the Ministry of Health and Human Services;
 - (c) On the total cost of a ticket from Air Marshall Islands, provided the ticket is in the name of the senior citizen to be personally used by him/her.
 - (d) Subject to subsection 2 of this Section, on actual transportation fare for domestic sea shipping vessels.
- (2) A senior citizen is restricted to one (1) item weighing not more than fifty (50) pounds.
 - (3) Subject to Section 1140(21) of this Act, the foregoing requires a senior citizen to produce a Senior Citizen Identification Card issued under Section 1087 prior to receiving the discount.
 - (4) Nothing in this Section shall prevent any Government ministries/offices/agencies, including those referenced above, from providing a higher discount pursuant to Section 1076(1).

§107. The Office of Senior Citizens Affairs.

- (1) There shall be established the Office of Senior Citizens Affairs under the Ministry of Culture and Internal Affairs to be headed by a senior citizen employed pursuant to the Public Service Regulations 2008 or any subsequent version thereon.
- (2) The Office of Senior Citizens Affairs shall have the following functions:
 - (a) To plan, implement and monitor yearly work programs pursuant to the objectives set forth in Section 105 of this Act;
 - (b) To maintain and regularly update every quarter the list of senior citizens so as to issue national individual Senior Citizen Identification Cards;
 - (c) To serve as a general information and liaison center for senior citizens;
 - (d) To monitor compliance of the provisions of this Act and to report to the Office of the Attorney-General, in consultation

with the Secretary of Culture and Internal Affairs, any person violating this Act; and

- (e) Any other duties assigned by the Minister of Culture and Internal Affairs.

§108. Penalties.

- (1) Any person who refuses to honor the Senior Citizen Identification Card shall be in violation of this Act and, upon conviction, shall incur the following penalties:
 - (a) For the first violation, imprisonment of less than six (6) months and a fine not exceeding five thousand dollars (\$5,000);
 - (b) For any subsequent violation, imprisonment of less than one (1) year, a fine not exceeding ten thousand dollars (\$10,000) and revocation of his/her business license;
 - (c) Any senior citizen who abuses his/her benefits and privileges shall have his/her Senior Citizen Identification Card revoked.

§109. Regulations.

The Minister of Culture and Internal Affairs shall promulgate Regulations of this Act pursuant to the *Marshall Islands Administrative Procedure Act 1979*.

§110. Relationship to Other Acts.

- (1) In addition to the general obligations of the Government identified under the Rights of Persons with Disabilities Act, 2015, the Government shall also provide ~~free of charge~~ to any disabled persons those services under Section 1076(1) of this Act.

§1121. Severability.

If any provision of this Act is deemed to be unconstitutional, the other provisions shall remain in full force and effect.

§1132. Effective Date.

This Act shall come into force in accordance with Article V, Section 21, of the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 115ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 7th day of March 2018; and
2. That I am satisfied that Nitijela Bill No: 115ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.


I hereby place my signature before the Clerk this 15th day of March 2018.



Hon. Kenneth A. Kedi

Speaker

Nitijela of the Marshall Islands

Attest:

Morean Watak

Clerk

Nitijela of the Marshall Islands

