TITLE 7 - PUBLIC HEALTH SAFETY AND WELFARE
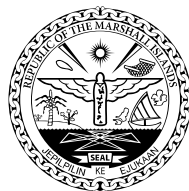# CHAPTER 21 - E-CIGARETTE PROHIBITATION ACT, 2023

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

E-CIGARETTE PROHIBITION ACT, 2023

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CHAPTER 21 - E-CIGARETTE PROHIBITATION ACT, 2023

Republic of the Marshall Islands
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E-CIGARETTE PROHIBITION ACT, 2023

AN ACT to prohibit importation of flavored e-cigarette for sell, distribution or personal consumption and for matters related thereto.

Commencement:	*October 25th, 2023*
Source:	*P.L. 2023-75*

§101.   Short title.

This Act may be cited as the E-Cigarette Prohibition Act, 2023.

§102.   Interpretation.

Unless the context otherwise requires:

(1)   "**E-cigarette**" means a consumable nicotine liquid solution or other material containing nicotine suitable for use in an e-cigarette;

(2)   "**Vaping product**" means e-cigarette, are small battery-powered devices that heat a liquid solution to create an aerosol (vapour or cloud);

(3)   "**Liquid**" means e-juice contains a solution of propylene glycol and/or vegetable glycerin, flavoring, and varying amounts of nicotine;

(4)   "**Force**" shall have the same meaning as established under the Public Safety Act;

(5)   "**Police Officer and Peace officer**" shall have the same meaning and purposes as established under the Local Government Act.

§103. Importation, distribution or selling of E-cigarette prohibited.

No person shall import any vapor products for the purposes of selling, distribution or for personal consumption of any vapor products of any kind including its liquid in the Republic.

§104. Offense and Penalties.

Any person who violates Section 103 of this Chapter shall be guilty of an offense and upon conviction:

(a)   for a first offender, liable to thirty (30) days imprisonment or two hundred dollars ($200) fine or both; or

(b)   for a repeated offender, liable to 3 months imprisonment or five hundred dollars ($500) fine or both.

§105. Seizure, Forfeiture and Destruction.

(1)   Any product imported, distributed in violation of Section 103, shall be seized and destroy by an officer.

(2)   Any proceeds realized from the unlawful possession of vapor products shall deposited into the Ministry of Justice Special Revenue Fund, and shall be used for the purposes of that Fund.

§106. Issuance of citation notice.

(1)   A police officer, or a peace officer appointed under Section 151(1) of the *Local Government Act 1980* or members of the force established under Section 503 of the Public Safety Act may issue a citation to a person that has or is committing an offense under this Chapter.

(2)   The officer must inform the person to whom the notice has been issued that he or she may elect to pay the fine or go to court in the usual manner.

(3)   The Court shall ensure that all fines imposed and collected under this Chapter shall be deposited into the Ministry of Justice Special Revenue Fund, and to be utilized for the purposes of that Fund.

§107. Incentive fee for reporting.

Any person who reports any violation of the provisions of this Act or has reported officer who fails to enforce the provision of this Act, if such matter

results in the successful conviction of the offender, he or she shall be entitled to an incentive fee in an amount equal to fifty percent (50%) of the fines payable under Section 104 of this Act. Such incentive fee shall be payable from the proceeds realized from under provisions of Section 104 of this Act.

§108.   Effective Date.

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