
P.L. 2001-48

An Act

To amend the Marshall Islands Airports Authority Act of 1999, P.L. 1999-86, and for related matters.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

Section 1. Short Title.

This Act may be cited as the Marshall Islands Airports Authority (Amendment) Act of 2001.

Section 2. Amendments.

The Marshall Islands Airports Authority Act, P.L. 1999-88, as amended, is hereby amended as follows:

(A) By inserting an additional function of the Authority under Section 2.3(1) and numbering the function as (f), to read as follows:

“Section 2.3 Functions of the Authority.

(1) The functions of the Authority are:

(a) to establish, maintain, manage and operate airport facilities at its airports; and

(b) to provide facilities and services at its airports; and

(c) to provide facilities and services to airlines and aircraft using its airports; and

P.L. 2001-48

(d) if directed by the Minister after a request by the local government of an outer island, to operate or assist in operating a landing strip on that island; and

(e) to perform any other functions related to the use of airports; and

(f) to support the overall strategic development of civil aviation plans within the Republic; and

(B) By amending Section 3.1 (1), (2) and (3), and by inserting a new Subsection(2) and re-numbering the succeeding Subsections, to read as follows:

“Section 3.1 Constitution of the Board.

(1) The Board is to consist of 5members, as follows:

(a) the person for the time being holding the position of Secretary for Transportation and Communications; and

(b) 4 other members to be appointed by the Cabinet, at least one of whom shall be a member of the private sector.

(2) The person for the time being holding the position of the Director of the Authority, shall be the non-voting Secretary of the Board; and

(3) Any private sector members referred to in Subsection(1)(b) of this Section:

(a) is to be appointed for a period of not more than 3 years, and may be reappointed; and

(b) hold office for the period stated in their instrument of

1
2
3
4 appointment of such member; and

5 (c) is entitled to be paid the sitting fee prescribed by the
6 regulations for each meeting attended.

7 (4) The person for the time being holding the position of Secretary
8 of Transportation and Communication shall be the Chairperson of the Board.

9 (5) The members are all part-time members.

10 (6) The performance of a function, and the exercise of a power, of
11 the Board is no affected only because of a vacancy in the membership of the Board.”

12 (C) By amending Section 3.11(1) to read as follows:

13 **“Section 3.11 Quorum.**

14 (1) At a meeting of the Board, 3 members constitute a quorum.”

15 (D) By inserting a new Subsection 3 under Section 5.5 to read as follows:

16 **“Section 5.5 Expenditure of the Fund.**

17 (1) The Authority may only use money in the Fund in accordance
18 with its budget, except in the case of unforeseen events. In this case, the expenditure must be
19 approved in writing by the Board.

20 (2) Money received by the Authority for a specific purpose must be
21 used only for that purpose.

22 (3) As used in this Section, “unforeseen events” include events which
23 arise out of, and are incidental to, the functions of the Authority under Section 2.3 of this Act.”

24 (E) By inserting a new Subsection 3 to Section 5.8 to read as follows:

P.L. 2001-48

“Section 5.8 Accounts and records.

(1) The Authority must maintain proper accounts and records of:

(a) moneys in the Fund; and

(b) the disposition of moneys paid into and out of the Fund.

(2) If money is paid into the Fund for a particular purpose:

(a) a record of that money must be kept in a particular

account in the Fund; and

(b) the Authority must keep separate records of the

disposition of the money.

(3) The Authority shall provide such financial and other related records as may from time to time be requested by the Secretary of Finance.”

(F) By amending Section 5.9 to read as follows:

“Section 5.9 Audit.

The accounts and records of the Fund maintained under Section 5.8 of this Act shall be subject to audit by the Auditor-General as provided for under Article VIII, Section 15 of the Constitution.”

(G) By amending Section 6.1 to read as follows”

“Section 6.1 Authority may fix charges.

The Authority may from time to time fix charges for services provided by the Authority, provided that prior to fixing such charges, the Authority shall comply with the provisions of the Marshall Islands Administrative Procedure Act 1979, 6 MIRC, Chapter

P.L. 2001-48

1.”

(H) By amending Section 9.4(1) to read as follows:

“Section 9.4 Regulations.

(1) Subject to compliance with the provisions and procedure set out in the Marshall Islands Administrative Procedure Act 1979, 6 MIRC, Chapter 1, the Minister may make regulations, not inconsistent with this Act, for all matters necessary to give effect to this Act.”

Section 3. Effective date.

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

Certificate

I hereby certify:

(1) that the Nitijela Bill No. 80N.D-1 has been passed by the Nitijela of the Marshall Islands on the 12th day of October, 2001; and

(2) that I am satisfied that Nitijela Bill No. 80NDI has been passed in accordance with the Constitution of the Republic of the Marshall Islands and the Rules of the Nitijela .

I hereby place my signature before the Clerk of the Nitijela this 24th day of October, 2001.

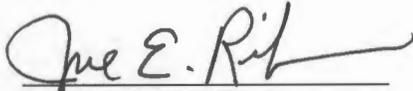
Attest:

P.L. 2001-48

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15



Litokwa Tomeing, Speaker
Nitijela of the Marshall Islands



Joe E. Riklon, Clerk
Nitijela of the Marshall Islands