

NITIJELA OF THE MARSHALL ISLANDS

24th CONSTITUTIONAL REGULAR SESSION, 2003

BILL NO: 158 ND1

P.L. 2003-98

AN ACT

1 to amend the “Prohibition of Smoking (in Public Premises and Public Vehicles) Act 1986 (the
2 Act), to clarify certain matters;

3
4 **BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS**

5
6 **Section 1. Short Title**

7 This Act may be cited as the “Prohibition of Smoking (in Public Premises and Public
8 Vehicles Amendment) Act, 2003

9 **Section 2. Amendments**

10 The Act is hereby amended in the following manner;

11 (1) By amending section 2 subsection (a) to read as follows:

12 “(a) “public premises” means any enclosed building and includes any
13 government building or office, school, or hospital, or private premises where
14 people have access thereto or assembled therewith, through common usage or by
15 general invitation, express or otherwise, including restaurants, but does not include
16 bars where liquor is served;

17 (2) By amending section 3 to read in the following manner:

18 “§3. **Prohibition.**

19 (1) Smoking in public premises, public vehicles, restaurants and aircrafts
20 is hereby prohibited .

1
2 (2) In all public premises and public vehicles, there shall be conspicuously
3 displayed a sign, "SMOKING IS PROHIBITED", by the owner, manager or the
4 occupier of such premises or vehicle.
5

6 (3) By inserting a new section 4 to read as follows:

7 **"§ 4. Restaurant Bars**

8 In the case of restaurants that offer liquor in a bar that is set up or
9 constructed within, adjacent to or adjoining the dining area, the owner or manager
10 of the premises shall designate by very conspicuous means, the division between
11 the bar area and the dining area. The prohibition contained in section 3 above shall
12 apply to the dining area.
13

14 (4). To re-number section 4 of the Act to read as follows:

15 **"§ 5 Penalty.**

16 Any person, including the owner, manager or occupier of a public premises, who
17 contravenes the provisions of Sections 3 or 4 of this Act shall be guilty of an offense and
18 shall upon conviction be liable to a fine not exceeding \$2,500.
19

20 Section 3. **Effective Date**

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

3
4 **CERTIFICATE**

5 **I hereby certify:**

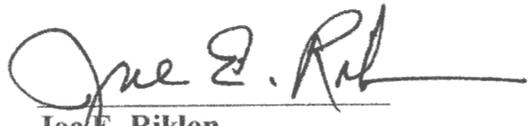
6 (1) that Nitijela Bill No. 158^{ND-1} was passed by the Nitijela of the Marshall Islands on the
7
8 29th day of September, 2003; and

9
10 (2) that I am satisfied that Nitijela Bill No. 158^{ND-1} was passed in accordance with the
11
12 relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of
13
14 Procedures of the Nitijela .

15
16 I hereby place my signature before the Clerk of the Nitijela this 3rd day of December, 2003.

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21 
22 **Litokwa Tomeing,**
23 Speaker,
24 Nitijela of the Marshall Islands

Attest:

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Joe E. Riklon
Clerk,
Nitijela of the Marshall Islands