

**TITLE 16 – LABOR AND INDUSTRIAL RELATIONS
CHAPTER 3 - NONRESIDENT WORKER’S HEALTH CERTIFICATES**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

NONRESIDENT WORKER’S HEALTH CERTIFICATE ACT

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NONRESIDENT WORKER'S HEALTH CERTIFICATE ACT

AN ACT regulating entry of nonresident workers in the Republic on the basis of health.

<i>Commencement:</i>	<i>Not Specified</i>
<i>Source:</i>	49 TTC 1970
<i>Amended By:</i> COM P.L.5-45 (1973)	49 TTC 1980

§301. Short title.

This Chapter may be cited as the "Nonresident Worker's Health Certificate Act".

§302. Statement of policy.

It is the policy of the Government of the Marshall Islands to insure the health of its citizens, and to prevent the over taxation of its medical and hospital facilities and personnel in the care and treatment of non-citizens of the Republic who arrive in the Republic in a condition of ill health. To this end, it shall be the practice of the Government of the Marshall Islands, in accordance with the terms of this Chapter, to require each nonresident worker and each member of his family entering the Republic to have in his possession a certificate of freedom from contagious disease, to conduct a physical examination of every entrant into the Republic who holds an entry permit for employment in the Republic, and to revoke such entry permit upon a showing that the continued presence of such person in the Republic would violate the statement of intent in this Section. [COM P.L. 5-45, §1 (1973); 49 TTC 1980, §51, modified.]

§303. Required.

In addition to any other requirements contained in this Chapter or the *Citizenship, Immigration and Emigration Act 1986*, every person admitted to the Republic for employment under the provisions of the Protection of Resident Workers Act and every person admitted to the Republic as a member of the family of such person shall have in his possession, and thereafter shall keep in his possession, a certificate of freedom from communicable diseases. Such certification shall be executed and validated not more than thirty (30) days preceding the date of entry of such person into the Republic by a physician licensed to practice medicine in the country of origin of that person. [COM P.L. 5-45, §2 (1973); 49 TTC 1980, §52, modified.]

§304. Physical examination required.

- (1) Within ten (10) days after his entry into the Republic, each holder of an entry permit which authorizes such person to enter the Republic for the purpose of employment and each member of the family of such person shall be subject to a physical examination to be conducted by or under the auspices of the Ministry of Health. The cost of such physical examination shall be borne by the entry permit holder.
- (2) Each person who is within the Republic on the effective date of this Chapter and who is the holder of an entry permit which authorizes such person to enter the Republic for the purpose of employment or who is a member of the family of such person shall be subject to a physical examination to be conducted by or under the auspices of the Ministry of Health within three (3) months after the effective date of this Chapter. The cost of such physical examination shall be borne by the entry permit holder. [COM P.L. 5-45, §3 (1973); 49 TTC 1980, §53, modified]

§305. Notification to Cabinet of reasons for rejecting permit holder.

- (1) The Ministry of Health shall, within a reasonable time after the completion of the physical examination required in Section 302 of this Chapter, notify the Cabinet as to any medical reasons why the entry permit holder or the member of the family of the entry permit holder should not be allowed to remain in the Republic, if any, and shall state the basis of his judgment.

- (2) No such notification shall be made if the continued presence of the entry permit holder or the member of the family of the entry permit holder in the Republic would not, in all medical probability, result in substantial danger to the health of the inhabitants of the Republic or in a need for prolonged medical care and treatment while in the Republic.
- (3) Such notification shall be made upon any positive finding of any contagious disease, including any social disease. [COM P.L. 5-45, §4 (1973); 49 TTC 1980 §54, modified.]

§306. Revocation of entry permit.

Upon notification from the Ministry of Health to the Cabinet as provided in Section 304 of this Chapter, the Cabinet shall revoke the entry permit of the entry permit holder or the member of his family in question on the grounds that his continued presence in the Republic would not be in the best interests of the Republic. [COM P. L. 5-45, §5 (1973); 49 TTC 1980, §55, modified.]

§307. Penalties for violation of Chapter.

Failure by a nonresident worker to have the certification required by Section 303 of this Chapter in his possession, or failure to take the physical examination required by Section 304 of this Chapter within the time prescribed, shall:

- (a) be grounds for denial of entry or for revocation of nonresident worker's permit or entry permit; and
- (b) constitute a violation of Section 114(2) of Chapter 1 of this Title. [COM P. L. 5-45, §6 (1973); 49 TTC 1980, §56, modified.]

§308. Regulations.

The Cabinet shall have the power, in the manner which is or may be provided by law, to establish and promulgate regulations not inconsistent with this Chapter, and may delegate any or all of his responsibilities under this Section to the Controller, Secretary of Resources and Development, the Ministry of Health, or any of them. [COM P. L. 5-45, §6 (1973); 49 TTC 1980, §57, modified.]