

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



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

**ELECTION AND REFERENDA (AMENDMENT) ACT 2018.**

**Index**

<b>Section</b>	<b>Page</b>
§101. Short title.....	3
§102. Amendments.....	3
§103. Effective date.....	4



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**ELECTION AND REFERENDA (AMENDMENT) ACT 2018.**

AN ACT to amend Title 2, Chapter 1 of the Marshall Islands Revised Code, to change the closing date of filing of nomination by candidates of Nitijela from three months to a date not later than the third calendar year. The leave of absence of Public Service, State-Owned Enterprises, Justice (MIPD) and Public School System Employees as well as politically appointed Public Officials stands for election (deemed to have resigned from Office) shall commence three (3) months prior to the date of election.

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

**§101. Short title.**

This Act may be cited as the Election and Referenda (Amendment) Act 2018..

**§102. Amendments.**

Section 108(2)(3) of the Elections and Referenda Act 1980 is hereby amended to read as follows:

**§108. Nitijela elections.**

- (2) In accordance with Article IV, Section 5 of the Constitution of the Marshall Islands, every employee of the Public Service, including the State-Owned Enterprises, the Public School and the Justice who becomes a candidate for election as a member of Nitijela shall be granted leave of absence. That leave of absence shall commence three (3) months prior to the date of election. If any Public Service, including the State-Owned Enterprises, the Public School System and

the Justice (Marshall Islands Police Department) employee is declared elected as a member of Nitijela, he shall be deemed to have resigned from his employment in the Public Service provided in this Section.

- (3) If any politically appointed Public Official stands for election as a member of Nitijela, he shall be deemed to have resigned from his office. That resignation shall be deemed to take effect three (3) months prior to the election date pursuant to Section 108(2).

Section 146(1) of the Elections and Referenda Act 1980 is hereby amended to read as follows:

**§146. Time and Closure of Nomination.**

- (1) The nomination papers with respect to an election shall be filed with the Chief Electoral Officer or the person appointed pursuant to Section 145(2) of this Chapter on or before the closing date of nomination determined by the Chief Electoral Officer for the purposes of the election, not later than the third calendar year and in conformity to Section 136(1) of this Chapter.

**§103. Effective date.**

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

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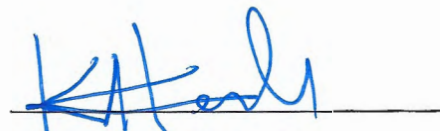
CERTIFICATE

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**I hereby certify:**

1. That Nitijela Bill No: 140ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 5<sup>th</sup> day of October 2018; and
2. That I am satisfied that Nitijela Bill No: 140ND1 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 24<sup>th</sup> day of October 2018.

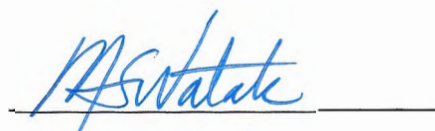


Hon. Kenneth A. Kedi

Speaker

Nitijela of the Marshall Islands

**Attest:**



Morean S. Watak

Clerk

Nitijela of the Marshall Islands