

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
42<sup>ND</sup> CONSTITUTIONAL REGULAR SESSION, 2021**



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

**GOVERNMENT LIABILITY (AMENDMENT) ACT, 2021.**

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**GOVERNMENT LIABILITY (AMENDMENT) ACT, 2021.**

**AN ACT** to amend the Government Liability Act of 1980 by expanding the definition of Government officers, employees and agents to include those from public corporation or statutory authorities established by law.

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

**§101. Short title.**

This Act may be cited as the Government Liability (Amendment) Act, 2021..

**§102. Amendments.**

*(1) Section 1002(2) is amended as follows:*

**§1002. Application of this Chapter .**

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(2) In this Chapter, the word "Government" means any national or local government branch, agency, commission, board, authority, or government wholly or partially owned or controlled corporation thereunder.

*(2) Section 1005 is amended as follows:*

**§1005. Limitation of liability.**

- (1) The Government shall not be liable for more than
- (a) \$75,000 in any action for wrongful death;
  - (b) \$75,000 in any other tort action; or

- (c) \$75,000 in the aggregate for any number of tort claims arising out of a single occurrence.
- (2) Awards or resettlements to multiple claimants which would exceed \$75,000 shall be fairly apportioned not to exceed \$75,000 in the aggregate.

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- (3) *Section 1006 is amended as follows:*

**§1006. Liability for employee's conduct.**

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- (4) In this Chapter "officers, agents and employees" include officers, agents and employees of the Government and its agencies, public corporations or statutory authorities established by law, and, subject to Cabinet approval in writing, persons acting for or on behalf of the Government, or its agencies, in an official or volunteer capacity, temporarily or permanently, whether with or without compensation.

**§103. Effective date.**

This Act shall take effect in accordance with 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: 48 was passed by the Nitijela of the Republic of the Marshall Islands on the 4<sup>th</sup> day of November 2021; and
2. That I am satisfied that Nitijela Bill No: 48 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 16<sup>th</sup> day of November 2021.




**Hon. Kenneth A. Kedi**

Speaker

Nitijela of the Marshall Islands

**Attest:**



**Morean S. Watak**

Clerk

Nitijela of the Marshall Islands