

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
42ND CONSTITUTION REGULAR SESSION, 2021**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**PROTECTED AREAS NETWORK (AMENDMENT) ACT,
2023.**

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**PROTECTED AREAS NETWORK (AMENDMENT) ACT,
2023.**

AN ACT to amend certain provisions of the Protected Areas Network Act 2015 in order to provide provision for the establishment, declaration and administration of designated areas as National Sanctuaries to form part of the sustainable and effective management of the PAN Activities in the Republic of the Marshall Islands; and for related matters.

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

§101. Short title.

This Act may be cited as the Protected Areas Network (Amendment) Act, 2023.

§102. Amendment.

(1) Section 502 of the Protected Areas Network Act is amended as follows:

“National Sanctuary or (Sanctuaries)” means special significance area or atoll that is set by the Government to conserve the natural environments;

“Minister” has the same meaning defined under Marshall Islands Marine Resources Authority Act;

“Reimaanlok” means the National Conservation Area Plan, and a National Framework for the planning and establishment of community based resource management plans and conservation areas in the Marshall Islands;

(2) Section 503 of the Protected Areas Network Act is amended as follows:

§503. Establishment of Protected Areas Network.

There shall be established a nationwide 'Protected Areas Network' of the Republic of the Marshall Islands, hereinafter "PAN" which shall consist of areas in the Republic designated in the manner provided in this Act and in the Regulation. Each area included in the Protected Areas Network will be eligible for assistance and support under this Act. The Protected Areas Network shall be administered by the Ministry of Natural Resources and Commerce and managed by Local Resources Committees (LRC).

(3) Section 504 of the Protected Areas Network Act is amended as follows:

§504. Categories of Protected Areas.

- (e) Type V – National Sanctuary – Restricted and Protected. This is a large protected area for natural habitats declared by Minister under the Regulation, and may include protected areas established under Type II, Type III and Type IV.

(4) Section 505 of the Protected Areas Network Act is amended as follows:

§505. Establishment of Protected Areas.

- (1) There shall be established protected area or areas by the LRC, inclusive of local government officials and traditional leaders in consultation with CMAC as part of the Reimaanlok process.
- (2) A notice on the protected area or areas shall be published on the National Government's website. The notice shall be read on the radio broadcasting from Majuro and copies of the notice shall be distributed or made available to the persons of the area or atoll designated as protected area.

- (5) Part II of the Protected Areas Network Act is amended by creating a new part, Part IIA, as follows:

PART IIA - ESTABLISHMENT, DECLARATION AND ADMINISTRATION OF NATIONAL SANCTUARIES

§506A. Establishment, Declaration and Administration of National Sanctuaries.

- (1) There is hereby established the National Sanctuaries System in the Republic of the Marshall Islands.
- (2) The Minister may, by Regulation, declare:
 - (a) a special significant area that is identified and designated for conservation, recreational, ecological, historical, scientific, cultural, archeological, educational or esthetic qualities as national sanctuaries;
 - (b) the geographic coordinates of the area that is identified and designated for national sanctuaries.
- (3) The national sanctuaries shall be administered by the PAN office.

- (6) Part V of the Protected Areas Network Act is amended as follows:

PART V - RESOURCE MANAGEMENT PLAN

§513. Preparation of resource management Plan.

- (1) Where no LRC exists, the PAN Office shall facilitate the preparation and development of a resource management plan for a protected area in collaboration with traditional leaders and local authorities.
- (2) Where a LRC exists the LRC shall be responsible for preparing a resource management plan for the area it is responsible for managing.
- (3) Resource management plan must take into account the guidelines established in the Reimaanlok and the Reimaanlok Field Guide and any other guidelines produced by the PAN Office.

- (7) Section 514 of the Protected Areas Network Act is amended as follows:

§514. Submission of Resource management Plan.

(1) The responsible authority must submit its resource management plan to the PAN Office once finalized and approved

(2) Endorsed Resource Management Plan shall be published on the National Government's website as official indication of inclusion of protected areas in the Protected Areas Network

(8) Section 515 of the Protected Areas Network Act is amended as follows:

§515. Operations under Resources Management Plan.

(1) If the PAN Office has received and publicized a resource management plan for areas declared under this Act, it is to be carried out and given effect to by the relevant Ministry or the LRC for the areas.

(2) Rules and regulations under the management plan are enforceable under this Act and may be subject to penalties if violated.

§103. Effective date.

This Act shall take effect in accordance with the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: **85** was passed by the Nitijela of the Republic of the Marshall Islands on the **28th** day of **September** 2023; and
2. That I am satisfied that Nitijela Bill No: **85** 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 25th day of October 2023.



Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands

Attest:



Carl Alik
Assistant Clerk
Nitijela of the Marshall Islands