Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

PUBLIC WORKS SPECIAL REVENUE (AMENDMENT) ACT 2018

Introduced by:

HON. MINISTER BRENSON S. WASE

Received by:

HON. SPEAKER KENNETH A. KEDI

N.B. No. 145 – P.L. 2018- 81

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

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Republic of the Marshall Islands
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PUBLIC WORKS SPECIAL REVENUE (AMENDMENT) ACT 2018

AN ACT to amend the Public Works Special Revenue Fund Act under Title 11, Chapter 5 of the Marshall Islands Revised Code to provide for the distribution of funds from the Public Works Special Revenue Fund to the Marshall Islands General Fund.

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

§101.   Short title.

This Act may be cited as the Public Works Special Revenue (Amendment) Act 2018.

§102.   Amendments.

Section 503 and 504 of the Public Works Special Revenue Fund Act is hereby amended as follows:

§503. Payments into the Fund.

(1) There shall be paid into the Fund:

 (a) all charges, fees and other revenues or monies paid to or collected by the Ministry of Finance for, or in respect of, charter of landing crafts under the control and supervision of the Ministry of Public Works;

 (b) all charges, fees and other revenues or monies paid to or collected by the Ministry of Finance for, or in respect of renting of any

equipments under the control or supervision of the Ministry of Public Works; and

(c) all charges or fees of not more than 5% of the total estimated cost of all projects paid to or collected by the supervision, excluding any Compact Funded Projects.

(2) The Secretary of Finance is hereby authorized to deposit into the Fund an amount equal to $200,000 of all collections made under Section 503(1)(a)(b)(c) during a fiscal year.

§504. Payments out of the Fund.

(1) Payments shall be made out of the Fund only for or to the following purposes:

(a) Purchasing of parts needed for the repair and maintenance of machineries and equipments;

(b) Purchasing and maintaining of engineering machines and tools;

(c) Renting of any equipments, vessel or properties; and

(d) Purchasing of vehicles, tools, equipments and ancillary services related to the delivery of items referred to in Section 504(1)(a)(b)(c) of this Chapter. Provided however, any purchase of vehicle is subject to the Cabinet's approval.

(2) No money shall be withdrawn from the Fund except in accordance with the provisions of this Chapter, and the procedures prescribed by the Financial Management Act.

(3) No money shall also be withdrawn from the Fund to defray personnel and other similar costs or expenses.

(4) Secretary for the Ministry of Public Works shall prepare in advance for each fiscal year, for the approval of the Minister of Public Works, a budget shall be forwarded to the Secretary of Finance to guide him in the proper administration of the Fund.

(5) The Secretary of Finance shall deposit into the Marshall Islands General Fund any sum of money in excess of $200,000 from all collections made under Section 503(1)(a)(b)(c) during a fiscal year.

§103. Effective date.

This Act shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution.

CERTIFICATE

I hereby certify:

1.   That Nitijela Bill No: 145 was passed by the Nitijela of the Republic of the Marshall Islands on the _**21st**_ day of _**September**_ 2018; and

2.   That I am satisfied that Nitijela Bill No: 145 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 _**5th**_ day of _**October**_ 2018.

Hon. Kenneth A. Kedi

Speaker

Nitijela of the Marshall Islands

Attest:

Morean S. Watak

Clerk

Nitijela of the Marshall Islands