

TITLE 27 – THE COURT AND COURT OFFICERS
CHAPTER 6 - ADMIRALTY JURISDICTION



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

ADMIRALTY JURISDICTION ACT 1986

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Republic of the Marshall Islands
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ADMIRALTY JURISDICTION ACT 1986

AN ACT to confer admiralty jurisdiction on the High Court and to provide for legal proceedings in connection with ships, the arrest of ships and other property, and to provide for matters connected therewith.

Commencement:

December 31, 1986

Source:

P.L. 1986-26

§601. Short title.

This Chapter may be cited as the “Admiralty Jurisdiction Act 1986”.
[P.L. 1986-26, §1.]

§602. Interpretation.

In this Chapter the term:

- (a) **“the Court”** means the High Court of the Republic;
- (b) **“goods”** include baggage;
- (c) **“master”** used with reference to a ship shall mean any person except a pilot, having for the time being control or charge of a ship;
- (d) **“pollutant”** shall have the same meaning as the term **“pollution”** or any derivative thereof, as that term is used in the context of the *National Environmental Protection Act 1984*;
- (e) **“ship”** includes any description of vessel used in navigation;
- (f) **“waste”** has the same meaning as defined in Section 103 of the *National Environmental Protection Act 1984*. [P.L. 1986-26, §2.]

§603. Admiralty jurisdiction of the High Court.

- (1) The admiralty jurisdiction of the Court shall, notwithstanding anything to the contrary in any other law, include jurisdiction to hear and determine any of the following questions or claims, together with any other jurisdiction connected with ships which may be vested by any other written law:
- (a) any claim to the possession or ownership of a ship or the ownership of any share therein;
 - (b) any question arising between co-owners of a ship as to possession, employment or earnings of that ship;
 - (c) any claim with respect to a mortgage of or charge on a ship or any share therein;
 - (d) any claim for damage received by a ship;
 - (e) any claim for damage done by a ship;
 - (f) any claim for loss of life or personal injury sustained in consequence of:
 - (i) any defect in a ship or in its apparel or equipment; or
 - (ii) the wrongful act, neglect or default of the owners, charterers or persons in possession or control of a ship or of the master or crew thereof or of any other person for whose wrongful act, neglect or default the owners, charterers or persons in possession or control of a ship are responsible, being an act, neglect or default in the navigation or management of the ship, in the loading, carriage or discharge of goods on, in or from the ship or in the embarkation, carrying or disembarkation of persons in or from the ship;
 - (g) any claim for loss of or damage to goods carried in a ship;
 - (h) any claim arising out of any agreement relating to the carriage of goods in a ship or to the use or hire of a ship;
 - (i) any claim in the nature of salvage;
 - (j) any claim in the nature of towage or pilotage with respect to a ship;
 - (k) any claim with respect to goods or materials supplied, or services rendered, to a ship for its operation or maintenance;

- (1) any claim with respect to the construction, repair or equipment of a ship, or dock charges or dues;
 - (m) any claim by a master or member of the crew of a ship for wages and any claim by or with respect to a master or member of the crew of the ship for any money or property which under any law in force for the time being, is recoverable as wages;
 - (n) any claim by a master, shipper, charterer or agent with respect to disbursements made on account of a ship;
 - (o) any claim arising out of bottomry;
 - (p) any claim for the forfeiture or condemnation of a ship or of goods which are being or have been carried or have been attempted to be carried, in a ship, or for the restoration of a ship or any such goods after seizure, or for jetsam, flotsam, lagan and derelict found in or on the sea, the shores of the sea or any tidal water, or for property found in the possession of convicted pirates.
- (2) Nothing in Subsection (1) of this Section shall be read and construed as affecting any jurisdiction conferred or that may be conferred by any other law, on any other court or tribunal to hear and determine any such question or claim as is referred to in Subsection (1) of this Section.
- (3) Nothing in Subsection (1) of this Section shall be read and construed as conferring upon the Court jurisdiction to hear and determine any question or claim arising from any act or thing done or in any proceedings under the provisions of the customs law or any other written law to be read along with the customs law.
- (4) The jurisdiction of the Court under Subsection (1)(b) of this Section includes the power to settle any account outstanding and unsettled between the parties in relation to the ship, and to direct that the ship, or any share thereof, shall be sold, and to make such other order as the Court thinks fit.
- (5) The jurisdiction of the Court under Subsection (1)(e) of this Section includes the jurisdiction to hear and determine any claim with respect to a liability incurred under the *National Environmental Protection Act 1984* by reason of discharge, escape or dumping of any oil, pollutant or waste material in the waters within the jurisdiction of the Republic from or by any ship.