

TITLE 7 – PUBLIC HEALTH, SAFETY AND WELFARE
CHAPTER 10 - DISASTER ASSISTANCE



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

DISASTER ASSISTANCE ACT 1987

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TITLE 7 – PUBLIC HEALTH, SAFETY AND WELFARE
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AN ACT to reduce vulnerability of people and communities of the Republic to damage, injury, and loss of life and property resulting from natural or manmade catastrophes; to clarify the role of the Cabinet and local governments in the prevention of, preparation for, response to, and recovery from disaster; to authorize and provide for coordination of activities relating to disaster prevention, preparedness, response, and recovery between agencies, and for matters connected therewith and incidental thereto.

<i>Commencement:</i>	<i>October 9, 1987</i>
<i>Source:</i>	<i>P.L. 1987-20</i>
<i>Amended By:</i>	<i>P.L.1994-99</i>
<i>P.L.2019-119</i>	

§1001. Short title.

This Chapter may be cited as the "Disaster Assistance Act 1987". [P.L. 1987-20, §1.]

§1002. Effect.

Nothing in this Chapter shall be construed to:

- (a) interfere with the course or conduct of any dispute, except that actions otherwise authorized by this Chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;
- (b) interfere with dissemination of news or comment on public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire

services, and newspapers) may be required to transmit or print public service messages furnishing information or instructions in connection with a disaster emergency; and;

- (c) limit, modify, or abridge the authority of the Cabinet to exercise any powers vested under the Constitution of the Marshall Islands or laws independent of, or in conjunction with, any provisions of this Chapter. [P.L. 1987-20, §2.]

§1003. Interpretation.

In this Chapter:

- (a) “**disaster**” means occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, or civil disturbance; and
- (b) “**political subdivision**” means any atoll or island on which a system of local government operates. [P.L. 1987-20, §3.]

§1004. Powers of the Cabinet.

- (1) It shall be the duty of the Cabinet to make such provision as may be reasonable and necessary for the security of the Republic.
- (2) The Cabinet may in the exercise of its power issue executive orders, proclamations, and amend or rescind them. Executive orders, proclamations, and regulations issued by the Cabinet under this Chapter shall have the force and effect of law. [P.L. 1987-20, §4.]

§1005. Declaration of state of disaster.

- (1) The Cabinet may by executive order or proclamation declare a state of disaster, if a disaster has occurred or the threat thereof is imminent.
- (2) The state of disaster so declared shall continue until such time the Cabinet finds that the threat or danger has passed or that the disaster

has been dealt with to the extent that disaster conditions no longer exist.

- (3) The state of disaster so declared shall be terminated by executive order or proclamation, but no state of disaster shall continue for a period of longer than thirty (30) days unless renewed by the Cabinet.
- (4) The Nitijela may by resolution terminate a state of disaster declared by the Cabinet at any time, and the Cabinet shall give effect to such resolution by issuing an executive order or proclamation ending such state of disaster. [P.L. 1987-20, §5.]

§1006. Form of executive order or proclamation.

- (1) All executive orders or proclamations issued under this Chapter shall indicate the nature of the disaster, the area or areas threatened, and the conditions which have caused such declaration or termination of the state of disaster.
- (2) An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public.
- (3) An executive order or proclamation of a state of disaster shall empower the disaster response and recovery aspects of the disaster plans applicable to the political subdivision or area in question, and authorize the deployment and use of any forces to which the plan or plans apply, and the use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to this Chapter or to any other provision of law relating to disasters. [P.L. 1987-20, §6.]

§1007. Additional powers of the Cabinet.

In addition to any other powers conferred by law, the Cabinet may, during the period of state of disaster:

- (a) suspend the provisions of any statute prescribing the procedures for conduct of government business, or the orders, rules or regulations, of any government agency, if strict compliance with the provisions of any law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the disaster;