

TITLE 22 – ADMINISTRATION OF RMI PORTS
CHAPTER 1 - RMI PORTS AUTHORITY



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RMI PORTS AUTHORITY ACT 2003

Arrangement of Sections

Section	Page
PART I- PRELIMINARY	5
§101. Short Title.	5
§102. Purpose.	5
§103. Interpretation.	5
§104. Repeal.	7
PART II – ESTABLISHMENT OF THE AUTHORITY	7
§105. The Authority.	7
§106. Functions of the Authority.	8
§107. Powers of the Authority.	9
§108. The Water Reservoir.	10
§109. Liability of the Authority.	10
PART III – ORGANIZATION OF THE AUTHORITY.	11
§110. The Board of the Authority.	11
§111. General Policy.	11
§112. Conflict of Interest.	11
§113. Disclosure of Conflict.	11
§114. Meetings of the Board.	12
§115. Notice of Meetings of the Board.	12
§116. Voting.	12
§117. Quorum.	12
§118. Absences from Board Meetings.	13
§119. Vacation of Office.	13
§120. Removal from Office.	13

§121.	Delegation by the Board and Director.	14
§122.	Confidentiality.....	14
§123.	Compensation for Members of the Board.	15
§124.	Misconduct in Public Office.	15
§125.	Application of Bribery Law.	15
§126.	Immunity for Official Acts.....	15

PART IV – STAFF OF THE AUTHORITY **16**

§127.	Article VII of the Constitution.....	16
§128.	Director, RMI Ports Authority.	16
§129.	Other Staff of the Authority.	16

PART V - FINANCE **16**

§130.	The RMI Ports Authority Fund.....	16
§131.	Payments into the Fund.	16
§132.	Budget.....	17
§133.	Payments out of the Fund.....	17
§134.	Borrowing and Limits of Borrowing.....	18
§135.	Bank Accounts.....	18
§136.	Accounts and Records.....	19
§137.	Investment.	19
§138.	Taxation.....	19

PART VI – CHARGES, RATES AND FEES **20**

§139.	Fixing Charges, Rates and Fees.....	20
-------	-------------------------------------	----

PART VII-RECOVERY AGAINST PERSONS, OWNERS AND OPERATORS OF VESSELS AND AIRCRAFTS **21**

§140.	Recovery of Unpaid Charges.	21
§141.	Detention of Vessels.	21
§142.	Proceedings Against Vessels.	21
§143.	Liens against Aircrafts.....	22
§144.	Effect of Liens	22
§145.	Notice of Liens.....	23
§146.	Register of Liens.....	23
§147.	Seizure of Aircrafts.	23
§148.	Insurance for seized aircrafts.	23
§149.	Sale of Aircraft.....	24
§150.	Exemptions.	24

PART VIII – ENFORCEMENT **24**

DIVISION 1 - POWERS OF THE DIRECTOR **24**

§151.	Ports.....	24
§152.	Director to issue instructions.	25
§153.	Powers of Entry.	25
DIVISION 2 - CRIMINAL PENALTIES		25
§154.	Refusing to Provide Information.	25
§155.	Discharge of Toxic Material.	26
§156.	Failure to Comply with Directions.	26
§157.	Unlawful entry.....	26
§158.	Port Infringement Notice.	26
DIVISION 3 - CIVIL PENALTIES		27
§159.	Violations of the Act or Regulations.....	27
PART IX – MISCELLANEOUS		27
§160.	Corporate Plan.	27
§161.	Annual Reports.....	28
§162.	Other Reports.....	28
§163.	Transfer of Assets, Liabilities and other Responsibilities.....	28
§164.	Regulations.....	29
§165.	Transition.....	29
§166.	Effective Date.	30
ENDNOTES		31

**TITLE 22 – ADMINISTRATION OF RMI PORTS
CHAPTER 1 - RMI PORTS AUTHORITY**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RMI PORTS AUTHORITY ACT 2003

AN ACT to establish the RMI Ports Authority; and to transfer all assets and liabilities of the current Marshall Islands Ports Authority and the Marshall Islands Airports Authority to the new Authority; and to repeal the Marshall Islands Ports Authority Act, 1999 and the Marshall Islands Airports Authority Act, 1999.¹

<i>Commencement:</i>	<i>Dec 3, 2003</i>
<i>Source:</i>	<i>P. L. 2003-81</i>
<i>Amended By:</i>	<i>P. L. 2006-64</i>

PART I- PRELIMINARY

§101. Short Title.

This Chapter may be cited as RMI Ports Authority Act, 2003. [P.L. 2003-81, §1]

§102. Purpose.

It is the intention of this legislation to integrate the Marshall Islands Ports Authority and the Marshall Islands Airports Authority into a single ports authority, to be known as the RMI Ports Authority, responsible for the establishment, maintenance and operation of all ports in the Marshall Islands. [P.L. 2003-81, §2].

§103. Interpretation.

In this Chapter, unless the context otherwise requires: