



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

# CONSTITUTIONAL CONVENTION (AMENDMENT) (3) ACT 2016

Introduced by:

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**SENATOR ATBI RIKLON**

Approved:

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PRINTED NAME

SIGNATURE



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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**

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Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

CONSTITUTIONAL CONVENTION (AMENDMENT) (3)  
ACT 2016

A BILL FOR AN ACT to amend the *Constitutional Convention Act 2015*, in order to include additional proposals for the amendment of the Constitution of the Republic of the Marshall Islands.

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

**§1. Short Title**

This Act may be cited as the Constitutional Convention (Amendment) (3) Act 2016.

**§2. Amendments**

(1) Schedule 1 of the Constitutional Convention Act, 2015 is further amended by adding new Proposal 21 and to be inserted after Proposal No. 20 to read as follows:

“Proposal No. 21. – Article I, Section 4 (7): To amend Article I, Section 4 (7) which gives legal protection of witnesses giving evidence against himself, spouse, parent, child, or sibling, etc to read as follows:

(7) ~~No~~ A person shall be compellable in any criminal case including domestic violence case or fraud case, to be a witness against ~~himself, or against~~ his or her spouse, parent, child, or sibling, or to give testimonial evidence against any such

person whenever that evidence might directly or indirectly be used if necessary to obtain such person’s criminal conviction.

- (2) Schedule 1 of the Constitutional Convention Act, 2015 is further amended by adding new Proposal 22 to be inserted after Proposal No. 21 to read as follows:

“ Proposal No. 22 – Article IV, Section 6 (2): To amend Article 4 (6) (2) which deal with the seat of any members of the Nitijela which becomes vacant for any reason other than the dissolution of Nitijela, to read as follows:

- (2) If the seat of any member of the Nitijela becomes vacant for any reasons other than the dissolution of the Nitijela, the ~~vacant remainder of the term~~ shall be filled ~~at an election in the electoral district which he represented, held at the time prescribed by law, and conducted in accordance with Sections 3, 4 and 5 of this Article~~ by the candidate with the next highest amount of votes in the previous general election for that electoral ward, provided that the candidate is still qualified. If the candidate with the next highest amount of votes declined or disqualified, the candidate with the next highest amount of votes shall serve the term.

- (3) Schedule 1 of the Constitutional Convention Act, 2015 is further amended by adding new Proposal 22 and to be inserted after Proposal No. 21 to read as follows:

“Proposal No. 23 – Article XI, Section 2 (b): To amend Article XI, Section 2 (b) to stringent and prolong the period of resident as one of the citizenship requirements, from 3 years to 7 years to read as follows:

- (b) that he has been a legal resident in the Republic for not less than ~~3~~ 7 years, and is the parent of a child who is a citizen of the Republic; or...”

- (4) Schedule 1 of the Constitutional Convention Act, 2015 is further amended by adding new Proposal 22 and to be inserted after Proposal No. 21 to read as follows:

“Proposal No. 24 – Article I, Section 4 (c): To amend Article I, Section 4 (c) to hold both national and local governments subject to forfeiture of property or assets to satisfy judgment, to read as follows:

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(c) the Government of the Republic and any local government shall not be immune from suit in respect of their own actions or those of their agents, ~~but not~~ any property or other assets of the Government of the Republic or of any local government shall be seized or attached to satisfy any judgment.”

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**§3. Effective Date**

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

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**

**CONSTITUTIONAL CONVENTION (AMENDMENT) (3)  
ACT 2016**

**SIGNATURES**

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**DATE:** \_\_\_\_\_ **INTRODUCED BY** \_\_\_\_\_  
*Print Name* *Signature*

**DATE:** \_\_\_\_\_ **INTRODUCED BY** \_\_\_\_\_  
*Print Name* *Signature*

**DATE:** \_\_\_\_\_ **INTRODUCED BY** \_\_\_\_\_  
*Print Name* *Signature*



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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**

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**CONSTITUTIONAL CONVENTION (AMENDMENT) (3)  
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**BILL SUMMARY**

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This Bill proposes to amend the Constitutional Convention Act 2015, in order to include as  
proposal for the following amendments to the Constitution:

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(1) To amend Article I, Section 4 (7) to give exception for which a witness can testify against  
his or her spouse, parent, child, sibling or others against their will where it is a criminal case,  
domestic violence case or fraud case.

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(2) To amend Article 4 (6) (2) which deal with the seat of any members of the Nitijela which  
becomes vacant for any reason other than the dissolution of Nitijela, to reduce expenses for  
re-election, the candidate with the next highest amount of votes in the previous general  
election for that electoral district to fill the vacancy.

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(3) To amend Article XI, Section 2 (b) to stringent citizenship requirements for RMI, by  
requiring a legal residency and prolonging the period of resident from 3 years to 10 years.

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(4) To amend Article I, Section 4 (c) to hold both national and local governments subject to  
forfeiture of property or assets to satisfy judgment.

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