

TITLE 1 – GENERAL PROVISIONS
CHAPTER 5 - RULES OF CONSTRUCTION OF STATUTES REGARDING THE
CABINET AND PUBLIC SERVICE



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

INTERPRETATION (EXECUTIVE GOVERNMENT)
ACT 1983

Arrangement of Sections

Section	Page
PART I - PRELIMINARY	3
§501. Short Title.	3
§502. Application of this Chapter	3
PART II - INTERPRETATION OF STATUTES	3
§503. Interpretation of general applications.	3
PART III - PROVISIONS RELATING TO THE CABINET	5
DIVISION I - GENERAL	5
§504. The allocation of portfolios.	5
§505. Change of title of portfolio.	6
§506. Reference to Ministers.	6
§507. Governmental Organization Order.	6
§508. Validity of acts of Ministers, etc.	7
DIVISION 2 - DEVOLUTION OF POWER	7
§509. Delegation by Cabinet.	7
§510. Delegation by Ministers.	7
PART IV - PROVISIONS RELATING TO THE PUBLIC SERVICE	8
§511. Reallocation of functions.	8
§512. Change of title of office.	8

ENDNOTES

10

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AN ACT to provide for the better interpretation and application of statutes, in relation to the Cabinet and the Public Service.¹

Commencement:

February 7, 1983

Source:

P.L. 1983-12

PART I - PRELIMINARY

§501. Short Title.

This Chapter may be cited as the "Interpretation (Executive Government) Act 1983". [P. L. 1983-12, §1.]

§502. Application of this Chapter .

This Chapter applies to any act or subordinate instrument made before or after the effective date of this Chapter . [P.L.1983-12, §2.]

PART II - INTERPRETATION OF STATUTES

§503. Interpretation of general applications.

In any Act or subordinate instrument, unless the context requires otherwise:

- (a) **“Department”** means a Department or office of government, other than a public corporation or other statutory authority to which Article VII of the Constitution of the Marshall Islands applies by virtue of Section 1(3) of that Article;
- (b) **“the Department”** means the Department for which the Minister is responsible and, where there are two (2) or more such Departments, the one that is specified by the Minister for the purpose;
- (c) **“member of the Public Service”** means an officer, employee or member of the Public Service appointed under Article VII of the Constitution of the Marshall Islands, but does not include a member or employee of a public corporation or statutory authority to which Article VII, Section 1(3) of the Constitution applies, nor a person referred to in Subsection (4) of that Section;
- (d) **“Minister”** means a member of the Cabinet (including the President in his capacity of having primary responsibility for any Department or function of government by virtue of Article V, Section 5 of the Constitution of the Marshall Islands);
- (e) **“the Minister”** means the Minister responsible for the administration of the Chapter, or of the Act under which the subordinate instrument was made, as the case may be, and includes another Minister discharging, under Article V, Section 6(4) of the Constitution of the Marshall Islands, the responsibilities of the Minister primarily responsible, as described in Section 504(3) of this Chapter;
- (f) **“Secretary”** means the head of a Department (including the Attorney-General in his capacity as head of a Department referred to in Article VII, Section 3(2) of the Constitution of the Marshall Islands);
- (g) **“the Secretary”** means the Secretary of the Department.
[P.L. 1983-12, §3.]

PART III - PROVISIONS RELATING TO THE CABINET

DIVISION I - GENERAL

§504. The allocation of portfolios.

- (1) In accordance with Article V, Section 5 of the Constitution of the Marshall Islands:
 - (a) the President shall, as soon as practicable after taking office, by writing signed by him allocate among the members of the Cabinet (including himself if he so desires) the portfolios specified in Subsection (1) of that Section and such other portfolios as may be necessary or desirable for giving to a member of the Cabinet the primary responsibility for any Department or function of government; and
 - (b) the President has the primary responsibility for any Department or function of government with respect to which no allocation of a portfolio is for the time being in force.
- (2) In accordance with Article V Section 6(1) of the Constitution of the Marshall Islands, the President may, at any time, by instrument signed by him, allocate any portfolio with respect to which no allocation is in force, or may reallocate any portfolio.
- (3) In accordance with Article V, Section 6(4) of the Constitution of the Marshall Islands, whenever it appears to the President that any other member of the Cabinet will, by reason of illness or absence from the Republic or from the seat of government, be temporarily unable to discharge the responsibilities of any portfolio allocated to him, he may, by writing signed by him, direct any other Minister to discharge the responsibilities of that portfolio, until the member of the Cabinet to whom that portfolio has been allocated is again able to discharge those responsibilities.
- (4) Responsibility for any Department or function of government includes responsibility for the administration of any law relating to the functions of that Department, or to that function, as the case may be.
- (5) Where by any provisions of the Constitution of the Marshall Islands or any other law, the Attorney-General, the Auditor-General, the