

**TITLE 45 – HISTORIC AND CULTURAL PRESERVATION  
CHAPTER 1 - NATIONAL ARCHIVES**



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

**NATIONAL ARCHIVES ACT 1989**

**Arrangement of Sections**

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**NATIONAL ARCHIVES ACT 1989**

**AN ACT** to provide for the establishment of an Office of National Archives, to make provision for the custody and preservation of public records, and for matters connected therewith.

<i>Commencement:</i>	<i>April 14, 1989</i>
<i>Source:</i>	<i>P.L. 1989-47</i>
<i>Amended By:</i>	<i>P.L. 1992-3</i>

**PART I - PRELIMINARY**

**§101. Short title.**

This Chapter may be cited as the National Archives Act 1989. [P.L. 1989-47, §1.]

**§102. Interpretation.**

In this Chapter, unless the context otherwise requires:

- (a) **“Archivist”** means the Archivist appointed under Section 104 of this Chapter;
- (b) **“Current Marshall Islands records”** means records currently used for the purpose of the institution using such records, other than the purposes under this Chapter;
- (c) **“head of the public office”** with reference to any public office, means the head of that office or the officer for the time being discharging the duties and functions of the head of the office;

- (d) **“Historic Preservation Office”** means the office established under 45 MIRC
- (e) **“Historic Preservation Officer”** means the Secretary of the Ministry responsible for administration of the *Historic Preservation Act 1991*.
- (f) **“institution”** includes any public office;
- (g) **“manuscript”** means any hand written document made of paper, copper, silver, gold or other material except granite;
- (h) **“National Archives”** means the Office of National Archives established under this Chapter;
- (i) **“public archives”** or **“archives”** means all public records and any other manuscript, document or printed matter kept or deposited at the National Archives for permanent preservation;
- (j) **“public office”** means any ministry, department, office, agency or instrument of any kind of the Government of the Republic of the Marshall Islands and includes any public corporation whose capital is partly or wholly provided by the Government, office of any diplomatic representative of the Republic and situated outside the Marshall Islands, or office of any Local Government Council;
- (k) **“public record”** or **“record”** means any original or copy of any manuscript, paper, letter, register, report, book, magazine, map, chart, plan, drawing, picture, photograph, or any other record or part thereof either handwritten, drawn, printed, produced in any other way on paper or on any other material and officially received or produced or prepared in any public office in the course of its official functions and includes any cinematography, film, recording, tape, disc or production in any other media received in any public office;
- (l) **“printed matter”** means any book, magazine, leaflet, newspaper or any other paper containing information printed by any mechanical or by any other process. [P.L. 1989-47, §2; amended by P.L. 1992-3, §2(1) and (2).]

## PART II- ADMINISTRATION

### §103. Office of National Archives.

An Office known as the Office of National Archives is hereby established. The Office of National Archives shall be a part of the Historic Preservation Office. [P.L. 1 989-47, §3, amended by P.L. 1992-3, §2(3).]

### §104. Archivist and officers of the National Archives.

- (1) The Historic Preservation Officer may appoint a person, by name or by office, to be or to act as the Archivist.
- (2) There may also be appointed such other officers and personnel as may be necessary for the purposes of the Office of National Archives. [P.L. 1992-3, §2(4).]

### §105. Administration of the Chapter.

- (1) The Office of Historic Preservation is hereby authorized to contract for services to administer this Chapter. This may be done in lieu of or in addition to the appointment of persons pursuant to Section 104.
- (2) The contractor shall be a person or corporation possessing the qualifications necessary to carry out the functions and duties of the Archivist as described in this Chapter.
- (3) In the exercise of general functions, powers and duties under this Chapter, the Archivist or any entity contracting to provide the services of Archivist, shall act in consultation with the Historic Preservation Office. [P.L. 1992-3, §2(4).]

## PART III- POWERS AND FUNCTIONS

### §106. Functions of the Archivist.

- (1) The functions of the Archivist shall be:
  - (a) to ensure the conservation and preservation of the existing and future archival resources of the Marshall Islands;
  - (b) to encourage and foster the preservation of all other archival resources relating to the Marshall Islands;