

TITLE 34 – ADMIRALTY AND MARITIME AFFAIRS
CHAPTER 4 - SHIPPING CORPORATION



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

MARSHALL ISLANDS SHIPPING CORPORATION
ACT 2004

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AN ACT to provide for the establishment of a Shipping Corporation to operate services for the transportation of goods, mails and passengers by sea and to carry on business as ship owners, charterers of ships and vessels, ship brokers, and shipping agents, and to make provision for purposes connected with the aforesaid matters.

<i>Commencement:</i>	<i>November 16, 2005</i>
<i>Source:</i>	<i>P. L. 2005-41</i>
<i>Amended By:</i>	<i>P. L. 2006-51 P. L. 2006-65</i>
<i>P.L. 2018-90</i>	

§401. Short title.

This Chapter may be cited as the Marshall Islands Shipping Corporation Act, 2004. [P.L. 2005-41, §1.]

§402. Interpretation.

In this Chapter, the words:

- (1) **“Board”** means Board of Directors constituted under this Chapter.
- (2) **“Corporation”** means the Marshall Islands Shipping Corporation established under Section 403 of this Chapter.
- (3) **“General Manager”** means the person for the time being holding, the position of the General Manager of the Corporation.

- (4) “**Goods**” means any form or kind of cargo carry on a ship or vessel, and includes petroleum products, liquids, gases or other similar articles or substance.
- (5) “**Minister**” means Minister in charge of Transportation and Communication. [P.L. 2005-41, §2.]

§403. Establishment of the Marshall Islands Shipping Corporation.

- (1) There shall be established, a corporation, which shall be known as the Marshall Islands Shipping Corporation.
- (2) The Corporation shall be a body corporate and shall have perpetual succession and common seal and may sue and be sued in such name. [P.L. 2005-41, §3.]

§404. Board of Directors.

The powers and functions of the corporation shall be vested in and by a Board of Directors hereinafter referred to as the “Board”, which shall consists of five members. [P.L. 2005-41, §4.]

§405. The Constitution of the Board.

- (1) The members of the first Board of Directors shall consists of:
 - (a) one official from the Ministry of Finance; and
 - (b) one official from Marshall Islands Ports Authority; and
 - (c) three (3) members representing the private sector and the community, at large.
- (2) The term of the office of the Directors appointed under subsection (1) shall be two years.
- (3) The Board members appointed to the Board under subsection (1) may be removed at any time by Cabinet.
- (4) The Board of Directors may act notwithstanding any vacancy among the members. [P.L. 2005-41, §5.][Amended by P.L. 2006-51.]

§406. Independence of the Board.

The Board is to function as an independent entity; however, the Minister may give advice on the general policy to be adopted by the Corporation but

shall not be involved in the day-to-day workings of the Corporation.
[P.L. 2005-41, §6.]

§407. The Chairman.

- (1) The Cabinet shall appoint one of the members to be the Chairman the first Board.
- (2) The Chairman of the Board shall preside at all meetings of the Board.
[P.L. 2005-41, §7.]

§408. Meetings of the Board.

- (1) The meetings of the Board may be held at such times and at such places within the Republic as may be determined by the Board.
- (2) The first meeting of the Board shall be convened at such time and such place within the Republic as may be determined by the Chairman.
- (3) The quorum for any meeting of the Board of Directors shall be three members. The Board shall determine its own procedures for transactions of business and for carrying out the purposes of this Chapter .[P.L. 2005-41, §8.]

§409. Remuneration of members of the Board.

Only members of the Board appointed under paragraphs (c) and (d) of Section 405 above shall be entitled to sitting fee at such rates and subject to such conditions as may be set out by the Cabinet. [P.L. 2005-41, §9.]

§410. Staff.

- (1) The Board shall appoint a General Manager in consultation with the Minister for the corporation. Such General Manager shall report directly to the Board.
- (2) The General Manager, in consultation with the Board, may appoint other officers and servants to the staff of Corporation as it may deem fit.
- (3) In addition to other duties provided for under this Chapter and any regulation promulgated herein, the General Manger shall also serve as Secretary to the Board. [P.L. 2005-41, §10.][Amended by P.L. 2006-65]