

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
41ST CONSTITUTION REGULAR SESSION, 2020**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**STATE-OWNED ENTERPRISES (AMENDMENT) ACT,
2020.**

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**STATE-OWNED ENTERPRISES (AMENDMENT) ACT,
2020.**

AN ACT to amend Title 52 of the MIRC Chapter 6 on appointment of Members of the Board of Directors for Minister to appoint not more than one public official.

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

§101. Short title.

This Act may be cited as the State-Owned Enterprises (Amendment) Act, 2020..

§102. Amendment.

Section 618 of the State-Owned Enterprises Act of 2015 is hereby amended to read as follows:

§618. Directors – appointment and qualifications.

- (3) The Minister may appoint a public official to be a director of a State owned enterprise by merits, at least one (1) but not more than three (3) public officials with the approval of the Cabinet whose experience, education and qualifications shall have significant contributions to the economic and general well-beings of the people of the Republic.
- (4) The Cabinet is to appoint 1 of the directors of a State-owned enterprise to be Chairperson of the Board of the State-owned

enterprise. The directors must appoint one (1) amongst the number to be the Deputy Chairman.

- (5) Anything done by or in relation to a person purporting to act under an appointment as director of a State-owned enterprise is not invalid merely because:
- (a) the occasion for the appointment had not arisen; or
 - (b) there was a defect or irregularity in connection with the appointment; or
 - (c) the appointment had ceased to have effect; or
 - (d) the occasion to act had not arisen or had ceased.

§619. Period of office for directors.

- (3) A director of a State-owned enterprise ceases to hold office immediately if he or she: (a) is convicted or found guilty of an offence punishable by imprisonment of 12 months or more; (b) is convicted or found guilty of an offence involving dishonesty; or (c) is, in any jurisdiction, disqualified from acting as a director of a body corporate under a law relating to companies.
- (4) The Minister may, at any time, by written instrument, remove a director of a State-owned enterprise from office for any reason.
- (5) The Minister must table in the Nitijela notice of each appointment of a director of a State-owned enterprise, and of a director ceasing to hold office as a director of a State-owned enterprise. The notice must be tabled within 15 sitting days after the event to which it relates occurs.

§103. Effective Date.

This Act shall come into effect on the date of certification in accordance with Article IV, Section 21, of the Constitution and Rules of Procedures of the Nitijela.

CERTIFICATE

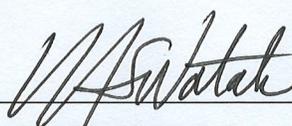
I hereby certify:

1. That Nitijela Bill No: 14ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 21st day of May 2020; and
2. That I am satisfied that Nitijela Bill No: 14ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 4th day of June 2020.



Hon. Kenneth A. Kedi
 Speaker
 Nitijela of the Marshall Islands

Attest:


Morean S. Watak
 Clerk
 Nitijela of the Marshall Islands

