

# TITLE 46.

## CHURCHES

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### CHAPTER 1.

#### COUNCIL OF CHURCHES

##### ARRANGEMENT OF SECTIONS

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An Act to establish a Council of Churches in the Republic of the Marshall Islands.

Commencement:	1	October 1991
Source:	P.L.	1991-124
	P.L.	1994-99

###### §101. Short Title.

This Chapter may be cited as the Council of Churches Act 1991. [P.L. 1991-124, §1.]

###### §102. Interpretation.

As used in this Chapter,

(1) "Church" means any congregation, society, body or other religious organization in the Republic consisting of or representing not less than fifty (50) persons of the age of twenty-one (21) years or older holding religious tenets in common and having its own system of internal government.

(2) "Committee" means the Executive Committee of the Council of Churches as provided in Section 104 of this Chapter.

(3) "Council" means the Council of Churches established pursuant to Section 103 of this Chapter.

(4) "Fund" means the Council of Churches Fund established under Section 106 of this Chapter. [P.L. 1991-124, §2.]

###### §103. Council of Churches established.

(1) The Council of Churches (hereinafter "the Council") is hereby established.

(2) The Council is a non-profit unincorporated association within the meaning of 52 MIRC

Part III<sup>1</sup>, provided that the Council shall not have the power to hold or convey real property.

(3) The purposes of the Council shall be as follows:

(a) to provide and advance educational opportunities, spiritual guidance, nutrition and other health needs, and recreational activities in order to promote the physical, mental, spiritual, moral and social development of the children of the Republic;

(b) to motivate, guide and prepare the children of the Republic to become productive members of the community and for a responsible life in a free society, in a spirit of understanding, peace, tolerance, equality and friendship among all peoples and religious groups; and

(c) to develop and administer such programs and services as necessary to carry out the purposes of this Chapter. [P.L. 1991-124, §3.]

**§104. Membership; Executive Committee; terms of Office.**

(1) The Council shall consist of one representative from each of the Churches of the Republic. Membership shall be on a voluntary basis.

(2) The business and functions of the Council shall be managed by an Executive Committee (hereinafter, “the Committee”).

(3) The Committee shall prepare all of the business to be brought before the Council for its consideration and approval, and shall have such other functions and duties as may be determined by the Council that are consistent with this Chapter and any other applicable law of the Republic.

(4) Except as otherwise provided in this Section, the Committee shall consist of seven (7) members to be selected from among the membership of the Council, who shall serve for a term of two (2) years each. The Council shall choose from among its membership a President, Vice-President and Secretary/Treasurer and four other persons to be members of the Committee; provided that:

(a) The President of the Republic, or the President’s designee, shall preside over the first meeting of the Council solely for the purpose of selecting the first officers and other Committee members. The newly selected President of the Council shall preside over subsequent meetings of the Council and the Committee; and

(b) the position of Secretary /Treasurer of the Committee may be filled by any person qualified to fill such position, whether or not that person is a member of the Council.

(5) Vacancies among the members of the Committee shall be filled for the remainder of the unexpired term by appointment of the President and approved by the Council.

(6) The Council shall determine its own by-laws, which shall provide for:

(a) a means of selecting its membership so as to provide for a rotation on the Committee among all representatives of the Council;

(b) a quorum and the conduct of meetings;

(c) the duties of the officers of the Committee; and

(d) any other matters relating to the Council and the Committee and their operations and procedures which it deems necessary and appropriate. [P.L. 1991-124, §4.]

**§105. Annual Report.**

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<sup>1</sup>[Correct citation inserted by Revisor(Rev.2003)]

The Council shall submit a report to the Nitijela in its regular constitutional session by January 15th of each year, detailing its activities and the progress made in meeting the objectives of this Chapter, and may make recommendations to the Nitijela for any appropriate legislation or other action as provide for the educational, health, spiritual, recreational and other needs of the children of the Republic. [P.L. 1991-124, §5.]

**§106. Council of Churches Fund.**

(1) There is hereby established a fund to be known as the Council of Churches Fund (hereinafter, “the Fund”).

(2) The Fund is a [special revenue] fund within the National Treasury and under the control and supervision of the Ministry of Finance, which shall provide for its administration in accordance with the Financial Management Act of 1990, as amended, 11 MIRC 1. [P.L. 1991-124, §6; amended by P.L. 1994-99, §3(19)(a).]

**§107. Payments into the Fund.**

(1) There shall be paid into the Fund:

(a) financial support from the Government of the Republic in accordance with Article II, Section 1(3) of the Constitution; and

(b) any monies, including gifts, grants, advances, contributions and any other assistance which may be received, granted, given, bequeathed, endowed or in any manner received from any source for the purposes of this Chapter; and

(c) any other monies properly payable by or under any other law into the Fund.

(2) Where any gift, grant, advance, contribution or other assistance is received for a specific purpose or subject to any conditions, it may be expended or used only for that purpose or subject to those conditions. [Subsection re-numbered as subsection (2). Original subsection (2) deleted][P.L. by P.L. 1994-99, §3(19)(b).][Rev2003]

**§108. Payments out of the Fund.**

(1) Payments may be made out of the Fund only for the purposes of:

(a) providing for the educational, spiritual, health and recreational needs of the children of the Republic;

(b) for the administration of this Chapter; and

(c) for carrying out such other functions of the Council as are provided for in this Chapter.

(2) No money shall be withdrawn from the Fund except in accordance with this Chapter and with the procedures prescribed by the Financial Management Act, 11 MIRC 1. [P.L. 1991-124, §8; amended by P.L.1994-99, §3(19)(c).]

**§109. Accounts and Records.**

(1) The Secretary of Finance shall maintain, in accordance with the procedures prescribed by the Financial Management Act, 11 MIRC 1, proper accounts and records with respect to the Fund, any money paid into or out of the Fund, and any property purchased with money from the Fund.

(2) The accounts to be laid before the Nitijela by the Minister of Finance under Article VIII, Section 5(4) of the Constitution shall include accounts relating to the Council of Churches Fund.

(3) The accounts and records maintained under Section (1) of this Section shall be audited by the Auditor-General as provided for under Article VIII, Section 15 of the Constitution. [P.L. 1991-124, §10; amended by P.L 1994-99, §3(19)(e).][section re-numbered as §109, as original section 109 repealed by P.L. 1994-99][Rev2003]