

CHAPTER 11.**EMERGENCIES**

ARRANGEMENT OF SECTIONS

Section

§1101. Short title.

§1102. Emergencies.

An Act to provide for matters concerning emergencies, and to authorize advancement of expenditures from the General Fund.[Section numbering style modified to conform to new Code format [Rev2003]

Commencement: June 22, 1979
 Source: M.I. Code (1975)
 P.L. 1979-6

§1101. Short title.

This Act may be cited as the "Emergencies Act 1979".

§1102. Emergencies.

(1) If the Cabinet, or the President when the Cabinet cannot be convened timely, is satisfied that a grave emergency exists whereby life, health, or property is endangered, they may issue a public proclamation declaring a state of emergency.

(2) A proclamation of emergency lapses:

(a) at the expiration of ten (10) days after the date of the proclamation, if the proclamation is made when the Nitijela is in session;

(b) in any other case, at the expiration of thirty-one (31) days after the date of the proclamation, unless it has, in the meantime, been confirmed by resolution of the Nitijela.

(3) A proclamation of emergency that has been confirmed by resolution of the Nitijela under Subsection (2) of this Section remains in force for not more than twelve (12) months or such shorter period as is specified by resolution of the Nitijela.

(4) Notwithstanding the provisions of Subsections (2) and (3) of this Section, the Cabinet, or the Nitijela by resolution, may at any time revoke a proclamation of emergency.

(5) A provision of this Section that a proclamation of emergency lapses or ceases to be in force at a particular time, does not prevent the making of another proclamation before or after that time.

(6) During the period a proclamation of emergency is in force, the Cabinet or the President when the Cabinet cannot be convened timely, may promulgate whatever orders are necessary to assure the safety of life, health and property of the community.

The revocation or lapsing of an order does not affect the previous operation of that order or the validity of anything done or omitted to be done under it, or any offense committed or penalty or

punishment incurred pursuant to it.

(7) The Cabinet is authorized to advance expenditures from the General Fund, for purposes of an emergency, pursuant to Article VIII, Section 9 of the Constitution of the Marshall Islands, provided:

(a) a proclaimed emergency exists and the Cabinet is satisfied that there is an urgent and unforeseen need for the expenditures for which no other provision exists; and

(b) no obligation of the monies authorized hereby as advanced expenditure shall be incurred after the last day of the proclaimed emergency. [M.I. Code (1975), §2.200; codified by P.L. 1979-6, §2.]