

**CHAPTER 3.****TREASON AND SEDITION****ARRANGEMENT OF SECTIONS****Section**

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An Act to provide for secrecy in certain governmental matters and for offenses relating to sedition and treason. [Section numbering style modified to conform to Code format (Rev.2003)]

Commencement: March 21, 1988  
 Source: P.L. 1988-8

**§301. Short title.**

This Act shall be known as the “Treason and Sedition Act 1988.” [P.L. 1988-8, §1.]

**§302. Interpretation.**

In this Act the term “Republic” means the Republic of Marshall Islands and “political subdivision” means any atoll or island on which a system of Local Government operates. [P.L. 1988-8, §7.]

**§303. Restriction of entry and obtaining information.**

Whoever:

(a) for the purposes of obtaining information with regard to national defense with the intention or reason to believe that the information obtained is to be used to the injury or detriment of the Republic or of the United States, or to the advantage of any third country, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, naval yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, main, telegraph, telephone, wireless or signal station, building, office, research laboratory or station or other place connected with national defense owned or constructed, or in the process of construction by the Republic or by the United States in the Marshall Islands, or under the control of the Republic or of the United States in the Marshall Islands, or of any of the offices, departments, or agencies, or anywhere within the Republic or its waters or any place in which any vessel, aircraft, arms, munitions or other materials or instruments for use in the

time of war are being made, prepared, repaired, stored or are the subject of research or development, under any contract or agreement with the Republic or with the United States or any department or agency thereof, or with any person on behalf of the Republic or the United States;

(b) for the purposes aforesaid, in Subsection(1) of this Section and with like intent or reason to believe copies, takes, makes, or obtains, or attempts to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, note or anything connected with national defense; or

(c) for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person or from any source whatever, any document, writing, code book, signal book, sketch, photograph negative, blueprint, plan, map, model, instrument, appliance or note, or anything connected with national defense, knowing or having reason to believe, at the time he receives or obtains or agrees or attempts to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to this Act, shall be guilty of an offense and shall upon conviction, be liable to a fine not exceeding \$20,000 or to a maximum of life imprisonment and shall not be eligible for employment in the Republic or any political subdivision thereof, for the next five (5) years following his completion of sentence whether by way of parole or otherwise. [P.L. 1988-8, §2.]

**§304. Transmitting restricted information.**

Whoever, lawfully having possession of, access to, control over, or being entrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to national defense, or information relating to national defense which information the possessor has reason to believe could be used to the injury of the Republic and/or of the United States, or to the advantage of any third country, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted or attempts to communicate, deliver, transmit or cause to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the Republic and/or of the United States entitled to receive it, shall be guilty of an offense and shall upon conviction be liable to a fine not exceeding \$20,000 or to a maximum of life imprisonment, and shall not be eligible for employment in the Republic or any political subdivision thereof, for the next five(5) years following his completion of sentence whether by way of parole or otherwise. [P.L. 1988-8, §3.]

**§305. Unauthorized possession and transmitting restricted information.**

Whoever, having unauthorized possession of, access to, or control over any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to national defense which information the possessor has reason to believe could be used to the injury of the Republic and/or the United States or to the advantage of any third country willfully communicates, delivers, transmits or causes to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the Republic and/or of the United States entitled to receive it, shall be guilty of an offense and shall upon conviction, be liable to a fine not exceeding \$20,000 or to a maximum of life imprisonment, and shall not be eligible for

employment in the Republic or any political subdivision thereof, for the next five (5) years following his completion of sentence whether by way of parole or otherwise. [P.L. 1988-8, §4.]

**§306. Failure to safeguard restricted information.**

Whoever, being entrusted with having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to national defense which information the possessor has reason to believe could be used to the injury of the Republic and/or the United States through gross negligence permits the same to be removed from its proper place of custody or delivers to anyone in violation of this trust, or allows it to be lost, stolen, abstracted, or destroyed, or having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of his trust, or lost, stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superiors, shall be guilty of an offense and shall upon conviction be liable to a fine not exceeding \$20,000 or to a maximum of life imprisonment, and shall not be eligible for employment in the Republic or any political subdivision thereof for the next five (5) years following completion of sentence whether by way of parole or otherwise. [P.L. 1988-8, §5] **Note: Original Paragraphs (a), (b) and (c) of Section 6, of the Act have been merged into one.**

**§307. Sedition.**

Whoever knowingly or willfully advocates, abets, advises or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the Republic or of any political subdivision therein, by force or violence, or by assassination of any officer of any such government; or whoever, with intent to cause the overthrow or destruction of any such government prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the Republic by force or violence, or attempts to do so: or whoever organizes or helps to organize any society, group or assembly of persons who teach, advocate or encourage the overthrow of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group or assembly of persons, knowing the purpose thereof if under circumstances which indicate imminent and clear danger that can be tantamount to breach of the peace, shall be guilty of an offense and shall upon conviction be liable to a fine not exceeding \$20,000 or to a maximum of life imprisonment, and shall not be eligible for employment in the Republic or any political subdivision thereof, for the next five (5) years following his completion of sentence whether by way of parole or otherwise. [P.L. 1988-8, §6.]

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