

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

30th CONSTITUTIONAL REGULAR SESSION, 2009

BILL NO.: 33

P.L. 2009-17

1 AN ACT
2

3 to amend Sections 429, 430, 431, and 433 of the Marshall Islands Births, Deaths and
4 Marriages Registration Act 1988, in order to create an exception for a Vessel Master to
5 perform marriages at sea and to appoint Maritime Administrator as the Registrar for all
6 marriages at sea.

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8 ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
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10 Section 1. **Short Title.**

11 This Act may be cited as the Births, Deaths and Marriages Registration
12 (Amendment) Act, 2009

13 Section 2. **Amendments.**

14 (1) Section 429 is hereby amended to give new language to section 3 and inserting new
15 Subsections (4) and (5) to read as follows:

16 **§429. Performance and solemnization of marriage**

17 (1) A marriage may only be performed and solemnized by a Registrar, an
18 ordained minister of church, a judge of the High Court or District Court, or by any
19 person authorized by any other law to perform and solemnize a marriage. The
20 person performing and solemnizing a marriage may receive a fee as may be
21 prescribed.

22 (2) No marriage shall be performed or solemnized except in the presence of two
23 witnesses.

24 (3) Where the marriage is between two non-citizens or between a non-citizen and
25 a citizen, no marriage shall be performed or solemnized except upon a license

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1 granted under the hand of the Minister of Foreign Affairs. This subsection (3)
2 shall not apply to marriages at sea.

3 (4) Marriages at sea may be performed and solemnized by the vessel's Master, or
4 other person authorized by law. Such marriages shall not require a license granted
5 under the hand of the Minister of Foreign Affairs.

6 (5) For purposes of this Act, "marriages at sea" shall mean marriages performed
7 aboard vessels of the Republic registered with the Maritime Administrator.

8 (2) Section 430, Subsection (1) is hereby amended to read as follows:

9 **§430. License to marry**

10 (1) The Minister of Foreign Affairs is hereby authorized to grant a license for
11 marriage between two non-citizens or between a non-citizen and a citizen, except
12 for marriages at sea.

13 (2) Upon the application for a license under Subsection (1) of this Section, in such
14 form as may be prescribed, the Minister may (after inquiry and where he is
15 satisfied that the parties are free to marry) grant a license, on payment of a
16 prescribed fee. The license granted under this Subsection shall be valid only for a
17 period of three (3) months.

18 (3) Section 431 is hereby amended to include a new Subsection (2) read as follows:

19 **§431. Marriage to be registered**

20 (1) The marriage of every person marrying in the Republic shall be registered by
21 the Registrar of the Atoll in which the marriage took place by entering in the
22 register kept for that Atoll such particulars concerning the marriage.

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1 (2) The Maritime Administrator shall maintain the register of all marriages at sea
2 and shall be the Registrar for all such marriages.

3 (4) Section 433, Subsection (1) is hereby amended to read as follows:

4 **§433. Duties of person solemnizing the marriage**

5 (1) It shall be the duty of every person or authority who is entitled to solemnize a
6 marriage to preserve a record of every marriage performed by him and to forward
7 a certificate of the record within fourteen (14) days, or within thirty (30) days for
8 marriages at sea, of the solemnization of the marriage to the appropriate Registrar,
9 containing particulars required to be registered concerning the marriage as may be
10 prescribed.

11 (2) A copy of the certificate referred to in Subsection (1) of this Section, shall be
12 given in the prescribed form to the parties who were married, and it shall be the
13 duty of the said parties to forward the copy to the Registrar for information and
14 return.

15 Section 3. **Effective Date.**

16 This Act shall take effect in accordance with the Constitution and the Rules of
17 Procedures of the Nitijela.

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CERTIFICATE

I hereby certify:

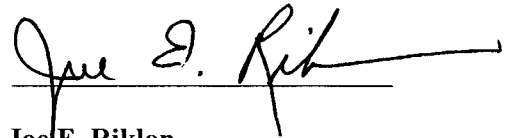
- (1) That Nitijela Bill No: 33 was passed by the Nitijela of the Republic of the Marshall Islands on the 13th day of May, 2009; and
- (2) That I am satisfied that Nitijela Bill No.: 33 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 5th day of June, 2009.

Attest:



Hon. Jurelang Zedkaia
Speaker
Nitijela of the Marshall Islands



Joe E. Riklon
Clerk
Nitijela of the Marshall Islands