
P.L. 2009 - 27

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2
3 **AN ACT**

4
5 to amend certain provisions of the Enforcement of Judgments Act to clarify the effect and
6 enforcement of judgments issued by the courts, and for related matters.
7

8
9 **BENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS**
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12 Section 1. **Short Title.**

13 This Act may be cited as the Enforcement of Judgments (Amendment) Act, 2009.
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15 Section 2. **Amendments.**

16 (1) Section 102 of the Enforcement of Judgments Act is amended to read as follows:

17 **§102. Money judgments**

18 A judgment for the payment of money shall be a lien upon the personal property
19 of the judgment debtor and shall bear interest at the rate of nine percent (9%) a
20 year from the date it is filed. The process to enforce a judgment for the payment
21 of money may be a writ of execution or an order in aid of judgment, as provided
22 in Part II of this Act.
23

24 (2) A new Section 103 is inserted to read as follows:

25 **§103. Judgments affecting land**

26 A judgment adjudicating an interest in land shall, after the time for appeal has
27 expired without notice of appeal being filed or after any appeal duly taken has
28 been finally determined or after an order has been entered that an appeal shall not

1 stay the judgment, operate the release or transfer of any interest in land in
2 accordance with the terms of the judgment when filed.

3
4 (3) Section 104 of the Enforcement of Judgment Act, 30 MIRC Ch. 1 is amended to read
5 as follows:

6 **§104. Enforcement by Contempt**

7 A judgment for any form of relief may be enforced by contempt proceedings,
8 provided, that enforcement at such time is required to prevent irreparable injury or
9 multiple damage to the interests of the winning party and is otherwise in the
10 interests of justice. Upon a finding of contempt, the person against whom the
11 judgment has been offered may be fined or imprisoned at the discretion of the
12 court until he or she complies with the judgment or is released by the court or has
13 been imprisoned for six (6) months, whichever happens first.

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15 **Section 3. Effective Date.**

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

CERTIFICATE

I hereby certify:

- (1) That Nitijela Bill No: 46 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.: 46 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:

Jurelang Zedkaia

Hon. Jurelang Zedkaia
Speaker
Nitijela of the Marshall Islands

Joe E. Riklon

Joe E. Riklon
Clerk
Nitijela of the Marshall Islands