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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

28TH CONSTITUTIONAL REGULAR SESSION, 2007

BILL NO: 117ND1

P.L. 2007-78

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AN ACT

to amend the Juvenile Procedures Act in order to vest the authority for enforcing Section 312 of the Act on the Public Safety Department and the local police of each municipality.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS:

Section 1. **Short Title**

This Act may be cited as the Juvenile Procedures (Amendment) Act, 2007.

Section 2. **Amendments**

(1) The Juvenile Procedures Act is hereby amended by inserting a new section 313 to read as follows:

§313. Enforcement

The Public Safety Department and the local police of each municipality shall be vested with the authority to enforce Section 312 of the Act.

(2) Section 303 of the Juvenile Procedures Act is hereby amended by inserting a new Subsection 4 to read as follows:

§303. Definitions

As used in this Chapter,

(1) "adult" means any natural person eighteen (18) years of age;

1 (2) "child" means any natural person under the age of eighteen (18) years; and

2 (3) "delinquent child" includes any child:

3 (a) who violates any law of the Republic, except that a child who violates any
4 traffic law or regulation shall be designated as a "juvenile traffic offender"
5 and shall not be designated as a delinquent unless it be so ordered by the
6 court after hearing the evidence;

7 (b) who does not subject himself to the reasonable control of his parents,
8 teachers, guardian, or custodian, by reason of being wayward or habitually
9 disobedient;

10 (c) who is a habitual truant from home or school; or

11 (d) who departs himself so as to injure or endanger the morals or health of
12 himself or others.

13 (4) "Public Safety Department" means the Department established under the Public
14 Safety Act, 1988.

15
16 (3) The Juvenile Procedures Act is hereby amended by inserting a new section 314 to read as
17 follows:

18 **§314. Collection of fines**

19 All fines imposed and collected under this Act must be distributed as follows:

20 (a) fifty percent (50%) to be deposited into the account of the Local Government where
21 the offence took place; and

1 (b) fifty percent (50%) to be deposited into the Judiciary Fund, established under the
2 Judiciary Fund Act, 1989.

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4 Section 4. **Effective Date**

5 This Act shall take effect on the date of certification, in accordance with the Constitution
6 and the Rules of Procedures of the Nitijela.

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CERTIFICATE

I hereby certify:

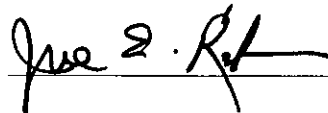
- (1) That Nitijela Bill No: 117ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 4th day of April, 2007; and
- (2) That I am satisfied that Nitijela Bill No.: 117ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 16th day of May, 2007.

Attest:



Ruben R. Zackhras
Vice-Speaker
Nitijela of the Marshall Islands



Joe E. Riklon
Clerk
Nitijela of the Marshall Islands