

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

30TH CONSTITUTIONAL REGULAR SESSION, 2009

BILL NO.: 42

P.L. 2009-23

1 AN ACT

2
3 to amend certain provisions of the Non-Resident Workers (Fee) Act, 1987 to require
4 employers to pay the non-resident workers fees in lump sum installments each quarter;
5 and to ensure that monies are paid into the National Training Fund.
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7 ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

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9 Section 1. **Short Title.**

10 This Act may be cited as the Non-Resident Workers (Fee)(Amendment) Act,
11 2009.

12 Section 2. **Amendments.**

13 (1) Section 203 of the Non-Resident Workers (Fee) Act, 1987 is hereby amended to read
14 as follows:

15 **§203. Fee to be charged from employers of nonresident workers.**

16 (1) Every employer of a non-resident worker shall pay to the Secretary a fee of
17 \$250.00 per worker per quarter. The payment of this fee shall also apply to an
18 employer who receives any remuneration in such position and who is not a citizen
19 of the Republic. The Cabinet may exempt an employer of a non-resident worker
20 from the fee in qualified export oriented projects. This exemption shall apply only
21 to qualified export oriented projects commenced after the date of certification of
22 this Act.

23 (2) The payment due under subsection (1) of this section shall be made on or
24 before the last day of the months of March, June, September and December each
25 year.

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(2) Section 203A of the Non-Resident Workers (Fee) Act, 1987 is hereby amended to read as follows:

§203A. Distribution of Fees Collected Under this Chapter

(a) All monies collected under this chapter shall be paid into the National Training Fund established under the Industries Development Act, 1991.

(b) On or after the effective date of this Act, all funds in the Repatriation of Non Resident Workers Account shall be deposited into the National Training Fund referred to under subsection (a).

(3) Section 204 of the Non-Resident Workers (Fee) Act, 1987 is hereby amended to read as follows:

§204. Penalty

(1) In the event the employer fails to pay the amount due on or before the due date, he shall be liable to a surcharge of ten percent (10%) on the sum due for each quarter of default in addition to any sums and surcharges that may become due on subsequent quarters.

(2) In the event of any default as referred to in Subsection (1) of this Section, the employer shall, in addition to the said surcharge, be guilty of an offense and shall be liable to a fine not exceeding \$1,000 for each quarter of default and any sums due under Subsection (1) of this Section shall be recovered as if it were a fine imposed by the court.

Section 3. **Effective Date.**

P.L. 2009-23

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

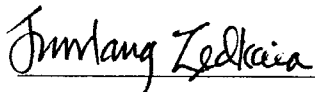
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4
5 **CERTIFICATE**

6 **I hereby certify:**

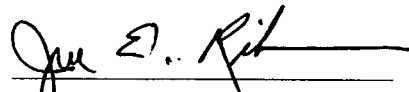
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8 (1) That Nitijela Bill No: 42 was passed by the Nitijela of the Republic of the
9 Marshall Islands on the 13th day of May, 2009; and
10 (2) That I am satisfied that Nitijela Bill No.: 42 was passed in accordance with the
11 relevant provisions of the Constitution of the Republic of the Marshall Islands
12 and the Rules of Procedures of the Nitijela.

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

15
16 **Attest:**

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19 **Hon. Jurelang Zedkaia**
20 Speaker
21 Nitijela of the Marshall Islands

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18 

19 **Joe E. Riklon**
20 Clerk
21 Nitijela of the Marshall Islands