

CHAPTER 4.**OFFICE OF ENVIRONMENTAL PLANNING AND POLICY COORDINATION****ARRANGEMENT OF SECTIONS****Sections**

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An Act to establish the Office of Environmental Planning and Policy Coordination and to provide for matters associated therewith. [Section numbering modified to conform to format of the Code (Rev.2003)]

Commencement: December 3, 2003
 Source: P.L. 2003-83

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:**§401. Short Title.**

This Chapter may be cited as the Office of Environmental Planning and Policy Coordination (OEPPC) Act, 2003.

§402. Definitions.

Unless the context otherwise requires;

- (1) "Director" means the Director appointed under Section 410 (1) herein;
- (2) "GEF" means the General Environmental Facility established by representatives of participating states in Geneva, Switzerland, in March of 1994, and which constitutes the main funding mechanism under which the United Nations Conventions on Climate Change (UNFCCC), Biological Diversity(UNCBD) and Land Degradation (UNCCD) source their funding from.
- (3) "International environmental programs" means programs or projects directly under the responsibility of the Office of Environmental Planning and Policy Coordination, funded through international sources;
- (4) "International projects" shall have the same meaning as international environmental programs as defined under subsection (3) above.
- (5) "Office" as used herein below means, the Office of Environmental Planning and Policy Coordination .
- (6) "Office of the President" refers to the Office of the President of the Republic of the Marshall Islands.
- (7) "President" refers to the President of the Republic of the Marshall Islands;
- (8) "Republic" means the Republic of the Marshall Islands.
- (9) "Unit" means one of the components of the Office of Environmental Planning and Policy Coordination as set out under sections 404 (2), 405, 406 and 407 herein.

§403. Establishment of the Office of Environmental Planning and Policy Coordination.

There is hereby established, within the executive branch of government, the Office of Environmental Planning and Policy Coordination (OEPPC).

§404. Purpose and Functions of the Office of Environmental Planning and Policy Coordination.

(1) The Office of Environmental Planning and Policy Coordination is established:

(a) to act as an advisory body to the Office of the President, Cabinet, the Ministries and government agencies, on matters of environmental planning and policy generally; and

(b) to act as the focal point of contact in the coordination, management and implementation of all international environmental projects/programs and to ensure the successful implementation of such projects;

(c) to act as the national focal point of contact in all negotiations with external sources and lending institutions on programs and/or projects of assistance;

(2) In the discharge of the duties as enumerated under sub-section (1) above, the Office of Environmental Planning and Policy Coordination shall be organized into the following three units:

(a) an Environmental Policy and Planning Unit;

(b) a Program coordination Unit;

(c) Data Collection and Analysis Unit

§405. Duties of the Environmental Policy and Planning Unit.

In the normal discharge of the duties of the Office, the Environmental Policy and Planning Unit shall;

(a) advice Cabinet (and the national government) on international conventions and agreements in which the Republic is a Party to;

(b) advice Cabinet on international environmental instruments that may affect the Republic in which the Republic may wish to consider being a Party to;

(c) Review all international environmental instruments that the Republic is a Party to and prepare general key position papers and statements;

(d) Liaise with the Ministry of Foreign Affairs and other relevant ministries and to act as a focal point in seeking financial assistance from the international environmental fora, including all the conventions to which the RMI has acceded to;

(e) provide technical training, advice, and assistance to ministries, departments and agencies in identifying, specifying and preparing sector and project plans, programs and funding submissions to the international environmental conventions financial mechanisms and to liaise with regional organizations regarding funding assistance and capacity building schemes.

(g) Liaise with Ministry of Foreign Affairs, the Economic Policy, Planning and Statistics Office, and other relevant Ministries and government agencies in the development of sustainable and sound environmental policy;

(h) Prepare annual reports on the state of the environment in the Republic;

(i) Conduct environmental or scientific, reviews and assessments, including vulnerability assessments as required for the purposes of reviewing sustainable development goals and strategy planning.

(j) Work in partnership with other government ministries and agencies, and the international community to prepare strategies to mitigate the negative impacts of climate change and prepare adaptation plans;

(k) be responsible for the planning and implementing a workable system of clearinghouse mechanism;

§406. Duties of the Program Coordination Unit.

In the normal discharge of the duties of the Office, the Program Coordination Unit, shall:

- (a) Coordinate, manage and implement international environmental programs/projects and be responsible for its successful implementation;
- (b) liaising with government ministries/agencies, the private sector and civil society on program implementation;
- (c) Prepare monthly monitoring reports on budgets, spending, project and programs progress;
- (d) shall prepare and implement educational awareness programs and to liaise with RMI Environmental Protection Authority as necessary and appropriate to implement awareness programs;
- (e) Participate in regional and international meetings associated directly with the project implementation.

§407. Data Collection and Analysis Unit.

In the normal discharge of the duties of the Office, the Data Collection and Analysis Unit shall ;

- (a) collect and compile reports of international meetings attended by the Republic; Such reports will be collated and shall be used to assist the Office of Environmental Planning and Policy Coordination prepare position papers on international conventions;
- (b) collect and compile data on vulnerability assessments and greenhouse gas inventories;
- (c) compile annual reports on greenhouse gas emissions;
- (d) liaise with the ministries and other government agencies, both regionally and internationally, to assist in the collection of reports, studies and other documents on environmental issues, for compilation into comprehensive computer data bases and a physical library;

§408. Financial matters.

(1) The Office of Environmental Planning and Policy Coordination is the the focal point on project proposals submitted internationally through the windows of Climate Change, Biodiversity, (UNCCD) and any projects which uses financial windows of opportunity through any of the international environmental conventions.

(2) All funds received from the convention financial mechanisms for project implementation as anticipated under this Act, shall be deposited into a Special Revenue Account in the General Fund, and shall be used only for implementation of the particular project.

(3) The Office shall charge 3% of the total amount of funds received from the external source, and in particular the Global Environmental Facility (GEF) funding assistance.

(4) The said 3% surcharge shall be deposited into a trust fund account to be used by the Office of Environmental Planning and Policy Coordination for emergency purposes only, as defined under the trust fund policies and shall be a separate account from the regular Office of Environmental Planning and Policy Coordination account administered by Finance.

§409. Delegation of program implementation.

The Office of Environmental Planning and Policy Coordination may delegate the implementation of any of its international projects under each Convention to an appropriate ministry or agency but will remain the operational focal point for any such project.

§410. Staff of the Authority.

(1) The Office of Environmental Planning and Policy Coordination shall be headed by a Director who shall be appointed by the Public Services Commission.

(2) The Director shall be directly responsible to the Office of the President or to the member of Cabinet as may be designated by the President from time to time.

(3) The Office of Environmental Planning and Policy Coordination may, through the Public Service Commission, employ clerical, administrative and or professional staff to assist the Director in discharging the duties and responsibilities of the office.

(4) The President may, from time to time, delegate ministerial responsibility and oversight of the Office of Environmental Planning and Policy Coordination to another member of Cabinet, as he sees fit.

§411. Effective Date.

This Chapter shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution and the Rules of Procedures of the Nitijela.