

MARSHALL ISLANDS REVISED CODE 2004

TITLE 40 – COMMUNICATIONS

CHAPTER 2.

POLITICAL BROADCAST ACCESS

ARRANGEMENT OF SECTIONS

Section

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An Act to provide for equal access by the public to government-owned and operated broadcasting facilities, and for matters connected therewith. [Section numbering style modified to conform to new Code format. All sections after 201 re-numbered to accommodate the repeal of original §§2 through 7 and §10 by PL1993-42 [Rev2003]

Source: TTC 1966

35 TTC 1970

COM P.L. 4C-48 (1972)

COM P.L. 7-107 (1978)

35 TTC 1980

P.L. 1991-121

P.L. 1991-126

P.L. 1993-42

PART I - GENERAL PROVISIONS

§201. Short title.

This Chapter may be cited as the Political Broadcast Access Act.

[The original title of this Chapter, along with Sections 202-207, was repealed by P.L. 1993-42. The new legislation in P.L. 1993-42 has been codified in new Chapter 3 of this Title. A short title that reflects the remaining contents of this Chapter was supplied by the Reviser.]

PART II- POLITICAL BROADCASTS

§202. Availability of Government facilities to political candidates.

Any rules, regulations, or directives governing the use of government-owned and operated broadcasting facilities notwithstanding, any candidate for an elective office of the Republic shall have free access to the use of government-owned and operated broadcasting facilities in the Republic. Any program submitted for broadcasting by a candidate shall be broadcast as submitted without any preview or censorship or follow-up commentary by the Government of the Marshall Islands. Programs submitted by a candidate may relate to any issue of public interest. Upon conclusion of any program by a candidate, an announcement disclaiming any government responsibility for the views expressed shall be made. [COM P.L. 7- 107, §1 (1978); 35 TTC 1980, §51, modified; amended by P.L. 1991-26, §2(1).]

§203. Promulgation of rules and regulations by Secretary of Transportation and Communications.

The Cabinet may promulgate rules and regulations governing the duration of programs submitted by candidates. No rules or regulations issued by the Cabinet may have the effect of prohibiting use of broadcasting facilities by candidates of the Republic. The limit placed upon the duration of programs shall not be less than fifteen (15) minutes. [COM P.L. 7-107, § 2 (1978); 35 TTC 1980, §52, modified; amended by P.L. 1991-126, §2(2).]

§204. Remedies for denial of access.

Any individual or group who has been denied the right of access to a broadcast station, granted under any statute, regulation, or policy, may apply to a judge of the High Court for injunctive and other relief; and, in the absence of a High Court judge, may apply to a judge of the District Court for such relief. [COMP. L 7-107, §4 (1978); 35 TTC 1980, §54, modified]

§205. Application of Administrative Procedure.

Any rules or regulations promulgated under Part II of this Act shall, notwithstanding the provisions of the Marshall Islands Administrative Procedure Act 1979, become effective upon the approval of the Cabinet. [P.L. 1991-126, §2(72).]
