

Jurisdiction	Republic of the Marshall Islands
Date	July 12, 2022
Law Firm	Reeder & Simpson, P.C.
Title, Name	Dennis J. Reeder, Managing Director and Gregory J Danz, Attorney at Law.
Contact Information	dreeder.rmi@gmail.com – 808-352-0749

Questionnaire

I. Law concerning protection of personal information

- i. Does your country have a general law concerning the protection of personal information in the private sector at the present or in the near future?

There is no general law governing the protection of personal information for the private sector in the Republic of the Marshall Islands (RMI), and there is no pending legislation currently that would, if enacted, create one.

- ii. Does your country have a general law concerning protection of personal information in the public sector at the present or in the near future?

There is no general law governing the protection of personal information for the public sector in the Republic of the Marshall Islands (RMI), and there is no pending legislation currently that would, if enacted, create one.

- iii. Does your country have laws concerning protection of personal information which apply in individual (specific) sectors at the present or in the near future? (If yes, please describe outline.)

There are laws concerning protection of personal information that apply in the specific sectors of banking law and tax law.

Where all of the answers to the question of I.(i), (ii) and (iii) is “no”, please skip to IV.

II. The basic information of the regulation concerning protection of personal information.

- i. Please fill in the blanks below about all the law concerning personal information mentioned at I.. (please add a reply column as necessary,)

The title of the law : Banking Act and Regulations, Title 17 MIRC, Chap. 1
URL (please provide the URL officially posted by the government, English page is preferred, if available) :

https://rmiparliament.org/cms/images/LEGISLATION/PRINCIPAL/1987/1987-0009/BankingAct1987_4.pdf

Effective Date : March 20, 1987 (principal enactment)

① The definition of “Personal Information”	There is no definition of the term “personal information” in RMI law. Law applies to “information” generally, but is not a defined term
② The scope in which the law applies	Banking law applies to the disclosure of information to by banking institutions or the Banking Commissioner to other persons/entities.
③ The territorial scope	Within the RMI

The title of the law : Income Tax Act, Title 48 MIRC Chap. 1, §132
URL (please provide the URL officially posted by the government, English page is preferred, if available) :

https://rmiparliament.org/cms/images/LEGISLATION/PRINCIPAL/1989/1989-0050/IncomeTaxAct1989_2.pdf

Effective Date : April 14, 1989 (principal enactment)

① The definition of “Personal Information”	“Personal Information” is not a defined term in the Act.
② The scope in which the law applies	Employees of the Ministry of Finance have a duty to “maintain secrecy of all information regarding individual taxpayers”.
③ The territorial scope	Within the RMI

The title of the law : Anti Money Laundering Regulations 2002
URL (please provide the URL officially posted by the government, English page is preferred, if available) :

https://rmiparliament.org/cms/images/LEGISLATION/SUBORDINATE/2002/2002-0001/Anti-MoneyLaunderingRegulations2002_1.pdf

Effective Date : January 1, 2002; Revised and amended May 13, 2010

① The definition of “Personal Information”	There is no definition of “Personal Information” in the Anti-Money Laundering Regulations 2002.
② The scope in which the law applies	All banking and “financial institution” activities.
③ The territorial scope	Within the Republic of the Marshall Islands.

- ii. If there are any special instructions about the laws, please describe them.

III. OECD Privacy Principles

- i. If there are any provision of law which embody each OECD Privacy Principle in your country, please describe the outlines. *Not Applicable*
<https://www.oecd.org/sti/ieconomy/oecdguidelinesonthe protectionofprivacyandtransborderflowsofpersonaldata.htm>

(a) Collection Limitation Principle

Not applicable

(b) Data Quality Principle

Not applicable

(c) Purpose Specification Principle

Not applicable

(d) Use Limitation Principle

Not applicable

(e) Security Safeguards Principle

Not applicable

(f) Openness Principle

Not applicable

(g) Individual Participation Principle

Not applicable

(h) Accountability Principle

Not applicable

- ii. If there are any sectors in which any laws exclude the application of each OECD Privacy Principle, please describe the outline. *RMI laws are silent on all OECD principles below.*

(a) Collection Limitation Principle

N/A

(b) Data Quality Principle

N/A

(c) Purpose Specification Principle

N/A

(d) Use Limitation Principle

N/A

(e) Security Safeguards Principle

N/A

(f) Openness Principle

N/A

(g) Individual Participation Principle

N/A

(h) Accountability Principle

N/A

IV. Data Localization and Government Access

In your country, are there any systems having an impact on the rights of data subjects such as comprehensive government access to personal data or Data Localization? If yes, please describe them.

No, there are no existing systems having an impact on the rights of data subjects in the RMI such as comprehensive government access to personal data or Data Localization.

V. The Data Protection Authority

If there is the data protection authority, please write down the name and address of the authority

There is no data protection authority in the RMI.