

AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-54, 5-105, 7-23 and 7-38, by further amending section 103, as amended by Public Laws Nos. 5-54 and 5-105, by adding new sections 112, 113 and 114, by renumbering sections 112 and 113, as amended by Public Laws Nos. 5-54 and 7-38, respectively, for the purpose of permitting the citizens and nationals of the Republic of the Marshall Islands and the Republic of Palau to be issued an entry permit for a visit that does not exceed 365 days, authorizing the President to establish fees for the application and renewal of entry permits, establishing an Entry Permit Revolving Fund, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 103 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-54 and 5-105, is hereby further amended to read as follows:

"Section 103. Entry permits - Types.

(1) A permit is not required for a person visiting for thirty days or less. For a visit in excess of thirty days a permit may be issued for an additional period not to exceed sixty days; except that, with respect to citizens and nationals of the United States of America, for the effective period of the Compact of Free Association, and with respect to citizens and nationals of the Republic of the Marshall Islands and the Republic of Palau, a permit may be issued for the duration of the visit which shall not exceed 365 days.

(2) A visitor's permit for any lawful purpose, including performance of necessary services on a short-term contractual basis, may be issued for a period of specified duration reflecting the time necessary to accomplish the purpose.

(3) A student permit shall be issued for a specified duration reflecting a student's enrollment in a school or educational program.

(4) A foreign government official's permit may be issued to any official, employee, or contractual personnel of a foreign government or governmental regional or international organization who wishes to enter the Federated States of Micronesia for purposes of official governmental activities and who is not entitled to enter the Federated States of Micronesia without a permit under section 102 of this chapter.

(5) Notwithstanding any provision of subsections (1)

and (2) of this section, a person entering the Federated States of Micronesia for the purpose of engaging in wholesale or retail sales of goods or services, or for the purpose of taking orders for the purchase of goods or services, without establishing a place of habitation or a place of business within the Federated States of Micronesia, shall be issued a salesperson's permit; PROVIDED, however, that this subsection shall not apply to any person who has a foreign investor's permit pursuant to subsection (7) of this section.

(6) An alien worker's permit shall be issued to a noncitizen entering the Federated States of Micronesia upon compliance with all National laws relating to private or governmental employment for the period in which the employment of the alien worker is authorized by contract. The permit shall be renewed upon extension or renewal of the alien's lawful employment status.

(7) A foreign investor's entry permit shall be issued for a specified duration and may be renewed upon renewal or extension of such foreign investor's business permit.

(8) A researcher's entry permit shall be issued for research in the fields of endeavor that the President deems in the best interest of and for the well-being of the citizens of the Federated States of Micronesia; provided that the President receives from the researcher's intended place of stay prior permission for his entry. The President may attach thereto such conditions or restrictions as he deems necessary.

(9) A missionary's permit shall be issued to a duly ordained, licensed, and certified minister or clergyman.

(10) An entry permit shall be issued to a lawful spouse of a citizen. The permit shall be revoked or shall be denied upon a finding that the parties are divorced or irreconcilably separated, or that the citizen-spouse is deceased. The President or his designee has the authority to grant or reissue the permit for indefinite duration upon a finding of hardship.

(11) A dependent's entry permit may be issued to an unmarried child, under the age of 18, of a citizen or a noncitizen spouse subject to the conditions in subsection (10) of this section.

(12) A spouse or unmarried child under the age of eighteen of any noncitizen principal listed in this section except subsection (11) may be issued an entry permit for the duration of the principal's entry permit and may be renewed upon renewal of the principal's entry permit."

Section 2. Title 50 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 112 to read as follows:

"Section 112. Fees.

An application for an entry permit or an entry permit renewal shall be accompanied by the payment of a fee. The President may by executive order or regulation establish different fees for application or renewal."

Section 3. Title 50 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 113 to read as follows:

"Section 113. Entry Permit Revolving Fund.

(1) There is created and established the Entry Permit Revolving Fund separate from the General Fund of the Federated States of Micronesia and all other funds.

(2) The purpose of the Entry Permit Revolving Fund is to establish an ongoing revolving fund to allow appropriations for, and revenues from, the issuance and renewal of entry permits to be used for entry permit issuance and renewal.

(3) All future appropriations for, and revenues received from, the issuance and renewal of entry permits shall be deposited in the Entry Permit Revolving Fund; provided, that at no time shall the total amount of monies in the Entry Permit Revolving Fund exceed \$40,000; and provided further, that any revenues received from the issuance and renewal of passports which would cause the total amount of monies in the Entry Permit Revolving Fund to exceed \$40,000 shall be deposited in the General Fund of the Federated States of Micronesia. Any unexpended monies in the Entry Permit Revolving Fund shall not revert to the General

Fund nor lapse at the end of the fiscal year.

(4) The Entry Permit Revolving Fund shall be administered by the Chief of the Division of Immigration. The Chief shall, not later than 30 days after the close of each governmental fiscal year, submit to the Attorney General a complete report of the activities and condition of the Entry Permit Revolving Fund for the fiscal year just closed. The Attorney General shall, within 30 days of receipt of the report from the Chief, forward the report to the President and the Congress of the Federated States of Micronesia.

(5) The Public Auditor shall audit the Entry Permit Revolving Fund at such times as the Public Auditor deems appropriate."

Section 4. Sections 112 and 113 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-54 and 7-38, respectively, are hereby renumbered as sections 114 and 115, respectively.

Section 5. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

July 9 _____, 1997

/s/ Jacob Nena
Jacob Nena
President
Federated States of Micronesia