A BILL FOR AN ACT

To further amend section 913 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-108, to extend the application of subsection 913(4)(b) to Purse Seine Vessels to September 30, 2015, and for other purposes.

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

1. Section 913 of title 24 of the Code of the
2. Federated States of Micronesia (Annotated), as amended by Public
3. Law No. 18-108, is hereby further amended to read as follows:

   "Section 913. Possession, handling and sale of fish, shark, or shark fin, unlawfully taken.

   (1) No person shall knowingly capture ship, transport, offer for sale sell, purchase, import, export or have custody, control or possession of any fish taken or retained in contravention of this subtitle or any access agreement, permit or applicable law.

   (2) It shall be unlawful to remove shark fins from sharks on board fishing vessels, and to retain on board, transship or land sharks or shark fins, subject to subsections (4) and (6).

   (3) It shall be unlawful for fishing vessels to possess wire leaders, steel trace, or wire trace."

   (4) All sharks caught by a fishing vessel shall be either: (a) if still alive, immediately released back
into the ocean. Fishing vessels must ensure that sharks are released whole, and that sharks are not unnecessarily harmed during the release process; or (b) if dead, landed at a transshipment port in the Federated States of Micronesia. Fishing vessels must ensure that sharks are landed whole with all shark fins attached to the carcass PROVIDED THAT [Purse Seine vessels shall be exempted from] the application of subsection 913(4)(b) to Purse Seine vessels shall commence on September 30, 2015. [for six months from the effective date of this act.]

(5) It shall be unlawful to purchase, offer for sale or sell sharks or shark parts, including shark fins which have been removed on board a vessel, transshipped or landed in contravention of this section.

(6) Any person who holds a license or permit from the Authority to conduct scientific research on sharks and carries out activities in accordance with that license or permit shall not be held in contravention of this section.”

(7) Any person who commits an act in violation of this section shall be subject to a civil penalty of not less than $50,000 and not more than $250,000.

(8) It shall be a rebuttable presumption that any sharks caught or shark fins possessed by a fishing
vessel originated from the EEZ of the Federated States of Micronesia.

(9) All shark or shark fins seized and forfeited shall be destroyed by incineration.”

Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 7/15/15

Introduced by: /s/ David W. Panuelo

David W. Panuelo