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A BILL FOR AN ACT

To amend 52 TTC 154, as set forth by Public Law No. 7-71 and amended by Public Laws Nos. 10-3 and 1-34, for the purpose of prohibiting purse seine fishing in the Extended Fishery Zone of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Section 154 of 52 TTC is hereby amended to read as follows:

2 "Section 154. Fishing permits.

3 (1) No foreign fishing vessel shall engage in fishing regulated
4 pursuant to the provisions of this act in the Extended Fishery Zone
5 of Micronesia unless such vessel has on board a valid permit issued
6 under this Section for such vessel. No foreign fishing vessel shall
7 engage in fishing in the Territorial Sea or the Exclusive Fishery
8 Zone of a State unless such vessel has on board a valid permit issued
9 by the State for such vessel.

10 (2) Fishing permits will only be issued in accordance with a
11 foreign fishing agreement approved pursuant to 52 TTC 2 (10);
12 PROVIDED, that permits issued for fishing in accordance with Sub-
13 section 10 of this section need not be pursuant to a foreign fishing
14 agreement.

15 (3) Each foreign party entitled to permits in accordance with
16 its foreign fishing agreement shall make a declaration on forms pre-
17 scribed by the Micronesian Maritime Authority specifying inter alia:

18 (a) The name and official number or other identification
19 of each fishing vessel for which a permit is sought, together with
20 the name and address of the owner thereof.

21 (b) The tonnage, capacity, speed, processing equipment,
22 type and quantity of fishing gear, and such other pertinent infor-
23 mation with respect to characteristics of each such vessel as the
24 Authority may require;

25 (c) The amount of fish or tonnage of catch contemplated

nea shall be established in the agreement. exploit living resources within the Extended Fishery Zone of Micro-

(7) Fees and other forms of compensation for the right to submit a revised application. consideration the reasons for disapproval, the foreign party may party of the disapproval and the reasons therefor. After taking into mitted by the foreign party, the Chairman shall notify such foreign (6) If the Authority does not approve the application sub-Authority deems appropriate.

on such terms and conditions and with such restrictions as the hold public hearings where necessary and may approve the application discretion may solicit views from appropriate persons in the states, (5) The Authority shall review the application, and in its on Resources and Development.

Director shall transmit such copies of applications to the Committee on Resources and Development of the Federated States of Micronesia; or if required to do so by the Chairman, the Executive Resources and Development of the Chairman of the Committee on (4) Upon receipt of an application, including an application for rebate of a fee, the Executive Director may transmit copies to foreign fishing agreement.

during which, such fishing will be conducted as required by the (d) The ocean area in which, and the season or period required by the foreign fishing agreement; and for each such vessel during the time such permit is in force and as

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1 (8) Upon notification by the foreign party of acceptance
2 of the terms, conditions, and restrictions on the application and
3 permit, the Chairman shall issue the permit.

4 (9) If any foreign fishing vessel for which a permit has
5 been issued pursuant to this Section has been used in the commission
6 of any act prohibited by this Title or if any civil penalty or
7 criminal fine imposed by this Title has not been paid and is overdue,
8 the Authority shall:

9 (a) Revoke such permit with or without prejudice to
10 the right of the foreign party involved to obtain a permit for
11 such vessel in any subsequent year; or

12 (b) Suspend such permit for the period of time deemed
13 appropriate; or

14 (c) Impose additional conditions and restrictions on
15 the approved application of the foreign party involved and on any
16 permit issued under such application.

17 (10) Notwithstanding any other provision of this Title, the
18 Authority may provide for the issuance of permits, on reasonable
19 conditions, to foreign vessels or parties for research, survey,
20 recreational, or noncommercial fishing within the Extended Fishery
21 Zone of Micronesia.

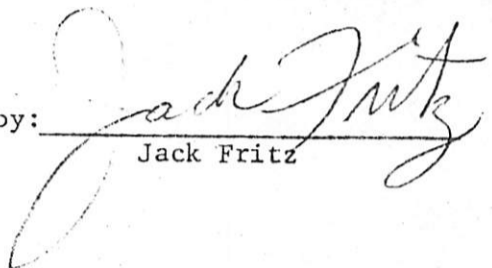
22 (11) Notwithstanding any other provisions of this Title, the
23 Authority may under no circumstances provide for the issuance of a
24 fishing permit to any foreign vessels or parties who engage in
25 purse seine fishing."

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

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5 Date: 10/15/81

Introduced by: 
Jack Fritz

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