

A BILL FOR AN ACT

To further amend title 6 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-123, to establish a statute of repose for violations of Part 2.7 of the Corporate Regulations of the National Government 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. Purpose. The purpose of this act is to establish
2 the date from which to measure the period of limitation for
3 commencement of civil actions brought pursuant to Part 2.7 of the
4 Corporate Regulations of the National Government of the Federated
5 States of Micronesia.

6 Section 2. Intent. The intent of this act is to clarify that,
7 with respect to violations of Part 2.7 of the Corporate Regulations
8 of the National Government of the Federated States of Micronesia, the
9 limitation of six years for commencement of the cause of action is a
10 statute of repose.

11 Section 3. Amendment. Section 805 of title 6 of the Code of
12 the Federated States of Micronesia is hereby amended to read as
13 follows:

14 "Section 805. Limitation of six years. All actions other
15 than those covered in the preceding sections of this
16 chapter shall be commenced within six years after the cause
17 of action accrues. For causes of action brought because of
18 a failure to act, or the performance of an act, required by
19 officers, shareholders, or incorporators by virtue of Part
20 2.7 of the Corporate Regulations of the National Government
21 of the Federated States of Micronesia, the cause of action
22 shall be deemed to have accrued on the date of the
23 performance of the act, or the failure to perform the act,
24 required by the regulation."

25 Section 4. Applicability. This act is immediately applicable

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C.B. NO. 8-216

1 to any actions now pending in the Supreme Court of the Federated
2 States of Micronesia, or its States, and may be raised at any stage
3 of the proceedings, including post-judgment proceedings.

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

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8 Date: Feb. 25/95

Introduced by: Claude H. Phillip
Claude H. Phillip

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