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A BILL FOR AN ACT

To further amend title 24 of the Code of the Federated States of Micronesia (Annotated), as amended, by inserting a new section 408 to regulate bunkering and provisioning activities at sea, and for the other purposes.

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

1           Section 1. Title 24 of the Code of the Federated States of  
2 Micronesia (Annotated), as amended, is hereby further amended by  
3 inserting a new section 408 to read as follows:

4           “Section 408. Related activities – Bunkering and  
5           Provisioning.

6                   (a) No fishing vessel shall engage in or conduct  
7                   any bunkering or provisioning activities in the  
8                   Exclusive Economic Zone, except where specifically  
9                   authorized by the Authority. Bunkering and provisioning  
10                   activities are also prohibited in the high seas.

11                   (b) Where a fishing vessel is permitted by the  
12                   authority to conduct bunkering or provisioning  
13                   activities:

14                           (i) it shall provide a seventy-two (72)  
15                           hour advance notice to the Authority of a request to  
16                           conduct bunkering or provision activities and shall  
17                           provide the name of the vessel, its international radio  
18                           call sign, its position, the time and location where

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1           such bunkering or provisioning activities is requested  
2           to occur and an undertaking to pay all fees required  
3           under the laws of the Federated States of Micronesia;  
4           and it shall comply with all conditions attached to the  
5           authorizations for bunkering or provisioning activities;  
6                    (ii) it shall pay such fees required by the  
7           Authority or as prescribed by regulation; and  
8                    (iii) it shall submit full reports on  
9           bunkering or provisioning activities on such form as may  
10           be required by the Authority or prescribed by  
11           regulation.

12           (2) No purse seine fishing vessel shall, during the  
13           validity of a license issued by the Authority, conduct  
14           any bunkering or provisioning activities in the High  
15           Seas of the Western and Central Pacific Fisheries  
16           Commission Convention Area East of 130 degrees East and  
17           South of 20 degrees North.

18           (3) For the purpose of this section, "bunkering  
19           activities" means the transfer to or receiving from a  
20           vessel fuel and oil, and "provisioning activities" means  
21           the transfer to or receiving from a vessel any supplies  
22           not limited to, food, cargoe, crew and spare parts  
23           required by the vessel.

