

A BILL FOR AN ACT

To amend sections 408 and 412 of title 24 of the Code of the Federated States of Micronesia to require certification that persons on foreign vessels fishing within the jurisdiction of the Federated States of Micronesia are free from communicable disease, and for other purposes.

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

Section 1. Section 408 of title 24 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 408. Fishing permits and health certification required.

(1) No foreign fishing vessel shall engage in fishing regulated pursuant to the provisions of this title in the extended fishery zone of Micronesia unless such vessel has on board a valid permit issued under this section and sections 409 through 414 for such vessel. No foreign fishing vessel shall engage in fishing in the Territorial Sea or the exclusive fishery zone of a State unless such vessel has on board a valid permit issued by the State for such vessel/ and a valid unexpired medical certificate issued pursuant to subsection (2) below for each and every person on board a ship;

(2) Upon first entering the Territorial Sea pursuant to a foreign fishing agreement or a permit issued pursuant to section 412 below, the owner of any foreign fishing vessel or the owners' agents shall ensure that the vessel proceed to the nearest port of entry designated under title 18 of the Code of the Federated States of Micronesia. Upon arrival at the port of entry, the owners thereof, or their agents, shall ensure that each and every person on board is forthwith given a physical examination by a medical doctor licensed in the Federated States of Micronesia in accordance with the requirements established by the Authority. The medical doctor shall state on forms prescribed by the Authority. His or her conclusion as to

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1 whether that person is free from communicable diseases
2 designated as dangerous by the Authority in consultation
3 with the chief of the Health Services Division of the Federated
4 States of Micronesia. If the doctor is of the opinion that the
5 person is free from all such communicable diseases, he or she
6 shall so certify on the Authority's prescribed form. This
7 certification shall be valid for a period of 90 days from the
8 date of issuance and shall be renewed only upon reexamination
9 by a medical doctor licensed to practice in the Federated States
10 of Micronesia, as provided in this subsection. The owner of
11 the foreign fishing vessel, or its agents, shall bear the cost
12 of all physical examinations conducted under this subsection."

13 Section 2. Section 412 of the Code of the Federated States of Micro-
14 nesia is hereby amended to read as follows:

15 "Section 412. Issuance of permit. Upon notification to the
16 Authority by the foreign party of accordance of the terms,
17 conditions, and restrictions on the application and permit,
18 and upon submission to the Authority of a statement in a
19 form established by the Authority and certified by a medical
20 doctor licensed to practice medicine in any jurisdiction
21 acceptable to the Authority, that all persons aboard vessels
22 to be included under the permit are free from communicable
23 diseases, designated as provided in section 403 above, the
24 chairman shall issued the permit."

25 Section 3. This act shall become law upon

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1 approval by the President of the Federated States of Micronesia or
2 upon its becoming law without such approval.

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4 Date: Nov. 2, 1982

Introduced by:

Jack Fritz

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