A BILL FOR AN ACT

To amend 52 T.C. 154, as set forth by Public Law No. 7-74 and amended by Public Law Nos. 10-8 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:

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

'Section 154. Fishing permits.

(1) No foreign fishing vessel shall engage in fishing regulated pursuant to the provisions of this act in the Extended Fishery Zone of Micronesia unless such vessel has on board a valid permit issued under this section 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.

(2) Fishing permits will only be issued in accordance with a foreign fishing agreement approved pursuant to 52 T.C. 214; PROVIDED, that permits issued for fishing in accordance with Sub-section 10 of this section need not be pursuant to a foreign fishing agreement.

(3) Each foreign party entitled to permits in accordance with a foreign fishing agreement shall have a registration or forms prescribed by the Micronesian Fisheries Authority to verify the following:

(a) The name and official number or other identification of each fishing vessel to which a permit is sought, together with the name, address and the owner thereof;

(b) The tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other pertinent information with respect to characteristics of each such vessel as the authorities may require;

(c) The amount of fish or tonnage of catch contemplated
(g) The authority shall review the application and in its discretion may solicit advice from appropriate persons in the area.

(1) The director shall transmit such copies of applications to the Committee.

(2) If the Executive Director is required to do so by the chairman, the Executive Director shall transmit such copies of applications to the Committee.

(3) The Committee shall forward such copies of applications to each member of the authority and to the chairman of the Committee.

(4) Each member of the authority shall be required to attend the meetings of the Committee.

(5) The ocean area in which, and the season of period required by the foreign fishing agreement shall be conducted as required by the foreign fishing agreement and for each such vessel during the time such period is in force and as

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[Signature]
(8) Upon notification by the foreign party of acceptance of the terms, conditions, and restrictions on the application and permit, the Chairman shall issue the permit.

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

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

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

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

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

(11) Notwithstanding any other provisions of this Title, the Authority may under no circumstances provide for the issuance of a fishing permit to any foreign vessels or parties who engage in purse seine fishing."
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: 10/15/81

Introduced by: Jack Fritz