
A BILL FOR AN ACT

To further amend section 611 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 19-169, to correct a technical error, and for other purposes.

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

1 Section 1. The purpose of this Act is to correct a
2 technical error in section 611 of title 24 of the Code of the
3 Federated States of Micronesia. Public Law No. 19-169 amended
4 paragraph (1) of section 611 and omitted paragraphs (2)-(5) of
5 that section, inadvertently causing them to be deleted. This
6 Act reinserts paragraphs (2)-(5) of section 611 of title 24 of
7 the Code of the Federated States of Micronesia.

8 Section 2. Section 611 of title 55 of the Code of the
9 Federated States of Micronesia (Annotated), as amended by
10 Public Law No. 19-169, is hereby further amended to read as
11 follows:

12 "Section 611. Transponders required.

13 (1) The Authority may require, as a condition of
14 fishing in the exclusive economic zone, that the operator
15 of any vessel:

16 (a) install on such vessel, at its own expense,
17 a transponder approved by the Authority;

18 (b) maintain such transponder in good working
19 order at all times during the period of validity of a

1 permit;

2 (c) consent to the monitoring of the transponder
3 by the Authority in all waters and at all times during
4 the period of validity of the permit; and

5 (d) ensure that any information or data required
6 by the Authority to be transmitted by the transponder is
7 transmitted continuously, accurately and effectively to
8 the designated receiver.

9 (2) For the purposes of this subtitle, a
10 transponder, which may also be referred to as an
11 automatic location communicator or ALC, means any
12 device or machine placed on a fishing vessel as a
13 condition of its permit or access agreement, which
14 transmits, whether in conjunction with another machine
15 or other machines, elsewhere or not, information or
16 data concerning the position, fishing and such other
17 activities of the vessel as may be required.

18 (3) The Authority may establish by regulation a
19 list of approved transponders. An approved
20 transponder shall be presumed to be accurate; a
21 transponder that is not approved shall not be presumed
22 to be accurate. All information or data obtained or
23 ascertained by the use of a transponder, shall be
24 presumed to:

25 (a) come from the vessel so identified; and

