THIRD REGULAR SESSION, 2024

CONGRESSIONAL BILL NO. 23-61, C.D.1,

C.D.2, C.D.3

P.C. NO. 23-301

PUBLIC LAW NO. 23-66

AN ACT

To amend section 506 of title 24 of the Code of the Federated States of Micronesia (Annotated), to prevent the imposition of a penalty on longline fishing gears placed beyond the twenty-four nautical mile area that drift into the closed area, and for other purposes.

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

- 1 Section 1. Section 506 of Title 24 of the Code of the
- 2 Federated States of Micronesia (Annotated), as enacted by Public
- 3 Law No. 19-167 and renumbered by Public Law No. 20-167, is hereby
- 4 amended to read as follows:
- 5 "Section 506. Closed area.
- 6 (1) Prohibition in Closed Area
- 7 The twelve miles area seaward of the territorial sea not
- 8 to extend beyond twenty-four nautical miles from the
- 9 baseline from which the breadth of the territorial sea is
- 10 measured is considered as a closed area. Fishing and
- 11 exploitation of natural resources in this area are
- 12 prohibited and shall be subject to penalty in accordance
- 13 with subsection (2). The Authority may exercise
- 14 discretionary exemption from this prohibition to locally
- owned fishing company.
- 16 (2) Penalties. Any person, who violates this
- 17 prohibition, including an operator, agent, and
- 18 representatives of a fishing vessel shall be liable for a
- 19 civil penalty of not less than \$15,000 and not more than

1	\$50,000. No penalty shall be imposed for longline
2	fishing gears placed beyond the twenty-four nautical mile
3	area that unintentionally drift into the closed area,
4	subject to any requirements on the placement of longline
5	fishing gears as imposed by statute and/or regulation.
6	It shall be a rebuttable presumption that the drifting of
7	longline fishing gears by the same person or entity into
8	the closed area three times or more is intentional and
9	shall be subject to penalty. The Authority shall have
10	discretion to exclude any vessel involved in the
11	violation of this section from a future license or
12	fishing access negotiation."
13	Section 2. This act shall become law upon approval by the
14	President of the Federated States of Micronesia or upon its
15	becoming law without such approval.
16	
17	
18	
19	<u>May 08</u> , 2024
20	
21	
22	
23	/s/ Wesley W. Simina
24	Wesley W. Simina President
25	Federated States of Micronesia