

AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended, by amending section 103 to prevent the revocation or denial of spouse permits from non-citizen spouses of deceased citizens who have resided in the Federated States of Micronesia for at least twenty (20) years, and for other purposes.

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

1 Section 1. Section 103 of title 50 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos. 5-
3 105, 10-14, 12-65 and 14-33, is hereby further amended to read as
4 follows:

5 "Section 103. Entry permits - Types.

6 (1) A permit is not required for a person visiting for
7 thirty days or less. For a visit in excess of thirty
8 days, a permit may be issued for an additional period
9 not to exceed sixty days; except that, with respect to
10 citizens and nationals of the United States of America,
11 for the effective period of the Compact of Free
12 Association, and with respect to citizens and nationals
13 of the Republic of the Marshall Islands and the Republic
14 of Palau, a permit is not required for the duration of
15 the visit, which shall not exceed 365 days.

16 (2) A visitor's permit for any lawful purpose,
17 including performance of necessary services on a short-
18 term contractual basis, may be issued for a period of

1 specified duration reflecting the time necessary to
2 accomplish the purpose.

3 (3) A student permit shall be issued for a specified
4 duration reflecting a student's enrollment in a school
5 or educational program.

6 (4) A foreign government official's permit may be
7 issued to any official, employee, or contractual
8 personnel of a foreign government or governmental
9 regional or international organization who wishes to
10 enter the Federated States of Micronesia for purposes of
11 official governmental activities and who is not entitled
12 to enter the Federated States of Micronesia without a
13 permit under section 102 of this chapter.

14 (5) Notwithstanding any provision of subsections (1)
15 and (2) of this section, a person entering the Federated
16 States of Micronesia for the purpose of engaging in
17 wholesale or retail sales of goods or services, or for
18 the purpose of taking orders for the purchase of goods
19 or services, without establishing a place of habitation
20 or a place of business within the Federated States of
21 Micronesia, shall be issued a salesperson's permit;
22 PROVIDED, however, that this subsection shall not apply
23 to any person who has a foreign investor's permit
24 pursuant to subsection (7) of this section.

25 (6) An alien worker's permit shall be issued to a

1 noncitizen entering the Federated States of Micronesia
2 upon compliance with all National laws relating to
3 private or governmental employment for the period in
4 which the employment of the alien worker is authorized
5 by contract. The permit shall be renewed upon extension
6 or renewal of the alien's lawful employment status.

7 (7) A foreign investor's entry permit shall be issued
8 for a specified duration and may be renewed upon renewal
9 or extension of such foreign investor's business permit.

10 (8) A researcher's entry permit shall be issued for
11 research in the fields of endeavor that the President
12 deems in the best interest of and for the well-being of
13 the citizens of the Federated States of Micronesia;
14 PROVIDED that the President receives from the
15 researcher's intended place of stay prior permission for
16 his entry. The President may attach thereto such
17 conditions or restrictions as he deems necessary.

18 (9) A missionary's permit shall be issued to a duly
19 ordained, licensed, and certified minister or clergyman.

20 (10) An entry permit shall be issued to a lawful spouse
21 of a citizen.

22 (a) Subject to this section and any requirements
23 set out in regulations issued pursuant to section 111 of
24 this chapter, a spouse permit holder shall be permitted to
25 undertake paid employment in the Federated States of

1 Micronesia. In the absence of any regulations on this
2 subject, a spouse permit holder shall be permitted to
3 undertake paid employment in the Federated States of
4 Micronesia only if he or she has been a resident of the
5 Federated States of Micronesia for the 5 years prior to
6 commencing employment and/or has been married to a citizen
7 of the Federated States of Micronesia for the 5 years
8 prior to commencing employment. For the avoidance of
9 doubt, a spouse permit holder may undertake paid
10 employment without obtaining a change of status approval
11 pursuant to section 104 of this chapter, however, such
12 employment must be obtained in accordance with the
13 requirements for hiring non-resident workers contained in
14 title 51 of the Code of the Federated States of
15 Micronesia.

16 (b) A spouse permit may be revoked or denied, in
17 accordance with the provisions of this chapter, upon a
18 finding that (i) the parties are divorced, the parties
19 are irreconcilably separated, or the citizen-spouse is
20 deceased; and (ii) the revocation or denial is in the
21 best interests of the Federated States of Micronesia,
22 provided that the spouse permit of a noncitizen
23 surviving spouse of a deceased citizen who had been
24 married to the citizen spouse for at least twenty (20)
25 years, regardless of place of residence during the

1 marriage, shall not be revoked or denied unless the
2 surviving spouse remarries a non-citizen.

3 (c) Except in extraordinary circumstances, no
4 action to revoke or deny a spouse permit on the grounds
5 of death of the citizen-spouse shall be taken for a
6 period of six months from the date of death of the
7 citizen-spouse.

8 (11) A dependent's entry permit may be issued to an
9 unmarried child, under the age of 18, of a citizen or a
10 noncitizen spouse, subject to the conditions in
11 subsection (10) of this section.

12 (12) A spouse or unmarried child under the age of
13 eighteen of any noncitizen principal listed in this
14 section, except subsection (11), may be issued an entry
15 permit for the duration of the principal's entry permit
16 and may be renewed upon renewal of the principal's entry
17 permit."

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25 Section 5. This act shall become law upon approval by the

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

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March 19, 2008

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/s/ Manny Mori

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Manny Mori

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President

Federated States of Micronesia

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