
A BILL FOR AN ACT

To further amend section 913 of title 24 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 18-108, to extend the application of subsection 913(4)(b) to Purse Seine Vessels to September 30, 2015, and for other purposes.

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

1 Section 1. Section 913 of title 24 of the Code of the
2 Federated States of Micronesia (Annotated), as amended by Public
3 Law No. 18-108, is hereby further amended to read as follows:

4 "Section 913. Possession, handling and sale of fish,
5 shark, or shark fin, unlawfully taken.

6 (1) No person shall knowingly capture ship, transport,
7 offer for sale sell, purchase, import, export or have
8 custody, control or possession of any fish taken or
9 retained in contravention of this subtitle or any access
10 agreement, permit or applicable law.

11 (2) It shall be unlawful to remove shark fins from
12 sharks on board fishing vessels, and to retain on board,
13 transship or land sharks or shark fins, subject to
14 subsections (4) and (6).

15 (3) It shall be unlawful for fishing vessels to possess
16 wire leaders, steel trace, or wire trace."

17 (4) All sharks caught by a fishing vessel shall be
18 either: (a) if still alive, immediately released back

1 into the ocean. Fishing vessels must ensure that sharks
2 are released whole, and that sharks are not
3 unnecessarily harmed during the release process; or (b)
4 if dead, landed at a transshipment port in the Federated
5 States of Micronesia. Fishing vessels must ensure that
6 sharks are landed whole with all shark fins attached to
7 the carcass PROVIDED THAT [~~Purse Seine vessels shall be~~
8 ~~exempted from~~] the application of subsection 913(4)(b)
9 to Purse Seine vessels shall commence on September 30,
10 2015. [~~for six months from the effective date of this~~
11 ~~act.~~]

12 (5) It shall be unlawful to purchase, offer for sale
13 or sell sharks or shark parts, including shark fins
14 which have been removed on board a vessel, transshipped
15 or landed in contravention of this section.

16 (6) Any person who holds a license or permit from the
17 Authority to conduct scientific research on sharks and
18 carries out activities in accordance with that license
19 or permit shall not be held in contravention of this
20 section."

21 (7) Any person who commits an act in violation of
22 this section shall be subject to a civil penalty of not
23 less than \$50,000 and not more than \$250,000.

24 (8) It shall be a rebuttable presumption that any
25 sharks caught or shark fins possessed by a fishing

1 vessel originated from the EEZ of the Federated States
2 of Micronesia.

3 (9) All shark or shark fins seized and forfeited
4 shall be destroyed by incineration."

5 Section 2. This act shall become law upon approval by the
6 President of the Federated States of Micronesia or upon its becoming
7 law without such approval.

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9 Date: 7/15/15

Introduced by: /s/ David W. Panuelo
David W. Panuelo

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