

## FSMC, TITLE 18. TERRITORY, ECONOMIC ZONES & PORTS OF ENTRY

### Chapter 2: Ports of Entry

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#### **§ 201. Ports of entry.**

All vessels and aircraft authorized to enter the Federated States of Micronesia must enter and obtain clearance from an official port of entry, and no vessel or aircraft shall call at any other port in the Federated States of Micronesia without first entering and obtaining clearance from an official port of entry unless the President or his designee determines that the public interest or an emergency requires the vessel or aircraft to anchor or land at any port in the Federated States of Micronesia and grants permission to do so. A vessel or aircraft in distress may anchor or land at any port in the Federated States of Micronesia, but the person having the command or charge of the vessel or aircraft shall immediately thereafter notify the nearest Government representative of the Federated States of Micronesia or nearest State government.

**Source:** COM PL 4-23 § 1(a); TT Code 1970, 53 TTC 101; TT Code 1980, 53 TTC 101; PL 1-79 § 8; PL 1-130 § 8.

**Cross-reference:** The statutory provisions on Admiralty and Maritime are found in title 19 of this code.

**Editor's note:** Sections 201 through 208 of this chapter are portions of the Immigration Act, PL 1-130. Other provisions of the Immigration Act are codified in title 50 of this code.

#### **§ 202. Official ports of entry designated.**

The official ports of entry in the Federated States of Micronesia until otherwise provided by regulations are:

- (1) Yap:
  - (a) Yap:
    - (i) Tomil Harbor; and
    - (ii) Yap International Airport.
  - (b) Ulithi:
    - (i) Ulithi Anchorage; and
    - (ii) Ulithi Airstrip.
  - (c) Woleai Atoll

- (i) Woleai Anchorage; and
  - (ii) Woleia Airstrip.
- (d) Satawal.
- (2) Chuuk:
- (a) Weno:
    - (i) Moen Anchorage; and
    - (ii) Chuuk International Airport.
  - (b) Satowan Atoll:
    - (i) Satowan Anchorage;
    - (ii) Satowan Airstrip; and
    - (iii) Ta Airstrip.
- (3) Pohnpei:
- (a) Mesenieng Harbor;
  - (b) Pohnpei International Airport;
  - (c) Kapingamarangi Anchorage;
  - (d) Kapingamarangi Airstrip;
  - (e) Temwen Harbor; and
  - (f) Sapwuahfik Airstrip.
- (4) Kosrae:
- (a) Lelu Harbor;
  - (b) Okat Harbor; and
  - (c) Kosrae International Airport.

**Source:** COM PL 4-23 § 1(a); TT Code 1970, 53 TTC 101; TT Code 1980, 53 TTC 101; PL 1-79 § 8; PL 1-130 § 8; PL 9-164 § 1.

### **§ 203. Additional ports of entry.**

The President of the Federated States of Micronesia, in consultation with the State government so affected, may establish additional ports of entry by regulations.

**Source:** PL 1-79 § 14; PL 1-130 § 15.

### **§ 204. Ports authorized to issue entry permits.**

The authorized officials in each of the ports listed under sections 202 and 203 of this chapter or regulations issued pursuant thereto may issue entry permits.

**Source:** TT Code 1966 § 879; TT Code 1970, 53 TTC 102; TT Code 1980, 53 TTC 102; PL 1-79 § 9; PL 1-130 § 9.

**Cross-reference:** The statutory provisions on Admiralty and Maritime are found in title 19 of this code.

**Editor's note:** Reference to section 203 was editorially added in the 1982 edition of this code.

### **§ 205. Foreign vessel or aircraft to report upon entry; Manifest required.**

The master, captain, or other person having the command or charge of any foreign vessel or aircraft shall, on entry of such vessel or aircraft into any of the ports designated under sections 202 and 203 of this chapter, or regulations issued pursuant thereto, file a manifest in the form prescribed by the regulations issued pursuant to this chapter and signed by such master or other person having the command or charge of said vessel or aircraft as to the truth of the statements therein contained. Contents of such manifest shall be prescribed by regulation.

**Source:** TT Code 1966 § 880; TT Code 1970, 53 TTC 103; TT Code 1980, 53 TTC 103; PL 1-79 § 10; PL 1-130 § 10.

**Editor's note:** Reference to section 203 was added editorially in this section in the 1982 edition of this code.

### **§ 206. Inspection at ports of entry.**

All vessels and aircraft entering and departing a port of entry shall be subject to immigration inspection, customs inspections, agricultural inspections and quarantines, and other administrative inspections authorized by law. If any vessel or aircraft not being in distress enters or attempts to enter a port in violation of the provisions of this chapter, such information shall be communicated by any person by the fastest means to the Governor of the affected State and to the President.

**Source:** COM PL 4-23 § 1(b); TT Code 1970, 53 TTC 104; TT Code 1980, 53 TTC 104; PL 1-79 § 11; PL 1-130 § 11.

**Cross-reference:** For statutory provisions on Taxation and Customs, see title 54 of this code; for provisions on agricultural inspection, see chapter 4 of title 22 (Agriculture & Livestock) of this code.

### **§ 207. Delegation of authority.**

The President may delegate his authority to issue entry permits and to permit entry into the Federated States of Micronesia of persons, vessels, and aircraft under the provisions of this chapter and regulations promulgated pursuant thereto.

**Source:** PL 1-79 § 5; PL 1-130 § 5.

### **§ 208. Regulations.**

The President may, from time to time, issue regulations not inconsistent with law to implement this chapter.

**Source:** PL 1-79 § 12; PL 1-130 § 13.

### **§ 209. Promulgation of rules and regulations.**

The President of the Federated States of Micronesia shall promulgate regulations for the use and operation of port and harbor facilities at official ports of entry in the Federated States as designated in sections 202 and 203 of this chapter, which shall apply to marine vessels engaged in foreign or interstate commerce.

**Source:** PL 1-131 § 1.

### **§ 210. Purpose of rules and regulations.**

Port and harbor regulations shall address the following aspects of port and harbor operation:

- (1) rules for the use of port and harbor facilities;

- (2) fees for use of port and harbor facilities, including dockage, wharfage, and entry fees; and
- (3) other aspects of port and harbor operation for which the President decides regulation is desirable.

**Source:** PL 1-131 § 2.