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AN ACT

To further amend title 32 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-21, by repealing chapter 5, as established by Public Law No. 4-109, concerning peddlers; to amend title 50 of the Code of the Federated States of Micronesia by amending section 103 for the purpose of replacing peddlers' permits with salespersons' permits, and by amending section 112 to add a new subsection (4) concerning noncompliance with the law relating to salespersons' permits; and for other purposes.

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

1           Section 1. Chapter 5 of title 32 of the Code of the Federated  
2 States of Micronesia, as established by Public Law No. 4-109, is  
3 hereby repealed in its entirety.

4           Section 2. Section 103 of title 50 of the Code of the Federated  
5 States of Micronesia is hereby amended to read as follows:

6           "Section 103. Entry permits - Types.

7                   (1) A permit is not required for a person visiting for  
8 thirty days or less. For a visit in excess of thirty days  
9 a permit may be issued for an additional period not to  
10 exceed sixty days.

11                   (2) A visitor's permit for any lawful purpose,  
12 including performance of necessary services on a short-term  
13 contractual basis, may be issued for a period of specified  
14 duration reflecting the time necessary to accomplish the  
15 purpose.

16                   (3) Notwithstanding any provision of subsections (1)  
17 and (2) of this section, a person entering the Federated  
18 States of Micronesia for the purpose of engaging in whole-  
19 sale or retail sales of goods or services, or for the  
20 purpose of taking orders for the purchase of goods or  
21 services, without establishing a place of habitation or a  
22 place of business within the Federated States of Micronesia,

1 shall be issued a salesperson's permit; PROVIDED, however,  
2 that this subsection shall not apply to any person who has a  
3 foreign investor's permit pursuant to subsection (5) of this  
4 section.

5 (4) An alien worker's permit shall be issued to a  
6 noncitizen entering the Federated States of Micronesia upon  
7 compliance with all National laws relating to private or  
8 governmental employment for the period in which the employ-  
9 ment of the alien worker is authorized by contract. The  
10 permit shall be renewed upon extension or renewal of the  
11 alien's lawful employment status.

12 (5) A foreign investor's entry permit shall be issued  
13 for a specified duration and may be renewed upon renewal or  
14 extension of such foreign investor's business permit.

15 (6) A researcher's entry permit shall be issued for  
16 research in the fields of endeavor that the President deems  
17 in the best interest of and for the well-being of the  
18 citizens of the Federated States of Micronesia; provided  
19 that the President receives from the researcher's intended  
20 place of stay prior permission for his entry. The President  
21 may attach thereto such conditions or restrictions as he  
22 deems necessary.

23 (7) A missionary's permit shall be issued to a duly  
24 ordained, licensed, and certified minister or clergyman.  
25 A missionary's permit may also be issued to persons whose

1 activities are substantially connected with religious or  
2 missionary work as determined by the President.

3 (8) An entry permit shall be issued to a lawful spouse  
4 of a citizen. The permit shall be revoked or shall be  
5 denied upon a finding that the parties are divorced or  
6 irreconcilably separated, or that the citizen-spouse is  
7 deceased. The President or his designee has the authority  
8 to grant or reissue the permit for indefinite duration upon  
9 a finding of hardship.

10 (9) A dependent's entry permit may be issued to an un-  
11 married child, under the age of eighteen, or a noncitizen  
12 spouse subject to the conditions in subsection (8) of this  
13 section.

14 (10) A spouse or unmarried child under the age of  
15 eighteen of any noncitizen principal listed in this section  
16 except subsection (9) may be issued an entry permit for the  
17 duration of the principal's entry permit and may be renewed  
18 upon renewal of the principal's entry permit."

19 Section 3. Section 112 of title 50 of the Code of the Federated  
20 States of Micronesia is hereby amended to read as follows:

21 "Section 112. Penalties.

22 (1) Any person who, not being a citizen of the  
23 Federated States of Micronesia, unlawfully enters or  
24 attempts to enter the Federated States of Micronesia or  
25 having lawfully entered, remains willfully and unlawfully

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1 after expiration or revocation of his entry authorization,  
2 or who violates by act or omission any provision of this  
3 chapter or regulations issued pursuant thereto, upon  
4 conviction thereof shall be imprisoned for a period of not  
5 more than two years, or fined not more than \$10,000, or both.

6 (2) In lieu of subsection (1) of this section or in  
7 addition thereto, any person who unlawfully entered,  
8 willfully and unlawfully remains after expiration or  
9 revocation of his entry permit shall be subject to  
10 deportation after hearing upon application by the President  
11 or his designee to any competent court in the Federated  
12 States of Micronesia.

13 (3) Any carrier violating the provisions of section  
14 109 shall be fined \$500 per person for persons not allowed  
15 to disembark or returned to an aircraft.

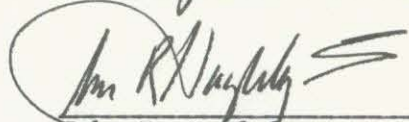
16 (4) Any person who fails to comply with subsection (3)  
17 of section 103 of this chapter shall lack standing to bring  
18 an action in the Supreme Court of the Federated States of  
19 Micronesia for accounts due on sales made or contracts  
20 entered into during the period of noncompliance."

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Public Law No. 5 - 54  
CONGRESSIONAL BILL NO. 5-215, C.D.1

1 Section 4. This act shall become law upon approval by the President  
2 of the Federated States of Micronesia or upon its becoming law without  
3 such approval.

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July 12, 1988  
  
John R. Haglergam  
President  
Federated States of Micronesia