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A BILL FOR AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended, by amending section 103 of chapter 1 to limit the eligibility for entry permits of spouses and unmarried children of noncitizen principals, 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. 10-  
3 14, 12-65 and 14-33, is hereby further amended to read as follows:

4           "Section 103.   Entry permits - Types.

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

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

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

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

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

23           (6) An alien worker's permit shall be issued to a  
24 noncitizen entering the Federated States of Micronesia  
25 upon compliance with all National laws relating to  
26 private or governmental employment for the period in

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1           which the employment of the alien worker is authorized  
2           by contract. The permit shall be renewed upon extension  
3           or renewal of the alien's lawful employment status.

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

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

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

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

19                 (a) Subject to this section and any requirements  
20                 set out in regulations issued pursuant to section 111 of  
21                 this chapter, a spouse permit holder shall be permitted  
22                 to undertake paid employment in the Federated States of  
23                 Micronesia. In the absence of any regulations on this  
24                 subject, a spouse permit holder shall be permitted to  
25                 undertake paid employment in the Federated States of  
26                 Micronesia only if he or she has been a resident of the

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

12 (b) A spouse permit may be revoked or denied, in  
13 accordance with the provisions of this chapter, upon a  
14 finding that (i) the parties are divorced, the parties  
15 are irreconcilably separated, or the citizen-spouse is  
16 deceased; and (ii) the revocation or denial is in the  
17 best interests of the Federated States of Micronesia.

18 (c) Except in extraordinary circumstances, no  
19 action to revoke or deny a spouse permit on the grounds  
20 of death of the citizen-spouse shall be taken for a  
21 period of six months from the date of death of the  
22 citizen-spouse.

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

1           (12) A spouse or unmarried child under the age of  
2           eighteen of [any] a noncitizen principal listed in this  
3           section, except subsection (11), when the noncitizen  
4           principal is eligible for the professional premium as  
5           defined under section 163(3) of title 52 of the Code of  
6           the Federated States of Micronesia, may be issued an  
7           entry permit for the duration of the principal's entry  
8           permit and may be renewed upon renewal of the  
9           principal's entry permit."

10          Section 2. This act shall become law upon approval by the  
11          President of the Federated States of Micronesia or upon its  
12          becoming law without such approval.

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14          Date: 5/12/09

Introduced by: Dion G. Neth  
Dion G. Neth

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