
A BILL FOR AN ACT

To amend section 708 of title 53 of the Code of the Federated States of Micronesia, as amended, to clarify that the 60 day period for the FSM Social Security Board to serve a final order of its decision to an aggrieved person is at the time of mailing the final order, and for other purposes.

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

1 Section 1. Section 708 of title 53 of the Code of the
2 Federated States of Micronesia, as amended, is hereby further
3 amended to read as follows:

4 "Section 708. Review of Board determinations.

5 Any person aggrieved by a final order of the Board may
6 obtain a review of the order in the Trial Division of
7 the Supreme Court of the Federated States of Micronesia
8 by filing in Court, within 60 days after the petitioner
9 is served with Notice of the entry of the order, a
10 written petition praying that the order be modified or
11 set aside in whole or in part. A copy of the petition
12 shall be served on the Board, by service on its
13 secretary or other designated agent, and thereupon the
14 Board shall certify and file in Court a copy of the
15 record upon which the order was entered. The findings
16 of the Board as to the facts, if supported by competent,
17 material, and substantial evidence, shall be conclusive.
18 If either party applies to the Court for leave to adduce

1 additional material evidence and shows to the
2 satisfaction of the Court that there were reasonable
3 grounds for failure to adduce the evidence in the
4 hearing before the Board or its authorized
5 representatives, and that such evidence is competent,
6 material, and substantial, the Court may order the
7 additional evidence to be taken by the Board and to be
8 adduced upon the hearing in such manner and upon such
9 conditions as the Court considers proper. The Board may
10 modify its findings and order after receipt of further
11 evidence together with any modified or new findings or
12 order. The judgment of the Court upon the record shall
13 be final, subject to review by the Appellate Division of
14 the Supreme Court upon petition of any aggrieved party,
15 including the Board, within 60 days from judgment."

16 Section 2. This act shall become law upon approval by the
17 President of the Federated States of Micronesia or upon its
18 becoming law without such approval.

19

20 Date: 9/22/14

Introduced by: /s/ Yosiwo P. George
Yosiwo P. George

21

22

23

24