
AN ACT

Prescribing the manner in which the functions of certain appointive positions in the National Government shall be performed during vacancies in such positions, and for other purposes.

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

1 Section 1. Definitions. As used in this act:

2 (1) "Position" and "regular employee" have the meaning and
3 definitions stated in Section 3 of Public Law No. 1-47.

4 (2) "Nominee" means a person nominated by the President for an
5 appointment which requires, but to which has not been given, the advice
6 and consent of the Congress.

7 (3) "Appointment" means an appointment by the President which
8 requires, and to which has been given, the advice and consent of the
9 Congress.

10 Section 2. Prohibition. No nominee for an appointive position in
11 the National Government may enter upon or in any manner undertake to
12 perform the duties and responsibilities of such position prior to con-
13 firmation in the form of advice and consent by the Congress.

14 Section 3. Positions Vacant Pending Appointment. Whenever a
15 vacancy exists in a position exempted from the National Public Service
16 System under Section 8, Subsection (1)(h), (i) or (j), of Public Law
17 No. 1-47, the administrative duties and ministerial functions of that
18 position may be performed by a qualified regular employee designated by
19 the President to serve in that position in "acting" capacity, pending an
20 appointment to fill the vacancy. A qualified regular employee so
21 designated by the President to serve in "acting" capacity may serve in
22 that capacity for not more than sixty days.

1 Section 4. Amendment. Public Law No. 1-6 is amended by repealing
2 Section 7 of that law and renumbering Sections 8 and 9 as Sections 7 and
3 8 respectively.

4 Section 5. Effective Date. This act shall become law upon approval
5 by the President of the Federated States of Micronesia, or upon its
6 becoming law without such approval.

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August 1, 1980

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Tosiwo Nakayama
President
Federated States of Micronesia

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