

## CHAPTER 10

### Carriage of Goods by Sea

#### SECTIONS

- § 1001.      **Application.**
- § 1002.      **Regulations for the carriage of goods by sea.**
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**Editor's note:** The former provisions of chapters 1 to 12 of this title were repealed in their entirety by PL 10-76 § 1 and replaced by the provisions of PL 10-76, the "National Maritime Act, 1997" codified at chapters 1 to 13 of this title. PL 10-76 took effect April 1, 1998.

#### **§ 1001. Application.**

This chapter applies to all goods carried by sea:

- (1) between ports in the Federated States of Micronesia; or
  - (2) to the Federated States of Micronesia under a bill of lading:
    - (a) issued in a country which is a party to the Hague-Visby Rules;
    - (b) issued at a port in a country which is a party to the Hague-Visby Rules;
  - (3) from the Federated States of Micronesia to a port in a country which is a party to the Hague-Visby Rules;
- or
- (4) under a contract which states that the provisions of the Hague-Visby Rules are to govern the contract.

**Source:** PL 10-76 § 204.

**Cross-reference:** The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the Congress of the Federated States of Micronesia are found in title 3 of this code. The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code.

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The FSM Supreme Court website contains court decisions, rules, calendar, and other information of the court, the Constitution, the code of the Federated States of Micronesia, and other legal resource information at <http://www.fsmsupremecourt.org/>.

The official website of the Congress of the Federated States of Micronesia contains the public laws enacted by the Congress, sessions, committee hearings, rules, and other Congressional information at <http://www.fsmcongress.fm/>.

### **§ 1002. Regulations for the carriage of goods by sea.**

The Secretary may promulgate regulations relating to the carriage of goods by sea, taking into account the provisions of the Hague-Visby Rules.

**Source:** PL 10-76 § 205.

**Cross-reference:** The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on Territory, Economic Zones and Ports of Entry are found in title 18 of this code.

### **§ 1003. Bills of lading.**

Every bill of lading to which section 1001 of this chapter applies shall contain an express statement that it is issued subject to the Hague-Visby Rules.

**Source:** PL 10-76 § 206.

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### **§ 1004. Jurisdiction of Supreme Court over carriage of goods within FSM.**

(1) All bills of lading or other contracts for the carriage of goods from any place within the Federated States of Micronesia to another place within the Federated States of Micronesia shall be interpreted and enforced according to the laws of the Federated States of Micronesia.

(2) The Supreme Court shall have exclusive original jurisdiction over all bills of lading and other contracts for the carriage of goods by sea to which section 1001(1) of this chapter applies.

(3) The Supreme Court shall have jurisdiction over all bills of lading and other contracts for the carriage of goods by sea to which section 1001, subsections (2) and (3) of this chapter apply, and any action brought in the Supreme Court shall be interpreted and enforced in accordance with the laws of the Federated States of Micronesia.

(4) Any bill of lading or other contract to which section 1001 of this chapter applies, which is inconsistent with this section, is null and void.

**Source:** PL 10-76 § 207.

**Cross-reference:** The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code. The statutory

provisions on Judicial Procedure are found title 6 of this code.

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