

CHAPTER 2

National Flag and Nationality

SECTIONS

- § 201. National flag.
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Editor's note: The former provisions of chapters 1 to 12 of this title were repealed in their entirety by PL 10-76 § 1 and replaced by the provisions of PL 10-76, the "National Maritime Act, 1997" codified at chapters 1 to 13 of this title.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.

§ 201. National flag.

(1) A Registered Vessel shall fly the national flag of the Federated States of Micronesia during daylight hours when:

- (a) in the Territorial Sea of the Federated States of Micronesia;
- (b) in the Territorial Sea of any other nation;

(c) outside the Territorial Sea of the Federated States of Micronesia or any other nation on the approach of any other vessel; or

- (d) in port.

(2) No national colors other than the national flag of the Federated States of Micronesia shall be flown on board a Registered Vessel except as a courtesy ensign.

(3) The master of a Registered Vessel shall ensure compliance with subsections (1) and (2) of this section.

(4) A master of a Registered Vessel commits a civil offense if the master knowingly violates this section, and shall be liable to a fine not exceeding \$50,000.

Source: PL 10-76 § 10, modified.

Cross-reference: FSM Const., art. IX, § 2(h). The provisions of the Constitution are found in Part I of this code.

The statutory provisions on the FSM National flag are found in chapter 5 of title 1 of this code.

§ 202. Falsely assuming nationality of the FSM.

(1) It shall be a national offense to knowingly fly the national flag of the Federated States of Micronesia so as to falsely appear to be a Registered Vessel, punishable by a fine not exceeding \$100,000 or imprisonment for not more than one year, or both.

(2) In addition to any other penalties, flying the national flag of the Federated States of Micronesia in violation of subsection (1) of this section shall be sufficient grounds for the vessel to be forfeited to the National Government.

Source: PL 10-76 § 11.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code.

§ 203. Concealment of nationality.

(1) The name and port of registry shall be clearly marked on the hull of a vessel.

(2) An owner or master of a vessel shall not conceal the nationality of the vessel.

(3) It shall be a national offense to violate this section, punishable by a fine not exceeding \$100,000 or imprisonment for not more than one year, or both.

(4) In addition to any other penalties, violation of this section shall be grounds for the vessel to be forfeited to the National Government.

Source: PL 10-76 § 12.

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.

§ 204. Authentication of nationality.

A vessel about to leave for a foreign port, may be detained until the master or person in charge has authenticated the nationality of the vessel to the relevant Government authorities by the production of the Certificate of Registry.

Source: PL 10-76 § 13.

Cross-reference: FSM Const., art. IX, § 2(h). The provisions of the Constitution are found in Part I of this code.

The statutory provisions on Territory, Economic Zones and Ports of Entry are found in title 18 of this code.