

THIRTEENTH CHUUK STATE LEGISLATURE

ACT NO. 13-21 | CHUUK STATE LAW NO. 13-16-16

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AN ACT: To enact a new Chapter governing the conservation, management, and protection of coastal fisheries and marine resources within the jurisdiction of Chuuk State; to regulate the taking, harvest, and export of marine species; to grant regulatory powers to the Department of Marine Resources; and for related purposes.

SECTION 1. Short Title.

This Act shall be known and cited as the "**Chuuk Coastal Fisheries Protection Act of 2016.**"

SECTION 2. Legislative Findings and Purpose.

The Legislature finds that the coastal marine resources, nearshore reefs, and lagoons of Chuuk State are vital to the food security, economic well-being, and cultural heritage of the people of Chuuk. Due to increasing pressure from commercial harvesting and unauthorized export out of the State, key marine species—including reef fish, mollusks, crustaceans, and shellfish—face significant risk of depletion. The purpose of this Act is to establish a sustainable management framework, authorize regulatory mechanisms, and restrict the commercial export of marine resources to safeguard the State's marine environment for present and future generations.

SECTION 3. Definitions.

For the purposes of this Act, unless the context otherwise requires:

- **(a) "Department"** means the Chuuk State Department of Marine Resources.
- **(b) "Director"** means the Director of the Department of Marine Resources.
- **(c) "Export"** means to take, send, carry, transport, or ship any marine resource out of the territorial boundaries of Chuuk State by any vessel, aircraft, or other means, or to receive, package, or process such resource for consignment or transport abroad.
- **(d) "Commercial Export"** means the export of any fish or marine resource for the purpose of commercial sale, trade, or financial gain.

Presumption of Commercial Export: All exports of fish or other regulated marine resources out of Chuuk State shall be presumed to be commercial exports unless explicitly exempted or authorized by permit issued pursuant to this Act or regulations promulgated hereunder.

- **(e) "Commercial Sale"** means any exchange, barter, or transfer of fish or marine resources for currency, goods, or services of value.
- **(f) "Mollusks and Shellfish"** includes, but is not limited to, all species of clams (*Tridacna* species and local varieties such as *Too*, *Sim*, or *Aniwe*), trochus, and other reef invertebrates native to Chuuk State.

- **(g) "Take"** means to harvest, catch, gather, collect, capture, kill, or attempt to engage in any such activity regarding any marine resource.

SECTION 4. Application and Scope.

- **(a) Geographical Jurisdiction:** This Act applies to all living marine resources within the marine jurisdiction of Chuuk State, extending up to twelve (12) nautical miles from the baseline of the island reefs and lagoons.
- **(b) Regulated Species:** This Act applies strictly to nearshore marine life, including mollusks (*pwaset*), shellfish, crustaceans, stony corals, and reef fish species.
- **(c) Exclusions:** Pelagic migratory fish species (such as tuna and billfish) governed by national fishery authorities shall be excluded from the scope of nearshore export restrictions under this Act.

SECTION 5. Administration.

The administration, management, and enforcement oversight of this Act are hereby vested in the **Chuuk Department of Marine Resources**.

SECTION 6. Powers and Duties of the Department.

The Department shall have the following administrative authorities and mandates:

- **(a) Rulemaking:** To promulgate, revise, and enforce administrative rules and conservation regulations specifying legal size limits, closed seasons, gear restrictions, and species harvest caps.
- **(b) Permit System:** To establish and manage an official administrative permit and authorization system governing the taking, local sale, and authorized non-commercial export of regulated marine resources.
- **(c) Inspection and Enforcement:** To conduct inspections at ports of entry, airports, docks, municipal landing sites, and commercial facilities to verify compliance with export permits and conservation regulations.
- **(d) Inter-Agency Cooperation:** To coordinate enforcement measures with State Quarantine, Customs, law enforcement agencies, and municipal authorities.

SECTION 7. Prohibitions.

It shall be unlawful for any person, business entity, or vessel to:

- 1. Harvest, possess, or sell any regulated marine species that fails to meet the minimum size requirements established by Department regulations.
- 2. Export or attempt to export out of Chuuk State any regulated marine resources (including *pwaset*/clams) without a valid written permit or clearance certificate issued by the Department of Marine Resources.
- 3. Obstruct or fail to comply with authorized officers performing inspection duties at ports, docks, or airport departure points.

SECTION 8. Penalties and Enforcement.

Any violation of the provisions of this Act or regulations issued under Section 6 shall constitute an offense punishable by fines, confiscation of unlawfully harvested or packed marine resources, revocation of permits, or civil liabilities as established by state code.

LEGISLATIVE AUTHENTICATION & APPROVAL

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