
AN ACT

To further amend title 10 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-61, 3-4, and 4-66, by adding a new chapter 6 concerning diplomatic missions, and for other purposes.

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

1 Section 1. Title 10 of the Code of the Federated States of
2 Micronesia is hereby further amended by adding a new section
3 601 of chapter 6 to read as follows:

4 "Section 601. Recognition of diplomatic missions.
5 The President of the Federated States of Micronesia
6 is authorized to enter into diplomatic relations with
7 foreign governments and to consent to the establishment of
8 diplomatic missions in the Federated States of Micronesia.
9 Unless otherwise provided by law, treaty, or the President
10 pursuant to section 602 of this title, such missions,
11 **members of the mission, and their families and private**
12 servants, and diplomatic couriers assigned to the mission
13 shall be afforded the privileges, immunities, protections,
14 and exemptions specified in the Vienna Convention on
15 Diplomatic Relations of April 18, 1961."

16 Section 2. Title 10 of the Code of the Federated States of
17 Micronesia is hereby further amended by adding a new section 602 of
18 chapter 6 to read as follows:

19 "Section 602. Exceptions based upon reciprocity. The
20 President may, on the basis of reciprocity and such terms
21 and conditions as he may determine, specify privileges,
22 immunities, protections, and exemptions which result in

1 different treatment than that specified under the Vienna
2 Convention on Diplomatic Relations of April 18, 1961."

3 Section 3. Title 10 of the Code of the Federated States of
4 Micronesia is hereby further amended by adding a new section
5 603 of chapter 6 to read as follows:

6 "Section 603. Dismissal on motion of actions against
7 individuals entitled to immunity. Any action or proceed-
8 ing brought against an individual who is entitled to
9 immunity with respect to such action or proceeding pursuant
10 to this chapter, or under any other laws of the Federated
11 States of Micronesia extending diplomatic privileges and
12 immunities, shall be dismissed. Such immunity may be
13 established upon motion or suggestion by or on behalf of the
14 individual, or as otherwise permitted by law or applicable
15 rules of procedure."

16 Section 4. Title 10 of the Code of the Federated States of
17 Micronesia is hereby further amended by adding a new section
18 604 of chapter 6 to read as follows:

19 "Section 604. Immigration laws and Presidential authority.
20 Section 107 of title 50 of the Code of the Federated States
21 of Micronesia shall not apply to any person granted
22 privileges, immunities, protections or exemptions under
23 this chapter, except to the extent otherwise provided by law
24 or treaty. However, nothing contained in this section shall
25 be construed as diminishing the authority of the President

1 or his authorized representative to declare such persons
2 persona non grata or unacceptable and effectuate their
3 removal or departure from the Federated States of Micro-
4 nesia. If a person is declared persona non grata or
5 unacceptable and fails to depart the Federated States
6 of Micronesia within a reasonable length of time, such
7 person's privileges, immunities, protections and
8 exemptions shall cease and he shall be promptly deported."

9 Section 5. Title 10 of the Code of the Federated States of
10 **Micronesia is hereby further amended by adding a new section**

11 605 of chapter 6 to read as follows:

12 "Section 605. Liability insurance for diplomatic
13 agents.

14 (1) Each mission and all persons receiving
15 privileges and immunities pursuant to this chapter must
16 comply with any requirements imposed by the regulations
17 promulgated by the President pursuant to subsection (2)
18 of this section.

19 (2) The President shall, by regulations promulgated
20 in accordance with chapter 1 of title 17 of the Code
21 of the Federated States of Micronesia, establish
22 liability insurance requirements to be met by each mission
23 and all persons receiving privileges and immunities pursuant
24 to this chapter. Such liability insurance requirements
25 shall relate to risks arising from the operation in the

1 Federated States of Micronesia of any motor vehicle,
2 vessel, or aircraft.

3 (3) The President shall take such steps as he may
4 deem necessary and proper to insure that each mission
5 and all persons receiving privileges and immunities
6 pursuant to this chapter that operate motor vehicles,
7 vessels, or aircraft in the Federated States of
8 Micronesia comply with the requirements established
9 pursuant to subsection (2) of this section.

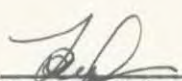
10 (4) Nothing contained in this chapter shall be
11 construed as authorizing the dismissal of any action
12 or proceeding against an insurer who by his contract has
13 insured a person entitled to immunity under this chapter
14 against liability for personal injury, death, or damage to
15 property. The immunity of the insured, the fact that the
16 insured is an indispensable party, or in the absence of
17 fraud or collusion, the fact that the insured has violated
18 a term of the contract, unless the contract was canceled
19 before the claim arose, shall not constitute defenses in
20 any such action or proceeding against an insurer."

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1 Section 6. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its becoming
3 law without such approval.

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March 4, 1987



Tosiyo Nakayama
President
Federated States of Micronesia