

JUNE 1975

TRUST TERRITORY OF THE PACIFIC ISLANDS  
HEADQUARTERS, SAIPAN, MARIANA ISLANDS

Volume 1 Number 11

Page 380-383

Effective date of

Publication June 28, 1976



IN THE SPOTLIGHT

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Aeronautics Chapter 1  
Landing Fees and Parking Charges  
at Trust Territory Airports

Kolonia Structural Policy

Adopted Amendments to Regulations  
Title 33 Business Regulations  
Foreign Investment Regulations

# territorial register

The Territorial Register is dedicated to Mr. James Stanton, former Assistant Attorney General, who conceived the idea of a Territorial Register.

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Published monthly by the Registrar of Corporations, Office of the Attorney General  
Printed by the Publication and Printing Division, Saipan, Mariana Islands 96950

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The Territorial Register is editorially organized according to the Territorial or other agency issuing the documents published or having an immediate administrative or enforcement concern over them. Listing in these contents or publishing in the sections that follow in this manner is for public information and has no legal significance.

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The Territorial Register is published on the fifteenth day of each month or on the next succeeding business day, by the Registrar of Corporations, Office of the Attorney General, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950, under Public Law 5-86. Distribution is made by the Chief of Publications, Department of Public Affairs, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.

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# ADOPTED REGULATIONS

## TITLE 21

### AERONAUTICS

#### CHAPTER 1

#### LANDING FEES AND PARKING CHARGES AT TRUST TERRITORY AIRPORTS

##### PART 1. GENERAL PROVISIONS

1.1 Authority. These regulations are promulgated and issued by the Director of the Department of Transportation and Communications pursuant to the authority granted him by Public Law 6-37.

1.2 Purpose. The purpose of these regulations is to establish schedules of landing fees and parking charges for the use of facilities and services at Trust Territory airports.

1.3 Definitions. As used herein, unless the context otherwise requires, the term:

a. "Aircraft" means any contrivance used for flight in the air.

b. "Air Taxi" means scheduled air carrier not exceeding 12,500 lbs. landing weight.

c. "Commercial aircraft" means any aircraft used for transportation of persons and cargo for valuable consideration.

d. "Day" includes any fraction of a day over 3 hours.

e. "Department" means the Department of the Transportation and Communications.

f. "Director" means the Director of the Department of Transportation and Communications.

g. "District" means any district which does not have a District Airport Authority created pursuant to law.

h. "Flying Club" means an association of persons who, for a consideration of paying membership fees or dues, shall have the privilege of flying aircraft for recreational or training purposes.

i. "Maximum landing weight" means the maximum landing weight approved and authorized for the particular aircraft by the Federal Aviation Agency (FAA) or by authority for the place in which the aircraft is certified or registered.

j. "Operator" means the owner of an aircraft or a person authorized by the owner to operate it.

k. "Person" includes any individual, firm, partnership, corporation, company, association, joint stock company, trust or government entity.

l. "Trust Territory airport" means any airport in the district owned and operated by the Trust Territory Government.

m. "Scheduled air carrier" means an operator authorized to operate commercial aircraft on scheduled basis at Trust Territory airports.

##### PART 2. LANDING FEES

2.1 Schedules. Except as provided for in Schedules 2 and 3 below, the following landing fees shall be assessed for each aircraft landing at each of the Trust Territory airports:

##### SCHEDULE I

Type of aircraft	Charge per landing	Based on Maximum landing weight of
B-747	\$408.00	680,000 lbs.
DC10	231.60	386,000 lbs.
DC8-63, 63F	210.00	350,000 lbs.
-62, 62F	201.00	335,000 lbs.
-61, 61F	195.00	325,000 lbs.
B-707 120B	154.20	257,000 lbs.
B-720 B	133.20	222,000 lbs.
B-707B100	91.14	151,900 lbs.
B-727-100	85.50	142,500 lbs.
DC7 C,F	85.86	143,100 lbs.
DC6	55.20	92,000 lbs.
B-737-200	64.20	107,000 lbs.
DC9-10 Model 15	54.90	91,500 lbs.
DC4	43.80	73,000 lbs.
F-28	32.40	54,000 lbs.
Gulfstream	32.40	54,000 lbs.
DC3	16.14	26,900 lbs.

**All Other Aircraft**

For all other aircraft not specifically categorized in Schedule 1:

(a) Aircraft weighing 12,500 lbs. or more, a charge of \$0.60 per 1,000 lbs. of the maximum landing weight, computed to the nearest 1000 lbs. shall be assessed for each aircraft landing at each of the Trust Territory airports.

(b) Aircraft weighing less than 12,500 lbs., a charge of \$0.65 per 1,000 lbs. of the maximum landing weight, computed to the nearest 1000 lbs. shall be assessed for each aircraft landing at each of the Trust Territory airports.

**SCHEDULE 2**

**Scheduled Air Carrier**

Aircraft landing per month per airport	Per 1,000 lbs. of maximum landing weight
From 2-12	\$0.45
From 13-32	\$0.35
Over 33 landings	\$0.30

Exception. A franchised air carrier which serves three or more districts will be assessed a quarterly landing fee of \$0.10 per 1,000 pounds per landing at the maximum gross landing weight of aircraft as shown on the Certificate of Airworthiness for the total number of landings made during the quarter."

**SCHEDULE 3**

**Air Taxi**

Number of landings per airport per week	Charges per 1,000 lbs. of maximum landing weight
From 2-12	\$0.65
From 13-32	\$0.50
Over 33 landings	\$0.45

**PART 3. PARKING CHARGES**

3.1 Facilities and services. Parking charges for the use of facilities and services at Trust Territory airports shall be as follows:

a. Commercial aircraft with maximum landing weight of 6,000 lbs. or less:

Per day	\$ 1.00
Per Week	\$ 5.00
Per Month	\$15.00

b. Non-commercial aircraft with maximum landing weight of 6,000 lbs. or less:

Per Day	No Charge
Per Week	\$ 5.00
Per Month	\$15.00

c. Commercial and non-commercial aircraft with maximum landing weight of over 6,000 lbs.:

Per Day	\$0.15 per 1,000 lbs. (minimum \$1)
Per Week	\$0.70 per 1,000 lbs. (minimum \$5)
Per Month	\$2.50 per 1,000 lbs.

**PART 4. EXEMPTIONS**

4.1 The schedule of landing fees and parking charges at Trust Territory airports shall not apply to the following:

- a. Aircraft conducting medical evacuation or any relief mission.
- b. Aircraft engaged in search and rescue missions.
- c. Aircraft forced to return to the airport after take off due to weather, mechanical trouble or other operating causes.
- d. Aircraft operated by the Trust Territory Government.
- e. United States military aircraft.
- f. Aircraft operated by the United States Government agencies.
- g. Diplomatic aircraft.
- h. Aircraft ordered to return to the airport by government authorities.
- i. Aircraft of 3,500 lbs. maximum landing weight or less when not engaged in commercial operations shall be exempted from landing fees only.
- j. Unpowered gliders.
- k. Aircraft used for flight training.

4.2 Only parking charges shall be paid by the following:

- a. Aircraft owned and operated by flying clubs.

**PART 5. PAYMENTS**

5.1 District Airport Managers. The District Airport Managers shall be responsible for the collection of all landing fees and parking charges at Trust Territory airports.

All landing fees and parking charges shall be payable to the Treasurer of the Trust Territory and collected by the Airport Manager prior to the departure of the aircraft. The Airport Manager shall deposit all monies collected with the District Finance Officer for credit to the Airport Revenue Fund.

5.2 Credit Arrangements. Separate credit arrangement may be made with the Director of Transportation and Communications in lieu of direct payments as provided in Section 5.1 above.

#### PART 6. REPORTS

6.1 Submittal. Airport Manager shall submit to the Director a monthly report on landing fees and parking charges collected on a form approved by the Director.

#### “KOLONIA STRUCTURAL POLICY”

This instrument shall be construed as a policy governing the construction of any structural nature upon a publicly owned land situating within the limits of Kolonia, Island of Ponape, Ponape District. The content and intent of this policy shall be in full force and effect upon execution by the District Administrator, or in his absence, by the Deputy District Administrator.

It is the policy of the Government:

- (1) The prospective builder must submit tentative plans and specifications for approval or disapproval.
- (2) No structure of any nature will be constructed upon a publicly owned property without obtaining prior written approval from the Government.
- (3) No structure of any nature will be constructed upon a publicly owned property exceeding thirty (30) feet high from ground level.
- (4) Structure of any nature must not be less than fifteen (15) feet from the front property line.
- (5) Structure of any nature must not be less than ten (10) feet from the side or rear property line.
- (6) No permit shall be granted unless the structural design shows a front entrance and an exit to be located on the rear of the structure. Such an exit is required as a fire escape.
- (7) No permit shall be granted unless the structural design clearly indicates that it will not inconvenience or hamper the safety of the neighborhood.

#### PART 7. ENFORCEMENT OF PAYMENT

7.1 Utilization of Micronesian Police. The Airport Manager may, in the event of the failure or refusal by the aircraft operator to pay the imposed landing fees or parking charges, request the District Administrator to utilize the District detachment of the Micronesia Police to detain the aircraft until payment is obtained.

#### PART 8. OVERTIME PAYMENT FOR GOVERNMENT OFFICERS

8.1 When and in the event that an air carrier requires the services of an officer from Immigration, Agriculture Quarantine, Revenue or Health after regular and usual working hours, the air carrier shall be responsible for the payment of the overtime costs for such service.

Issued this 21st day of January, 1976.

By:

Bermin F. Weilbacher  
Deputy District Administrator  
Ponape District

#### “KOSONNED EN KAWADA IHMW”

Met pahn wia kosonned elu pidada kokoudahn ihmw kan nan sapwen weipokon nan Kolonia Town, Dekehrn Pohnpei, Weipokon en Pohnpei. Audepe oh inengipe pahn manamanla ni ahr pahn alehdi kamanaman sang Kepina de ni eh sohte mie Keriau en Kepina en Weihn Pohnpei.

Eli wia kosonned elu:

- (1) Me pahn kawada ihmw udahn pahn wiahda plan oh ire tikitik kan en ihmw pwehn kak alehdi kamanaman de soh.
- (2) Sohte soahng elu kak kokouda nan sapwen Kopworoment ni ah sohte alehdi mweimwei ni inṭing sang Kopworoment.
- (3) Sohte soahng ieu kak kokouda nan sapwen Kopworoment pahn ileileh sang piht silihsek (30) sang pohn pwel.
- (4) Kokoudahn ihmw uhdahn pahn dohkihsang piht eisek limau (15) ni irepen lain sohpeilang ahl.
- (5) Kokoudahn ihmw uhdahn pahn dohkihsang piht eisek (10) ni irepen sahpuw.
- (6) Sohte mweimwei pahn kohda lao me kohwaki pahn kasalehda ni plan mwomwen plan en wasahn pidolong oh wasahn pidoi pali koaros mwohn ilunwo oh mwuri. Met pahn doarehla kahpwa me kak en pwarada sang keper en kisiniei.

(7) Sohte mweimwei pahn lao me kohwa kaselehda ni sansal me ire wet de irenkan me sansalehr sohtpahn keperohn roson en me kouson limwah.

Kodahr ni 21 en January, 1976.

By: Bermin F. Weilbacher  
Deputy District Administrator  
Ponape District

ADOPTED AMENDMENTS TO REGULATIONS  
TITLE 33  
BUSINESS REGULATIONS  
FOREIGN INVESTMENT REGULATIONS

PART 1. General Provisions

The following subsections are hereby added to Section (h). New Subsections 16, 17, 18 and 19 are added and Subsection 16 is renumbered Subsection 20:

16. All charters of a fishing vessel by a licensed Trust Territory citizen individual or company (including those with foreign business permits) shall not be considered doing business on the part of the owner of the vessel.

17. All contracts for the purchase of fish or other commodities to be processed in the Territory by a licensed processor shall not be considered doing business on the part of the seller. Nothing herein shall be construed as allowing foreign flag vessels to fish within the Trust Territory fishery zone.

18. All deliveries of raw materials (including marine and agricultural materials) for processing in the Territory or the pick up of processed goods shall not be considered doing business on the part of the carrier, seller (in the case of delivery) or buyer (in the case of pickup).

19. No provision in these regulations shall be construed as waiving the applicability of Trust Territory laws relating to labor, immigration or taxation.

PART 2. Whenever the words "District Economic Development Boards" appear in the regulations they will be deleted and the words "District Foreign Investment Boards" substituted.

APPROVALS FOR THE PROPOSED AMENDMENT OF THE  
FOREIGN INVESTMENT REGULATIONS  
(TITLE 33, CHAPTER 1)

The Proposed Amendments of the Foreign Investment Regulations have been issued pursuant to the authority vested in me by Section 17 of Title 33 of the Trust Territory Code.

Date \_\_\_\_\_ /s/ \_\_\_\_\_  
Eusebio Rechucher  
Director, Resources and Development

The proposed amendments of the Foreign Investment Regulations have been reviewed by me and are found to be in proper legal form.

Date \_\_\_\_\_ /s/ \_\_\_\_\_  
Richard I. Miyamoto  
Attorney General

The proposed amendments of the Foreign Investment Regulations are hereby approved and shall be promulgated in accordance with Section 1-15 of Title 17 of the Trust Territory Code.

Date \_\_\_\_\_ /s/ \_\_\_\_\_  
High Commissioner