

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN MARIANA ISLANDS

VOLUME 15 NUMBER 01



JANUARY 15, 1993

COMMONWEALTH

REGISTER

**COMMONWEALTH REGISTER
VOLUME 15 NUMBER 01
JANUARY 15, 1993**

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BOARD OF EDUCATION

NOTICE OF PROPOSED POLICIES

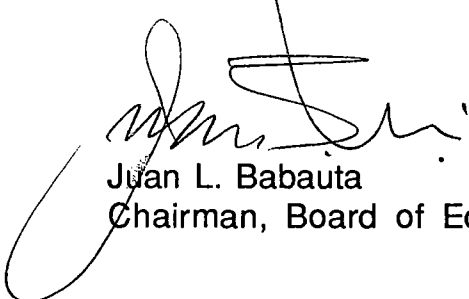
The Board of Education, Commonwealth of the Northern Mariana Islands, hereby notifies the general public of its intention to adopt certain new and amended policies. The proposed policies, which would have the force and effect of law, are promulgated pursuant to the authority provided by the Education Act of 1988 and the Administrative Procedures Act.

The policies involve the following subject area:


1. Amended Policy 4215 Overtime Compensation,
Compensatory Time & Control
2. New Policy 4215.2 Compensatory Time

The text of the proposed policies are published following this notice. Anyone interested in commenting on the proposed policies may do so by submitting comments in writing to the Chairman, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950 within thirty days of the date of publication of this issue of the Commonwealth Register.

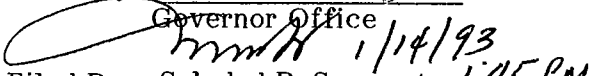
Dated January 07, 1993.


Juan L. Babauta
Chairman, Board of Education

Received By:


Donna Cruz

Governor Office


Filed By : Soledad B. Sasamoto 1:45 P.M.
Registrar of Corporations

BOARD OF EDUCATION

NUTISIA POT I MANMAPROPOPONI NA POLICIES


I Board of Education, Commonwealth of the Northern Mariana Islands, ha emfotma i publiku pot i entension-na na para u fanadapta nuebu yan amendasion para policies. I manmapropoponi na policies u gai fuetsa taiguihi ha i lai ni macho'gue sigun aturidat i Education Act of 1988 yan i Administrative Procedures Act.

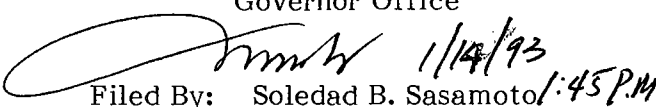
1. Ma' amenda Policy 4215 Areklamenton Overtime,
Compensatory Time yan Control
2. Nuevo Policy 4215.2 Compensatory Time

I intension i ma amenda na amendasion yan i nuebona policies siempre u fan mapublika huyong despues di malaknos-ña este na notisia. Hayi na petsona malago' mama'tinas rekomendasion pot este siha na policies, siña ha tuge' papa' ya u submiti halom gi Chairman, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950 gi halom trenta (30) dias despues di mapublika huyong este na nutisia gi Commonwealth Register.

Mafecha gi Eneru 07, 1993.


Juan L. Babauta
Chairman, Board of Education

 1/11/93
Received By: Donna Cruz
Governor Office

 1/14/93
Filed By: Soledad B. Sasamoto 1:45 P.M.
Registrar of Corporations

BOARD OF EDUCATION

ARONGORONG REEL FFEERUL ALLEGH

Schóól Board of Education, mellól Commonwealth of the Northern Mariana Islands, rekke arongaar towap reel mángemángiir igha rebwe adapta me fféer Iliiwel llól yaar allégh. Allégh rebwe féerúl, nge e pwal yoor bwángil me allégh nge re bwal féerú sáangi bwángil me ailéewal Education Act of 1988 me Administrative Procedures Act.

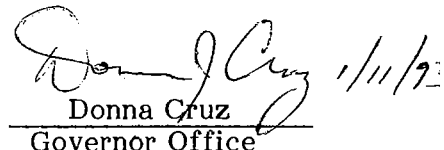
Llól allégh kkaal nge e bwal toolong ffél kka faal:

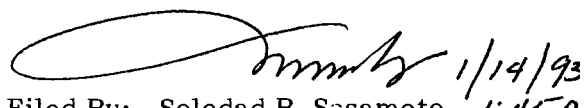
1. E Iliiwel Policy 4215 Abwóssul overtime me lemelemil.
2. Efeéetá Policy 4215.2 Compensatory

Owtol allégh yeel nge ebwe toowow mwiril arongorong yeel. Iyo e mwuschál bwe atotoolong meeta tipal me mángemángil nge ebwe ischiitiw nge aa afanga ngáli Chairman, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950. Llól eliigh rál sáangi igha e toowow arongorong yeel llól Commonwealth Register.

Ráll: Enero 07, 1993.


Juan L. Babauta
Chairman, Board of Education

Received By:  1/11/93
Donna Cruz
Governor Office

 1/14/93
Filed By: Soledad B. Sasamoto 1:45 P.
Registrar of Corporations


CERTIFICATION OF RULES REGARDING THE PUBLIC SCHOOL SYSTEM
PROPOSED POLICIES
BOARD OF EDUCATION


I, Juan L. Babauta, Chairman, Board of Education, which is promulgating the rules regarding the Public School System to be published in the Commonwealth Register **Proposed** Board of Education policy numbers numbers as follows: Amended Policy 4215 Overtime Compensation, Compensatory Time & Control and New Policy 4215.2 Compensatory Time, by signing below hereby certify that such Rules are a true, complete, and correct copy of the policies regarding the Public School System formally **Proposed** by the Board of Education. I further request and direct that this certification be published in the Commonwealth Register and then be attached by both the Office of the Registrar of Corporations and Office of the Governor to the Policies regarding the Public School System referenced above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 7th day of January 1993 at Saipan, Commonwealth of the Northern Mariana Islands.



Juan L. Babauta
Chairman, Board of Education


Received By: Donna Cruz
Governor Office


Filed By: Soledad B. Sasamoto
Registrar of Corporations

4215 OVERTIME/COMPENSATION, COMPENSATORY/TIME & CONTROL

4215.1 OVERTIME COMPENSATION & CONTROL

- A. Any employee who is not employed in an executive, administrative or professional capacity and is directed to work and does work in excess of forty (40) hours a week shall be paid overtime at the rate of one and one-half (1-1/2) times his basic pay; or in the absence of any funds for overtime compensation, compensatory time-off shall be granted within four (4) pay periods from the date in which it was earned, and any compensatory time not used within a four pay period interval shall be converted to overtime pay the following pay period.

Overtime work may not be required unless:

- (1) The Commissioner of Education gives prior written approval:
 - (2) The overtime work is directed to a specific objective or goal of accomplishment; and
 - (3) The specific objective or goal cannot be accomplished during the regular workday, nor postponed to the following day or days. Any employee who is required to work overtime of less than two (2) hours is credited with a minimum of two (2) hours overtime work.
 - (4) Any employee who is required to work overtime of less than two (2) is credited with a minimum of two (2) hours overtime work.
- B. Minimizing and Control of Overtime. Intelligent and responsible control of overtime for all Public School System is a continuing management function and, to this end, certain steps are to be taken by all management officials and subordinate supervisors to minimizing overtime. These steps include:
- (1) Ensure that every effort is made to improve management of the man-hours available during the 40 hours work week; eliminate unessential or low priority work; make certain that reasonable discipline is maintained with respect to hours of work, leave, punctuality, industry, and individual productivity.

- (2) Examine the purpose of overtime to determine whether the work to be accomplished requires immediate completion. No overtime should be approved to complete any work that could be delayed without undue hardship.
 - (3) Where recurring overtime appears necessary, consider the relative cost of additional personnel versus the current cost of overtime. Where additional personnel would result in less cost to the government, they should be provided by reassigning employees in less essential positions, wherever possible.
 - (4) consider pooling clerical personnel and freely loaning employees from one activity to another as the needs of the moment require. No situation should be allowed to exist wherein employees are not fully occupied in necessary work eight hours a day.
 - (5) Use available recognition devices, merit increase, performance awards, and priority consideration for promotion to reward employees who make extra efforts on behalf of their organizations. This will encourage other employees to raise their sights.
- C. Approval of Overtime. As a general policy, an employee who has taken annual or sick leave or who plans to take annual or sick leave within the same work week will not be scheduled to work overtime, and will be advised that overtime voluntarily is not compensable.
- D. Supervisors Working Overtime. As a general policy, management officials should refrain from directing supervisory personnel to work overtime.
- E. Supervisor of Overtime Work. In the event three or more employees are directed to work overtime, a supervisor must be present to ensure proper utilization of the overtime period.

4215.2 COMPENSATORY TIME

- A. Any employee who is employed in an executive, administrative or professional capacity and is directed to work and does work in excess of forty (40) hours a week shall be awarded compensatory time at the rate of one and one-half (1-1/2) hours of comp time for each hour of overtime worked. Compensatory time for overtime work may not be awarded unless:
- (1) The Commissioner of Education gives prior written approval of the overtime work;
 - (2) The overtime work is directed to a specific objective or goal of accomplishment; and
 - (3) The specific objective or goal cannot be accomplished during the regular workday, nor postponed to the following day or days.
- B. Comp time earned under this section may be used in the same manner as annual leave and such use must be approved by the employee's supervisor in the same manner as annual leave. An employee may accumulate a maximum of 120 hours of comp time. Comp time has no monetary value and no payment will be made for unused comp time hours.
- C. Certified teachers who are required to work only 190 days under their contracts may not accumulate or use comp time. Overtime hours worked by such teachers shall be recognized by their supervisors in the evaluations of the teachers.



Department of Finance

Office of the Director

Commonwealth of the Northern Mariana Islands

P.O. Box 5234 CHRB

Saipan, MP 96950

Cable Address

Gov. NMJ Saipan

Phone: 322-3245-3246

Facsimile: 322-4310

January 15, 1993

PUBLIC NOTICE

DEPARTMENT OF FINANCE

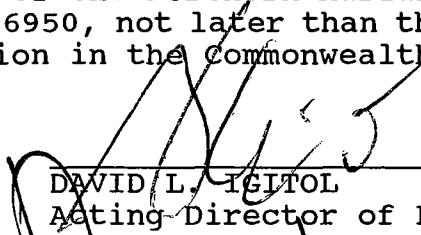
GOVERNMENT VEHICLE PROPOSED REGULATION NO. 1101 TO PUBLIC FINANCE CONTROL AND ACCOUNTABILITY

The Director of the Department of Finance hereby provides public notice of the proposed Government Vehicle Regulation No. 1101 of the Department of Finance, Public Finance Control and Accountability Regulation. The proposed Government Vehicle Regulation No. 1101 establishes standards for control and regulation of the use of government vehicles; to provide for the efficient and proper use of such assets; to safeguard such assets of the CNMI from waste and abuse by improper use or mismanagement; and to protect the government from any liability resulting from any improper or misuse of such asset. The proposed regulation provides for the day to day record keeping of the use of government vehicles and the reporting of any impropriety in the use of the vehicle. This proposed Government Vehicle Regulation No.1101 is to be promulgated under the authority given to the Director of Finance at 1 CMC §2553(j) and §2557 and the CNMI Constitution Article 10, Section 8.

The proposed regulation is published in the Commonwealth Register. Copies of the Commonwealth Register may be obtained from the Attorney General's Office.

Anyone interested in commenting on this proposed Government Vehicle Regulation No. 1101 to Public Finance Control and Accountability may do so in writing addressed to the Director of Finance, Commonwealth of the Northern Mariana Islands, P.O. Box 5234 CHRB, Saipan, MP 96950, not later than thirty (30) days from the date of its publication in the Commonwealth Register.

Issued by:



DAVID L. TEITOL
Acting Director of Finance

1/15/93
Date

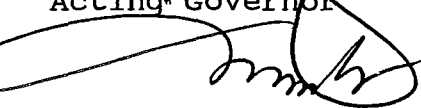
Concurred by:



BENJAMIN T. MANGLONA
Acting Governor

1/15/93
Date

Filed and Recorded by:



SOLEDAD B. SASAMOTO
Registrar of Corporations

1/15/93
Date

*Received in Sovereign's Office
1/15/93*



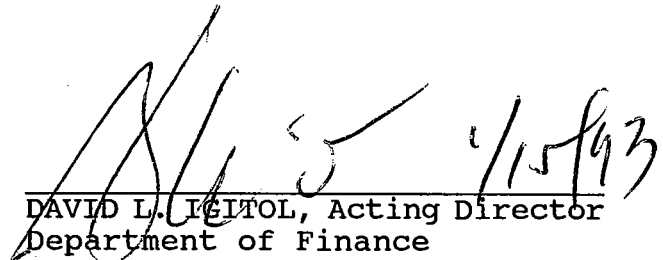
Department of Finance
Office of the Director
Commonwealth of the Northern Mariana Islands
P.O. Box 5234 CHR
Saipan, MP 96950

Cable Address
Gov. NMI Saipan
Phone: 322-3245-3246
Facsimile: 322-4310

CERTIFICATION

I, David L. Igitol, the Acting Director of the Department of Finance who is publishing this proposed Government Vehicle Regulation No. 1101 of the Department of Finance, Public Finance Control and Accountability Regulation, by signature below hereby certify that the proposed Government Vehicle Regulation No. 1101 of the Public Finance and Control and Accountability Regulation is a true, correct, and complete copy of the regulation proposed by the Department of Finance. I further request and direct that this certification and the proposed Government Vehicle Regulation No. 1101 be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 15th day of January, 1993 at Saipan, Commonwealth of the Northern Mariana Islands.


DAVID L. IGITOL, Acting Director
Department of Finance



Department of Finance

Office of the Director

Commonwealth of the Northern Mariana Islands

P.O. Box 5234 CHRB

Saipan, MP 96950

Cable Address

Gov. NMJ Saipan

Phone: 322-3245-3246

Facsimile: 322-4310

Eneero 15, 1993

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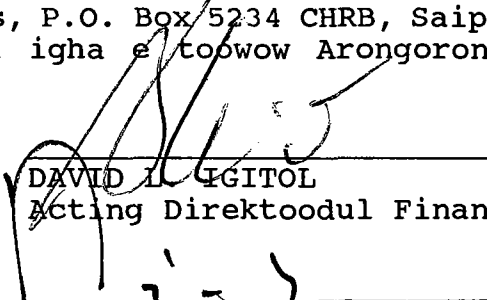
FFEERUL ALLEGHUL YAYAAL GHARETAAL GOBENNO NO. 1101
NGALI PUBLIC FINANCE REEL LEMELEMIL ME APPELUGHULUGH

Direktoodul Dipatamentool Finance sangi arongorong yeel nge ekke arongaar towlap reel Ffeerul Alleghul Gharetaal Gobenno No. 1101 mellol Dipatamentool finance, me Public finance reel Lemelemil me Appelughulugh. Ffeerul Allegh ye No. 1101. Reel Gharetaal Gobenno nge ebwe ayoorra allegh reel lemelemil me yayaal gharetaal Gobenno; ebwe ayoorra mille rebwe limiti ghatchuuw schowar kkaal; rebwe aghatchu schowar kkaal mellol CNMI bwe rete angowa jaar yaalil me lemlil; me ebwe pileey ngare baluuw bogenno bwe ressobw tip ngali ngare eyoor meta igha rese limiti ghatchiuuw schowar kkaal. Allegh nge ebwe ayoorra appelughulugh ral me ral reel yayaal ghareeta kkaal. Ffeerul Alleghul yayaal gharetaal Gobenno ye No. 1101; nge rebwe feeru sangi bwang ye re ngaleyey Direktoodul Finance reel bwangil me aileewal mille 1 CMC \$2553(j) me \$2557 me bwal CNMI Constitution Article 10, Section 8.

Allegh kkaal nge aa toowow llol Commonwealth Register. Kkopiyaal Commonwealth Register nge emmwel schagh aramas rebwelo bweibwogh mellol Bwulasiyool Attorney General.

Aramas ye e tipali bwe ebwe isiisilong me tipal me mangemangil Alleghul Gharetaal Gobenno No. 1101 Ngal Public Finance reel lemelemil me appelughulugh, nge emmwel schagh ebwe ischiitiw nge aa afanga ngali Direktoodul Finance, Commonwealth of the Northern Mariana Islands, P.O. Box 5234 CHRB, Saipan, MP 96950, llol eliigh (30) ral sangi igha e toowow Arongorong yeel llol Commonwealth Register.

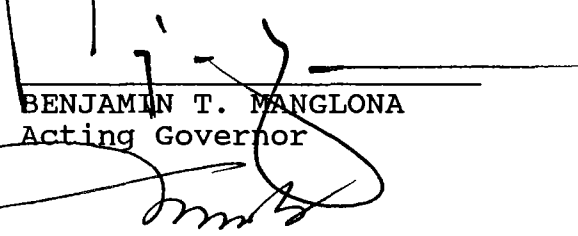
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DAVID I. TIGTOL
Acting Direktoodul Finance

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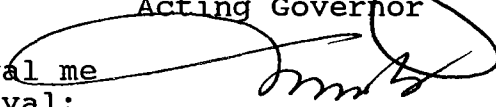
Alleghuuyal:


BENJAMIN T. MANGLONA
Acting Governor

Ral

1/15/93

File-liiyal me
Rekod-liiyal:


SOLEDAD B. SASAMOTO
Registrar of Corporation

Ral

1/15/93

Received in Governor's office



Department of Finance

Office of the Director

Commonwealth of the Northern Mariana Islands

P.O. Box 5234 CHRB

Saipan, MP 96950

ENERU 15, 1993

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Gov. NMI Saipan

Phone: 322-3245-3246

Facsimile: 322-4310

NUTISIAN PUBLIKU DIPATAMENTON FAINANSIAT

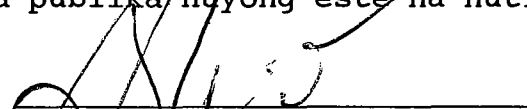
I MAPROPOPONE NA REGULASION NO. 1101 PUT KARETAN GOBETNO PARA FAINANSIAT PUBLIKU PUT MINANEHA YAN INANGO'KO

I Direktot Depatamenton Fainansiat ginen este hana guaha nutisian publiku put i mapropoponi na Regulasion Ma'usan Karetan Gobetno No. 1101 para Dipatamenton Fainansiat, Fainansiat Publiku put minaneha yan inango'ko na Regulasion. I mapropopone na Regulasion put Karetan Ma usan Karetan Gobetno No. 1101 para u establese areklamento yan minaneha yan regulasion put ma usan karetan Gobetno para u pribeniyi mihinilat yan propiu para ma usan este siha na guinaha para u protehe este naguinaha gi halom CNMI ginen ginasto yan ti ma atienden maolek osino ti ma manehan maolek; yan para u protehe i Gobetnamento responsabilidatna put resutta anai ti ma usa maolek, yan atiende maolek este siha na guinaha. I mapropoponi na regulasion para u prubenyi rekod kada dia put mausan este siha na kareta. I mapropoponi na Regulasion Put Karetan Gobetno No. 1101 u ma establese sigun i aturidat ni manae i Direktot Fainansiat ginen i fuetsa yan sinangan 1 CMC \$2553(j) yan \$2557 yan CNMI Constitution Atikulu 10, Seksiona 8.

I mapropoponi na regulasion ma publika huyong gi Commonwealth Register. Haya interesao na petsona sina manule kopian i Commonwealth Register gi Ofisinan Attorney General.


Hayi interesao mamatinas komentu put i mapropoponi na Regulasion Pot karetan Gobetno No. 1101 para Minaneha yan Inango'ko ginen Fainansiat Publiku, sina ha matuge papa ya u mana hanao guato gi, Direktot Fainansiat, Commonwealth of the Northern Mariana Islands, P.O. Box 5234 CHRB, Saipan, MP 96950 ti u mas di trenta (30) dias despues di ma publika huyong este na nutisia gi halom Commonwealth Register.

Linaknos:


DAVID L. TEITOL
Acting Director of Finance

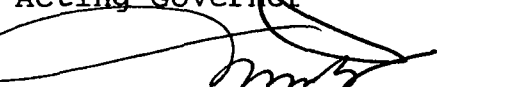
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Fecha

Inakonfotma:


BENJAMIN T. MANGLONA
Acting Governor

1/15/93
Fecha

Ma File yan
Rekot as:


SOLEDAD B. SASAMOTO
Registrar of Corporations

1/15/93
Fecha

**DEPARTMENT OF FINANCE
PROPOSED
PROCUREMENT AND SUPPLY REGULATIONS
REGARDING GOVERNMENT VEHICLES**

Section 1 Authority: These regulations are issued under the authority of CNMI Constitution Article 10, Section 8, 1 CMC §2553(j), and 1 CMC §2557.

Section 2 Purpose: The purpose of these regulations is to establish standards for control and regulation of the use of government vehicles; to provide for the efficient and proper use of such assets; to safeguard such assets of the CNMI from waste and abuse by improper use or mismanagement; and to protect the government from any liability resulting from any improper or misuse of such asset. Also the proposed regulations provide for the day to day record keeping of the use of government vehicles and the reporting of any impropriety in the use of the vehicle.

Section 3 Definitions:

(a) "Director" means the Director of the Department of Finance or his designee.

(b) "Employee" means all employees of the CNMI government, its agencies and instrumentalities. The term "employee" includes elected and appointed officials; directors, board members, and employees of autonomous agencies and corporations; and guests of officials with expenditure authority when such guests have written authorization approved by the expenditure authority.

(c) "Government Vehicle" means all motor vehicles:

(i) as defined in the CNMI Vehicle Code, 9 CMC §1101(u);

(ii) owned or leased by the CNMI government and its political subdivisions, including the executive, judiciary, and legislative branches, autonomous and public corporations; and local government agencies; and

(iii) vehicles owned or leased under federal grant where CNMI agencies is the grantor.

The term shall not include vehicles rented by employees on a day-to-day basis during into-island and off-island travel.

(d) "Official with Expenditure Authority" means the CNMI government official who is authorized by law to administer, obligate, and expend CNMI government appropriated funds, or funds from which the CNMI has assigned.

Section 4 Procurement of Government Vehicles: The procurement of vehicles by the CNMI government shall be in accordance with the CNMI Procurement Regulations published in the Commonwealth Register Vol. 9, No. 9, Sept. 15, 1990 as amended from time to time, and the Vehicular Fleet Management Plan adopted by the Director. The Vehicular Fleet Management Plan adopted by the Director shall contain standard vehicle specifications and features in each class of vehicle, and it shall specify which class of vehicle is authorized for purchase and use by elected officials, Department Directors, Division Chiefs, and specialty activities, respectively. The Director may from time to time amend the Vehicular Fleet Management Plan as required to economically meet the vehicular needs of the CNMI.

Section 5 Use of Government Vehicles: Government vehicles shall be used exclusively as follows:

(a) Elected officials, department directors, heads of independent boards, commissions, and agencies may use government vehicles 24 hours a day, seven days a week. Division Chiefs may use government vehicles on the same basis at the request of the respective Department Director, or head and with the approval of the Director of Finance.

(b) All other employees may use government vehicles to accomplish their regularly assigned duties and as authorized by their supervising official with expenditure authority according to these regulations; provided that these vehicles may only be used during regular government working hours, for official government business, and at any other time an employee is required to perform official business.

(c) Government vehicles shall not be used to transport anyone other than employees, and only when official business so requires. Any employee who allows unauthorized passengers shall be personally liable for any damage or injury to that passenger.

(d) All government vehicles shall be parked overnight and on weekends and holidays in secure areas to be designated by the Director of Finance, provided, however, that any Department Director, independent board, and commission board, presiding officers of the Senate and House, and the presiding judge of the Commonwealth Superior Court and the Chief Justice of the Commonwealth Supreme Court may request the approval of the Director of Finance that certain vehicles may be driven home by employees based upon the following guidelines:

(1) the employee's regularly assigned duties include 24-hour emergency or on-call services requiring the use of the vehicle; or

(2) the Department Director or supervising official is unable to locate a secure location on government property to store the vehicle during nonbusiness hours and the employee has assumed responsibility for maintaining the vehicle at his or her residence during those hours;

(3) the employee has the written authorization on his or her person during operation of the vehicle; and

(4) the employee shall be responsible for any tax consequences resulting from the benefit of the use of the vehicle to and from their home.

The written authorization shall be certified by the official with expenditure authority under penalty of perjury and shall identify the employee who is granted authorization for use and identify the specific grounds for such authorization.

(h) Restrictions on the use of government vehicles may be waived by the Governor during the time of a natural disaster.

Section 6 Vehicle Log Records. Except for vehicles assigned to elected officials, department directors, heads of independent boards and commissions, and the presiding judge of the Commonwealth Superior Court and the Chief Justice of the Commonwealth Supreme Court and emergency vehicles used by Department of Public Safety, Civil Defense, Commonwealth Utilities Corporation, and Department of Public Health, all other vehicle shall have a continuous vehicle trip log at all times when in use by employees.

(a) The Division of Procurement and Supply will prepare and distribute to all government officials or agencies in possession of government vehicles, forms which will provide basic trip information such as date, time, places of travel, purpose of travel, beginning and ending speedometer readings, total miles driven, the signature of the vehicle operator and vehicle identification data.

(b) These logs shall be placed in every vehicle and maintained by the vehicle operator.

(c) Monthly, each Department Director, head of independent board or commission, presiding officers of the Senate and House, and the presiding judge of the Commonwealth Superior Court and the Chief Justice of the Commonwealth Supreme Court shall account for the accuracy of the log sheets, sign the log sheets, and transmit the log sheets to the Division of Procurement and Supply where they will be maintained and filed as a part of the history of each vehicle.

(d) Failure to maintain these forms and submit them within ten days after the closing of the month to the Division of Procurement and Supply will be grounds for the Director to confiscate the vehicle in question.

Section 7 Maintenance of Government Vehicles: Government vehicles shall be maintained within the following guidelines:

(a) Except for the vehicles assigned to the Governor and the Lieutenant Governor and presiding officers of the Senate and House for their official use, government vehicles shall not be equipped with tinted, reflective, or darkened window glass that might interfere with outside visibility of the interior of the vehicle or with the visibility of the operator at night.

(b) Except for the vehicles assigned to the Governor and the Lieutenant Governor and presiding officers of the Senate and House for their official use, government vehicles shall bear CNMI government license plates as well as identification numbers assigned by the Division of Procurement and Supply that are clearly visible during operation of the vehicle.

Section 8 Issuance of Government Vehicle Operator's License: Government operator's licenses may be issued by the Director of the Department of Public Safety or his designee to employees as follows:

(a) Subject to subsection (b), CNMI Government employees may be issued a CNMI Government vehicle operator's license for operation of the appropriate class of government vehicle to be used by the employee if:

(i) the employee is in possession of a valid CNMI driver's license and class of license for which the government vehicle operator's license is requested;

(ii) the employee provides information of any accidents, arrests, or convictions for traffic violations of any vehicle codes, outstanding monetary liabilities for any traffic related incidents, and denial or non-renewal of any vehicle liability insurance for five years prior to the application date;

(b) Prior to issuing a CNMI government vehicle operator's license, the Department of Public Safety shall investigate the driving record of the employee-applicant for violations obtained while driving a government vehicle, such as driving under the influence of alcohol or drugs as defined in 9 CMC §7105. Where such violation has occurred, a CNMI government vehicle operator's license shall not be issued without the approval of the Director.

(c) Prior to issuing a CNMI government vehicle operator's license, special vehicle testing shall be given to applicants who will be driving emergency vehicles and heavy equipment.

(d) The Director of the Department of Public Safety or his or her designee shall have the discretion to deny a government vehicle operator's license if he or she finds the employee poses an unacceptable liability risk to the government.

(e) A CNMI government vehicle operator's license shall be revoked when any government employee is found to be in violation of 9 CMC §7105 while operating a government vehicle. The employee shall be personally liable for any damage or injury occurring to the vehicle or any person as a result of any such violation.

(f) Except for official guests of the CNMI Government, employees shall have in their possession a valid CNMI driver's license and a CNMI government vehicle operator's license issued by the Department of Public Safety before operating a government vehicle. Official guests shall have in their possession a driver's license valid under the CNMI Vehicle Code and a written authorization for use which shall contain the identity of the official nature of the guest, the date of issuance, the purpose of use, and the signature of the official with expenditure authority. A copy of the written authorization shall be provided to the Director of Public Safety and the Director of Finance.

Section 9 Enforcement: These regulations shall be enforced as follows:

(a) Pursuant to a joint enforcement agreement between the Director of Finance and the Department of Public Safety, the Director shall have authority to investigate violations of these regulations and determine the consequences and necessary action provided by these regulations in the interest of the government. All persons operating or in possession of government vehicles shall be required to provide information or documents requested by the Director in the course of their investigation. Refusal to cooperate shall be deemed a violation of these regulations and subject to revocation of the government vehicle operator's license.

(b) The Department of Public Safety shall report any alleged violation of these regulations. The observing Department of Public Safety Officer will prepare a report of the alleged violation which includes the date, time, place, parked and vehicle license or identification number. These reports will be submitted by Department of Public Safety to the Director at least on a weekly basis.

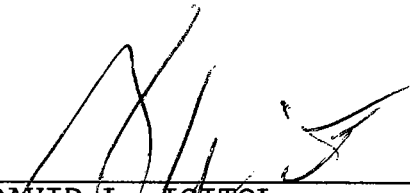
(c) The Director shall forward a report alleging a violation of these regulations to the respective Department Directors, separate independent board, and commission head, presiding officers of the Senate and House and the presiding judge of the Commonwealth Superior Court and the Chief Justice of the Commonwealth Supreme Court for an immediate, internal investigation and/or inquiry. The results of this supervisor's inquiry will be prepared in writing and submitted to the Director within ten days upon notification of an alleged violation. The Director will review these findings and if no further action is warranted, the findings will be filed by the Division of Procurement and Supply as a part of the history of that vehicle.

(d) Upon a determination by the Director that these regulations have been violated and/or the interest of the CNMI government is in peril, the Director shall have authority to immediately confiscate the vehicle in question, bring disciplinary action against the offending person, or to refer the matter to the Attorney General or Department of Public Safety for further investigation.

Section 10 Limit of Government Liability: The CNMI government shall not be liable for any loss, damage or injury caused by or resulting from any employee or any other person operating a government vehicle in violation of these regulations.

Section 11 Severability: If any provision of these regulations shall be held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

Issued by:



DAVID L. IGLITOL
ACTING DIRECTOR OF FINANCE

1/15/93
Date


Concurred by:



BENJAMIN T. MANGLONA
ACTING GOVERNOR

1/15/93
Date

Filed and
Recorded by :



SOLEDAD B. SASAMOTO
Registrar of Corporations

1/15/93
Date

*Received in Governor's Office
1/15/93*



Department of Finance

Office of the Director

Commonwealth of the Northern Mariana Islands

P.O. Box 5234 CHR

Saipan, MP 96950

Cable Address

Gov. NMJ Saipan

Phone: 322-3245-3246

Facsimile: 322-4310

January 06, 1993

PUBLIC NOTICE

DEPARTMENT OF FINANCE

PROPOSED AMENDMENT NO. 1300-02-92 TO DIVISION OF CUSTOMS SERVICE REGULATION NO. 1300.

The Director of the Department of Finance hereby provides public notice of the proposed amendment §1302.33(e)(1) of the Division of Customs Service Regulation No. 1300. Customs Service Regulation No. 1300 establishes an equitable standard rate for billing the overtime of the Customs agents when their services are required for the operations of air and sea carriers. The new amendment provides for the day to day operation of the Division of the Customs Service and amends §1302.33(e)(1). Proposed Customs Service Regulation No. 1300 are to be promulgated under the authority given to the Director of Finance at 1 CMC §2553(a) and §2557.

Written comments regarding the proposed regulations must be received by February 15, 1993 and addressed to:

Director of Finance
P.O. Box 5234 CHR
Saipan, MP 96950

Issued by:

ELOY S. INOS
Director of Finance

06 JAN 1993

Date

Concurred by:

LORENZO I. DE LEON GUERRERO
Governor

1/6/93

Date

Filed and
Recorded by:

SOLEDAD B. SASAMOTO
Registrar of Corporations

1/6/93

Date

Rec in Governor's Office 1/11/93



Department of Finance
Office of the Director
Commonwealth of the Northern Mariana Islands
P.O. Box 5234 CHRB
Saipan, MP 96950

Cable Address
Gov. NMJ Saipan
Phone: 322-3245-3246
Facsimile: 322-4310

CERTIFICATION

I, Eloy S. Inos, the Director of the Department of Finance who is publishing this proposed amendment to §1302.33(e)(1) of the Customs Service Regulations No. 1300, by signature below hereby certify that the proposed amendment to §1302.33(e)(1) of Customs Service Regulation No. 1300 is a true, correct, and complete copy of the amended regulation proposed by the Department of Finance for the Division of Customs Service. I further request and direct that this certification and the proposed amendment §1302.33(e)(1) to Customs Services Regulation No. 1300 be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 6th day of January, 1993 at Saipan, Commonwealth of the Northern Mariana Islands.

A handwritten signature in black ink, appearing to read "Eloy S. Inos", written over a horizontal line.

ELOY S. INOS, Director
Department of Finance



Department of Finance
 Office of the Director
 Commonwealth of the Northern Mariana Islands
 P.O. Box 5234 CHRB
 Saipan, MP 96950

Cable Address
 Gov. NMJ Saipan
 Phone: 322-3245-3246
 Facsimile: 322-4310

January 06, 1993

NOTISIAN PUBLIKU

DIPATAMENTON I FINANCE

I MAPROPOPONI NA AMENDASION NO. 1300-02-92
 PARA DIBISION SETBISIUN CUSTOMS SERVICE REGULASION NO. 1300

I Direktot i Dipatamenton Finance ginen este ha infotoma i pupbluku na ma propoponi amendasion §1302.33(e)(1) para Regulasion Setbisiun Customs No. 1300. I Regulasion Setbisiun Customs No. 1300 ha establese parehu na kinalamten a'pas overtime para ayu siha na Customs agents ni ma nisisita ayudun-ñiha para u fan machóchó yanggen guaha batkonaire yan batko (carriers). I nuebu na amendasion para u prubeniya yan maneha i kinalamten kada dia (daily operation) para i Dibision Setbisiun Customs ya u amenda ayu gi §1302.33(e)(1). I mapropoponi na Regulasion Setbisiun Customs No. 1300 ma chogue sigun gi Aturidat mi ma naé i Direktot Finance sigun gi fuetsa gan sinangan 1 CMC §2553 (a) yan 2557.

I manma tugé siha na komentu put i mapropoponi na regulasion debi di u fan ma sabmiti halom antes di Febreru 15, 1993 ya u ma address guatu gi:

Director of Finance
 P.O. Box 5234 CHRB
 Saipan, MP 96950

Linaknos:

ELOY S. INOS
 Director of Finance

1/6/93

Fecha

Inakonfotman:

LORENZO I. DE LEON GUERRERO
 Governor

1/6/93

Fecha

Ma File yan
 Rekot as:

SOLEDAD B. SASAMOTO
 Registrar of Corporations

1/6/93

Fecha

Re in Governor's office 1/11/93



Department of Finance
Office of the Director
 Commonwealth of the Northern Mariana Islands
 P.O. Box 5234 CHRB
 Saipan, MP 96950

Cable Address
 Gov. NMJ Saipan
Phone: 322-3245-3246
Facsimile: 322-4310

Eneero 06, 1993

ARONGORONGOL TOWLAP


DIPATAMENTOOL FINANCE

LLIIWELIL ALLEGH NO. 1300-02-92
 MELLOL ALLEGHUL DIVISION OF
 CUSTOMS SERVICE NO. 1300


Direktoodul Dipatamentool Finance ekke arongaar towlap reel lliiwelkka llol owbol \$1302.33(e)(1) mellol Alleghul Division of Custom Service No. 1300. Alleghul Custom Service ye 1300 mge ebwe ayoor standard rate reel abwossul overtime ngaliir school Customs agents ngare rebwe angaang iye ngare eyoor skooki me waa. Lliiwel yeel nge ebwe lemeli day to day operation mellol Customs Service nge ebwe liwili owtol kkewellol \$1302.33(e)(1). Lliiwel kka llol owtol Alleghul Customs Service No. 1300 nge re feeru sangi bwang ye re ngalleey Direktoodul Finance sangi bwangil me aileewal mille 1 CMC \$2253 (a) me \$2257.

Mangemang me tiip kkewe re ischi reel ffeerul lliiwel kkaal nge ebwe atotoolong mmwal Febreeru 15, 1993 nge rebwe afanga ngali address ye:

Director of Finance
 P.O. Box 5234 CHRB
 Saipan, MP 96950

Férúúyal :  06 JAN 1993
 ELOY S. INOS Rál
 Director of Finance

Alleghúúyal :  1/6/93
 LORENZO I. DE LEON GUERRERO Rál
 Governor

File me rekod-liiyal:  1/6/93
 SOLEDAD B. SASAMOTO Rál
 Registrar of Corporations

Proposed Amendment to Section 1302.33 (e)(1);
Customs Service Regulations

Section 1302.33 (e)(1) of the Customs Service Regulations shall be deleted in its entirety and replaced with the following:

All air and sea carriers and other persons whose operations require the service of a Customs agent of the Commonwealth Government of the Northern Mariana Islands after normal working hours shall be charged with the overtime pay of the Customs agent(s) rendering the service.

(A) "After normal working hours" is work performed any time in excess of eight (8) hours on a weekday and the 24 hour period of a Saturday or Sunday. On legal holidays falling on Mondays through Fridays, the charge shall be the holiday pay of the Customs agents rendering the service during the first eight (8) hours of work performed. Any time in excess of eight (8) hours shall be charged at overtime pay. Overtime pay shall include overtime compensation, and applicable employer contributions for retirement and Medicare.

(B) Service of less than two (2) hours for each arrival shall be charged with the minimum of two (2) hours overtime. Any fraction of an hour in excess of the two (2) hours minimum is charged a full hour. The charge shall commence thirty (30) minutes prior to the scheduled arrival time of a carrier or from the time the Customs agent leaves his home and shall terminate thirty (30) minutes after the agent leaves the post of duty.

(C) Sea carriers, individuals, non-scheduled aircraft, and others for which overtime services can be specifically assigned, shall be charged for the actual overtime incurred by the Customs, Immigration or Quarantine agent(s) providing such services.

(D) Said overtime charges and holiday charges shall be waived when services are rendered to a carrier operating under emergency conditions or for emergency purposes.

(E) For scheduled and extra section flights to Saipan, Tinian or Rota, Customs services provided during overtime hours shall be presumed to be performed for two or more airlines during one continuous tour of overtime duty. The total charge of these services shall be prorated to the aircraft arriving between 16:00 p.m. to 6:30 a.m. weekdays, and the 24 hour period of a Saturday, Sunday or holiday. The total charges shall be prorated on the following basis incorporated into a standard charge:

(i) Forty percent of such overtime charge for the period shall be distributed among the operators of aircrafts proportionally as the number of arriving passengers

serviced for each aircraft bears to the total number of arriving passengers serviced during the period.

(ii) Forty percent of such overtime charge for the period shall be distributed among the operators of aircrafts proportionally as the weight of cargo serviced for each aircraft bears to the total cargo weight serviced during the period.

(iii) Twenty percent of such overtime charge for the period shall be distributed among the operators of aircrafts proportionally as the number of flights serviced for each aircraft bears to the total number of flights serviced during the period.

This proration formula shall apply only to overtime services rendered aircraft carrying cargo and/or passengers for hire and in no case shall the total of the prorated charge be more than the actual overtime charges incurred by Customs, Immigration and Naturalization or Quarantine Service employees.

(F) For purposes of application, overtime charges of the Customs Division will be included and billed using a standard rate that also includes the overtime charges of the Immigration and Quarantine Divisions. This rate will be applied to the following flight particulars:

Per Flight	\$35.00
Per Arriving Passenger	1.00
Per Cargo Lb.	.035

(G) At the end of the fiscal year, the Director of Finance will compute actual costs in accordance with the percentage allocation formula set forth in this regulation. Actual overtime cost charges will be compared with the estimated standard charges made during the year and each airline will be credited or charged as appropriate for any differences between the actual and the standard applied.

Issued by:



ELOY S. INOS
Director of Finance

DATE

Concurred by:



LORENZO I. DE LEON GUERRERO
Governor

DATE

1/6/93

Filed and
Recorded by:



SOLEDAD B. SASAMOTO
Registrar of Corporations

1/6/93

DATE

NOTICE OF PROPOSED AMENDMENT
TO THE ALIEN LABOR RULES AND REGULATIONS

The Director of Commerce and Labor, under the authority vested pursuant to its powers, duties and authorities under Public Laws 1-8 and 3-66, as amended, hereby gives notice to the public of its intention to amend Section VII(A) of the Alien Labor Rules and Regulations governing the mandated provisions of Public Law 3-66, as amended, under the Division of Labor.

The regulations will be amended by amending Section VII(A) to increase the fee for new and renewal of nonresident workers applications.

Copies of the proposed amendment to the rules and regulations may be obtained from the Director, Department of Commerce and labor, at the address below.

The public may submit written comments regarding the above proposed amendment to the regulations within thirty (30) days from the date of publication in the Commonwealth Register. Comments may be submitted to the Department of Commerce and Labor at the following address:


OFFICE OF THE DIRECTOR
Department of Commerce and Labor
Commonwealth of the Northern Mariana Islands
Administration Building, First Floor
Saipan, MP 96950

Date: 12/16/92




JOAQUIN S. TORRES
Director of Commerce and Labor

Date: 12/21/92



Received by: Donna Cruz
Governor's Office

Date of Filing: 12/22/92



Filed by: SOLEDAD B. SASAMOTO
Commonwealth Registrar

NOTISIA POT I MAPROPOPOSITO NA PARA UMA'AMENDA
I AREKLAMENTO YAN REGULASION I TIMANRESIDENTI SIHA NA HOTNALERO

I Direktot i Commerce yan Labor, gi papa i atoridat anai manae sigun gi i ninasinana, i responsablidatnia yan i atoridatnia gi papa i lai Public Laws 1-8 yan 3-66, yan i man'maamenda siha, hananae nutisia para i pupbliku pot i intensionia ni para u'amenda Section VII(A) pot i areklamento yan regulasion i ti'manresidenti siha na hotnalero ni ginebebetna ni i provision siha gi Public Law 3-66, yan i man'maamenda siha, gi papa i Division of Labor.

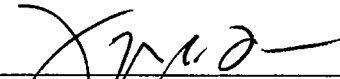
I regulasion para uma'amenda i Section VII(A) ni para uma'hatsa i presiu para nuevo yan renueba na aplikasion siha pot i timan'residenti siha na hotnalero.

Kopian i mapropoposito na para uma'amenda pot i areklamento yan regulasion siha sina machule gi oficinan i Department of Commerce and Labor gi saga ni ma'indika guine papa.

I pupbliku sina man'nahalom tinigi na palabras pot este siha hulo ni man'mapropoposito siha na amendasion pot i regulasion siha durant in i trenta (30) dias despues di i ma'pupblika gi Commonwealth Register. Palabras pot esti siha sina man'manahalom guato gi Department of Commerce yan Labor gi este na saga:


OFFICE OF THE DIRECTOR
Department of Commerce and Labor
Commonwealth of the Northern Mariana Islands
Administration Building, First Floor
Saipan, MP 96950

Date: 12/16/92



JOAQUIN S. TORRES
Director of Commerce and Labor

Date: 12/21/92



Received by: Donna Cruz
Governor's Office

Date of Filing: 12/22/92



Filed by: SOLEDAD B. SASAMOTO
Commonwealth Registrar

PROPOSED AMENDMENT TO THE ALIEN LABOR
RULES AND REGULATIONS

Section 1. Authority. The Director, Department of Commerce and Labor, pursuant to its powers, duties, and authorities under Public Laws 1-8 and 3-66, as amended, issues the following amendment to the Alien Labor Rules and Regulations published in Volume 10, No. 4 of the Commonwealth Register.

Section 2. Purpose and Findings. The Director finds that the number of nonresident workers applications and the number of labor and agency cases filed yearly have increased tremendously over the past years. In order to provide adequate funding for staff and operation for effective speedy resolution of pending and continually increasing labor cases, it is necessary for the department to seek additional revenues to defray the escalating costs of enforcing the provisions of the Nonresident Workers Act.

Section 3. Section VII(A) of the Alien Labor Rules and Regulations is hereby amended to read as follows:

"A. Application for new and renewal of Labor Identification Certificate:

One year.....\$100.00
Two years.....300.00

Date: 12/16/92




JOAQUIN S. TORRES
Director of Commerce and Labor

Date: 12/21/92



Received by: Donna Cruz
Governor's Office

Date of Filing: 12/22/92



Filed by: SOLEDAD B. SASAMOTO
Commonwealth Registrar

PUBLIC NOTICE


ADOPTION OF THE AMENDMENTS
TO THE 1987 FOREIGN CURRENCY EXCHANGE RULES AND REGULATIONS

Commonwealth Register Vol. 9 No.1 January 19, 1987 Pages 4898 to 4903 Adopted by the Director of Banking, Jesus R. Sablan on April 2, 1987

The Director of the Department of Commerce and Labor/Director of Banking of the Commonwealth of the Northern Mariana Islands, in accordance with Section 2454 of 1 CMC 2 and Sections 6108 and 6351 of 4 CMC 6, is adopting the amendments to the rules and regulations of the 1987 Foreign Currency Exchange Rules and Regulations as adopted and published in the Commonwealth Register Vol.9 No.1 on January 19, 1987 pages 4898 to 4903.

Copies of the rules and regulations may be obtained from the Director, Department of Commerce and Labor, Administration Building, Capitol Hill.


12/17/92
Date


for JOAQUIN S. TORRES
Director of Commerce and Labor
Director of Banking

12/21/92
Date


Received by: Donna Cruz
Governor's Office

12/21/92
Date


Filed by: Soledad Sasamoto
Commonwealth Registrar

NUTISIAN PUPBLIKU


MA'ADAPTA I MAPROPOPONI NA AMENDASION
AREKLAMENTO YAN REGULASION PARA I
1987 FOREIGN CURRENCY EXCHANGE

Commonwealth Register Vol.9 No.1 Eneru 19,1987 pahina 4898 asta 4903 ni ha adapta i Direktot Banking as Jesus R. Sablan gi Abrit 2, 1987.

I Direktot Dipatamenton Commerce and Labor/Direktot Banking gi halom Commonwealth of the Northern Mariana Islands, sigun gi Seksiona 2454 gi 1 CMC 2 yan Seksiona 6108 yan 6351 gi halom 4 CMC 6, ha adapta i ma'amenda na areklamento yan regulasion i 1987 Foreign Currency Exchange ni esta ma adapta yan publika huyong gi Commonwealth Register Vol.9 No.1 gi Eneru 19, 1987 pahina 4898 asta 4903.

Kopian este siha na areklamento yan regulasion siña ha manma chule' ginen Direktot, Dipatamenton Commerce and Labor, Administration Building, Capitol Hill.

12/17/92
Fecha'


for: JOAQUIN S. TORRES
Director of Commerce and Labor
Director of Banking

12/21/92
Fecha'


Rinisibi as: Donna Cruz
Governor's Office

12/21/92
Fecha'


Ma file as: Soledad Sasamoto
Commonwealth Registrar

ARONGORONGOL TOWLAP


FFEERUL LLIWEL MELLOL ALLEGHUL MILLE
1987 FOREIGN CURRENCY EXCHANGE

Commonwealth Register Vol.9 No.1 Eneero 19, 1987 schéel kka 4898
mwet ngáli 4903 iwe Direktoodul Banking, Jesus R. Sablan e
adaptáali wòl Abriid 2, 1987.

Direktoodul Dipatamentool Commerce and Labor/Direktoodul Banking of
Commonwealth of the Northern Mariana Islands, reel bwángil me
ailéwal Section 2454 mellòl 1 CMC 2 me Sections 6108 me 6351
mellòl 4 CMC 6, nge ebwe liwilil allégh kkewe re adaptáalil bwe
Alléghúl 1987 Foreign Currency Exchange iwe aa toowow mellòl
Commonwealth Register Vol.9 No.1 wòl Eneero 19, 1987 schéel
tiliigh kka 4898 mwet ngáli 4903.

Kkopiyaal alleegh kkaal nge emmwel schagh bwe aramas rebwelò
bweibwogh sáangi Direktoodul, Dipatamentool Commerce and Labor,
Administration Building, Capitol Hill.

12/17/92
Rál


for JOAQUIN S. TORRES
Director of Commerce and Labor
Director of Banking

12/21/92
Rál


Le e bwughi: Donna Cruz
Governor's Office

12/21/92
Rál


File-liiyal: Soledad Sasamoto
Commonwealth Registrar

FOREIGN CURRENCY EXCHANGE
RULES AND REGULATIONS

1. AUTHORITY AND PURPOSE:

- (a) Authority. The authority for the promulgation and issuance of Foreign Exchange Rules and Regulations is by virtue of Section 2454 of 1 CMC 2 and Section 6351 and 6108 of 4 CMC 6.
- (b) Purpose. The purpose of the regulations is to establish policy and procedures to implement and provide uniform enforcement of the business of selling foreign currency notes or in the business of receiving money for the purpose of transmitting the same or its equivalent to any country outside the Commonwealth of the Northern Mariana Islands; to require, administer, comply and enforce all licenses issuable under this regulations; and to establish administrative and appeal procedures.

2. DEFINITIONS.

- (a) "Director" means the Director of Banking or his designee.
- (b) "Licensee" means any person licensed pursuant to these regulations and for purpose of granting authority to engage in foreign exchange transactions and transmittal or remittance.
- (c) "Remittance" means the business of receiving money for the purpose of transmitting the same or its equivalent to any country outside the Commonwealth of the Northern Mariana Islands.
- (d) "Foreign Exchange Currency Transactions" means the business of receiving and/or selling foreign currency notes.
- (e) "Dealer" means any person or business establishment engaged in either (c) or (d) or both and is a licensee.
- (f) "Agent" means a person hired or employed and appointed by Dealer to have some or all duties and responsibilities enumerated in the Dictionary of Occupational Title #211.362-022.
- (g) Quarterly Foreign Exchange Remittance Report means that described in forms FX-10, FX-11.

Computes and deducts or adds new principal, interest, and collection or discount charges, using adding or calculating machine. Credits or remits proceeds, and release documents and instruments upon full payment. May collect and remit Federal withholding tax payments. May prepare and service escrow and trust accounts. May purchase and sell domestic and foreign exchange. May handle foreign collections and bills of exchange. May initiate correspondence with submitting banks or individuals to insure compliance with governmental regulations and procedures regarding redemption, exchange, or transfer of securities. May be designated according to type of transactions handled as TELLER, BOND (financial institution); DOMESTIC EXCHANGE (financial institution); TELLER, FOREIGN EXCHANGE (financial institution).

- F) Number 3. The Banking Code specifically addresses fees for banks but not for foreign exchange dealers. Under 4 CMC, Div. 1 "general business licenses covering all other businesses..." must require foreign exchange dealers to obtain such license as well. An established business firm wishing to engage in the business of foreign exchange will have to submit a copy of its current business license and apply for a license to engage in the business of foreign exchange from the Banking Director.

The proposed regulations require that memorandum guidelines, comments, and procedures issued by the Director of Banking be published as part of the regulations on an annual basis.

- C) Additional penalty provision is incorporated under Section 18 which in part requires remittance dealers to comply with the reporting and remittance requirement implemented at the beginning of this year. This penalty provision is to instil a strict discipline for accurate and efficient reporting of the amount of money transmitted abroad. Furthermore, funds remitted by individuals in the amount of \$10,000 or more should be reported separately giving full disclosure of sender and receiver.
- D) Renewal of license and registration of dealers and agents are now required to submit annual financial statements and gross tax receipts relative to firms organized solely for remittance and/or currency exchange purposes. Firms, such as retail stores and hotels which provide currency exchange services to their customers should be excluded from certain sections of these regulations since they only accept foreign currencies for their goods and services as incidentals to the business operation and are not actively selling foreign notes or remitting funds abroad. These business entities should apply for foreign exchange dealer but do not have to appoint agents. They do not have to post bond or put up security deposits since public interest is not at stake.
- E) Applicants for agents are currently not required by these regulations that if they are non-resident workers their employment contracts' should specify that they can function as agents for foreign exchange dealers. A procedure is now being proposed, along with these regulations, that every non-resident worker applying to register as an agent obtain from the Chief of Labor approval before he or she is registered as an agent (No. 9(b)).

This approval should be indicated in the employment contract. Employment contract should have all or part of the following specific definition:

211.362-022 COLLECTION AND EXCHANGE TELLER
G.O.E. Number: 07.02.02 Accounting Detail
Industry: 375 Financial Institutions

Accepts contracts, escrows, notes, bonds, mortgages, trade acceptances, checks, drafts, coupons, and other negotiable instruments for collection, exchange, and distribution of payment: Prepares or reviews collection forms, such as transmittal letters and advice records. Maintains file on items with due dates. Routes collection items for collection, records payments, manually or using teller machine, and issues receipts.

ADOPTION OF THE AMENDMENTS
TO THE FOREIGN CURRENCY EXCHANGE RULES AND REGULATIONS

Notice is hereby given, in accordance with Section 2454 of 1 CMC, Div. 2 and Sections 6108 and 6351 of 4 CMC, Div. 6 and provisions of 1 CMC Sections 9102, 9104, and 9105, that the Department of Commerce and Labor shall adopt the proposed amendments to the Foreign Currency Exchange Rules and Regulations.

Comments received after the November 15, 1992 publication of these rules and regulations are addressed and incorporated in the republished rules and regulations. The following changes are results of these comments:

Section 9(c) is deleted, and (d) and (e) are ordered accordingly as (c) and (d).

Section 13(b) is replaced.

Section 13(c) is changed.

The regulations shall take effect on January 01, 1993.


Copies of the new rules and regulations on foreign currency exchange may be obtained from:

The Banking and Insurance Section
Department of Commerce and Labor
Commonwealth of the Northern Mariana Islands
First Floor Administration Building
Capitol Hill, Saipan, MP 96950


The Director of Banking certifies his approval and adoption of the proposed amendments to the Foreign Currency Exchange Rules and Regulations in accordance to the provisions of 1 CMC Sections 9102, 9104 and 9105.

I hereby certify approval and adoption of the proposed amendments to the Foreign Currency Exchange Rules and Regulations and in compliance to provisions enumerated in the Administrative Procedure Act.

Dated this 17th day of December 1992,

adopted and certified by 
JOAQUIN S. TORRES
for Director of Banking

Date: 12/21/92

Received by: 
DONNA CRUZ
Governor's Office

Date: 12/21/92

Filed by: 
SOLEDAD SASAMOTO, CNMI Registrar



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF COMMERCE AND LABOR
SAIPAN, MARIANA ISLANDS 96950

TEL. NO. 322-8711/4
FAX (670) 322-4008

ADDRESSING CONCERNS RAISED BY:

1. CNMI Currency Exchange, Inc.

Section 9(c) a dealer solely in the business of foreign currency exchange...

There is only one foreign currency exchange dealer solely in the business of foreign currency exchange transaction. The hotels and retail stores perform currency exchange services as only incidentals to their business. Foreign exchange remittance companies are numerous and also perform other services such as courier, communication, or recruitment. The hotels, retailers, and remittance companies hire numerous employees and appear reasonable to accord them opportunity to hire nonresident workers.

Although, our section is of the opinion that one dealer in currency exchange business is not sufficient to accord similar opportunity given to hotels and remittance companies, we are nevertheless, cognizant of its needs.

Section 12(c) should be 13(c) Foreign currency exchange transaction dealers...

The old regulations did not exclude such dealers from the requirement of putting up security deposits. The old regulations did not authorize the Director of Banking to provide waiver options. The proposed amendments carried these requirements forward and provided a much clearer and rigid conditions.

One of the objectives of seeking comments from the public is to find justifications for our Section's goals. We have no reasonable justification for this requirement. It is our opinion that such businesses do not have to put up any security deposit.

2. Century Insurance Company, Ltd.

We addressed the increase previously and our opinion remains the same.

With regards to providing option to purchase bonds, it was our believe that convenience and uniformity should be maintained. This opinion has been enlightened by comments received orally and in written forms. We have now provided, as in the original rules and regulations, option to purchase surety bonds.

3. Hotel Association of the Northern Mariana Islands (HANMI)

It appears from the comments received from HANMI counsel that it is desired by HANMI to exclude the hotels from these regulations. The reason for this is such service is only incidental to the hotel business.

We agree that such service is incidental to major hotels in the CNMI. However, we remain of the opinion that such business falls within the purview of these proposed regulations and such business should be regulated.

With regards to Section 10(d), this section is intended to apply only to remittance companies. There are no banks in the NMI with yen account services.

Section 10(c), on the other hand, requires currency exchange transaction dealers, such as hotels and retailers, to report to the Director of Banking a quarterly accounting of all foreign currencies bought and sold.

Section 13. See our comment above


JOAQUIN S. TORRES
Director of Banking

Justification for a revised foreign currency exchange rules and regulations.

- 1) The "Proposed Foreign Currency Exchange Rules and Regulations" filed with the Commonwealth Registrar as Vol. 9 No. 1 on January 1987 and adopted and approved by the former Director of Banking on April 2nd, 1987 may not have done properly and might be challenged as invalid. A certification from the Director of the Rules and Regulations was not filed. This was confirmed by Ms. Remedio Mafnas at the Registrar of Corporations Office. A memorandum from the Attorney General recommends that any rules and regulations promulgated between November 1990 and the date of memo be "certified". This seems to indicate that 1987 rules and regulations might be in order.

- 2) The increased sophistication and number of remittance companies demand that the 1987 Rules and Regulations be revised. New definitions are included; procedures are prescribed; and forms used in the application for these regulations.

- 3) The following is a formula for the increase in the Security Deposit and other changes:
 - A) $FX = \text{Number of foreign exchange companies actively remitting money}$
 $10 \text{ days} = \text{Days required by Regulation to complete remittance}$
 $365 \text{ days} = 1 \text{ year}$
 $TAR = \text{Total amount remitted by all foreign exchange companies in one year}$
$$\frac{TAR/365 \text{ days} \times 10 \text{ days}}{FX} = \frac{25,000,000/365 \times 10}{14} = \$48,923^*$$

*Rounded to \$50,000 required Security Deposit

 - B) License fee for a dealer is increased from \$250.00 to \$300.00 and registration fee for an agent is increased proportionally from \$25.00 to \$30.00 (Sections 4 and 9). A schedule of other fees is incorporated; and, in addition, the Director of Finance is requested by these regulations to permit Director of Banking to use such fees for the enforcement of the regulations.

3. FOREIGN EXCHANGE LICENSE. No person shall engage in the business of selling or receiving foreign currency notes or in the business of receiving money for the purpose of transmitting the same or its equivalent to any country outside the Northern Mariana Islands without first obtaining a license from the Director. The applicant must also obtain a general business license after the issuance of a foreign exchange license.

Provisions of these regulations shall not apply to:

- (a) a bank licensed to do business in the Commonwealth, except as specified under 12(b).
- (b) the receipt of money by an agent of an incorporated telegraph company at any regular office of such company for immediate transmission by telegraph.

4. FOREIGN EXCHANGE LICENSE FEE. Every licensee shall pay annually a license fee of Three Hundred Dollars (\$300.00).

5. FOREIGN EXCHANGE LICENSE APPLICATION. The application for a license shall be in writing and shall contain the following information:

- (a) The name, address and nationality of the applicant, and the address from which the business is to take place and telephone numbers. If the applicant is a corporation, the names, addresses and nationality of the shareholders, directors and officers and the number of shares held by each shareholder are also required.
- (b) The name, address and nationality of every agent of the applicant.
- (c) Whether the license applied for is to be used for the sale of foreign currency notes or the transmittal of money or both.
- (d) Any other information which the Director may require.

6. DENIAL OF FOREIGN EXCHANGE LICENSE. The Director may deny an application for a license to be issued under these regulations if, after a hearing pursuant to the provisions of the Administrative Procedures Act, he finds that

- (a) granting of the license will be against the public interest;

- (b) the applicant does not intend actively and in good faith to carry on as a business with the general public the transactions which would be permitted by the issuance of the license applied for;
- (c) the applicant, and if a corporation, a shareholder, director or officer thereof, is not of good business reputation or is lacking in integrity;
- (d) the applicant has knowingly or willfully made a misstatement in an application to the Director for a license, or any document filed in support of such application, or has made a false statement in testimony given under oath before the Director or any other person acting in his stead.
- (e) the applicant has permitted any person in his employ to violate any provisions of these regulations.

7. ISSUANCE OF FOREIGN EXCHANGE LICENSE. If the application is approved by the Director, he shall, upon receipt of the license fee, issue to the applicant a license to engage in business in accordance with these regulations. A license shall conduct its business at its designated office location. a licensee shall be prohibited and restricted from conducting or performing remittance collection transactions, issuance of receipts, or the collection of funds outside the premises of its designated business office location. This rule shall also apply to agents of remittance companies.

FORM FX-1 and all items required on the "checklist" for proposed registration as foreign exchange dealer/agent.

8. EXPIRATION AND RENEWAL OF FOREIGN EXCHANGE LICENSE.

- (a) The license is not transferrable or assignable.
- (b) License expires on the 31st day of December following the date of issuance, unless on or before the 15th day of December prior to the expiration date the licensee files an application for renewal and pays to the Director the license fee as prescribed in these regulations.
- (c) Failure to comply with section 7 of these rules and regulations shall be just cause for the non-renewal of dealer's license and may be subjected to other certain sections of these rules and regulations.
- (d) Any other information which Director may require as part of renewal of license requirement must be submitted.

9. REGISTRATION OF AGENTS.

- (a) Every agent of a licensee employed within the Commonwealth shall register with the Director and shall pay annually on or before December 31st a registration fee of Thirty Dollars (\$30.00).
- (b) If appointed agent is a nonresident worker, he/she must obtain approval from Chief of Labor or submit copies of work permit and employment contract which specify duties and responsibilities inherent of "agent" as defined under 2(f) of these regulations.
- (c) Retailers and hotels in the business of foreign exchange currency transactions and having such business as only incidentals to serving their clients must also appoint agents, such agents for only these establishment may include cashiers. Names of persons doing transactions and their job title must be specified on Forms FX-1 and FX-12.
- (d) Registration of agents shall be denied if applicant fails to meet the above requirements and others as required by the Director of Banking.

Forms FX-2 and FX-3 must be completed.

10. EXAMINATION

- (a) The Director may at any time and from time to time examine the business of any licensee or its agents in order to ascertain whether such business is being conducted in a lawful manner and whether all monies received for transmission are properly accounted for. Each licensee and its agents shall keep books, records and accounts in such form or manner as the Director may prescribe.
- (b) The Director has prescribed a Quarterly Reporting requirement as found in FORM FX-11 and its instructions. The Director has further required dealers to obtain details of senders of amounts aggregating \$10,000 or more, such details include Social Security Numbers, Tax Identification Numbers, addresses, type of transaction, whether by check or cash, and signature of sender. Dealer shall report such transaction upon submittal of the quarterly reports.
- (c) Foreign exchange currency transaction dealers shall be required to report total amount of foreign currency received on a quarterly basis.

- (d) Every foreign exchange dealer must cause its bank to provide the Director running balances of funds transmitted abroad every quarter, except hotels and retailers. Foreign currencies collected should also be reported.
- (e) Director will include collected figures and data in the annual banking reports of the Director of Banking.

11. MAINTENANCE OF FORMS. Each licensee will obtain and continue to hold for three (3) years a true copy of every receipt form used by it and by its agents for selling foreign currency notes or for money received for transmission. The receipts used shall be printed and prenumbered and consist of at least two (2) copies, one (1) to be given to the customer, the other to be retained by the licensee for record keeping purposes. A receipt used for the sale of foreign currency notes shall contain not less than the following information:

- (a) The amount and country of origin of the foreign currency notes involved in the transactions.
- (b) The rate of exchange of the transaction.
- (c) The U.S. Dollar amount involved in the transaction.
- (d) The commission or other charge received by the licensee for carrying out the transaction.

A receipt used for the transmittal of money shall contain in addition to the above information required for the sale of foreign currency notes, the name and address of the beneficiary and the method in which the beneficiary is to receive the funds transmitted.

No licensee or its agents shall use any receipts, a certified copy of which has not first been filed with the Director. Every licensee violating the requirement of this section shall be subject to a fine of Fifty Dollars (\$50.00) for each violation.

Forms FX-5 or FX-6 information must be revealed in the prenumbered receipts.

12. FORWARDING OF FUNDS.

Every licensee or its agents shall forward all monies received for transmission to a foreign country or give instructions committing equivalent funds to the person designated by the depositor within ten (10) days after receiving such money, unless otherwise ordered by his customer.

13. SECURITY DEPOSIT.

(a) As security for the faithful performance of its obligations, each licensee before engaging in the business of transmitting money (remittance) shall deposit with the Treasurer of the Commonwealth Fifty Thousand Dollars (\$50,000.00) in Time Deposit for a period of not less than one year in a bank within the Northern Mariana Islands; and such value must be maintained at all times. The Director of Banking prescribes the following procedures:

- 1) Time Deposit account must show foreign exchange company "and" the CNMI Treasurer "or" the Director of Banking as holders of the account.
- 2) The Director shall notify Treasurer and company of account's maturity date and Treasurer shall be authorized to renew or terminate such account pursuant to instruction from the Director.
- 3) Interest earned on such deposit shall accrue to the benefit of the foreign exchange company.
- 4) Complete forms FX-7, FX-9, and other forms as provided by the Director.
- 5) Release of the security deposit shall only be accomplished by authority from the Director of Banking.

(b) In lieu of the deposit of money pursuant to subsection (a) of this section, a licensee may deliver to the Director of Banking the bond of a bonafide surety company, in a form satisfactory to the Director, in the principal sum of FIFTY THOUSAND DOLLARS (\$50,000.00) lawful money of the United States, conditioned upon the faithful holding and transmission of all monies received by such licensee or its agents for such purpose.

Form FX-13 contains language which may be used as guideline language for surety bond, otherwise policy forms previously approved by the Insurance Commissioner shall remain acceptable.

(c) Foreign exchange currency transaction dealers who are not in the business of remittance shall not be required to put up security deposit.

Memorandum to Chief of Finance and Accounting for safekeeping and custodial of security deposit transmittal form should be sent by the Director and acknowledge by Finance Chief.

14. TRUST FUND. The money deposited with the Treasurer of the Commonwealth pursuant to Section 13(a) of these regulations shall constitute a fund for the benefit of such persons as shall deliver to any such licensee or its agents money for transmission.
15. OWNERSHIP OF FUNDS FOR TRANSMISSION TO A FOREIGN COUNTRY. All funds, less fees, received by a licensee or its agents for transmission to a foreign country shall constitute trust funds owned by and belonging to the person from whom they were received until such time as directions have been given by the licensee or its agents for payment abroad of the remittance and funds provided for such payment.
16. ORDER TO CEASE UNLAWFUL PRACTICE. If it appears to the Director that the licensee is violating or failing to comply to these regulations; the Director shall direct the licensee to comply with these regulations or if it appears to the Director that any licensee is conducting his business in an unsafe or injurious manner he shall in like manner direct the licensee to discontinue practice. The Order shall require the licensee to show cause before the Director at the time and place to be fixed by him why the Order should not be observed.
17. SUSPENSION OR REVOCATION OF LICENSE. The Director may suspend any license issued pursuant to these regulations if he finds that
- (a) the licensee has violated a provision of these regulations or any rule issued thereunder;
 - (b) any fact or condition exists which, if it had existed at the time of the original application of such license, would be grounds for denying an application for a license under Section 5 of these regulations;
 - (c) the licensee is conducting his business in an unsound manner.

The Director may revoke a license after a hearing held pursuant to the Administrative Procedures Act following a suspension.

18. CRIMINAL PENALTY FOR VIOLATION.

- (a) Any person who violates or fails to comply with any of these regulations or who, without complying with the provisions of these regulations, represents that he is authorized to receive, or solicits or receives, money or the equivalent for transmission to a foreign country, is guilty of a felony.
- (b) A penalty fee of \$10.00 a day for each day a report is late shall be assessed on the foreign exchange company or failure to submit a complete and accurate quarterly report on the filing deadline and no notice and explanation for extension request was received by the Director.
- (c) If, upon sufficient evidence, the Director finds that funds were not remitted to beneficiaries within 10 days as required in Section 12, the foreign exchange company will be fined fifty dollars (\$50.00) for each violation; or have its license suspended, or both.

19. FEES The following is a schedule of all fees required by these regulations:

(a) Foreign Exchange Dealer License	\$300.00
(b) Foreign Exchange Agent License	30.00
(c) Violations to Sections 11, 12 & 18(c) .	50.00/day
(d) Penalty Fees Section 18(b)	10.00/day
(e) Amendment Fee	10.00
(f) Duplication of documents50/page
(g) Certification Fees.....	5.00
(h) Late Renewals and Other Filing Fees....	2.00/day or as prescribed by the Director
(i) Business license.....	50.00

Fees collected under this Section other than business license (i), shall be paid to the CNMI Treasurer, and Director of Finance shall permit the Director of Banking to use funds for the enforcement of these regulations.

20. Schedule of all requirements are enumerated in the "Checklist For Proposed Registration As Foreign Exchange Dealer/Agent" and all such requirements are included as part of these regulations. Memoranda, rules, guidelines, comments, procedures, and other items relative to foreign exchange business to be issued by the Director of Banking shall be published annually as part of these regulations.

21. Amendments to these Rules and Regulations shall be in accordance to the Administrative Procedures Act. These Regulations shall repeal all previous Foreign Exchange Rules and Regulations upon its adoption and certification by the Director of Banking.

22. EFFECTIVE DATE. These regulations are to take effect on January 01, 1993 or whenever adopted and certified by the Director of Banking after its publication in the Commonwealth Register. All foreign exchange companies and agents must immediately comply.

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

CHECKLIST FOR PROPOSED REGISTRATION
AS FOREIGN EXCHANGE DEALER/AGENT

- / / Form FX-1 Application for Foreign Exchange license
- / / Form FX-2 Application for Registration as Agent of foreign exchange
- / / Form FX-3 Appointment of agent of foreign exchange
- / / Form FX-4 Statement of Assets and Liabilities
- / / Form FX-5 Receipt Form (transmittal of money)
- / / Form FX-6 Transaction Receipt Ticket (currency exchange)
- / / Form FX-7 Deposit Agreement
- / / Form FX-8 Hypothecation Agreement
- / / Form FX-9 Deed of Assignment
- / / Form FX-10 Reporting Guidelines for the Quarterly Foreign Exchange Remittance Report
- / / Form FX-11 Quarterly Foreign Exchange Remittance Report
- / / Copy of articles of incorporation or partnership agreement
- / / General business license must be obtained immediately after the applicant is granted a Foreign Exchange Dealer license. If a licensed establishment is seeking application to engage in foreign exchange, a copy of its business license must be submitted and foreign exchange should be listed as one other activity or a separate license should be obtained.
- / / Latest financial statements of corporation, partnership, sole-proprietorship and statement of condition of each officer, and/or director of the corporation or partnership.
- / / Copies of latest gross tax receipts must be submitted.
- / / Resumes of manager, local resident, and foreign exchange agents.

- / / Approval from the Chief of Labor for company's employees to act as agents of foreign exchange must be submitted (employment contract).
- / / Fees: Foreign Exchange Dealer: \$300.00
Foreign Exchange Dealer Agent: \$30.00
- / / Police clearance of all officers and/or directors, managers, and foreign exchange agents.
- / / A proposal describing details of how transmittal exchange of money is to accomplish setting forth the details of company or party abroad (names and address), how funds are distributed and other details.

Other Forms:

- / / Form FX-12 Renewal application for foreign exchange license
- / / Form FX-13 Security Bond
- / / FXD Memorandum to Chief of Finance pertaining to custody of Security Deposit

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

(License Fee \$300.00)

APPLICATION FOR FOREIGN EXCHANGE LICENSE

(To be filled out using a typewriter or block letters)

AUTHORITY: This application is made and submitted pursuant to the provisions of the applicable rules and regulations promulgated by the Director of Banking, Department of Commerce and Labor, in accordance with the authority vested in him under Section 6351 (Foreign Exchange) of the commonwealth Banking Code of 1984, Section 340 of Public Law 3-104.

- For the Sale of Foreign Exchange Notes Only
- For the Transmittal of Money Only
- Both (listed above)

1. Full Name of applicant: _____
Age: _____
2. Resident and Mailing Address: _____
3. a) Business Address: _____
b) Telephone No.: _____
Is telephone under business name? / / YES / / NO
4. If applicant is a partnership or association, give the name of all members thereof; if a corporation, the names and addresses of all officers of the corporation:

Name	Title	Address	Nationality

5. List the names of all agents who are to be authorized to act under this license. Names of persons to do foreign exchange currency transactions:

6. Have you or any person listed under Item No. 4 or 5 ever been convicted of a felony? / /YES / /NO If answer is YES, a letter of explanation, in detail must accompany application.

7. Are you, and each person under Item No. 4 or 5, familiar with the Foreign Exchange Rules and Regulations and do you agree to conduct your business in accordance therewith? / /YES / /NO

8. Have you or any person listed under Item No. 4 or 5 ever been denied or had a license suspended or revoked prior to this application by any state or territorial governments? / / YES / / NO If answer is YES, attache a complete statement of facts in respect thereto.

9. Is applicant, or any person listed under Item Nos. 4 and 5, engaged in any other business, either full-time or part-time? / / YES / / NO If YES, what is the nature of the other business?

10. Have you sufficient funds for security deposit of \$50,000.00 in cash or security bond which shall be deposited with the CNMI Treasurer, conditioned upon the faithful holding and transmission of all money received by such licensee or its agents for such purpose? / / YES / / NO

11. Current Financial Statement must be attached to this application.

12. If applicant has never been licensed for a foreign exchange, state extent of knowledge of the business of selling foreign exchange monies, or transmittal of money.

13. Have you filed a certified copy of a receipt form to be used as required by the Director of Banking?

14. Educational history, showing name of school with date of attendance, and major subject. Provide resume and references.

COMMONWEALTH OF THE NORTHERN)
Mariana Islands)
) ss.
Saipan)

_____ being duly sworn on oath
deposes and says that he/she is the _____
of _____.

The applicant named in the foregoing application; that he/she is
authorized to make this verification for and on behalf of said
_____, that he/she has read the
application and all the exhibits, statements, and documents
attached thereto; that the information contained in the application
exhibits, statements and documents is true to the best of his/her
information, knowledge and belief.

Applicant authorizes Director of Banking to inquire and verify
deposit as well as any credit accounts with any bank in which
foreign exchange dealer maintains banking relationship and
applicant's signature on this application should suffice for this
purpose.

Signature of applicant and Title

Subscribed and sworn to before me this _____ day of _____
19____.

Notary Public in and for the CNMI
My Commission expires _____

_____ / /Approved / /Disapproved

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

(License Fee \$30.00)

APPLICATION FOR REGISTRATION AS AGENT OF FOREIGN EXCHANGE
(To be filled out using a typewriter or block letters)

AUTHORITY: This application is made and submitted pursuant to the provisions of the applicable rules and regulations promulgated by the Director of Banking, Department of Commerce and Labor, in accordance with the authority vested in him under Section 6351, (Foreign Exchange) of the Commonwealth Banking Code of 1984 - Public Law 3-104.

1. Full name of applicant: _____
2. Place and date of birth; length of residence in the CNMI:

3. Check one only - Type of Firm: Sole Proprietorship
 Corporation Partnership Other
4. If the applicant, during the ten years prior to this application, has misappropriated or converted monies of others for his own use, or has been accused of so doing, attach a complete statement of facts in respect thereto.
5. Name and business address of license appointing applicant.
6. If applicant has been convicted of a violation of a criminal statute, attach a complete statement of facts in respect thereto.
7. If applicant has been denied registration as an agent for foreign exchange, or has had registration as such suspended or revoked prior to this application by any state or territorial government, attach a complete statement of facts thereto.
8. Name and address of three references as to the character and reputation of the applicant, excluding relatives:

COMMONWEALTH OF THE NORTHERN)
MARIANA ISLANDS)
)ss.
Saipan)

_____ being first duly sworn on oath
deposes and says that he/she is the applicant named in the
foregoing information statement, that he/she has read the statement
and all documents attached thereto, and that the information
contained in the statement and the documents is true to the best of
his/her knowledge and belief.

Applicant

Subscribed and sworn to before me this _____ day of _____
19____.

Notary Public in and for the CNMI
My Commission Expires_____

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

APPOINTMENT OF AGENT OF FOREIGN EXCHANGE

I have read the information statement and believe the information contained therein to be true and complete and have no knowledge to the contrary. I hereby appoint _____ of _____ as agent of Foreign Exchange and agree to notify the Director of Banking, Department of Commerce and Labor, Saipan, MP, immediately upon the termination of his employment.

LICENSEE

BY: _____

AUTHORIZED SIGNATURE

DATE

DIRECTOR OF BANKING

DATE: _____

Approved

Disapproved

FORM FX-3

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

STATEMENT OF ASSETS AND LIABILITIES OF _____
AS OF _____

Cash in _____ Bank _____ Cash in _____ Bank _____ Cash on hand _____ (Enumerate at their market value) _____ _____ _____ Notes Receivable _____ Accounts Receivable _____ Stock of Supplies or _____ Inventory _____ _____ Total Current Assets _____ Real Estate _____ (location, description value) _____ _____ Plant consisting of _____ _____ _____ Other Assets _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ TOTAL ASSETS _____	Notes Payable _____ _____ Borrowed or due on stocks and Bonds (state which hypothecated) _____ _____ _____ Total Current Liabilities _____ Bonds or Debentures Issued _____ _____ Borrowed or due on Real Estate _____ _____ Borrowed or due on Plant _____ _____ _____ Other Liabilities _____ (Describe fully) _____ _____ _____ Capital Stock Paid In _____ (If a corporation) _____ _____ Surplus (or Investment) _____ _____ _____ TOTAL LIABILITIES _____
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FORM FX-4

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

Receipts Form (Transmittal of Money)

No. _____
Pre-Numbered

Name of Company: _____

Address: _____

Telephone: _____

Foreign Money Transfer Receipt
NON NEGOTIABLE

Date: _____

Received From: _____

The Sum of: _____ U.S. \$ _____

For the Transfer of: _____

To: _____

By Air Mail Cable Rate Per Dollar

Amount of Transfer U.S. \$ _____

Commission and Air Mail charge \$ _____

Special Handling \$ _____

TOTAL RECEIVED \$ _____

Name of Company _____

Agent: _____

Authorized Signature

(Comments, if any)

FORM FX-5

DIRECTOR OF BANKING
 OFFICE OF THE DIRECTOR
 DEPARTMENT OF COMMERCE AND LABOR
 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
 SAIPAN, MP 96950

TRANSACTION RECEIPT TICKET (CURRENCY EXCHANGE)

Name of company: _____

Foreign Currency-Foreign Exchange: _____

Address of Company: _____

Affiliated Offices (if any) _____

Date: _____

Sold to: _____

Address: _____

Comments, if any _____

Quantity	Monetary Units	Rate	Extension
	Japan-Yen		
	Philippine-Pesos		
	Hong Kong-Dollars		
	Australian-Dollars		
	Fiji-Dollars		
	Canadian-Dollars		
	English-Pounds		
	Forwarding Charges		
	Exchange Commission		

Payment received Total U.S. \$ _____

We await payment

We debit your account

Sale No. _____

FORM FX-6

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

DEPOSIT AGREEMENT

Pursuant to the provisions of the applicable rules and regulations promulgated by the Director of Banking, Department of Commerce and Labor, under Section 6351 (Foreign Exchange) of the Commonwealth Banking Code of 1984, Public Law 3-104, the

_____ desires to qualify itself to transact the business of _____ in Saipan, and enters into this agreement with the Director of Banking of CNMI and deposits with him the following described securities to-wit:

It is agreed between the parties hereto that this \$50,000.00 deposit of securities is made in lieu of a \$50,000.00 bond and that securities of the value of at least \$50,000.00 shall remain on deposit for the benefit and protection of the customer and creditors of the company so long as the company has any liability outstanding in the Commonwealth of the Northern Marina Islands.

The company may collect and retain the interest when due on the securities deposited.

IN WITNESS WHEREOF, we have hereunto affixed our signatures and seals on the dates indicated below.

Company

By: _____
Name and Title

Attested: _____
Secretary

Date: _____

Director of Banking

Date

FORM FX-7

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

HYPOTHECATION AGREEMENT

This hypothecation agreement is made and submitted pursuant to the provisions of the applicable rules and regulations promulgated by the Director of Banking, Department of Commerce and Labor, Commonwealth of the Northern Mariana Islands, in accordance with the authority vested in him under Section 340 (Foreign Exchange) of the Commonwealth Banking Code of 1984, Public Law 3-104.

The undersigned hereby authorizes _____
_____ (hereinafter for convenience called
Foreign Exchange Dealer/Operator although the dealer/operator's
liability to you may be only contingent) at any time, now or
hereafter, to pledge and grant to you a security interest in the
following property belonging to the undersigned and the proceeds
thereof, as security for the payment and performance of each and
every obligation and liability, direct or contingent, of the
Foreign Exchange Dealer/Operator to you, due or to become due,
whether now existing or hereafter arising:

And the undersigned expressly ratifies, consents to and adopts any and all agreements which the Foreign Exchange Dealer/Operator has made, or may hereafter make, with you regarding the use of said collateral, and the undersigned authorizes you to deliver all such collateral to the Foreign Exchange Dealer/Operator or to make such disposition of it and/or proceeds or surplus thereof as the Foreign Exchange Dealer/Operator may instruct, and the undersigned agrees that any and all such agreements and instructions of the Foreign Exchange Dealer/Operator shall be applicable to such collateral exactly as if such collateral were owned by the Foreign Exchange Dealer/Operator and the undersigned shall not be subrogated to your rights in any other security pledged by the Foreign Exchange Dealer//Operator or in which you have a security interest and/or proceeds or surplus thereof.

The undersigned hereby waives any and all notices of every kind to which the undersigned might otherwise be entitled, either of the acceptance hereof by you, or of the incurring of any obligation or liability by the Foreign Exchange Dealer/Operator, or of the demand for payment or the payment of all or any obligations or liabilities of the Foreign Exchange Dealer/Operator to you, whether now existing or hereafter arising, or of the presentment of any instrument for the payment of money at any time now or hereafter held by you in connection with any obligation or liability of the Foreign Exchange Dealer/Operator, of protest and/or non-payment thereof, or of any exchange, sale, release or other handling or disposition of all or any such collateral, or otherwise.

Without limiting the generality of any of the foregoing, the undersigned shall not have the right to receive from you any statement, report or other notice, to object to any proposed disposition or application of such collateral, to redeem such collateral, to obtain injunctive or other relief by reason of your handling or disposition of such collateral, or to recover losses caused to the undersigned by reason of your failure to furnish any statement or other information with respect to such collateral or any other security pledged by the Foreign Exchange Dealer/Operator or in which you have a security interest and/or proceeds thereof.

Bank Official: Name and Title

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

D E E D O F A S S I G N M E N T

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Assignment made and executed by:

hereinafter referred to regardless of number as the ASSIGNOR;

- in favor of -

THE TREASURER OF CNMI, with principal office and place of business at Capitol Hill, Saipan, MP, hereinafter referred to as the ASSIGNEE;

W I T N E S S E T H:

That the ASSIGNOR for and in consideration of obtaining a Foreign Exchange License from the ASSIGNEE (Department of Commerce and Labor) pursuant to the provisions of the applicable rules and regulations promulgated by the Director of Banking, Department of Commerce and Labor, CNMI, in accordance with the authority vested in him under Section 6351 4 CMC, Div. 6, (Foreign Exchange) of the Commonwealth Banking Code of 1984 - (Public Law 3-104, Section 340) do hereby assign to the ASSIGNEE, its successors or assigns, all his/their rights, title to and interest in the sum of _____ DOLLARS (\$ _____), U.S. Currency, together with any interest thereon, out of his/their _____ deposit with the ASSIGNEE, or with the _____ covered by Certificate of Deposit No. _____, and/or any renewal thereof, issued to and in his/their name, it being understood that the ASSIGNEE has the full control of the said sum, together with its interest, from and after this date and that the said sum cannot be withdrawn by the ASSIGNOR, his/their heirs, successors, so long as the ASSIGNOR has any liability outstanding in the CNMI.

The above security deposit of _____ shall remain on deposit for the benefit and protection of the customer and creditors of the ASSIGNOR.

Deed of Assignment

IN WITNESS WHEREOF, The ASSIGNOR has hereunto set his/their hands at _____, Saipan, this _____ day of _____, 19_____.

ASSIGNOR

ASSIGNOR

SIGNED IN THE PRESENCE OF:

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS) Date: _____
) ss.
SAIPAN, NORTHERN MARIANA ISLANDS)

Personally came and appeared before me in the _____, this _____ day of _____, the following ASSIGNOR(S)

ASSIGNOR

ASSIGNOR

know to me to be the same person(s) who executed the foregoing Deed of Assignment, and he/they acknowledged to me that the same is his/their free act and deed, as well as the free act and deed of the principal(s) which he/they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at the place and on the date hereinabove written.

Reporting Guidelines for the
Quarterly Foreign Exchange Remittance Report
(what, who, where, when, how)

1) What report is to be filed?

Form FX-11 or the Quarterly Foreign Exchange Remittance Report (QFERR) with attached receipts is to be filed.

2) Who is to file a report?

All licensed foreign exchange dealers engaging in the remittance of money or its equivalent to foreign countries. are required to file a report. A foreign exchange agent shall report its quarterly activity to the foreign exchange dealer it represents, but is exempt from filing the QFERR.

3) Where to file?

Reports are to be filed at Department of Commerce and Labor, Banking and Insurance Section, Administration Building, Capitol Hill, Saipan.

4) When to file?

The filing deadline is thirty (30) days after the preceding quarter. Only requests for extension received prior to the deadline will be accepted. A licensee, failing to submit a timely request for extension, will report in person to the Banking and Insurance Section within five working days after the deadline. Failure to comply with these filing procedures will be just cause to invoke automatic suspension of dealer's and respective agent's license.

5) How to prepare and file a report?

The QFERR will consist of a brief cover letter, Form FX-11, receipts, and a comments page, as necessary.

- Cover Letter: Self explanatory.

- Form FX-11: See attached sample.

a) Form FX-11 may be reproduced or computer generated, but in no way shall the column format be altered.

- b) The introductory information is only required on the first page of the report.
 - c) Agent's transactions will be reported individually, not by a sum figure. Each transaction shall be denoted to show its corresponding agent.
 - d) Report may be legibly handwritten, however, typewritten is preferred.
 - e) Report pages must be numbered.
 - f) The last page of the report shall include the subtotal for each month, the total for the quarter, and the year to quarter end total, as well as totals for any items undelivered, voided, refunded, or in transit.
 - g) For branches on Tinian and/or Rota separate totals for f) above will be reported.
- Receipts: As prescribed in the Foreign Exchange Rules and Regulations, receipts will be prenumbered. However, receipts submitted with the report are those that were signed by the recipient of the remitted funds. Bank deposit tickets are not considered receipts.
- a) Receipts issued to the customer/sender will be listed numerically in the appropriate column on Form FX-11, regardless of the status of the receipt. If the status is other than delivered then it shall be duly noted on the same line.
 - b) If the recipient's receipt is different from that of the customer's, then the recipient's receipt number shall be listed after the customer's receipt number, divided by a slash (/).
 - c) Recipients' receipts shall be in the same order as the corresponding transactions on each page of the report.
 - d) Poor reproduction copies or duplicates of receipts are not acceptable.
- Comments Page: For further explanation, as necessary.

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

(License Fee \$300.00)

RENEWAL APPLICATION FOR FOREIGN EXCHANGE LICENSE

Pursuant to Section 6351 of the Commonwealth Banking Code of 1984, Public Law 3-104 (Foreign Exchange), I, _____, the undersigned herewith submit application for renewal of _____ foreign exchange license originally issued by the Department on _____ and herewith declare under oath that the information set forth in the original application is in compliance with the Act remains unchanged except the following matters:

"State present variances from original application"

1. Has there been any change made on management?
2. Has there been any change in Agent, which were not registered with the Director of Banking? If licensee is not solely in the business of foreign exchange, please attach a listing of persons' names and job titles doing transactions.
3. Were there any persons connected with the business convicted of a felony, within the past 12 months?
4. Current financial statement must be attached to this application at all times.
5. Were there any other office open other than the location given in the original application, for the transaction of foreign exchange?
6. Were there any other changes not listed above?

C N M I)
)ss.
SAIPAN)

_____ being first duly sworn on oath
deposes and says that he/she is the applicant named in the
foregoing information statement, that he/she has read the statement
and all documents attached thereto, that the information contained
in the statement and the documents is true to the best of his/her
knowledge and belief.

Applicant

Subscribed and sworn to before me this _____ day of _____
19_____.

Notary Public in and for the CNMI
My Commission Expires _____

DIRECTOR OF BANKING
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND LABOR
SAIPAN, MP 96950

SECURITY BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____
_____ (hereinafter called the "Principal")
as principal and _____ (hereinafter
called the "Surety") as surety, are held and firmly bound unto the
Director of Banking of the Commonwealth of the Northern Mariana
Islands (hereinafter called the "Obligee"), in the sum of FIFTY
THOUSAND DOLLARS (\$50,000.00) lawful money of the United States,
for the payment whereof, well and truly to be made, the principal
and surety are bound and its successors and assigns.

The condition of this obligation is such that if the principal
and agent shall not cause a loss to be suffered by any person as a
result of a violation of or failure to perform the provisions of
the applicable rules and regulations promulgated by the Director of
Banking in accordance with the authority vested in him under
Section 6351 (Foreign Exchange) of the Commonwealth Banking Code of
1984 - Public Law 3-104, and shall fully and faithfully perform its
duties and obligations thereunder then this obligation to be void;
otherwise to remain in full force and effect.

Provided, however, this bond is executed upon the following express conditions:

1. This bond shall remain in full force and effect continuously.
2. This bond may be terminated by the surety at any time by giving sixty (60) days written notice to the Obligee by certified mail, in which event the surety's liability shall, at the expiration of said sixty (60) days, ceased and terminated except as to such liability of the Principal as may have accrued prior to the expiration of said sixty (60) days.

Signed, sealed and dated this ____ day of _____ 19____.

NAME OF COMPANY

By: _____

Director of Banking

SURETY:

MEMORANDUM

TO : CNMI Treasurer DATE:
THRU : Director of Commerce and Labor _____
FROM : Deputy Director for Banking
SUBJECT: TCD No. _____ for \$ _____
Issued by _____ Dated _____
In Favor of _____
and CNMI Treasurer or Director of Banking

Enclosed please find the above-mentioned original Time Certificate of Deposit which we are turning over to your division for safekeeping. Please be informed that the subject deposit will serve as security deposit of _____ a foreign exchange company, authorized to engage in the foreign exchange business. The said deposit shall be held by the CNMI Government for the benefit and security of all customers and creditors of the foreign exchange company so long as the company has any liability outstanding in the CNMI. The company may collect and/or retain the interest when due on the securities deposited.

We wish to state further that the expired original Time Certificate of Deposit must be surrendered to the issuing bank every maturity date and the renewed original certificate (replacement) must be again kept in your division. Since your division acts as custodian for and on behalf of the CNMI Government relative to the document entrusted, it is suggested that your division maintain a "tickler" indicating the maturity date of all these TCDs and an IN and OUT receipt or register book for control purposes.

Please acknowledge receipt by signing and returning to us a copy of this memorandum.

OSCAR C. CAMACHO

Enclosure(s)

ACKNOWLEDGE RECEIPT: _____ DATE: _____
Signature

Print Name and Title

FORM FXD

WISEMAN, EASON AND HALSELL

Attorneys at Law
A Partnership Association

David A. Wiseman*
Lecia Eason**
Patricia Halsell*



December 15, 1992

JOAQUIN TORRES
Director
Banking & Insurance Section
DEPT. OF COMMERCE AND LABOR
Capitol Hill
Saipan, MP 96950

Fax Transmittal Memo

of Pages *Three (3)*

To: <i>Joaquin Torres</i>	From: <i>David A. Wiseman</i>
Co.: <i>Commerce & Labor</i>	Co.: <i>Law Offices</i>
Dept.:	Phone # <i>234-7860</i>
Fax # <i>322-4008</i>	Fax # <i>234-0375</i>

RCFX14

RE: COMMENTS ON PROPOSED FOREIGN CURRENCY REGULATIONS

Dear Jack:

I have been instructed and authorized by the Hotel Association of the Northern Mariana Islands (HANMI) to prepare the following comments and concerns with respect to the proposed foreign currency exchange rules and regulations, which have been published in the Commonwealth Registrar on November 15, 1992.

The original and existing Foreign Currency Exchange regulations recognized that the hotels in the CNMI are not in the foreign currency exchange business, but rather offer such service as a necessary incidental to the operation of their hotel. In view of such recognition, the existing regulations have exempted the hotels from posting a security deposit, as well as not requiring them to have a designated employee or setting up a specific job classification, for the employee conducting such transactions at the hotel.

As a matter of practicality, the cashier or other front desk personnel performs the simple, brief and necessary transaction of exchanging the foreign currency into U.S. dollars. As you know, the majority of businesses on Saipan do not accept Japanese or other foreign currency for the payment for goods or services, but rather require payments to be made in U.S. dollars. The tourists who come to Saipan need to exchange their foreign currency while they are here. Without such exchange being offered to them with ease and undue burden, they may not feel free to enter into such currency exchanges, and hence would not be able to purchase goods or services on the island. The foregoing scenario may become a reality if the proposed regulations do become effective.

PAGE
*Does not need
own copy*

In view of the foregoing comments, HANMI recommends that the following sections be deleted, or amended, so that they do not apply to the hotels on Saipan.

2, F: This section would require a specific person with a job title and defined work duties as agent, to be hired to conduct foreign currency transactions.

9, A: This section would require every agent of the licensee to register with the director, and to pay a \$30.00 annual fee.

9, B: This section would require the specific work permit classification of agent, by having a nonresident worker who is designated by the hotel to perform foreign currency exchange, to show to Labor a contract and work permit specifying the duties, etc.

9, D: This section makes no secret about the regulation's insensitivity to the needs of the major industries on Saipan. It actually acknowledges the fact that the hotels and other businesses may have such foreign currency exchange transactions as only an incident of their business, but nevertheless, would require a special agent, with the required and specific work permit, to conduct such transaction.

Section 10, D, would require a hotel to have its bank provide the director with running balances of funds translated abroad every quarter. This interferes with the financial privacy relation between a bank and its customer. Moreover, HANMI is concerned that the Department of Commerce and Labor can not assure the business community of the CNMI, that it possesses the level of professionalism, that is necessary to assure them of the confidentiality, peculiar to certified public accountants and banks, in general, in treating such private and confidential information.

Section 13, entitled, "Security Deposit," would require that a hotel would need to post a \$50,000.00 time deposit in a bank in the CNMI, and to maintain such time deposit indefinitely.

The members of HANMI all have sufficient, visible, liquid, and real assets located within the CNMI, that can more than adequately satisfy any claim arising from any foreign currency transaction. To require a hotel with such financial credibility to take \$50,000.00 of its budget, to sit in a bank in the CNMI with an extremely low rate of interest is inconsistent with, and hostile to sound business practice, especially when there is no substantial justification for such requirement.

JOAQUIN TORRES
December 15, 1992


Page 2

The proposed regulations are confusing to HANMI, in that they are proposed by the Department of Commerce and Labor, which of course, is charged with the responsibility of promoting commerce within the CNMI. The proposed regulations are an attempt to impose more layers of government on an already heavily burdened bureaucracy. In addition, the said regulations will make business operations for the hotel industry in the CNMI, extremely burdensome at a time when the down turn in the economy has made things bad enough, without creating regulations and policies that are inapposite to such endeavors.

The members of HANMI urge the director to reconsider these regulations with respect to the adverse effect that they would have on the hotel industry.

Thank you for your consideration of the foregoing comments.

Truly yours,


DAVID A. WISEMAN
Legal Counsel for
the Hotel Association of
the Northern Mariana Islands

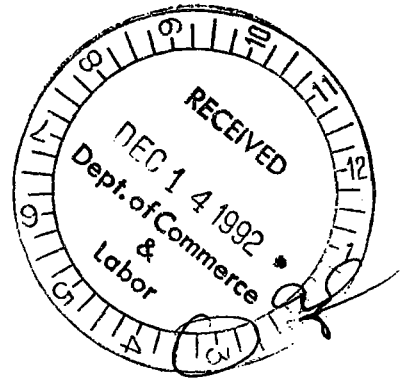
cc: Oscar C. Camacho
Special Assistant to
Insurance Commission

/vsdlc

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correspo\dirbank

CNMI CURRENCY EXCHANGE, INC.
Sablan Building
P. O. Box 486
Saipan, MP 96950

Telephone: (670) 234-6676



December 14, 1992

Mr. Jack Torres
Director of Commerce & Labor
Administration Building
Capitol Hill
Saipan, MP 96950

Re: Proposed Foreign Currency Exchange
Rules & Regulations

Dear Mr. Torres:

Thank you for giving me the opportunity to comment on the proposed Foreign Currency Exchange Rules and Regulations. Although I agree with most of the sections in this regulations, there are two areas that I would like to bring to your attention.

1. Section 9(c), a dealer solely in the business of foreign exchange shall not be permitted to hire or employ non-resident workers as agents.

As a foreign currency dealer, I have been in this business since 1988. My company has the right to operate the money exchange concession at the Saipan International Airport. Ever since we opened we've had turnover problems with our local hires because they don't like the hours of operation. For this reason we are forced to hire non-resident workers as agents so that we can fulfill our contractual obligations with the Commonwealth Ports Authority. Because of this experience, I feel that this section should be removed or give the Banking

Mr. Jack Torres
December 14, 1992
Page 2

Director the right to waive such requirement on a case by case basis.

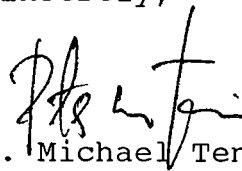
2. Section 12(c), Foreign currency exchange transaction dealers who are not in the business of remittance shall put up security deposit.

I can understand a company in the remittance business being obligated to a security deposit because they are being entrusted to work with a third party. But in the case of a foreign currency exchange dealer, we are dealing on a one on one basis with a customer. Either the customer accepts the services we are offering and exchange or they don't. Since all the dealing is strictly on a one on one basis, I feel that a foreign exchange transaction dealer should not be obligated to a security deposit.

Because of these reasons, I would like to request for a hearing with the banking commissioner or his designee to discuss these two sections further.

Again, thank you for giving me the opportunity to comment and hope to hear from your soon as to our request. Merry Christmas and a prosperous New Year.

Sincerely,



P. Michael Tenorio
President



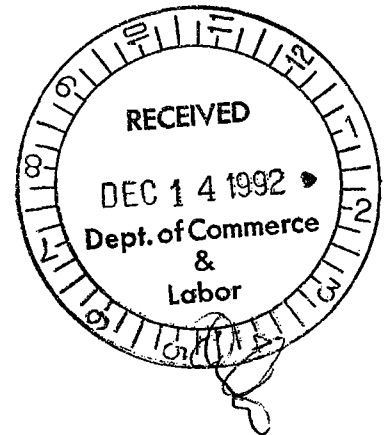
CENTURY INSURANCE COMPANY, LTD.

1st Floor Sablan Bldg.
Caller Box PPP-193
San Jose, Saipan, MP 96950

Tel: 234-0609/10
234-0560
Fax: (670) 234-1845

December 12, 1992

MR. JOAQUIN S. TORRES
Director
Department of Commerce and Labor
Capitol Hills, Saipan, MP 96950



Dear Mr. Torres:

RE : FOREIGN EXCHANGE BOND

We have been issuing surety bonds to foreign exchange dealers as required under Section 310 of the Commonwealth Banking Code of 1984 and as a requirement to the renewal of the business licenses of foreign exchange dealers for the past several years.

To date the CNMI Treasurer, the Obligee under the said bonds, has not called upon the guarantee which is an evidence that the dealers are faithfully performing their duties and responsibilities under the Commonwealth Banking Code.

We are informed by our clients that your good office will no longer accept our surety bonds as a guarantee and instead you will only accept cash bond amounting to \$50,000. We, as well as our clients, are being affected by this sudden change of policy.

On the part of our clients, this will entail additional financial burden which they could easily transfer to surety company under the previous arrangement. On our part, we are being denied of business and most of all our integrity to meet our obligations under the surety bond is being unfairly questioned without the benefit of being tried. Both the foreign exchange dealers and the surety companies are being penalized by this new policy for no apparent reason.



CENTURY INSURANCE COMPANY, LTD.

1st Floor Sablan Bldg.
Caller Box PPP-193
San Jose, Saipan, MP 96950

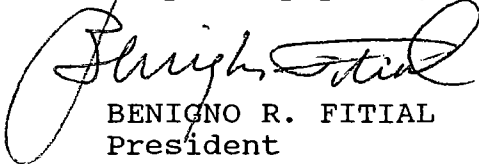
Tel: 234-0609/10
234-0560
Fax: (670) 234-1845

December 12, 1992
Mr. Joaquin Torres
Page - 2-

We would like, therefore, to request the maintenance of the status quo of your policy with regards to the issuance of the surety bond to foreign exchange dealers. We have no opposition to your increasing the limit of liability from \$25,000 to \$50,000. However, we wish to suggest that the increase should be 10% of their last year's business volume. Rest assured that we shall meet our obligation should the bond be called upon to pay a liability covered under the contract.

Thank you for your usual prompt and positive consideration to our request.

Very truly yours,



BENIGNO R. FITIAL
President

BRF:mlr

41
1993

Commonwealth of the Northern Mariana Islands

Department of Natural Resources
Capitol Hill
Saipan, Mariana Islands 96950

Cable Address:
Gov. NMJ Saipan
Telephone 9830 - 9834



January 06, 1993

PUBLIC NOTICE

DEPARTMENT OF NATURAL RESOURCES

PROPOSED REGULATION NO. 1-1-92 TO DIVISION OF PLANT INDUSTRY QUARANTINE SERVICE REGULATIONS

The Director of the Department of Natural Resources hereby provides public notice of the proposed Amendment to §2.2 of the Quarantine Service Regulation No. 1-1-92. Quarantine Service Regulation No. 1 establishes an equitable standard rate for billing the overtime of the Quarantine agents when their services are required for the operations of all air and sea carriers. The amendment provides for the day to day operation of the Quarantine Service and amends the Quarantine Service § 2.2. Proposed Quarantine Service Regulation No. 1-1-92 are to be promulgated under the authority given to the Director of Natural Resources at 2 CMC §5304(a), §5302 and §2171.

Written comments regarding the proposed regulations must be received by February 15, 1993 and addressed to:

Director of Natural Resources
Capitol Hill
Saipan, MP 96950

Issued by: *Nicolas M. Leon Guerrero*
NICOLAS M. LEON GUERRERO
Director of Natural Resources

1/6/93
Date

Concurred by: *Lorenzo I. de Leon Guerrero*
LORENZO I. DE LEON GUERRERO
Governor

1/7/93
Date

Filed and Recorded by: *Soledad B. Sasamoto*
SOLEDAD B. SASAMOTO
Registrar of Corporations

1/11/93
Date

*Soledad B. Sasamoto's
Filed 1/16/93
[Signature]*




Department of Finance
Office of the Director
Commonwealth of the Northern Mariana Islands
P.O. Box 5234 GCHB
Saipan, MP 96950

Cable Address
Gov. NMJ Saipan
Phone: 322-3245-3246
Facsimile: 322-4310

CERTIFICATION

I, Nicolas M. Leon Guerrero, the Director of the Department of Natural Resources of the Commonwealth of the Northern Mariana Islands who is publishing this proposed amendment to § 2.2 of the Quarantine Service Regulations No. 1 by signature below hereby certify that the proposed amendment to § 2.2 of Quarantine Service Regulation No. 1 is a true, correct, and complete copy of the emergency regulation formally adopted by the Director of the Department of Natural Resources for the Quarantine Service. I further request and direct that this certification and the proposed amendment §2.2 to the Quarantine Service Regulation No. 1 be published in the Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 6th day of January, 1993 at Saipan, Commonwealth of the Northern Mariana Islands.



NICOLAS M. LEON GUERRERO, Director
Department of Natural Resources



Commonwealth of the Northern Mariana Islands

Department of Natural Resources
Capitol Hill
Saipan, Mariana Islands 96950

Cable Address:
Gov. NMJ Saipan
Telephone 9830 - 9834

Eneru 06, 1993

NUTISIAN PUBLIKU

DIPATAMENTON NATURAL RESOURCES I MAPROPOPONI NA REGULASION NO. 1-1-92 PARA PLANT INDUSTRY QUARANITNE SERVICE

I Direktot i Depatamenton Natural Resources ginen este ha nutitisia i pupbliku put i mapropoponi na amendasion para §2.2 gi Regulasion Quarantine Service No. 1-1-92. I Regulasion Quarantine Service No. 1 ha establese parehu na a'pas overtime para Quarantine agents yanggen ma nisista ayudun niha gi anai para u fan mafacho'chu'i i batkon aire yan batko siha (carriers). I amendasio para u prubeniya i kinalamten Quarantine Services gi che'cho' kada dia (daily operation) ya u amenda ayu gi Regulasion Quarantine Service §2.2. I mapropoponi na Regulasion Quarantine Service No. 1-1-92 u fan ma deklara sigun i aturidat ni mana'e i Direktot Natural Resources sigun i fuetsa yan sinangan 2 CMC §5304(a), §5302 yan §2171.

I manma tuge' siha na komentu pot i mapropoponi na regulasion, debi di' u fan ma submiti halom antes di Febreru 15, 1993, ya u ma address guatu gi:

Director of Natural Resources
Saipan, MP 96950

Lineknos:

Nicolas M. Leon Guerrero
NICOLAS M. LEON GUERRERO
Direktot i Natural Resources

1/6/93

Fecha

Inakonfotman

Lorenzo I. de Leon Guerrero
LORENZO I. DE LEON GUERRERO
Governor

1/7/93

Fecha

Ma File yan
Rekot as:

Soledad B. Sasamoto
SOLEDAD B. SASAMOTO
Registrar of Corporations

1/11/93

Fecha



Department of Finance
 Office of the Director
 Commonwealth of the Northern Mariana Islands
 P.O. Box 5234 CHRB
 Saipan, MP 96950

Cable Address
 Gov. NMJ Saipan
 Phone: 322-3245-3246
 Facsimile: 322-4310

Eneero 06, 1993

ARONGORONGOL TOWLAP

DIPATAMENTOOL NATURAL RESOURCES
 LLIIWELIL OWTOL ALLEGH NO. 1-1-92
 MELLOL ALLEGHUL, DIVISION OF PLANT INDUSTRY QUARANTINE SERVICE

Direktoodul Depatamentool Natural Resources ekke arongaar towlap igha ekwe ffeer lliwel ngali \$2.2 mellol Alleghul Quarantine Service ye No. 1-1-92. Alleghul Quarantine Service ye No. 1 nge ebwe ayooora standard rate reel abwossul overtime ngalur Quarantine agents ngare re ghal angaang ngali skooki me waa. Lliwel kkaal nge ekwe lemeil mille day to day operation agali Quarantine Service nge ebwe liwili owtol Quarantine Service \$2.2. Lliwel kka llol Alleghal Quarantine Service No. 1-1-92 nge re feerii sangi bwang ye re ngalleery Direktoodul Natural Resources sangi towangil me aileewal mille 2 CMC \$5304(a), \$5302, me \$2171.

Mangemang mi tiip kkewe re ischil reel lliiwelil allegh kkaal mge rebwe atoolongol mmawal Febrero 15, 1993 nge rebwe afanga ngali address ye:

Director of Natural Resources
 Saipan, MP 96950

Férúúyal: *Nicolas M. Leon Guerrero* 1/6/93
 NICOLAS M. LEON GUERRERO Rál
 Director of Natural Resources

Alleghúúyal: *Lorenzo I. de Leon Guerrero* 1/7/93
 LORENZO I. DE LEON GUERRERO Rál
 Governor

File me rekob liyal: *Soledad B. Sasamoto* 1/11/93
 SOLEDAD B. SASAMOTO Rál
 Registrar of Corporations

Proposed Amendment of Section 2.2
Division of Plant Industry Quarantine Service Regulations

Section 2.2 of the Division of Plant Industry Quarantine Service Regulations shall be deleted in its entirety and replaced with the following:

2.2 Inspection of Plants or Parts Thereof, Regulated Materials and Conveyances, Charges for Overtime Pay of Quarantine Agent(s)

(1) All plants or parts thereof entering the CNMI are subject to inspection by the Quarantine Inspectors. These plants or parts may be refused entry into, or movement within, the CNMI if they are known to be, or are suspected of being infected or infested with diseases or pests of quarantine significance. In addition, all aircrafts and vessels entering or moving within the CNMI, together with their cargoes, including baggages, ships stores, and ballasts are subject to inspection by the Quarantine Inspectors for the purpose of enforcing the quarantines, procedures, and controls. It shall be unlawful for anyone to interfere with, or to refuse the submission of the above-mentioned inspections.

(2) All air and sea carriers and other persons whose operations require the service of a Quarantine agent of the Commonwealth Government of the Northern Mariana Islands after normal working hours shall be charged with the overtime pay of the Quarantine agent(s) rendering the service.

(A) "After normal working hours" is work performed any time in excess of eight (8) hours on a weekday and the 24 hour period of a Saturday or Sunday. On legal holidays falling on Mondays through Fridays, the charge shall be the holiday pay of the Quarantine agents rendering the service during the first eight (8) hours of work performed. Any time in excess of eight (8) hours shall be charged at overtime pay. Overtime pay shall include overtime compensation, and applicable employer contributions for retirement and Medicare.

(B) Service of less than two (2) hours for each arrival shall be charged with the minimum of two (2) hours overtime. Any fraction of an hour in excess of the two (2) hours minimum is charged a full hour. The charge shall commence thirty (30) minutes prior to the scheduled arrival time of a carrier or from the time the Quarantine agent leaves his home and shall terminate thirty (30) minutes after the agent leaves the post of duty.

(C) Sea carriers, individuals, non-scheduled aircraft, and others for which overtime services can be specifically assigned, shall be charged for the actual overtime incurred by the Quarantine agent(s) providing such services.

(D) Said overtime charges and holiday charges shall be waived when services are rendered to a carrier operating under emergency conditions or for emergency purposes.

(E) For scheduled and extra section flights to Saipan, Tinian or Rota, Quarantine services provided during overtime hours shall be assessed pursuant to Customs Service Regulation Section 1302.22(e)(1).

(F) For purposes of application, overtime charges of the Division of Plant Industry Quarantine Service will be included and billed using a standard rate that also includes the overtime charges of the Customs and Immigration and Naturalization Division and assessed pursuant to Customs Service Regulation Section 1302.33(e)(1).

(G) At the end of the fiscal year, the Director of Finance will compute actual costs in accordance with the percentage allocation formula set forth in Customs Service Regulation Section 1302.22(e)(1).

(3) When a Quarantine Officer is assigned to any vessel or aircraft for the purpose of conducting an inspection and clearance during the journey, the master of the carrier, owner, or agent must furnish such officer the accommodations usually supplied to passengers. In addition, the master, owner or agent shall furnish all air or sea transportation required in order for the Quarantine officer to board such aircraft or vessel. The quarantine service charge to be imposed shall be in accordance with paragraph (1) of this section.

(4) **Non-performance of Requested Service.** If employees have reported to work in order to provide requested overtime services, but services are not performed by reason of circumstances beyond the control of the employees concerned, compensation shall be in accordance with paragraph (1) of this section.

(5) **Notice of rate change.** The Director of the Department of Finance pursuant to the authority granted the Director under 4 CMC Section 2553, may change the rate and basis for allocation used for billing overtime services upon 90 days public notice.

(6) **Interest Charge.** Interest charge of fifteen percent (15%) per annum shall be imposed on all unpaid charges required by this Part.

Issued by: *Nicolas M. Leon Guerrero* 1/6/93
NICOLAS M. LEON GUERRERO
Director of Natural Resources
DATE

Concurred by: *Lorenzo I. de Leon Guerrero* 1/7/93
LORENZO I. DE LEON GUERRERO
Governor
DATE

Filed and
Recorded by: *Soledad B. Sasamoto* 1/11/93
SOLEDAD B. SASAMOTO
Registrar of Corporations
DATE

*Received in Governor's office
1/6/93
[Signature]*