AN ACT

TO AMEND TITLE 23 OF THE TRUK DISTRICT CODE, RELATING TO MUNICIPAL AFFAIRS, BY ADDING A NEW CHAPTER THERETO, TO ESTABLISH A MUNICIPAL COPRA SALES TAX AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE TRUK DISTRICT LEGISLATURE THAT:

Section 1. Amendment. Title 23 of the Truk District Code is hereby amended by adding a new chapter thereto, to read as follows:

"Chapter __________

Section:

______ Imposition.  
______ Collection.  
______ Records.  
______ Payment.  
______ Disposition of Revenues.  
______ Report.  
______ Civil Penalty.  
______ Criminal Penalty.  

§______ Imposition. There is hereby imposed a copra sales tax of $.001 per pound upon all copra purchased from the municipalities in Truk District.  

§______ Collection. All copra sales taxes imposed by this Chapter shall be collected by all exporters or their duly authorized agents, which taxes shall be deducted from the amount paid to copra producers by the said exporters or their authorized agents.  

For the purposes of this Chapter, an exporter deemed to be the final local purchaser who acquires title to copra prior to its shipment from Truk District.  

§______ Records. All exporters shall maintain accurate daily records of all copra purchases showing dates, names of sellers, the municipality where the copra was grown, gross weights and price per pound. Such records shall be available at all reasonable times for inspection upon request by the District Treasurer or his authorized representative.
§______ Payment. All copra taxes collectable under this Act, including those taxes which have been collected by the exporters and remaining unpaid to the District Treasurer prior to the effective date of this Act, shall be paid to the District Treasurer, on a date to be determined by the District Treasurer's Office. Payments made after the effective date of this Act shall be on a monthly basis. All control fund records, collection, deposits, withdrawals, and disbursements shall be supervised by the District Treasurer, the Truk District Legislature, and by the District Administrator, or his duly authorized representative. However, deficiencies in said fund, including partial or total loss thereof, shall not impose liability upon the Government of the Trust Territory of the Pacific Islands or upon any of its employees for acts committed within the scope of their official duties.

§______ Disposition of Revenues. All revenues derived from collection of said tax shall be used exclusively for meeting the expenses of the individual municipal governments in Truk District. Quarterly disbursements will be made from this tax fund to the municipal government in proportion to the amount of copra purchased by the exporters from the municipalities.

§______ Reports. The District Treasurer shall present a quarterly report on the collection and disbursements of this tax fund to the District Administrator, Truk, and the Truk District Legislature, an annual report to the District Magistrates' Conference, and such other reports as the District Administrator shall deem advisable.

§______ Civil Penalty. Any exporter failing to collect and pay this tax to the District Treasurer or who fails to comply with the provisions of this Chapter shall be considered delinquent under this Chapter and shall be subject to a penalty equal to twice the amount of tax found to be owing.
§ 24-1-6. Criminal Penalty. Any exporter who knowingly, wilfully and lawfully violates or refuses to comply with the provisions of this Act, or with any regulations duly issued by the District Treasurer, shall, upon conviction thereof be fined not more than one hundred dollars ($100.00) or imprisoned for not more than six (6) months, or both such fine and imprisonment.

Section 2. Effective Date. This Act shall take effect upon its approval by the District Administrator, Truk, or upon its becoming law without such approval.

Signed by: Koichi Sana, Speaker
Truk District Legislature

Date: 11/27/74

Attested to:
Datasy Albert
Legislative Clerk/Secretary
Truk District Legislature

Approved by: Mitaro S. Dami
Acting District Administrator, Truk

Date: 12/17/74