

CHARTER
for the
Yap District Government

The purpose of this Charter is to grant a greater degree of self-government to the people of Yap District in promoting their general welfare with due recognition given to their traditions and customs pursuant to the United Nations Charter and Trusteeship Agreement.

ARTICLE I
Bill of Rights

Section 1. No law shall deny or impair freedom of speech or of the press, or the right of the people to peaceably assemble and to petition the District Government for a redress of grievances.

Section 2. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof, except that assistance may be provided to parochial schools for non-religious purposes.

Section 3. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, seizure or invasion of privacy, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Section 4. No person shall be deprived of life, liberty, or property, without due process of law, or be denied the equal protection of the laws, or be denied the enjoyment of his civil rights, or be discriminated against in the exercise thereof, on account of race, sex, religion, language, ancestry, or national origin.

Section 5. In all criminal prosecutions, the accused shall enjoy the right to a speedy public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Section 6. No person shall be compelled in any criminal case to be a witness against himself, or against a member of his family as prescribed by law, or be twice put in jeopardy for the same offense.

Section 7. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment, as determined by the values of Yap District, inflicted.

Section 8. Capital punishment shall be prohibited.

Section 9. The writ of habeas corpus shall be granted without delay, and the privilege of the writ of habeas corpus shall not be suspended, except by the Governor and then only when the public safety requires it in the case of war, rebellion, insurrection or invasion.

Section 10. No bill of attainder, ex post facto law, or law impairing the obligations of contract shall be enacted.

Section 11. Subject only to the requirements of public order and security, no law shall be enacted to restrict the freedom of movement and migration.

Section 12. Neither slavery nor involuntary servitude, except as punishment for crime, shall exist in Yap District.

Section 13. There shall be no imprisonment for debt.

Section 14. Free elementary education shall be provided in Yap District.

Section 15. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in a manner prescribed by law.

Section 16. The Legislature shall provide by general law for the taking of private property for a public purpose. The general law shall provide for just compensation, good faith negotiations for lease or purchase prior to a taking, the manner of the taking, and may prescribe further conditions and requirements.

Section 17. Due recognition shall be given to traditions and customs in providing a system of law, and nothing in this Article shall be construed to limit or invalidate any recognized tradition or custom, except as otherwise

provided by law.

Section 18. The enumeration of certain rights in this Charter shall not be construed to impair or deny other rights of the people.

ARTICLE II

Suffrage and Elections

Section 1. A citizen of the Trust Territory of the Pacific Islands who has attained the age of eighteen years and is registered to vote in Yap District shall be qualified to vote in district elections.

Section 2. The Legislature shall prescribe a minimum period of residence and the method of voting at elections, and shall provide for voter registration, disqualification for conviction of crimes, and disqualification for mental incompetence or insanity. Secrecy of voting shall be preserved.

Section 3. General elections shall be held on the first Tuesday following the first Monday in November in an even numbered year every four years; provided in the event of a natural disaster or other Act of God, the effect of which precludes holding the election on the foregoing date, the Governor may proclaim a later election to be held within sixty days. Special elections may be held in accordance with law.

Section 4. Contested elections shall be determined by the District Court in such manner as may be prescribed by law.

Section 5. A plurality of votes given at an election by the people, shall constitute a choice, where not otherwise provided by this Charter.

Section 6. A new election shall be ordered by the Chief Justice of the District Court if two or more candidates have the highest and an equal number of votes, except in cases specially provided for by this Charter. The election shall be limited to the candidates receiving the equal and highest number of votes.

ARTICLE III

The Legislature

Section 1. The legislative power of the District Government is vested

in the Legislature. Such power shall extend to all rightful subjects of legislation not inconsistent with this Charter, the United Nations Charter and Trusteeship Agreement, and applicable orders of the President of the United States and the Secretary of the United States Department of the Interior.

Section 2. The Legislature shall be composed of ten members, who shall be elected by the qualified voters of the respective election districts.

Section 3. Members of the Legislature shall be elected from election districts and in the numbers shown in Article XII of this Charter.

Section 4. The members of the Legislature shall be elected at a general election. The term of office shall be four years commencing on the third Monday in January following the general election.

Section 5. Any vacancy in the Legislature shall be filled for the unexpired term by special election, except that an unexpired term of less than one year shall be filled by appointment by the Governor.

Section 6. No person shall be eligible to serve as a member of the Legislature unless he is at least twenty-five years of age, has been a citizen of the Trust Territory of the Pacific Islands for at least ten years, and a resident of Yap District for at least five years and of the election district from which elected for at least one year immediately preceding filing for office, and is a qualified voter of the election district from which he seeks to be elected.

Section 7. A person convicted of a felony shall not be eligible to serve as a member of the Legislature unless the person so convicted has received a pardon restoring his civil rights.

Section 8. No member of the Legislature shall hold another public office or public employment, nor shall he, for one year succeeding his term for which he is elected or appointed, be elected or appointed to any public office, or employment, which shall have been created, or the emoluments whereof shall have been increased, by legislative act during such term.

The term "public office", for purposes of this section, shall not include traditional leaders, notaries public, officers of emergency organizations for civilian defense or disaster relief or an office created by the Congress of Micronesia or the Legislature which specifically provides for a member of the Legislature to hold such office.

A member of the Legislature may not engage in any activity which conflicts with the proper discharge of his duties. The Legislature may prescribe further disqualifications.

This section shall not apply to employment by or election to a constitutional convention or commission.

Section 9. No member of the Legislature shall be held to answer before any other tribunal for any statement made or action taken in the exercise of his legislative functions, and members of the Legislature shall, in all cases except felony or breach of the peace, be privileged from arrest during their attendance at sessions or committee meetings of the Legislature, and in going to and returning from the same.

Section 10. The members of the Legislature shall receive annual salaries as prescribed by law. Until otherwise provided by law, the salary of each member of the Legislature shall be five thousand dollars a year; provided that the Speaker of the Legislature shall receive a salary of six thousand dollars a year. No law increasing salaries shall take effect until after the end of the term for which the members voting thereon were elected.

Section 11. The Legislature shall convene annually in regular session at 9:30 a.m. on the third Monday in January, but the month and day may be changed by law.

At the written request or vote of two-thirds of the members of the Legislature, the Speaker of the Legislature shall convene the Legislature in special session. The Governor may convene the Legislature in a special session. At a special session, legislation shall be limited to subjects designated in the proclamation convening the session or to subjects presented by the Governor.

Regular sessions shall be limited to a period of forty days, and special sessions shall be limited to a period of fifteen days. Any session may be extended a total of not more than fifteen days. Such extension shall be granted by the Speaker of the Legislature at the vote of two-thirds of the members of the Legislature or may be proclaimed by the Governor.

Any session may be recessed by a vote of a majority of the members of the Legislature. Any days in recess pursuant to such vote shall be excluded in computing the number of days in any session.

Section 12. The Legislature may adjourn sine die during any session by a vote of a majority of the members of the Legislature.

Section 13. The Legislature shall be the judge of the qualifications of its members and shall have, for misconduct, disorderly behavior or neglect of duty of any member, power to punish such member by censure or, upon a two-thirds vote of the members, by suspension or expulsion of such member.

The Legislature shall choose its own officers, determine the rules of its proceedings and keep a journal. The Legislature shall have and exercise all the authority and attributes inherent in legislative assemblies, including the power to institute and conduct investigations, issue subpoenas to witnesses and other concerned parties, and administer oaths.

Section 14. Two-thirds of the members of the Legislature shall constitute a quorum for the conduct of ordinary business of which quorum a majority vote shall suffice; but the final passage of a bill or resolution shall require the vote of a majority of the members and entered upon its journal. A smaller number than a quorum may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as the Legislature may provide.

Section 15. No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title. No law or section of the law shall be amended or revised by reference to its title only, but in every instance such amendment or revision of the law or section thereof shall be published at full length and in its entirety as amended

or revised. The enacting clause of each law shall be, "Be it enacted by the Legislature of Yap District."

Section 16. No bill shall become law unless it shall pass two readings in the Legislature on separate days. No bill shall pass final reading unless printed copies of the bill in the form to be passed shall have been made available to the members of the Legislature for at least twenty-four hours.

Section 17. A certified copy of every bill which shall have passed the Legislature shall be presented to the Council of Pilung and the Council of Tamol for consideration. The Councils shall have the power to disapprove a bill which concerns tradition and custom or the role or function of a traditional leader as recognized by tradition and custom. The Councils shall be the judge of the concernment of such bill.

Section 18. The Council of Pilung and the Council of Tamol may disapprove a bill by returning the certified copies of the bill with their objections within thirty days after it is received from the Legislature.

A disapproved bill may be amended to meet the Councils objections and, if so amended and passed, only one reading being required for such passage, it shall be presented again to the Councils.

Section 19. Every bill which shall have passed the Legislature and has not been disapproved by the Council of Pilung and the Council of Tamol, or where both Councils inform the Legislature that the bill will not be disapproved, shall be certified by the Speaker and Chief Clerk of the Legislature and shall be presented to the Governor. If the Governor approves the bill, he shall sign it and it shall become law. If the Governor does not approve the bill, he may return it with his objections to the Legislature. The Governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same, but he may veto other bills only as a whole.

The Governor shall have ten days to consider bills presented to him ten or more days before adjournment of the Legislature sine die, and if any bill is neither signed nor returned by the Governor within that time, it shall become law in like manner as if he had signed it.

The Governor shall have thirty days, after adjournment of the Legislature sine die, to consider bills presented to him less than ten days before such adjournment, or presented after adjournment, and any such bill shall become law on the thirtieth day if it is neither signed nor returned on or before that day.

Section 20. Upon the receipt of a veto message from the Governor, the Legislature may proceed to reconsider the vetoed bill, or the item or items vetoed, and again vote upon such bill, or such item or items. If after such reconsideration such bill, item or items, shall be approved by a two-thirds vote of the members of the Legislature on one reading, the same shall become law.

If upon receipt of the veto message from the Governor, the Legislature is not in session or recess, the Legislature may reconsider the vetoed bill in the next general or special session.

A vetoed bill may be amended to meet the Governor's objections and, if so amended and passed, only one reading being required for such passage, it shall be presented again to the Governor, but shall become law only if he shall sign it within ten days after presentation.

Section 21. The Governor, Lieutenant Governor or a Justice of the District Court may be removed from office upon conviction of impeachment for misfeasance or malfeasance in office, or for conviction of a felony.

The Legislature shall have the power of impeachment and may exercise such power by a resolution of impeachment adopted by a two-thirds vote of the members of Legislature.

Upon the adoption of a resolution of impeachment of the Governor or Lieutenant Governor, a notice of impeachment shall be forthwith served upon the Chief Justice of the District Court, by the Chief Clerk of the Legislature, who shall thereupon call a session of the District Court to meet within ten days after such notice to try the impeachment.

Upon the adoption of a resolution of impeachment of a Justice of the District Court, a notice of impeachment shall be forthwith served upon the Governor, by the Chief Clerk of the Legislature, who shall thereupon

convene a special tribunal as proscribed by law to meet within thirty days at the Capital, to sit as a Court to try such impeachment, which Court shall organize by electing one of its members to preside.

A conviction of impeachment shall require the concurrence of two-thirds of the members of the District Court or special tribunal.

The Legislature may by law provide for the manner and procedure of removal by impeachment.

Judgements in cases of impeachment shall not extend beyond removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the District Government, but such person convicted may nevertheless be liable and subject to indictment, trial, judgement and punishment according to the law.

ARTICLE IV

The Executive

Section 1. The executive power of the District Government shall be vested in the Governor.

The Governor shall be elected by the qualified voters of Yap District at a general election. The person receiving the highest number of votes, and at least forty-five percent of the votes cast, shall be the Governor. In case no person receives forty-five percent of the votes cast, the selection of the Governor shall be determined by special election between the two persons receiving the highest number of votes in the general election.

The term of Governor shall begin at noon on the second Monday in January following the general election and end at noon on the second Monday in January, four years thereafter.

No person shall be eligible for the Office of the Governor unless he is at least thirty-five years of age, is a citizen of the Trust Territory of the Pacific Islands by birth, and a resident of Yap District for at least twenty-five years and five years immediately preceding filing for

office, is a qualified voter of Yap District, and never have been convicted of a felony unless he has received a pardon restoring his civil rights.

The Governor shall not hold another public office, or employment, during his term of office.

No person who has been elected Governor for two full successive terms shall again be eligible to hold that office until one full term has intervened.

Section 2. There shall be a Lieutenant Governor who shall have the same qualifications as the Governor, provided that in case the Governor is a resident of the Yap Islands Proper, the Lieutenant Governor shall be a resident of the Outer Islands, and in case the Governor is a resident of the Outer Islands, the Lieutenant Governor shall be a resident of the Yap Islands Proper.

Where the Governor is a resident of the Yap Islands Proper, the Governor shall nominate and appoint the Lieutenant Governor with the advice and consent of the Council of Tamol, and where the Governor is a resident of the Outer Islands, the Governor shall nominate and appoint the Lieutenant Governor with the advice and consent of the Council of Pilung.

Section 3. The Governor and Lieutenant Governor shall receive annual salaries as prescribed by law. Such salaries shall not be increased or decreased for their respective terms of office, except by general law applying to salaried officers of the District Government.

Section 4. A vacancy in the Office of the Governor shall be filled for the unexpired term by special election, except that when there is an unexpired term of less than one year, the Lieutenant Governor shall become Governor. In the event of the absence of the Governor from Yap District, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon the Lieutenant Governor during such absence or disability.

A vacancy in the Office of the Lieutenant Governor shall be filled in the same manner as the original appointment, and in the event of the absence of the Lieutenant Governor from Yap District, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon such officers in such order of

succession as may be provided by law.

Whenever for a period of six months, the Governor or the Lieutenant Governor has been continuously absent from office or has been unable to discharge the duties of his office by reason of mental or physical disability, the Office shall be deemed vacant. The procedure for determining absence and disability may be prescribed by law.

Section 5. The Governor shall be responsible for the faithful execution of the laws. To this end he shall have power, by appropriate action or proceeding in the courts brought in the name of the District Government, to enforce compliance with the Charter or legislative power, duty, or right by any office, department or agency of the District Government or any of its subdivisions; but this power shall not be construed to authorize any action or proceeding against the Legislature.

Section 6. The Governor may grant reprieves, commutations and pardons, after conviction, for offenses other than impeachment, subject to regulation by law. No reprieve, commutation or pardon may be granted to a person holding the Office of Governor or Lieutenant Governor.

Section 7. The Governor shall communicate to the Legislature, by message at the beginning of each regular session and at other times as he may deem necessary, the condition of the District, and shall in like manner recommend measures as he may deem desirable.

Section 8. All executive and administrative offices, departments and instrumentalities of the District Government and their respective functions, powers and duties shall be allocated by law.

Each principal department shall be under the supervision of the Governor and shall be headed by a single executive unless otherwise provided by law. Such single executives shall be nominated and appointed by the Governor, with the advice and consent of the Legislature, to serve at the pleasure of the Governor during his term of office and until the appointment and qualification of their successors, except that the removal of the chief legal officer of the District Government shall be subject to the advice and consent of the Legislature.

Whenever a board, commission or other body shall be the head of the principal department or a regulatory or quasi-judicial agency, the members

shall be nominated and appointed by the Governor with the advice and consent of the Legislature. The term of office and removal of members shall be as prescribed by law.

Section 9. If required to preserve public peace, health or safety, at a time of extreme emergency caused by civil disturbance, natural disaster, or immediate threat of war or insurrection, the Governor may declare a state of emergency and issue appropriate decrees.

A declaration of emergency shall not impair the power of the judiciary except that the declaration shall be free from judicial interference for fifteen days after it is first issued. A declaration of emergency may impair a civil right to the extent actually required for the preservation of peace, health or safety.

Within thirty days after the declaration of emergency, the Legislature shall convene at the call of the Speaker or the Governor to consider revocation, amendment or extension of the declaration. Unless it expires by its own terms, is revoked or extended, a declaration of emergency is effective for thirty days.

ARTICLE V

The Judiciary

Section 1. The judicial power of the District Government shall be vested in the District Court, municipal courts, and other courts or tribunals as may from time to time be created by law.

Section 2. The District Court shall be the highest court of the District and shall consist of a Chief Justice and two Associate Justices. The number of Associate Justices may be increased by law upon the request of the District Court. As prescribed by law, retired Justices of the District Court may serve temporarily on the District Court at the request of the Chief Justice. In case of vacancy in the Office of the Chief Justice, or if he is ill, absent or otherwise unable to serve, an Associate Justice designated in accordance with the rules of the District Court shall serve temporarily in his place.

Section 3. The Governor shall nominate and appoint, with the advice and consent of the Legislature, the Chief Justice and Associate Justices of the District Court. Justices of the District Court shall hold their offices during good behavior.

Section 4. A Justice of the District Court shall be a citizen of the Trust Territory of the Pacific Islands by birth, be at least thirty-five years of age, have been a resident of Yap District for at least twenty-five years and five years immediately preceding his appointment, be learned in the law, and possess additional qualifications as may be prescribed by law.

Section 5. Compensation of Justices of the District Court shall be prescribed by law. Their compensation shall not be decreased during their respective terms of office, except by general law applying to salaried officers of the District Government.

Section 6. Justices or judges of municipal courts, and other courts or tribunals, shall be selected in a manner, for terms, and with qualifications as prescribed by law.

Section 7. The courts and tribunals shall have original and appellate jurisdiction as prescribed by law. The courts shall constitute a unified judicial system for operation and administration.

Section 8. The District Court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing the practice and procedure in civil and criminal cases in all courts, which shall have the force and effect of law, provided that the Legislature may establish or change such rules by law. The District Court shall be a court of record.

Section 9. The Chief Justice of the District Court shall be the administrative head of all courts. The Chief Justice shall, with the approval of the District Court, appoint an administrative director to serve at his pleasure and to supervise the administrative operations of the courts.

Section 10. Court decisions shall be consistent with this Charter, Yap traditions and customs, and the social and geographical configuration of Yap District.

ARTICLE VI

Councils of Traditional Leaders

Section 1. There shall be a Council of Pilung and Council of Tamol which shall exercise legislative, judicial and executive functions which concern tradition and custom as prescribed by this Charter or by statute.

Section 2. The Council of Pilung shall be composed of traditional leaders of the respective municipalities of the Yap Islands Proper. The traditional leaders of each municipality shall appoint one member to the Council and provide for the manner of succession.

Section 3. The Council of Tamol shall be composed of traditional leaders of the respective municipalities of the Outer Islands. The traditional leaders of each municipality shall appoint one member to the Council and provide for the manner of succession. The Chairman of the Council shall be the paramount traditional leader recognized by the people of the Outer Islands.

ARTICLE VII

Taxation and Finance

Section 1. The power of taxation shall never be surrendered, suspended or contracted away, except as provided in this Charter.

Section 2. No tax shall be levied or appropriation of public money made or public property transferred except for a public purpose.

Section 3. The property of citizens of the Trust Territory of the Pacific Islands residing without Yap District shall never be taxed at a higher rate than property belonging to the residents of Yap District.

Section 4. The property of the District Government or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. Other exemptions may be granted by general law.

Section 5. Private leaseholds, contracts or interests in property owned or held by the Trust Territory of the Pacific Islands, the District Government, or its political subdivisions, shall be taxable to the extent of interest.

Section 6. Standards of appraisal of all property assessed by the District Government or its political subdivisions shall be prescribed by law.

Section 7. The taxing power shall be reserved to the District Government, except so much thereof as may be delegated by the Legislature to the municipalities, provided that the power to tax real property shall be a municipal power.

The Legislature shall have the power to apportion district revenues among the several municipalities.

Section 8. Appropriation bills enacted by the Legislature shall not provide for the appropriation of funds in excess of amounts as are available or estimated to be available from revenues raised pursuant to the tax laws or other revenue laws of the District Government and received or estimated to be received from tax laws and other revenue laws of the Trust Territory of the Pacific Islands.

Section 9. No money shall be withdrawn from the District Government treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

Section 10. The Governor shall submit to the Legislature, at a time prescribed by law, a budget setting forth a complete plan of proposed expenditures and anticipated receipts of the District Government for the

ensuing fiscal year, together with other information as the Legislature may require. The budget shall be submitted in a form prescribed by law.

The Governor shall also, upon the opening of each regular session of the Legislature, submit bills to provide for proposed expenditures and for any recommended additional revenues by which the proposed expenditures are to be met. Such bills shall be introduced in the Legislature upon the opening of each regular session.

Section 11. The Legislature may appoint an auditor to serve at its pleasure. He shall be a certified public accountant. The auditor shall conduct audits as prescribed by law and shall report to the Legislature and the Governor.

ARTICLE VIII

Local Government

Section 1. The Legislature shall provide for the establishment municipalities and other political subdivisions within the District and provide for the government thereof. Each municipality or political subdivision shall have and exercise powers as shall be conferred under general laws. Municipalities may be merged, consolidated, classified, reclassified, or dissolved in a manner prescribed by general law.

Section 2. Each municipality shall have power to frame and adopt a charter for its own self government within limits and under procedures as may be prescribed by general law.

Municipal charter provisions with respect to a municipality's structure and organization shall be superior to statutory provisions, subject to the authority of the Legislature to enact general laws allocating powers and functions of municipalities.

A law may qualify as a general law even though it is inapplicable to one or more municipalities by reason of the provisions of this section.

Section 3. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any municipality with any other municipality, or with the District Government, unless

otherwise provided by law or municipal charter.

Section 4. An agency shall be established by law in the executive branch of the District Government to advise and assist municipal governments, and perform other duties as prescribed by law.

ARTICLE IX

Health, Education and Welfare

Section 1. The District Government shall provide for the protection and promotion of the public health.

Section 2. The District Government shall have the power to provide for treatment and rehabilitation, as well as domiciliary care, of mentally or physically handicapped persons.

Section 3. The District Government shall have the power to provide assistance to persons unable to maintain a standard of living compatible with decency and health.

Section 4. The District Government shall have the power to conserve and develop its natural beauty, objects and places of historic or cultural interest, sightliness and physical good order, and for that purpose private property shall be subject to reasonable regulation by law.

Section 5. The District Government shall provide for the establishment, support and control of a district wide system of public schools free from sectarian control, public libraries and other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no segregation in public educational institutions because of race, religion or ancestry.

ARTICLE X

Conservation and Development of Resources

Section 1. The District Government shall promote the conservation, development and utilization of agricultural, marine, mineral, forest,

water, land and other natural resources.

Section 2. Radioactive, toxic chemical, or other harmful substances may not be tested, stored, used, or disposed of within the jurisdiction of the District without the express approval of the District Government and concerned municipal governments in a manner prescribed by law.

Section 3. Title to land or waters within the District may be acquired only by citizens of the Trust Territory of the Pacific Islands or a corporation wholly owned by such citizens.

Section 4. An agreement for the use of land where a party is not a citizen of the Trust Territory of the Pacific Islands or a corporation not wholly owned by such citizens shall not exceed a term of fifty years. The Legislature may prescribe a lesser term.

ARTICLE XI

General Provisions

Section 1. Nothing in this Charter shall take away a role or function of a traditional leader as recognized by custom and tradition, or shall prevent a traditional leader from being recognized, honored, and given formal or functional roles at any level of government as prescribed by this Charter or by statute.

Section 2. Colonia shall be the Capital of the Yap District Government.

Section 3. The District Government and its political subdivisions may cooperate with the United States and its territories, the Trust Territory of the Pacific Islands, and other Districts and their political subdivisions on matters of common interest, and funds may be appropriated to effect such cooperation.

Section 4. The employment of persons in the civil service, as defined by law, of or under the District Government, shall be governed by the merit principle.

Section 5. All public officers, before entering upon the duties of

their offices, shall take and subscribe to the following oath or affirmation:
"I do solemnly swear (or affirm) that I will support and defend the Charter
of the Yap District Government, and that I will faithfully discharge my
duties as _____ to the best of my ability." The Legislature may
prescribe further oaths or affirmations.

Section 6. The enumeration in this Charter of specified powers
shall not be construed as limitations upon the power of the District
Government to provide for the general welfare of the people.

Section 7. The provisions of this Charter shall be self-executing
to the fullest extent that their respective natures permit.

ARTICLE XII

Legislature Election Districts

Section 1. The first election district shall be the Yap Islands
Proper and shall have six members.

Section 2. The second election district shall be the Outer Islands
and shall have four members.

ARTICLE XIII

Amendment and Revision

Section 1. Revisions of or amendments to this Charter may be
proposed by the Legislature by adopting the same in the manner required
for legislation, by a two-thirds vote of the members of the Legislature.

Section 2. At a general or special election, or a referendum
prescribed by law, following adoption by the Legislature of the proposed
amendments or revisions, the proposed amendments or revisions shall be
submitted to the electorate for approval or rejection upon a separate
ballot.

The amendments or revisions shall be effective only if approved by a
majority of votes tallied upon the question.

The provisions of this section shall be self-executing, but the Legislature shall make the necessary appropriations and may enact legislation to facilitate their operations.

Section 3. No proposal for amendment or revision of this Charter adopted in a manner provided by this Article shall be subject to veto by the Governor or disapproval by the Council of Piling and the Council of Tamol.

Section 4. The High Commissioner may amend or revise this Charter on his own initiative, unless otherwise provided by law.

ARTICLE XIV

Transition

Section 1. The Governor shall be personally and legally responsible to the High Commissioner for the administration of programs, projects and activities of the Trust Territory Government including any appropriation, apportionment, reapportionment or allotment of funds of the United States Congress, the Congress of Micronesia, the Legislature or from any other source, unless otherwise provided by law.

Section 2. All laws in force in Yap District on the effective date of this Charter and consistent therewith shall continue in force until they expire by their own limitation, are amended or repealed.

Section 3. Except as otherwise provided in this Charter, all rights, titles, actions, suits, contracts, and liabilities and all civil, criminal or administrative proceedings shall continue unaffected, and the chartered District Government shall be the legal successor to the unchartered District Government in these matters.

Section 4. Political subdivisions of the District Government existing on the effective date of this Charter shall continue to exercise their powers and functions under existing law, pending enactment of legislation to carry out the provisions of this Charter. New political subdivision may be created only in accordance with this Charter.

Section 5. All officers of the unchartered District Government, or under its laws, on the effective date of this Charter shall continue to perform the duties of their offices in a manner consistent with this Charter until they are superseded by officers of the chartered District Government.

Section 6. The Council of Pilung shall succeed the Yap Islands Council and the Council of Tamol shall succeed the Outer Islands Chiefs Council.

Section 7. The first general election shall take place on the first Tuesday after the first Monday in November of 1978.

Section 8. The provisions of Section 8 of Article III shall not prohibit any member of the first Legislature under this Charter from holding any office or position created during his first term.

Section 9. This Charter shall take effect upon its adoption by the Congress of Micronesia, whether amended or revised, and its approval by the High Commissioner.

Section 10. The Legislature shall adopt official translations of this Charter after the Charter is approved by the High Commissioner.