

EXECUTIVE ORDER NO. 113

Setting a Trochus Season for 1992 in Accordance with RPPL 3-6

WHEREAS, RPPL 3-6, in order to prevent over-harvesting of trochus, declared a three year moratorium on the harvesting of trochus, allowed the ban on taking trochus to be lifted through OEK resolution and executive order, if appropriate, and prescribed certain duties for the Bureau of Health Services and the Division of Marine Resources in the event of a trochus season; and,

WHEREAS, the Olbiil Era Kelulau on May 6, 1992, adopted House Joint Resolution No. 3-84-14, allowing a trochus season throughout Palau, except Tobi State, during the month of June, 1992; and

WHEREAS, allowing a 1992 trochus season will provide income to Palauan families and, so long as the resource is not over-harvested, should not deplete the resources; and

WHEREAS, RPPL 3-6 sets minimum size limits for harvested trochus, requires storage of trochus in sealed containers previously inspected by the Bureau of Health Services, and mandates inspection of all trochus intended for commercial purposes by the Division of Marine Resources;

NOW, THEREFORE, I, Ngiratkel Etpison, President of the Republic of Palau by virtue of the authority vested in me by the Constitution, RPPL 3-6, and House Joint Resolution No. 3-84-14 hereby set the time and date for the 1992 trochus season to begin at 6:00 a.m. on June 1, 1992 and to continue until midnight on June 30, 1992.

1. State governments may, if they so choose, act to restrict trochus harvesting in accordance with 24 PNC 1243(c), as amended by RPPL 3-6. The Office of the President must receive notice of any such laws no later than June 1, 1992, in order to issue the public notices required by RPPL 3-6.
2. Each state which allows harvesting of trochus shall designate an area for the sale of trochus by harvesters. In accordance with RPPL 3-6, the states shall not allow harvesting or sales in such areas of trochus below the minimum size of 3 inches in diameter at the base.
3. The Sanitation office of the Bureau of Health Services shall issue permits and inspect proposed trochus storage facilities in accordance with 24 PNC 1245. All facilities shall have been inspected and, if appropriate, issued a permit by no later than June 5, 1992. Storage facilities may be restricted if necessary to insure inspections by the Division of Marine Resources in accordance with RPPL 3-6. The Sanitation Office shall advise the Division of Marine Resources of the location of each storage facility. The Sanitation Office shall report suspected violations of 24 PNC 1245(a), (b) or (c) to the Bureau of Public Safety and/or the Office of the Attorney General.

4. The Minister of Justice, Bureau of Public Safety, and Division of Marine Resources shall consult to organize a random enforcement plan, to be carried out during the trochus season. to check harvesting activities on the reefs and designated state sales areas.
5. The Division of Marine Resources shall make training available to the states to allow testing for minimum size limits and to assist them in organizing areas for sales of trochus.
6. The Division of Marine Resources shall notify all commercial processors of trochus of the need to allow inspection for minimum size requirements before trochus shells are stored, shall inspect shells and issue citations in accordance with 24 PNC 1246, and shall obtain evidence necessary to allow fines if appropriate. The Division of Marine Resources shall record total volume of trochus stored and shall compile statistics from commercial processors and the Bureau of the National Treasury to show the total tonnage stored, total tonnage exported, and gross receipts from the 1992 trochus season.

EXECUTED AT KOROR, PALAU THIS TWENTY-SECOND DAY OF MAY, 1992.

Ngiratkel Etpison
President