

## EXECUTIVE ORDER NO. 116

### *Amending the Organization of the Executive Branch (Executive Order No. 98).*

**WHEREAS**, since the establishment of the Constitutional Government of the Republic of Palau on January 1, 1981, the basic framework for the structure of the Executive Branch of the National Government was set forth by Public law No. 7-88 (2 PNC 101-114) and consisted of five major departments; namely, Ministries of state, Justice, National Resources, Social Services and Administration; and

**WHEREAS**, specific bureaus, divisions, offices and the related functions, responsibilities, duties and activities of the five ministries within the Executive Branch of the National Government were formally established on September 29, 1982, upon promulgation of Executive Order No. 09, and subsequent amendments thereafter; and

**WHEREAS**, said Executive Branch of the National Government was further reorganized on July 27, 1990, by Public law No. 3-30 which increased the major departments to eight major departments; namely, the Ministries of State, Justice, Resources and Development, Commerce and Trade, Administration, Health, Education, and Community and Cultural Affairs; and

**WHEREAS**, consistent with the provisions of RPPL No. 3-30, Executive Order No. 98, promulgated on January 7, 1991, established and reorganized bureaus, divisions, and offices, together with their respective functions, responsibilities, duties and activities; and

**WHEREAS**, it has been determined that, in order to ensure government efficiency and effective delivery of services to the general public, certain ongoing activities must be reorganized and/or new activities created, such new activities to be coordinated with all appropriate authorities, boards, commissions or other duly constituted agencies;

**NOW, THEREFORE**, by virtue of the authority vested in me as President of the Republic of Palau, pursuant to the Constitution and applicable laws of the Republic, it is hereby ordered that Executive Order No. 98, which reorganized the Executive Branch of the National Government, is hereby amended in the following particulars.

*Within the MINISTRY OF STATE(PART II), the following changes.*

Section 2.     Bureau of Domestic Affairs

*The Division of Lands and Surveys (b) is deleted and a new Section 3 is created as follows:*

“Section 3.     Bureau of Lands and Surveys

The Bureau of Lands and Surveys shall be headed by a director who, with the assistance of staff, shall be responsible for the following duties and functions.

- i) Surveying land, mapping, providing title services and other technical assistance to the Palau National Land Commission and its land registration offices in the Commission's function with respect to land title adjudication and determination (RPPL No. 2-18);
- ii) Surveying land, mapping, providing title services and such other technical assistance in cooperation With Palau Public Lands Authority on the matter of the return of public lands; and
- iii) Surveying land, mapping, providing title services as may be required by both the national and state governments and their agencies, including Implementation of Section 7 of Article XIII of the Constitution if and when it becomes necessary for the national government or a state government to exercise its eminent domain power therein conferred."

*Within the MINISTRY OF JUSTICE (PART III), the following changes.*

*Under Bureau of Public Safety (Section 2), the Division of Patrol (a) is revised and a new Division of Marine Law Enforcement (e) is created as follows:*

Section 2. Bureau of Public Safety

"a) Division of Patrol. The Division of Patrol shall be headed by a chief who, with the assistance of police officers and staff, shall perform the following duties and functions.

- i) Providing mobile land and air police services; preventing crime; controlling traffic; providing protection at public service functions; enforcing all laws; serving criminal process; and performing other duties that may be assigned:
- ii) Providing manpower needed in case of fires and operating emergency ambulance services;
- iii) Conducting investigations of traffic and misdemeanor offenses; and
- iv) Providing patrol service throughout Koror State and other states as appropriate."

"e) Division of Marine Law Enforcement

The Division of Marine Law Enforcement shall be headed by a chief who, with the assistance of staff, shall be responsible for marine surveillance of the Republic's territorial waters and its 200-mile Exclusive Economic Zone ("EEZ") and the enforcement of laws and regulations related thereto including, but not limited to, laws and regulations regarding fishing,

environmental protection and illicit narcotics trafficking. The chief shall coordinate his activities with other appropriate agencies of the government.”

*Within the MINISTRY OF RESOURCES AND DEVELOPMENT (PART IV) the following changes:*

Section 1. Bureau of Natural Resources and Development

*The Division of Marine Resources and Conservation (a) is revised and a new Division of Conservation and Entomology (c) is created as follows:*

“a) Division of Marine Resources. The Division of Marine Resources shall be headed by a chief who, with the assistance of staff, shall be responsible for the following duties and functions.

- i) Conducting a pilot program on fishery development projects with the aim of promoting and developing commercialization of fisheries and fishery products;
- ii) Maintaining and operating the Micronesian Mariculture Demonstration Center as a site for marine biological research, study and experimentation of mariculture and aqua-culture fisheries;
- iii) Conducting, hatching and rearing of certain species of fish, mollusks, crustaceans and turtles to be placed back into their natural habitats at maturity as a means of preventing the depletion of these important marine resources;
- iv) Assessing and evaluating the commercial potential of reef and deep water fish, bait-fish, mollusks, crustaceans, turtles, and other marine and aquatic life from catch records, census and quantitative field measurements;
- v) Formulating, establishing and implementing guidelines and conservation measures to safeguard against over exploitation and over harvesting of fish and other marine resources;
- vi) Providing technical assistance and advisory services to local fishing cooperatives in the purchasing, handling and marketing of fish and other marine products both locally and outside of the Republic of Palau; and
- vii) Providing staff support and administrative assistance to the Board of Directors of the Palau Fishing Authority upon request and on the basis of staff availability.”

“c) Division of Conservation and Entomology. The Division of Conservation and Entomology shall be headed by a chief who, with the assistance of staff, shall be responsible for the following duties and functions.

- i) Preparing plans and directions for the Republic of Palau's conservation program which shall involve soil, water, archaeological remains, flora, fauna and other natural resources;
- ii) Preparing plans and directions for the Republic of Palau's entomological program which shall involve insects, pests, weeds and control measures for same;
- iii) Providing technical assistance and guidance to the three branches of the national government, state governments and the appropriate agencies in matters relating to conservation, including establishment of a national scheme for the enforcement of conservation laws and regulations;
- iv) Providing technical assistance and guidance to the Division of Agriculture and Mineral Resources, state governments, other governmental agencies, or private agriculture projects on programs relating to entomology;
- v) Establishing and maintaining contacts with entomologists and other scientists and conservation-oriented national, regional or international organizations which can be of aid in solving conservation and entomological problems and needs in the Republic of Palau;
- vi) Developing and organizing education programs on the principles, objectives and practices of conservation and entomology for schools, museums, other government agencies or locally established groups and organizations;
- vii) Coordinating entomological works with the Division of Agriculture and Mineral Resources and other governmental agencies dealing with entomology and related pest control problems, including amendments to, or enforcement of, Plant and Quarantine rules and regulations of the Republic; and
- viii) Performing such other duties, functions or responsibilities as may from time to time be assigned by the Bureau Director or the Minister of Resources and Development.”

*Within the MINISTRY OF COMMERCE AND TRADE (PART V), the following changes.*

*The Bureau of Commercial Regulation (Section 1) and its divisions and the Bureau of Commercial Management (Section 2) and its divisions are revised as follows:*

“Section 1. Bureau of Commercial Development

The Bureau of Commercial Development shall be headed by a director who, with the assistance of staff, shall be responsible for providing technical assistance to aid in the development of domestic industry including, but not limited to, cooperatives, credit unions and

the improvement of land, sea and long-range air transportation systems. The director, with the assistance of staff, shall also be responsible for the collection and compilation of trade and commercial statistics. The director, with the assistance of staff, shall be responsible for the performance of the duties and functions of the following divisions.

a) Division of Economic Development. The Division of Economic Development shall be headed by a chief who, with the assistance of staff, shall be responsible for the development and growth of domestic industry including, but not limited to, cooperatives, credit unions, and the improvement of land, sea and long-range air transportation systems. The chief shall also collect and compile trade and commercial statistics.

b) Division of Transportation and Communication. The Division of Transportation and Communication shall be headed by a chief who, with the assistance of staff, shall be responsible for the following duties and functions.

- i) Implementing Titles 8 and 15 of the Palau National Code;
- ii) Regulating commercial airports;
- iii) Assisting with search and rescue and evacuation during a national emergency, and such other efforts which serve the public interest when requested to do so by appropriate governmental agencies; and
- iv) Regulating television, radio and telephonic communications.

## Section 2. Bureau of Human Resources Development

The Bureau of Human Resources Development shall be headed by a director who, with the assistance of staff, shall be responsible for the effective utilization of human resources, including citizens and non-citizens, within the Republic.

a) Division of Labor. The Division of Labor shall be headed by a chief who, with the assistance of staff, shall be responsible for the implementation of Title 30 of the Palau National Code.

b) Division of Job Placement. The Division of Job Placement shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Analyzing and identifying the human resources needs of the private sector and, in coordination with the Division of Labor, ensuring that the public, specifically unemployed Palauan citizens, is informed of such job opportunities; and
- ii) Providing counseling regarding job placement and assisting in the organization and preparation of appropriate Job placement documents including, but not limited to, Job applications, school transcripts, resumes, references, and skills

certification.”

Within the MINISTRY OF ADMINISTRATION (PART VI), the following changes.

*The duties and functions of the Bureau of National Treasury (Section 1) are revised; a new Division of Treasury (c) is created under Bureau of National Treasury; the Division of Revenue and Taxation (c) is deleted, a new Bureau of Revenue, Customs and Taxation (Section 4) is created with three divisions; the Division of Training (b) under Bureau of Public Service System is revised; and a new Section (5) is created as the Computer Center and Microfilm Center, as follows:*

“Section 1. Bureau of National Treasury

The Bureau of the National Treasury shall be headed by a director who, with the assistance of staff, shall be responsible for the day-to-day management of programs and activities involving the receipt, custody and disbursement of funds; the acquisition, accountability and control of properties; and general daily operations of the National Treasury. The director, with the assistance of staff, shall comply with and enforce appropriate sections of Title 40 of the Palau National Code. The director shall, with the assistance of staff, be responsible for the performance of the duties and responsibilities of the following divisions.”

“c) Division of Treasury. The Division of Treasury shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Final receiver of all cash receipts under the Bureau of National Treasury’s responsibilities, issues cash receipt forms for all such monies received;
- ii) Maintaining all of the National Government’s bank checking and savings accounts under the centralized financial management system;
- iii) Being responsible for disbursement, which is the printing and distribution of all checks, including payroll; and
- iv) Being responsible for cash management, including maintaining dally records of bank account balances, and making determinations of the priority of bills to be paid.”

Section 3. Bureau of Public Service System

*The name “Division of Training” (b) is revised to read “Division of Employee Training” (b).*

“b) Division of Employee Training.”

*The Division of Revenue and Taxation (c) under Bureau of National Treasury is*

*deleted. A new Bureau of Revenue, Customs and Taxation (Section 4) is created, as follows:*

“Section 4. Bureau of Revenue, Customs and Taxation

The Bureau of Revenue, Customs and Taxation shall be headed by a director who, with the assistance of staff, shall be responsible for the day-to-day management of programs and activities involving imposition of customs and duties; assessment and collection of taxes; promulgation and enforcement of tax laws and regulations; collection and compilation of trade data and statistics; and administration of utility billings and collections. The director shall, with the assistance of staff, be responsible for the performance of the duties and functions of the following divisions.

a) Division of Revenue and Taxation. The Division of Revenue and Taxation shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Inspecting books and accounts of local businesses for purposes of tax assessment;
- ii) Processing individual and business tax returns;
- iii) Assisting taxpayers in maintaining compliance with the tax laws;
- iv) Collecting income and gross receipts taxes and other revenues authorized by the laws of the Republic; and
- v) Enforcing Chapters 10 through 19 of Title 40 of the Palau National Code.

b) Division of Customs. The Division of Customs shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Inspecting and processing all luggage, cargo and any and all other freight entering the Republic of Palau through the Palau International Airport, the Malakal Dock, the post office and any other point of entry, for dutiable items subject to import tax and collecting said tax;
- ii) Inspecting and reviewing bills of lading, manifests, and vendors' invoices for merchandise covering all merchandise arriving on any vessel or aircraft and issuing Entry Certificates to importers;
- iii) Ensuring that all cargo is retained at the place of unloading until the Import tax has been paid;
- iv) Inspecting and processing the documents of all travelers and collecting the traveler's head tax (departure tax) at ports of exit within the Republic of Palau in

accordance with 40 PNC 1403; and

- v) Assisting with enforcement of Chapter 13 of Title 40 of the Palau National Code.
- c) Division of Utility Collection. The Division of Utility Collection shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.
  - i) Conducting monthly readings of electric and water utility meters of all public utility customers;
  - ii) Keeping up-to-date records and conducting ongoing reviews of each individual customer account for billings, payments, and delinquencies;
  - iii) Keeping track of all delinquent accounts and reviewing overdue installment payments and taking necessary actions to receive payments and/or terminate services;
  - iv) Installing, testing, repairing or replacing any malfunctioning electrical or water meters, in coordination with the Bureau of Public Works, whenever requested and required; and
  - v) Enforcing the Utilities Rules and Regulations (many of which are related to items i through iv above).

#### Section 5. Computer Center and Microfilm Center

Established within office of the Minister, the Computer Center and Microfilm Center shall be headed by a manager(s) who, with the assistance of staff, shall perform the following duties and functions.

- i) Assisting various central (mainframe) computer program users in maintaining their records and issuing reports and other documents;
- ii) Developing and enhancing computer software to meet new needs for new programs and updating/upgrading existing programs to better meet the needs of Computer Center users;
- iii) Maintaining all computer hardware within the Ministry of Administration and determining the need to replace obsolete or end-of-useful life equipment;
- iv) Providing technical assistance to users of computers outside of the central (mainframe) computer system in selecting, ordering/bidding, installing, modifying and otherwise improving their computer programs;
- v) Microfilming Ministry of Administration documents related to finances,



properties, taxes, personnel and other vital areas to be retained for specific periods (generally more than one year) or indefinitely, as determined by the Minister; and

- vi) Maintaining a systematic log of documents that have been microfilmed for quick retrieval and avoidance of duplication and maintaining a schedule of priorities of order of microfilming to be accomplished .

*Within the MINISTRY OF COMMUNITY AND CULTURAL AFFAIRS (Part IX), the following pages.*

Section 1. Bureau of Community Services

*The Bureau of Community Services (Section 1) and its divisions, and the Bureau of Arts and Culture (Section 2) and its divisions, are revised; the Division of National Archives is moved to be under the Bureau of Community Services; a new Division of Youth Affairs is created under the Bureau of Community Services; and a new Section (3), Bureau of Women's Interests is created, as follows:*

“a) Division of Social Services. The Division of Social Services shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Surveying, identifying and assessing current or potential social problems in the Republic, determining their causes and developing and implementing remedial programs;
- ii) Developing and promoting social rehabilitation programs in cooperation with civic organizations and other government agencies;
- iii) Developing and promoting other programs which will enhance the standard of living of Palauans; and
- iv) Providing programs and activities for the aged in cooperation with state Units on Aging;

b) Division of Parks and Recreation. The Division of Parks and Recreation shall be headed by a chief who, with the assistance of staff, shall perform the following duties and functions.

- i) Identifying and designating, in consultation with the states, certain locations within the Republic as national parks;
- ii) Developing and maintaining public parks and recreational facilities;
- iii) Developing, coordinating and promoting recreational programs and activities for

the general public; and

- iv) Assisting, wherever possible, all existing public and private institutions, organizations, associations and agencies in the Republic which are involved in recreational activities and programs.
- c) Division of National Archives. The Division of National Archives shall be headed by a chief who, with the assistance of staff, shall administer and implement the provisions of RPPL No. 3-38.
- d) Division of Youth Affairs. The Division of Youth Affairs shall be headed by a chief who, with the assistance of staff, shall be responsible for providing, coordinating and supporting national, regional and International sports events and recreational activities as well as organizing and coordinating youth fairs or other national festivities involving youth and shall perform the following duties and functions.
  - i) Identifying the needs of youth and developing, coordinating and implementing youth programs to meet those needs;
  - ii) Identifying problems facing Palau's youth, such as unemployment, substance abuse and poor school attendance, and developing policies and programs to address such problems; and
  - iii) Organizing, coordinating and publicizing youth activities including sports and entertainment, national celebrations, and community improvement projects.

## Section 2. Bureau of Arts and Cultural Affairs

The Bureau of Arts and Cultural Affairs shall be headed by a director who, with the assistance of staff, shall coordinate projects and programs and activities with those of the Belau National Museum and shall be responsible for the implementation of Title 19 of the Palau National Code Sections 101-183, the "Historical and Cultural Preservation Act".

## Section 3. Bureau of Women's Interests

The Bureau of Women's Interests shall be headed by a director who, with the assistance of an administrative officer, researcher/clerk, social worker/counselor and such other staff as may be necessary, shall be responsible for the supervision and the performance of the following duties and functions.

- i) Developing, formulating, identifying and establishing short-term and long-term goals, objectives and guidelines for women's concerns, activities and programs;
- ii) Planning, evaluating, monitoring and implementing specific and appropriate programs, projects and activities to meet the economic, educational, health and

political needs and requirements of women in Palau;

- iii) Coordinating networking relationships with international or regional women's organizations, groups or individuals and establishing bilateral contacts with women's associations in foreign nations;
- iv) Facilitating the process of community awareness and education of any identifiable audience or target group in relation to women's role in society and other related family issues:
- v) Conducting, on a regular basis, women's related needs assessment surveys, recording and compiling findings regarding same and making recommendations for appropriate action based on the information received:
- vi) Creating a database on women's informational services, activities and organizations, either outside or inside Palau, including traditional and non-traditional organizations, associations or groups;
- vii) Being responsible for proposal writing, project formulation, and report writing for grant aids or funding assistance available to women's programs, projects or activities;
- viii) Collecting, disseminating and otherwise providing relevant and timely information about women's interests or newsworthy items in the Palauan and English languages through a newsletter, radio programs or other types of media
- ix) Developing, promoting and advancing educational programs and activities and general awareness relating to child and spousal abuse and neglect; and
- x) Assisting in developing a 24-hour networking system for reporting, identifying or otherwise making known to proper authorities incidences of spousal or child abuse and neglect while protecting the identities or the privacy of the victims."

***IN WITNESS WHEREOF***, I have hereunder set my hand and affixed my Official Seal this 14<sup>th</sup> day of January, 1993, in the State of Koror, Republic of Palau.

Kuniwo Nakamura  
President, Republic of Palau

