

EXECUTIVE ORDER NO. 123

Setting a Trochus Season for 1993 in accordance with 24 PNC Section 1241 et seq.,

WHEREAS, 24 PNC Section 1241 et seq., as amended by RPPL No. 3-6 generally restricts the harvesting of trochus, but does allow for such harvesting where there is a resolution by the Olbiil Era Kelulau and an Executive order to that effect; and

WHEREAS, the Olbiil Era Kelulau on June 21, 1993 adopted Senate Joint Resolution No. 4-28, HD 1 allowing a trochus season throughout Palau, except Hatohobei State, to begin on July 02, 1993 and continue until August 02, 1993; and

WHEREAS, allowing a 1993 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, 24 PNC Section 1241 et seq. 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, Kuniwo Nakamura, President of the Republic of Palau, by virtue of the authority vested in me by the Constitution, 24 PNC section 1241 et seq., RPPL 3-6, and Senate Joint Resolution No. 4-28, HD 1 hereby set the time and date for the 1993 trochus season to begin at 6:00 a.m. on July 02, 1993 and to continue until midnight on August 01, 1993 with the following conditions:

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 29, 1993 in order to issue the public notices required by 24 PNC section 1243(c).
2. Each state which allows harvesting of trochus shall designate an area for the sale of trochus by harvesters. In accordance with the law, 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 29, 1993. Storage facilities may be restricted if necessary to insure inspections by the Division of Marine Resources in accordance with 24 PNC Section 1246. 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 Section 1241 et seq. to the Bureau of Public Safety and/or the Office of the Attorney General.

4. The Ministry 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 the 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 1993 trochus season.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on this 24th day of June, 1993 in the State of Koror, Republic of Palau.

Kuniwo Nakamura
President
Republic of Palau