

EXECUTIVE ORDER NO. 203

Organization of the Executive Branch of the Government of the Republic of Palau

WHEREAS, the President's Management Action Plan (MAP) was adopted by the President of the Republic of Palau on February 21, 2001 in Presidential Directive No. 01-007, to serve as a strategic roadmap for the reform and 'right-sizing' of the Executive Branch of the Government; and

WHEREAS, the MAP established a set of 'Guiding Principles' for the new Administration to follow in its efforts to reform the Executive Branch and to improve the provision of government services, to the Public, such Principles to include:

- Focusing on quality services while aiming to reduce costs;
- Ensuring accountability of representatives and staff; and
- Creating a viable organizational structure for the government; and

WHEREAS, it has been determined in the MAP that, in order to ensure government efficiency and the effective delivery of services to the general public, certain on-going activities of the Executive Branch 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; and

WHEREAS, a comprehensive review of the organizational structure of the Executive Branch of the Government of the Republic of Palau has been completed by every agency and ministry of the Executive Branch, in consultation with the Inter-Agency Coordinating Group (established in Presidential Directive No. 01-001), in line with the guiding principles and recommendations set forth in the MAP; and

WHEREAS, the reorganization of the Executive Branch reflected herein results in the deletion of one bureau and 21 divisions, resulting in an annualized cost savings to the National government of approximately \$480,000; and

WHEREAS, Sections 2 and 5 of Article VIII of the Constitution of the Republic of Palau, provides for a Presidential Cabinet consisting of the Vice President and the Ministers who are appointed by the President with advice and consent of the Senate of the Olbiil Era Kelulau; and

WHEREAS, Section 7(I) of Article VIII of the Constitution requires the President of the Republic of Palau to enforce the law of the land; and

WHEREAS, 2 PNC § 102 establishes eight ministries within the Executive Branch of the Government of the Republic of Palau; and

WHEREAS, 2 PNC § 109 directs the President to provide for the subdivisions of the Ministries and to prescribe thereto their duties, responsibilities and functions; and

WHEREAS, 2 PNC § 110 empowers the President to establish offices and agencies within the Executive Branch and to prescribe their duties, responsibilities and functions so as to assist the President, the Vice President and the Ministers in the performance of their duties, responsibilities and functions; and

WHEREAS, a series of Executive Orders have organized the Executive Branch since the establishment of the Constitutional Government of the Republic of Palau on January 1, 1981, most recently Executive Order No. 116 and its nine addendums, which amended Executive Order No. 98; and

WHEREAS, the Management Action Plan (MAP) was adopted by the President of the Republic of Palau on February 21, 2001 in Presidential Directive No. 01-007, to serve as a strategic roadmap for the reform of the Executive Branch of the Government; and

WHEREAS, the MAP established ‘Guiding Principles’ to improve the provision of government services, to include the following:

- To focus on quality services while aiming to reduce costs;
- To ensure accountability of representatives and staff; and
- To create a viable organizational structure; and

WHEREAS, a comprehensive review of the organizational structure of the Executive Branch of the Government of the Republic of Palau has been completed by every agency and ministry of the Executive Branch, in consultation with the Inter-Agency Coordinating Group (established in Presidential Directive No. 01-001), in line with the guiding principles and recommendations set forth in the MAP; and

WHEREAS, the recommended reorganization of the Executive Branch results in the deletion of one bureau and 21 divisions, resulting in an annualized cost Savings to the National government of approximately \$480,000,

NOW THEREFORE, by virtue of the authority vested in me as the President of the Republic of Palau, it is ordered that Executive Order No. 98, which reorganized the Executive Branch, and Executive Order No. 116, and all addendums thereto, which amended Executive Order No. 98, are hereby repealed and replaced by this Executive Order, which formally and officially organizes the Executive Branch as follows:

PART I. OFFICE OF THE PRESIDENT

Section 1. The President’s Cabinet shall consist of the Vice President and all the Ministers. The President shall chair all Cabinet meetings, and in his absence, the Vice President. Nothing in this part shall be construed to prohibit, from time to time, the designation of a Minister to chair Cabinet meetings as may be necessary and appropriate.

Section 2. The Office of Environmental Response and Coordination.

The Office of Environmental Response and Coordination shall perform the duties and functions described in Executive Order No. 189.

Section 3. The Office of Ombudsman.

The Office of Ombudsman shall assist individuals with grievances regarding services, programs or activities of the Government. The Ombudsman shall have no decision-making authority, but is empowered to have inquiry and mediation functions. The Office of Ombudsman shall be headed by an Ombudsman Officer who shall be responsible for the following duties and functions:

- a) Receive grievances regarding services, programs and activities provided by the Government and its agencies;
- b) Review the merits of each grievance and promptly seek to resolve and assist in the resolutions of said grievances;
- c) Provide reports to the President with recommendations for improvement of government services;
- d) Arrange and refer individuals with grievances to appropriate agencies, ministries, bureaus, programs and activities for speedier resolution; and
- e) Perform additional duties and responsibilities as prescribed by the President.

Section 4. The Council of Chiefs.

The Council of Chiefs is an advisory body to the President, established pursuant to Section 6 of Article VIII of the Palau Constitution, whose primary function is to advise and assist the President on matters concerning traditional laws, customs and their relationship to the Constitution and the laws of the Republic.

PART II. OFFICE OF THE VICE PRESIDENT

Section 1. The Vice President shall serve as a member of the cabinet and have such other responsibilities as may be assigned by the President. (Section 2 of Article VIII of the Palau Constitution). In addition to his or her duties and responsibilities by virtue of holding the Office of Vice President of the Republic, the Vice President shall serve as the head of a Ministry pursuant to appointment by the President.

Section 2. The National Emergency Management Office shall be under the direction of the Office of the Vice President as provided for in Executive Order No. 76.

PART III. MINISTRY OF STATE

The Ministry of State shall be headed by a Minister who shall be responsible for national defense, treaty matters, relations between the national and state governments and relations with other nations, the United Nations, and other international organizations (2 PNC § 104). The Minister shall coordinate the activities of the Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall be responsible for the performance of the duties and functions of the following offices, bureaus and divisions:

Section 1. Embassies and Consulates.

The Palau Embassies, as established by Executive Order No. 141, shall represent the people and the Government of the Republic of Palau on a full-time basis before their respective foreign governments, and other organizations, both private or public, on matters pertaining to the Republic of Palau, actively and fully advocating all programs and policies of the Government of the Republic of Palau. Consulate Offices shall have the powers, duties and responsibilities as set forth in Executive Order No. 141, and shall be under the direct supervision of the head of the Palau Embassy in Washington, D.C. and shall be responsible to the President through the Minister of State. The Embassies of the Republic of Palau are as follows:

- Washington D.C., United States of America;
- Tokyo, Japan; and
- Taipei, Republic of China -Taiwan.

The Consulates of the Republic of Palau are as follows:

- The Commonwealth of the Northern Mariana Islands (CNMI) and
- Guam.

Section 2. Office of the Public Defender.

The Office of the Public Defender shall represent indigent individuals in all criminal matters as required in 18 PNC § 402. The Office shall represent indigents in civil matters, under criteria established by the Minister of State, where deemed appropriate and where sufficient funding is available.

Section 3. Palau Passport Office.

The Palau Passport Office shall regulate the issuance, security, and procurement of Republic of Palau passports and provide support services to citizens of Palau in obtaining foreign entry requirements and other needs while traveling with a Republic of Palau Passport.

Section 4. Foreign Affairs.

The Bureau of Foreign Affairs shall be headed by a Director who shall be responsible for the conduct of affairs between the Republic and foreign governments and all international and

regional organizations, including, but not limited to, maintaining and protecting diplomatic relations with foreign countries, coordinating and facilitating out-of-country meetings/conferences and providing governmental protocol to visiting dignitaries. The Bureau shall coordinate its efforts with the Office of the President, appropriate ministries and agencies and the Bureau of International Trade and Technical Assistance.

Section 5. Bureau of International Trade and Technical Assistance.

The Bureau of International Trade and Technical Assistance shall be headed by a Director who shall be responsible for conducting and coordinating international trade negotiations and researching and identifying the availability of financial grant/aid and technical assistance from foreign governments and all international and regional organizations for the benefit of the Republic of Palau, including but not limited to, providing assistance to national and state government agencies in the procurement of financial grant/aid and technical assistance. The Bureau shall coordinate its efforts with the Office of the President, the Bureau of Foreign Affairs and the Bureau of Budget and Planning.

Section 6. Bureau of Domestic Affairs.

The Bureau of Domestic Affairs shall be headed by a Director who shall be responsible for national and state relations; providing, upon request, assistance to the Election Commission in conducting national and state elections, plebiscites, and referenda; coordinating liaison activities between the Executive Branch with the Olbiil Era Kelulau; archiving all government rules, laws, procedures, regulations and other public documents for the National Government, State Governments and the private sector; and raising public awareness through the dissemination of all government activities and issues through various media outlets.

PART IV: MINISTRY OF JUSTICE

The Ministry of Justice shall be headed by a Minister who shall be responsible for providing legal services to the national government and its agencies and political subdivisions, promoting and protecting the safety and peace of the public and maintaining order and enforcing all laws (2 PNC § 105). The Minister shall coordinate the activities of the Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall be responsible for the performance of the duties and functions of the following offices, bureaus and divisions:

Section 1. Office of the Attorney General.

The Office of the Attorney General shall be headed by the Attorney General who is appointed by the President. The Office shall employ such staff as necessary to carry out its functions and shall be responsible for providing legal services to the Republic, including: prosecuting criminal and civil cases on behalf of the Republic; representing and advising all agencies, divisions and ministries of the Executive Branch on legal matters; providing legal

services to the Procurement Officers and drafting, reviewing and certifying government contracts (40 PNC § 612); reviewing legislation as requested by the President; processing petitions for corporate charters; registering foreign corporations; and performing such other duties as provided by statute or as assigned by the President or the Minister of Justice.

Section 2. Bureau of Immigration.

The Bureau of Immigration shall be headed by a Director who shall enforce Title 13 of the Palau National Code (PNC) and all other immigration and naturalization laws applicable in the Republic of Palau, process passports, visa and other entry permit applications for Palau and perform entry and exit inspections for all passengers, aircrafts and vessels for proper travel documents.

Section 3. Bureau of Public Safety.

The Bureau of Public Safety shall be headed by a Director who shall be responsible for the protection of persons and property and the enforcement of the laws of the Republic. The Director shall issue vehicle operator permits and vehicle registration documents and shall enforce all traffic laws. The Director shall issue police clearances and shall be responsible for the performance of the duties and functions of the following divisions:

- a) Division of Patrol. The Division of Patrol shall be headed by a Chief who shall perform the following duties and functions:
 - i) Provide necessary patrol services to the States, prevent crime, control traffic, provide protection at public functions, enforce all laws and perform other duties that may be assigned;
 - ii) Provide manpower necessary to fight fires, operate ambulance services and respond to emergencies;
 - iii) Conduct investigations and prepare reports regarding traffic and misdemeanor offenses;
 - iv) Provide security as required at the Republic of Palau airports; and
 - v) Maintain maritime navigational aids.

- b) Division of Criminal Investigation and Drug Enforcement. The Division of Criminal Investigation and Drug Enforcement (CIDE) shall be the primary investigating entity of the Bureau of Public Safety and shall be headed by a Chief who shall have the following duties and functions: enforce all laws related to illicit drugs including the cultivation, distribution, transport and sale or use of the same as well as all laws related to the purchase and consumption of alcoholic beverages and tobacco; investigate major crimes and other matters as assigned by

the Director; prepare reports; collect and preserve evidence; gather intelligence information; and perform other duties as assigned by the Director. The Chief shall coordinate his activities with other Divisions of the Bureau of Public Safety and other appropriate agencies of the Government.

- c) Division of Fire and Rescue. The Division of Fire and Rescue shall be headed by a Chief who shall perform the following duties and functions:
- i) Respond to and combat fires with the assistance of police officers;
 - ii) Maintain fire trucks and other equipment to be fully operational and ready for use in fighting fires and for attending the arrivals and departures of aircraft;
 - iii) Inspect equipment, buildings and property for adherence to fire safety standards and proper storage of hazardous and flammable materials;
 - iv) Respond to emergencies and provide emergency services in case of natural disaster, such as typhoons, tidal waves, or other acts of God, in coordination with the National Emergency Management Office;
 - v) Maintain, operate and dispatch ambulances in response to medical emergencies or as may otherwise be required;
 - vi) Cooperate in criminal investigations involving arson; and
 - vii) Enforce fire safety measures as specified in building codes, fire codes, and other laws, as applicable.
- d) Division of Corrections. The Division of Corrections shall be headed by a Chief who shall perform the following duties and functions:
- i) Administer and operate a national penal institution providing daily care and housing of juveniles, arrested persons, accused persons not making bail and awaiting trial, and convicted offenders serving court sentences;
 - ii) Develop and manage a prisoners' program to provide a work force for public or government projects;
 - iii) Develop and administer rehabilitation programs and projects by providing good citizenship and civic classes and training prisoners in woodcarving, handicrafts, cabinet manufacturing, gardening, fishing and other vocations;
 - iv) Provide information and opinions to the Parole Board regarding prisoner paroles;

- v) Monitor prisoners on work release;
 - vi) Regularly inspect all prison facilities and make recommendations and changes to reduce escapes and to insure that the facility remains free of contraband;
 - vii) Hold hearings and issue reports regarding the misconduct of prisoners and take appropriate disciplinary action; and
 - viii) Review non-judicial requests made by prisoners.
- e) Division of Marine Law Enforcement. The Division of Marine Law Enforcement shall be headed by a Chief who 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 narcotic trafficking. The Chief shall coordinate such activities with other appropriate agencies of the government.
- f) Division of Fish and Wildlife Protection. The Division of Fish and Wildlife Protection shall be headed by a Chief who shall be responsible for enforcing laws relating to the protection of identified plants and animals including those listed in the Endangered Species Act. The Chief shall enforce the provision of Title 24 of the PNC relating to protected sea and land life, illegal methods of capture, and wildlife and natural heritage preserves. The Division shall coordinate its activities with the Bureau of Public Safety and other national and state governmental and non-governmental agencies and entities involved in the protection and preservation of all protected life forms within Palau.

PART V. MINISTRY OF RESOURCES AND DEVELOPMENT

The Ministry of Resources and Development shall be headed by a Minister who shall be responsible for the promotion, exploitation, development and conservation of the natural resources of the Republic, including marine, agriculture, forestry, mineral and other land-based and ocean resources and the maintenance, operation, engineering and design of government-owned facilities and equipment, including public utilities (2 PNC § 106). The Minister shall coordinate the activities of this Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall act as the focal point for the formulation, coordination and actual development of conservation and management measures and strategies in conformity with internationally approved agreements, conventions and treaties, including regionally harmonized fisheries laws, policies, terms and conditions of licenses, foreign vessel registration procedures and applicable vessels monitoring system. The Minister shall be responsible for the performance of the duties and functions of the Palau Automated Land & Resource Information System project (PALARIS) and the following offices, bureaus and divisions:

Section 1. The Office of the Palau Automated Land and Resources Information System (PALARIS).

The Office of the Palau Automated Land & Resources Information System shall have the following duties and functions:

- a) Assist the Director of the Bureau of Lands and Surveys in carrying out assigned functions relating to land classification, land appraisal, the Land Record Information System and land use planning;
- b) Assist the Director of Lands & Surveys in formulating rules and regulations, policies and procedures;
- c) Provide logistical support for the Bureau;
- d) Prepare contracts, whenever necessary, for outside organizations to perform any programs under this project;
- e) Direct and advise government agencies that may require any of the services provided by this Office;
- f) Review and recommend appropriate action to the Director of Lands and Surveys on any contracts, reports, studies, etc., prepared by any agency of the national government; and
- g) Provide training on land appraisal, land classification, the Land Record Information System, and land use planning.

Section 2. The Palau Fisheries Advisory Committee. The Palau Fisheries Advisory Committee shall have the duties and responsibilities as set forth in Executive Order No. 204.

Section 3. Bureau of Agriculture.

The Bureau of Agriculture shall be headed by a Director who shall be responsible for the promotion, development and conservation of the natural resources of the Republic including forestry, agriculture, mineral and other land-based resources. The Director shall also be responsible for matters involving animal husbandry, quarantine inspections and enforcement, as well as the Republic's entomological program. Within this context, the Director shall:

- a) Prepare management plans and directions for forestry management activities for native forests, plants, watersheds and mangrove forests, including programs to establish, maintain, enhance, improve and rehabilitate such areas;
- b) Oversee programs that address problems or threats from plants diseases, wildfire, noxious weeds and erosion;

- c) Oversee forestry extension programs and forestry activities to manage wildlife, with an emphasis given to birds and fruit bats;
- d) Conduct environmental education programs directed at preserving our forests;
- e) Plan for, oversee and conduct community forestry beautification programs; and
- f) Enforce the “Export Meat Inspection Act” (34 PNC § 2101).

Section 4. Bureau of Marine Resources.

The Bureau of Marine Resources shall be headed by a Director who shall be responsible for exploring, surveying, developing, managing, and conserving all marine resources. The Director shall also be responsible for the regulation of foreign fishing, including licensing, inspection, post-sampling, maintenance analysis of catch reports and the observer program. Specifically, the Director shall:

- a) Continue efforts to develop inshore fisheries by transferring modern fishing techniques to Palauan fishermen for the purpose of enhancing subsistence and commercial fishing;
- b) Promote and develop commercialization of fisheries and fishery value added products;
- c) Assist in the development of fisheries infrastructure and programs at the state level;
- d) Continue the exploration of other species of high value, such as deep water fish, crabs, shrimp and squid for potential commercial development;
- e) Explore seabed mineral resources within the continental shelf in the Republic of Palau;
- f) Explore potential joint ventures in long-line fishing and shore-side value added production;
- g) Conduct pilot programs with the aim of promoting and developing commercialization of fisheries and fishery products;
- h) Establish programs to hatch and rear identified species of fish, mollusks, crustaceans and turtles to be returned to their natural habitats at maturity as a means of preventing the depletion of such important marine resources;
- i) Assess and evaluate the commercial viability of various reef and deep water fish, baitfish, mollusks, crustaceans, turtles and other marine and aquatic life from

catch records, census and quantitative field measurements;

- j) Assist the Minister and the Palau Fisheries Advisory Committee (PF AC) in the development and implementation of a comprehensive fisheries policy and in the negotiation of multilateral, sub-regional and bilateral fisheries agreements pursuant to Executive Order No. 204;
- k) In line with Executive Order No. 204, assist the Minister and the PFAC in formulating, establishing and implementing guidelines and conservation measures to safeguard against the over-exploitation and over-harvesting of marine resources;
- l) Provide 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;
- m) Provide staff support and administrative assistance to the PF AC; and
- n) Maintain and operate the Palau Mariculture Demonstration Center to enhance marine biological research, study and experimentation of mariculture and aquaculture fisheries.

Section 5. Bureau of Public Works.

The Bureau of Public Works shall be headed by a Director who shall be responsible for the maintenance, operation, engineering and design of government-owned facilities, roads and equipment, including public utilities and related matters. The Director shall perform the duties required as Procurement Officer for construction and architectural and engineering contracts (40 PNC § 608) and shall be responsible for the performance of the duties and functions of the following divisions:

- a) Division of Facilities & Maintenance. The Division of Facilities & Maintenance shall be headed by a Chief who shall be responsible for building, appliance, refrigeration, air conditioning, electrical and plumbing maintenance and shall conduct periodic inspections of all public schools to ensure continuing compliance with the standards established by the Board of Education pursuant to 22 PNC § 159.
- b) Division of Roads and Equipment. The Division of Roads and Equipment shall be headed by a Chief who shall be responsible for road and grounds maintenance, equipment maintenance, dump operation and maintenance, boat operation and maintenance, and outer state power operation and maintenance.
- c) Division of Design & Engineering. The Division of Design and Engineering shall be headed by a Chief who shall be responsible for the design, engineering,

contract review and construction monitoring of all construction projects. The Division shall also be responsible for reviewing plans and providing cost estimate figures to the Director for state grant applications pursuant to 5 PNC § 304.

- d) Division of Utilities. The Division of Utilities shall be headed by a Chief who shall be responsible for the water treatment plant and pump stations, the water distribution system, the sewer treatment plant and lift stations, the sewer collection system and sewer connections, and outer state water and sewer operation and maintenance.

Section 6. Bureau of Lands and Surveys.

The Bureau of Lands and Surveys shall be headed by a Director, who, as the principal professional lands and surveys officer and technical authority of the Government of the Republic of Palau, advises the Minister of Resources and Development and represents the Republic on all technical matters related to land. The Director coordinates the Bureau's logistical support to the Land Court and its sixteen (16) State Land Registration Offices, the Palau Public Land Authority and the sixteen (16) State Public Land Authorities, national government ministries, state governments and other programs or activities requiring the services involved in the 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. The Director shall be responsible for the performance of the duties and functions of the following divisions:

- a) Division of Surveying and Mapping. The Division of Surveying and Mapping shall be headed by a Chief who shall perform the following duties and functions:
- i) Assist the Director in formulating policies and procedures for all surveying and mapping activities of the Bureau;
 - ii) Provide staff advice and technical direction for all surveying functions and programs and all activities related to cartographic and mapping programs;
 - iii) Carry out all official land and geodetic surveys and resurveys necessary for the identification and description of all public and private lands;
 - iv) Carry out cartographic surveys and urban and rural planning surveys, as required;
 - v) Prepare all official survey drawings, property plat examinations, survey computations, map and survey plat compilations, photogrammetric computations, interpretations and drawings, urban and rural planning maps and drawings and map reproduction and printing; and
 - vi) Provide authorized survey services, cartographic and mapping services to

the national and state government agencies, boards and commissions, public corporations and to the general public.

- b) Division of Land Resources Information. The Division of Land Resources Information shall be headed by a Chief who shall perform the following duties and functions:
- i) Assist the Director in formulating policies and procedures for carrying out functions pertaining to land classification, appraising and the land record information system;
 - ii) Conduct a continuing, thorough and accurate inventory of the Republic's land and mineral resources above the high water mark and such areas of specific interest below the high water mark;
 - iii) As part of the land resources inventory, classify and map the land forms for vegetation, soils, minerals, climate and topographic features, considering current and potential values;
 - iv) Arrange for the printing of the inventory and other data gathered as official Bureau publications, on an annual basis, together with supplementary printed material, as deemed necessary;
 - v) Coordinate the Republic's land classification program, the purpose of which is to assess the productivity of the Republic's public and private lands and their suitability for agriculture;
 - vi) Develop the land and mineral appraisal standards issued by the Bureau as a manual for application to the Republic's land programs;
 - vii) Serve as the liaison with the Office of the Attorney General on land appraisal matters;
 - viii) Formulate and develop the land information system including its rules, regulations, standards and procedures;
 - ix) Develop the database for all land records for the Republic;
 - x) Compile previous administrations' land transactions, Japanese land records, court cases, and develop a system for their use; and
 - xi) Conduct title searches using the database and all other records.

PART VI. MINISTRY OF COMMERCE AND TRADE

The Ministry of Commerce and Trade shall be headed by a Minister who shall be responsible for the promotion of economic and commercial development programs and projects, including, but not limited to, the implementation of development proposals, tourism promotion and regulations, assistance in the marketing of local products, the development of small cottage industries, the provision of technical assistance and services to local cooperatives and credit unions, the collection and compilation of trade and commercial statistics; the control of the operations of the Republic's commercial seaports; the administration, maintenance, operation and construction of all airport facilities and air navigational facilities in the Republic (8 PNC § 102 et seq.); the supervision over all vessels operating in the territorial waters of the Republic (7 PNC § 121 et. seq.); the promulgation and implementation of communication rules and regulations; the licensing of the sale of alcohol and tobacco in the Republic (11 PNC § 1001 et. seq.); the enforcement of admiralty and maritime law and regulations promulgated thereunder; and the regulation of labor (2 PNC § 115). The Minister shall coordinate the activities of the Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall be responsible for the performance of the duties and functions of the following bureaus and divisions:

Section 1. Bureau of Commercial Development.

The Bureau of Commercial Development shall be headed by a Director who shall be responsible for the following: providing technical assistance to aid in the development of the domestic industry including, but not limited to, cooperatives, credit unions and the improvement of land, sea and long-range air transportation systems; the licensing of establishments selling alcohol and tobacco in the Republic; and the collection and compilation of trade and commercial statistics. The Director 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 shall be responsible for the development and growth of Palau's domestic industry, including cooperatives, credit unions and cottage industries, 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 shall perform the following duties and functions:
 - i) Promulgate rules and regulations regulating the use of commercial ports in the Republic;
 - ii) Manage, operate, construct and improve airport facilities and air navigation facilities;
 - iii) Work closely with the Water Safety Board to implement and improve rules and regulations on water transportation safety;

- iv) Work closely with the Bureau of Public Safety regarding vehicular safety in order to achieve an effective transportation system;
- v) Work to promote road safety and to promote the safe use of vehicular transports;
- vi) Regulate and register vessel pilots under 13 PNC § 1110(b);
- vii) Promulgate rules and regulations regarding the use of radios for general communication purposes;
- viii) Regulate and license the use of radio frequencies including frequencies for emergency use; and
- ix) Work closely with other agencies to coordinate matters regarding communications.

Section 2. Bureau of Human Resources.

The Bureau of Human Resources shall be headed by a Director who shall be responsible for the effective utilization of human resources, including citizens and non-citizens within the Republic. The Director shall be responsible for the performance of the duties and functions of the following divisions:

- a) Division of Labor. The Division of Labor shall be headed by a Chief who shall be responsible for the implementation of Title 30 of the PNC and the implementation of the Seaman's Protection Act (7 PNC § 701).
- b) Division of Job Placement. The Division of Job Placement shall be headed by a Chief who shall perform the following duties and functions:
 - i) Analyze and identify the human resource needs of the private sector and, in coordination with the Division of Labor, ensure that the public, specifically unemployed Palauan citizens, are informed of job opportunities; and
 - ii) Provide counseling regarding job placement and assist in the organization and preparation of appropriate job placement documents including, but not limited to, job applications, school transcripts, resumes, references and skills certifications.

PART VII. MINISTRY OF FINANCE

The Ministry of Finance shall be headed by a Minister who shall be responsible

for the administration and management of government finance, revenue, personnel and property (2 PNC § 108). The Minister shall coordinate the programs of the ministry with appropriate authorities, boards, and commissions. The Minister shall be responsible for the performance of the duties and functions of the following offices, bureaus and divisions:

Section 1. Information Systems Support Services.

The Information Systems Support Services, within the Office of the Minister, shall be headed by a manager who shall perform the following duties and functions:

- a) Assist various central (mainframe) computer program users in maintaining their records and issuing reports and other documents;
- b) Develop and enhance computer software to meet new needs for new programs and update/upgrade existing programs to better meet the needs of computer users;
- c) Maintain all computer hardware within the Ministry of Finance and determine the need to replace obsolete or end-of-useful life equipment;
- d) Provide technical assistance to users of computers outside of the central (mainframe) computer system in assessing their information technology requirements and in selecting, ordering/bidding, installing, modifying and otherwise improving their computer programs;
- e) Microfilm Ministry of Finance documents related to final finances, properties, taxes, personnel and other vital areas to be retained for specific periods or indefinitely, as determined by the Minister; and
- f) Maintain a systematic log of documents that have been microfilmed for quick retrieval and avoidance of duplication and maintain a schedule of priorities of order of microfilming to be accomplished.

Section 2. Bureau of National Treasury.

The Bureau of National Treasury shall be headed by a Director who 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 the general daily operations of the National Treasury. The Director shall comply with and enforce appropriate sections of Title 40 of the PNC. The Director shall be responsible for the performance of the duties and functions of the following divisions:

- a) Division of Finance and Accounting. The Division of Finance and Accounting shall be headed by a Chief who shall perform the following duties and functions:
 - i) Maintain accounting records of all revenues, obligations, disbursements, assets and liabilities of the national government and issue checks and other

financial documents;

- ii) Provide staff support to the Director of the Bureau of National Treasury in the daily management and operation of the National Treasury;
 - iii) Formulate financial policies, procedures and regulations for the national government and ensure adherence to applicable laws and regulations in all financial transactions of the government; and
 - iv) Prepare such regular and special financial statements and reports as may be required by the Director of the Bureau of National Treasury.
- b) Division of Property and Supply. The Division of Property and Supply shall be headed by a Chief who shall report directly to the Minister of Administration [sic] and shall act as the National Government's Procurement Officer for the purchase of goods (40 PNC § 608). The Chief shall perform the following duties and functions:
- i) Procure supplies, equipment, materials and personal property for the use of the national government and assist other agencies in accordance with procurement regulations and laws;
 - ii) Maintain a store of commonly-used items for issuance to national government agencies against requisitions; and
 - iii) Maintain a complete inventory record of personal property of the national government and conduct periodic physical inventories to verify the accuracy of records.
- c) Division of Treasury. The Division of Treasury shall be headed by a Chief who shall perform the following duties and functions:
- i) Act as the final recipient of all cash receipts under the Bureau of National Treasury's responsibilities and issue cash receipt forms for all such monies received;
 - ii) Maintain all of the National Government's bank checking and savings accounts under the centralized financial management system;
 - iii) Disburse all government checks, including payroll checks;
 - iv) Assist state governments in accounting, payroll, etc., upon request; and
 - v) Manage all government funds, including the maintenance of all daily records of bank account balances, and the determination of the priority of

bill payments.

Section 3. Bureau of Budget and Planning.

The Bureau of Budget and Planning shall be headed by a Director who shall be responsible for the day-to-day management of programs and activities involving the preparation of the annual national budget and its implementation, the preparation of the annual report on the performance of Executive Branch agencies, the monitoring and evaluation of national and sectoral developmental plan implementation and the compilation and dissemination of economic and socio-demographic statistics. The Director shall be responsible for the performance of the following duties and functions:

- a) Develop revenue and budgetary estimates and justifications in order to prepare the annual national budget, and adjustments thereto,
- b) On request, or as assigned, assist governmental agencies in the preparation and implementation of their annual operating budgets;
- c) Monitor and conduct funds availability analysis in order to certify the availability of funds for expenditure in accordance with 40 PNC § 401;
- d) Review and report on the performance of governmental agencies in accordance with RPPL No. 6-11, the Budget Reform Act of 2001, and on request or as assigned, assist governmental agencies in the implementation of performance management and the preparation of annual performance reports;
- e) Establish, develop and maintain a public sector investment program that monitors and evaluates the progress and effectiveness of the implementation of national and sectoral plans and strategies, provides for the review of governmental and sectoral strategic plans to ensure they are consistent with the national master plan;
- f) In cooperation with the Bureau of International Trade and Technical Assistance, provide for an aid coordination and management framework that ensures a coordinated and cohesive process in which overseas development assistance is pursued and utilized effectively to finance operational and capital requirements in line with developmental plans and strategies and serve as the Secretariat to national level committees relating to economic development planning and financing; and
- g) Establish, develop and maintain a general data dissemination system that provides reliable economic and socio-demographic statistics to support developmental planning and the formulation of appropriate economic and fiscal policies and their assessment and to serve as the clearing-house for statistical information.

Section 4. Bureau of Public Service System.

The Bureau of Public Service System shall be headed by a Director who shall be the Procurement Officer for the purchase of contractual services (40 PNC § 608) and shall be responsible for the following duties and functions:

- a) The day-to-day management of programs and activities involving the personnel of the national government;
- b) The administration of training programs for upgrading the skills and qualifications of national government employees;
- c) The formulation of rules, regulations, policies and procedures to carry out the provision of the National Public Service System Act;
- d) Foster and develop, in cooperation with the ‘Appropriate Management Officials’, and with others, programs to promote the public service system and to improve employee efficiency;
- e) In conjunction with the Attorney General, provide technical assistance and advice regarding Public Service System regulations; including the issuance of directives and the establishment of procedures to effectuate these regulations; and
- f) Make such inquiries and investigations into personnel administration in the public service system as are necessary.

Section 5. Bureau of Revenue, Customs and Taxation.

The Bureau of Revenue, Customs and Taxation shall be headed by a Director who shall be responsible for the collection of revenues, customs and taxes (2 PNC § 118), the day-to-day management of programs and activities involving the imposition of customs and duties, the assessment and collection of taxes, the promulgation and enforcement of regulations, the issuance of tax opinions, the collection and compilation of trade data and statistics and the administration of water billings and collections. The Director shall 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 shall perform the following duties and functions:
 - i) Inspect books and accounts of local businesses for purposes of assessment;
 - ii) Process individual and business tax returns;
 - iii) Assist taxpayers in maintaining compliance with the tax laws;
 - iv) Collect income and gross receipts taxes and other revenues authorized by the laws of the Republic;

- v) Enforce Chapters 10 through 19 of Title 40 of the PNC;
 - vi) Conduct monthly readings of water utility meters of all public utility customers;
 - vii) Keep up-to-date water records and conduct ongoing reviews of each individual customer account for billings, payments and delinquencies;
 - viii) Keep track of all delinquent water accounts, reviewing overdue installment payments and take necessary actions to receive payments and/or terminate services;
 - ix) Install, test, repair or replace any malfunctioning water meters, in coordination with the Bureau of Public Works, whenever requested and required; and
 - x) Enforce the Utilities Rules and Regulations.
- b) Division of Customs. The Division of Customs shall be headed by a Chief who shall perform the following duties and functions:
- i) Inspect and process all luggage, cargo, containers and all other freight and vessels entering the Republic of Palau, for contraband and dutiable items subject to the import tax and collect such import tax;
 - ii) Inspect and review bills of lading, manifests, and vendors' invoices arriving on any vessel or aircraft and issue 'Entry Certificates' to importers;
 - iii) Ensure that all cargo is securely retained at the place of unloading until it has been inspected and the import tax has been paid or other arrangements made;
 - iv) Inspect and process the documents of all travelers and cause to be collected the departure tax at all ports of exit within the Republic of Palau in accordance with 40 PNC § 1403; and
 - v) Assist with the enforcement of Chapter 13 of Title 40 of the PNC.

PART VIII. MINISTRY OF HEALTH

The Ministry of Health shall be headed by a Minister who shall be responsible for the promotion and protection of the public health through the provision of primary and preventive health services throughout the Republic. The Minister shall be also be responsible for the

provision of clinical medical services to the public through the operation and management of public medical facilities. The Minister shall provide for the management and administration of technical and support services throughout the Ministry. Such support shall include budget and financial management, management of the health information system, epidemiology, nursing services, international grant coordination; and human resource development. The Minister shall be given wide latitude in organizing his/her staff in deference to the medical expertise required to efficiently operate the Ministry. The Minister shall coordinate the activities of this Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall be responsible for the performance of the duties and functions of the following offices, bureaus and divisions:

Section 1. Office of Health Services Administration.

The Office of Health Services Administration (HSA) shall provide support to the entire Ministry. Support shall include the maintenance and repair of the Ministry of Health facilities and equipment. Support shall also include kitchen and dietary services, laundry services, housekeeping services, pharmacy services and other services as defined by the Minister. The Office shall maintain medical records and vital statistics. The Office of Health Services Administration shall support, collaborate and cooperate with the two bureau directors in all their programs and activities.

Section 2. Bureau of Hospital and Clinical Services.

The Bureau of Hospital and Clinical Services shall be headed by a Director who shall be responsible for the management and administration of the hospital and the provision of clinical services on a day-to-day basis. Such responsibility shall include programs and activities involving clinical services and nursing services. The Director shall oversee all diagnostic and patient care services including laboratory, radiology, rehabilitation and hemodialysis services. The Director shall be responsible for the performance of the duties and functions of the following divisions.

- a) Division of Medical Services. The Division of Medical Services shall be headed by a Chief of Staff who shall perform the following duties and functions:
 - i) Provide appropriate in-patient clinical services involving surgical, medical, pediatric, obstetrical, gynecological and emergency treatment.
 - ii) Provide appropriate tertiary services, as needed.
- b) Division of Ancillary Services. The Division of Ancillary Services shall be headed by a Chief who shall ensure that adequate laboratory, radiology, rehabilitative and pharmacy services are provided. Transfer of pharmacy services from the Office of Health Services Administration shall be completed by the end of 2002.

Section 3. Bureau of Public Health.

The Bureau of Public Health shall be headed by a Director who shall be responsible for the day-to-day management of out-patient/public health programs, activities involving, environmental and sanitation services, primary health care/preventive health programs and dental services and oral health care programs. The Director shall be responsible for the performance of the duties and functions of the following divisions.

- a) Division of Environmental Health. The Division of Environmental Health shall be headed by a Chief who shall be responsible for protecting the health of the people of Palau by maintaining and establishing programs, at the national and state level, that improve community hygiene; foster consumer protection; enhance food safety programs; control disease-carrying insects and rodents (Vector Control); prevent lead poisoning; respond to emergency outbreaks of diseases and control exposure to hazardous materials.
- b) Division of Primary and Preventive Health Services. The Division of Primary and Preventive Health Services shall be headed by a Chief who shall perform the following duties and functions:
 - i) Provide comprehensive primary health care services to all the residents of Palau;
 - ii) Implement, manage and monitor preventive health services to all the residents of Palau; and
 - iii) Decentralize primary and preventive health services, where appropriate.
- c) Division of Oral Health. The Division of Oral Health shall be headed by a Chief who shall perform the following duties and functions:
 - i) Provide comprehensive clinical dental services to the public;
 - ii) Implement and manage preventive oral health programs; and
 - iii) Implement oral health education and promotion programs.
- (d) Division of Behavioral Health. The Division of Behavioral Health, whose vision is “Helping People to Help Themselves,” shall be headed by a Chief who shall perform the following duties and functions:
 - i) Oversee the provision of comprehensive clinical substance abuse and mental health treatment services;
 - ii) Oversee substance abuse (alcohol, tobacco and other drugs) and mental

illness prevention programs; and

- iii) Detain for evaluation potentially mentally ill persons pursuant to 34 PNC § 551 et. seq.

PART IX. MINISTRY OF EDUCATION

The Ministry of Education shall be headed by a Minister who shall be responsible, under policies established by the President in consultation with the Palau Board of Education, for managing, operating and promoting the public elementary and secondary schools systems throughout the Republic and developing and implementing educational curricula and standards at every educational level and related matters. The Minister shall be responsible for the performance of the duties and functions of the following bureau and divisions:

Section 1. Bureau of Education.

The Bureau of Education shall be headed by a Director. The Director shall be primarily responsible for personnel management, curriculum and instruction, school management, research and evaluation, federal programs, and administrative services of the Ministry. The Director shall also be responsible for providing the public school system with services that will help increase the capacity of elementary and secondary schools to meet the educational needs of children throughout the Republic. These responsibilities will be carried out through close collaboration with the various Chiefs which entails continued program planning and research for effective methods and strategies for improving school curricula and instruction, development of programs that will support school improvement and personnel related matters including staff development and certification, as well as continued efforts to seek federal funding assistance to enhance educational programs.

- a) Division of Personnel Management. The Division of Personnel Management, shall be headed by a Chief who shall have the following duties and functions:
 - i) Administer the Public Service System Act and its rules and regulations within the Ministry of Education, as directed by the Minister of Education.
 - ii) Establish systems, in conjunction with the Director of the Bureau of Public Service System, to evaluate the performance of all personnel and, where weaknesses are identified, initiate development training;
 - iii) Issue teaching certificates to all classroom teachers and provide teacher training for those who do not meet certification criteria, and address all other certification issues;
 - iv) Maintain and manage a centralized personnel record and filing system to conform with the centralized personnel record and filing system at the Bureau of Public Service System;

- v) In conjunction with managers, determine personnel needs and recruit appropriate personnel;
- vi) Initiate staff development programs;
- vii) Manage personnel certification programs; and
- viii) Maintain personnel policies and ensure regulatory compliance.

b) Division of Curriculum and Instruction. The Division of Curriculum and Instruction shall be headed by a Chief who shall have the following duties and functions:

- i) Develop appropriate curricula for all public pre-school, elementary school and secondary schools programs;
- ii) Establish and carry-out appropriate assessment of public school teachers and students;
- iii) Provide teacher training to improve teaching skills and capacities;
- iv) Supplement existing programs, where possible and appropriate, through other funding sources;
- v) Implement instructional programs at all school levels in close collaboration with the Division of School Management;
- vi) Develop instructional materials for inclusion at every level of public school curricula;
- vii) Recommend minimum qualifications and requirements for pre- school, elementary and secondary school teachers;
- viii) Recommend the scope and type of training needs for all public school teachers;
- ix) Develop, assess and improve curricula and programs to provide educational opportunities for students; and
- x) Assess and improve performance standards for students.

c) Division of School Management. The Division of School Management shall be headed by a Chief who shall have the following duties and functions:

- i) Exercise day-to-day supervision and management of public school

programs;

- ii) Disseminate information on education programs and services;
 - iii) Maintain and improve the public libraries;
 - iv) Issue charters for non-public schools upon meeting minimum standards established by the Minister of Education;
 - v) Establish and maintain student assistance programs;
 - vi) Implement and assess instructional programs at public schools;
 - vii) Manage the communication system for public schools;
 - viii) Strengthen parental and community involvement in school activities; and
 - ix) Recommend the types and scope of training required for public school principals, teachers, and staff.
- d) Division of Research and Evaluation. The Division of Research and Evaluation shall be headed by a Chief who shall have the following duties and functions:
- i) Establish and carry-out appropriate assessment processes of public school teachers and students;
 - ii) Improve and expand educational research and development capacities;
 - iii) Evaluate instructional materials for inclusion in school curricula at all levels of the education system;
 - iv) Assess and evaluate the validity of the current curricula and recommend appropriate improvements;
 - v) Identify research issues and conduct appropriate research;
 - vi) Report management team research findings, along with recommendations for program improvement;
 - vii) Assess student performances;
 - viii) Assess student and parental satisfaction with educational programs;
 - ix) Assess progress of the Ministry in meeting its goals and objectives; and

- x) Initiate appropriate public relations functions for the Ministry.

PART X. MINISTRY OF COMMUNITY AND CULTURAL AFFAIRS

The Ministry of Community and Cultural Affairs shall be headed by a Minister who shall be responsible for the development and promotion of cultural and historical resources, including museum facilities, the maintenance of the National Archives, the management and development of park and recreational facilities and programs, including the coordination, assistance and support of national and state sports activities as well as the Palau National Olympic Committee (PNOC) and the management and development of social welfare programs, including programs for families, youth, women and the aged. The Minister shall coordinate the programs of the Ministry with appropriate authorities, boards and commissions. The Minister shall be responsible for the performance of the duties and functions of the following offices, bureaus and divisions.

Section 1. The Aging Program.

The Aging Program shall be responsible for enhancing the well-being of senior citizens, including: planning social activities; providing minimum nutritional needs; providing income earning opportunities; and providing transportation services.

Section 2. The National Archives.

The National Archives shall be responsible for the storage and preservation of public records of the Republic as are transferred thereto or acquired by the Archivist. The Archivist is charged with the care, custody, control and administration of the public records in the Archives Office and the public access thereto and the performance of any other duties prescribed by Chapter 4 of Title 19 of the PNC.

Section 3. Bureau of Community Services.

The Bureau of Community services shall be headed by a Director who shall be responsible to: develop and implement remedial programs; develop, formulate, identify and establish short-term and long-term goals, objectives and guidelines for women's and youth's concerns, activities and programs; and develop, promote and advance educational programs and activities and general awareness relating to child and spousal abuse and neglect.

- a) Division of Youth. The Division of Youth shall be headed by a Chief who shall be responsible for initiating, 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) Identify the needs of youth and develop, coordinate and implement youth

programs to meet those needs;

- ii) Identify problems facing Palau's youth, such as unemployment, substance abuse and poor school attendance, and develop policies and programs to address such problems; and
 - iii) Organize, coordinate and publicize youth activities, including sports and entertainment, national celebrations and community improvement projects.
- b) Division of Parks and Recreation. The Division of Parks and Recreation shall be headed by a Chief who shall perform the following duties and functions:
- i) Identify and designate, in consultation with the States, certain locations within the Republic as national parks;
 - ii) Develop and maintain public parks and recreational facilities;
 - iii) Develop, coordinate and promote recreational programs and activities for the general public; and
 - iv) Assist, wherever possible, all existing public and private institutions, organizations, associations and agencies in the Republic that are involved in recreational activities and programs.

Section 4. Bureau of Arts and Culture.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of November, 2001, at the State of Koror, Republic of Palau.

Tommy E. Remengesau, Jr.
President of the Republic of Palau

[The Summary of Executive Branch Reorganization and attached tables are not included in the CD.]