

## **EXECUTIVE ORDER NO. 283**

*Organizing the Ministry of Natural Resources, Environment, and Tourism - Executive Branch of the Government of the Republic of Palau*

**WHEREAS**, Sections 2 and 5 of Article VIII of the Constitution of the Republic of Palau and 2 PNC § 103 provide 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 of Article VIII of the Palau Constitution grants the President all the inherent powers and duties of a national chief executive, including, but not limited to enforcing 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 their duties, responsibilities and functions by Executive Orders; and

**WHEREAS**, 2 PNC § 110 empowers the President by Executive Orders 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 of the Government of the Republic of Palau since the establishment of the Constitutional Government of the Republic of Palau on January 1, 1981, most recently Executive Order No. 203 and its addendums; and

**WHEREAS**, RPPL No. 7-43 split the existing Ministry of Resources and Development into two separate and distinct ministries, and dissolved the Ministry of Commerce and Trade; and

**WHEREAS**, in order to provide clarity and to ensure efficiency and the effective delivery and execution of government services, the President has determined that the Ministry of Natural Resources, Environment, and Tourism within the Executive Branch of the Government of the Republic of Palau must be organized;

**NOW, THEREFORE**, by virtue of the authority vested in the President by Article VIII of the Constitution of the Republic of Palau and the aforementioned laws, the President orders that Executive Order No. 203, and all addendums thereto, as such apply to the Ministry of Natural Resources, Environment, and Tourism, are hereby repealed and replaced by this Executive Order--all other Executive Orders and Presidential or Administrative Directives organizing the Ministry of Natural Resources, Environment, and Tourism or its predecessor ministry within the Executive Branch of the National Government of the Republic of Palau being amended or repealed to the extent that such are specifically or by necessary implication amended or repealed hereby--and hereby organizes the Ministry of Natural Resources, Environment, and Tourism within the Executive Branch of the National Government of the Republic of Palau as follows:

**PART I. MINISTRY OF NATURAL RESOURCES, ENVIRONMENT, AND TOURISM.**

The Ministry of Natural Resources, Environment, and Tourism shall be headed by a Minister. The Ministry shall be responsible for the promotion, exploration, exploitation, development, and management of the natural resources of the Republic, including marine and fisheries, agriculture, aquaculture, forests, mineral and other land-based and ocean-based resources; as well as the promotion and development of tourism, and the protection and management of the environment; labor; and for other related matters. The Ministry of Natural Resources, Environment, and Tourism shall provide monetary and technical assistance to state governments on a nondiscriminatory and equitable basis, to further the goals of the Ministry. 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 entities, offices, bureaus and divisions:

Section 1. Bureau of Marine Resources. The Bureau of Marine Resources shall be headed by a Director. The Bureau shall be responsible for exploring, surveying, developing, managing and conserving all near shore marine resources. Specifically, the Bureau 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 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. conduct pilot programs with the aim of promoting and developing commercialization of fisheries and fishery products;
- G. 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;
- H. 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;
- I. assist the Minister and the Palau Fisheries Advisory Committee (“PFAC”) in the development and implementation of a comprehensive fisheries policy and in the negotiation of multilateral, sub-regional, and bilateral fisheries agreements;
- J. 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 near shore marine resources;
- K. 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 the Republic of Palau;
- L. provide staff support and administrative assistance to the PFAC;
- M. maintain and operate the Palau Mariculture Demonstration Center, in order to enhance marine biological research, study and experimentation of mariculture and aquaculture fisheries; and
- N. coordinate the distribution of the money paid to the Palau National Government under the “Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America” and certain Annexes thereto and labeled or set aside as the “Project Development Fund” (“PDF”) to fishing, aquaculture and mariculture projects, as requested by the states, but in no event for travel expenses, and submit a yearly report to the Olbiil Era Kelulau setting forth all the expenditures from the PDF. The Director shall institute a method of rotation to ensure fair distribution of the PDF fund to all sixteen states. At a minimum, this rotation shall ensure that if PDF funds are insufficient to fund

all projects within a given year, states that received funding in the previous year shall not again have projects funded unless all other project requests have been fulfilled.

Section 2. The Palau Fisheries Advisory Committee. The Palau Fisheries Advisory Committee (“PFAC”) shall be under the direction of the Minister of Natural Resources, Environment, and Tourism and shall have the duties and responsibilities as set forth in Executive Orders Nos. 204 and 204-A.

Section 3. The Bureau of Labor and Human Resources. The Bureau of Labor and Human Resources shall be headed by a Director. The Bureau shall be responsible for labor and the effective utilization of human resources, including citizens and non-citizens within the Republic. The Bureau shall have all of the powers, duties, and responsibilities of the former Division of Labor and the former Bureau of Human Resources and Development and shall follow the rules and regulations promulgated by the former Division of Labor; provided that the Bureau may, in accordance with Chapter 1 of Title 6 of the Palau National Code, amend said rules and regulations to properly carry out its duties and responsibilities. The Bureau 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. The Division shall be responsible for the implementation of Title 30 of the Palau National Code and the implementation of the Seaman’s Protection Act (7 PNC § 701 et seq.).
- B. Division of Job Placement. The Division of Job Placement shall be headed by a Chief. The Division shall perform the following duties and functions:
  - (1) 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
  - (2) 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.

Section 4. Bureau of Agriculture. The Bureau of Agriculture shall be headed by a Director. The Bureau 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 Bureau shall also be responsible for matters involving animal husbandry, quarantine inspections and enforcement, as well as the Republic’s entomological program. The Bureau 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).

PART II. EFFECTIVE DATE.

This Executive Order shall take effect immediately and shall remain in force and effect until amended or repealed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal this 1<sup>st</sup> day of August, 2010.

\_\_\_\_\_  
/s/  
Johnson Toribiong  
President  
Republic of Palau