

EXECUTIVE ORDER NO. 304

*Reinstating the Statutory Authority of the Board of Directors
of the Palau Public Utilities Corporation
Contingent Upon the Eighth Olbiil Era Kelulau
Confirming at Least Three New Board Members Appointed by the President*

WHEREAS, on November 7, 2011, in accordance with his authority under Article VIII, Section 14 of the Palau Constitution, the President issued *Presidential Declaration No. 11-15* declaring a State of Emergency due to the catastrophic fire at the Aimeliik Power Plant, and temporarily assumed such legislative powers as were necessary to afford immediate and specific relief to those lives or property threatened by the catastrophe; and

WHEREAS, on November 8, 2011, in accordance with his temporary assumption of such legislative powers pursuant to Article VIII, Section 14 of the Palau Constitution, the President enacted RPPL No. 8-34, the “National Power Plant Emergency Act”, into law to effectively provide that all powers vested in the Palau Public Utilities Corporation (the “PPUC”) were thenceforth to be exercised by the President, except to the extent that the President delegated powers to the Manager of the PPUC or to other persons; and

WHEREAS, to achieve the foregoing transfer of power to the President, Sections 3 and 4 of RPPL No. 8-34 amended various sections of Chapter 4 of Title 37 of the Palau National Code, such amendments to remain in effect “[u]ntil such time that the President of the Republic of Palau (hereafter the “President”), by Executive Order, reinstates the statutory authority of the Board of Directors of the P.U.C. as it existed prior to this Act...”; and

WHEREAS, the President has determined that it is appropriate to reinstate the statutory authority of the Board of Directors of the PPUC as it existed prior to the enactment of RPPL No. 8-34, contingent only on the Senate of the Eighth Olbiil Era Kelulau giving its advice and consent to at least three (3) new members of the PPUC Board of Directors appointed by the President;

NOW, THEREFORE, by virtue of the authority vested in the President by the Constitution of the Republic of Palau and RPPL No. 8-34, the President orders as follows:

Section 1. Reinstatement of the Statutory Authority of the PPUC Board of Directors. The statutory authority of the Board of Directors of the PPUC, as such authority existed prior to the enactment of RPPL No. 8-34, is hereby reinstated.

Section 2. Effective Date. This Executive Order shall take effect immediately upon the Senate of the Eighth Olbiil Era Kelulau giving its advice and consent to at least three (3) new members of the PPUC Board of Directors appointed by the President.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 19th day of December, 2011.

/s/

Johnson Toribiong
President
Republic of Palau