

## Executive Order No. 374

*To order the creation of a permanent standing Tobacco and Alcohol Distribution (TAD) Task Force that is dedicated to the enforcement of the law that criminalizes the sale of tobacco and alcohol to minors and underage individuals.*

**WHEREAS**, the consumption of alcohol by underage individuals in the Republic continues to escalate at an alarming rate; and

**WHEREAS**, section 1068 of Title 11 of the Palau National Code provides that it is against the law for any establishment that is licensed to sell alcohol to a person that is under twenty-one (21) years of age; and

**WHEREAS**, section 1069 of Title 11 of the Palau National Code provides that it is against the law for any club or cabaret to admit a person under twenty-one (21) years of age unless that person is accompanied by a parent or legal guardian; and

**WHEREAS**, the Bureau of Public Safety is charged with maintaining law and order in the Republic; and

**WHEREAS**, the Bureau of Commercial Development has the sole legal authority to suspend or revoke a license to sell alcohol or tobacco; and

**WHEREAS**, the Bureau of Revenue, Customs, and Taxation has the sole legal authority to suspend or revoke a business license; and

**NOW THEREFORE**, pursuant to the authority vested in the President of the Republic, as set forth in the Constitution, to enforce the law, I, Tommy E. Remengesau, Jr., do hereby order that:

- (a) The Tobacco and Alcohol Distribution (TAD) Task Force is hereby established.
- (b) The TAD Task Force shall be comprised of the following individuals:
  - (1) One person designated by the Attorney General to represent the Office of the Attorney General in the Task Force.
  - (2) One person designated by the Director of the Bureau of Public Safety to represent the Bureau in the Task Force.
  - [sic] (2) One person designated by the Director of the Bureau of Commercial Development to represent the Bureau in the Task Force.
  - (3) One person designated by the Director of the Bureau of Revenue, Customs and Taxation to represent the Bureau in the Task Force.

- (c) The Bureau of Public Safety shall provide extra manpower when requested by the TAD Task Force in support of fulfilling the Task Force's mandate.
- (d) The duties and responsibilities of the TAD Task Force are as follows:
  - (1) To reduce and eliminate the sale of tobacco and alcohol to minors and underage individuals in the Republic through a proactive law enforcement mandate.
  - (2) Conduct periodic and random sweeps of bars, restaurants, clubs, and cabarets, checking the identification of patrons that are suspected of being a minor or underage that are being permitted entry to the establishment in violation of 11 PNC § 1069 or served alcohol in violation of 11 PNC § 1068.
  - (3) Conduct undercover sting operations of convenience stores using minors and underage individuals, targeting establishments known to, or suspected to, sell tobacco to minors or serve alcohol to underage individuals.
  - (4) For all violations of unlawful sale of alcohol or tobacco to underage individuals or minors that are uncovered by the Task Force the maximum penalty available by law shall be imposed for each violation.
- (e) If a business establishment has its license to sell alcohol suspended or revoked for any reason and fails to pay the accompanying fine imposed, then the Director of the Bureau of Revenue, Customs, and Taxation shall evaluate the circumstances present and determine whether it is appropriate to also revoke or suspend the business license of an establishment for violating 40 PNC §§ 1501 and 1505.

It is so ordered.

*IN WITNESS WHEREOF*, I have hereunto set my hand and affixed my official seal this 22 of October 2014:

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/s/  
Tommy E. Remengesau, Jr.  
President  
Republic of Palau