

EXECUTIVE ORDER NO. 9
[repealed by Executive Order 98]
Reorganization of the Executive Branch
Government of the Republic of Palau

WHEREAS, Article VI of the Constitution of the Republic of Palau, in defining the responsibilities of the National Government, mandates the National Government to take positive action to attain the objectives and implement the policies of the National Government; and

WHEREAS, Article VIII, in Section 2 and 5, provides for Presidential Cabinet consisting of the Vice President and the Ministers heading the Ministries who are appointed by the President with advise and consent of the Senate of the Olbiil Era Kelulau pursuant to Public Law No. 7-8-8; and

WHEREAS, Article VIII, in Section 6, establishes a Council of Chiefs to advise the President on matters concerning traditional laws, customs and their relationship to the Constitution and the laws of the Republic of Palau; and

WHEREAS, Article VIII, in Section 7(1), requires the President of the Republic of Palau to enforce the law of the land; and

WHEREAS, Article XII, in Section 1 and as implemented by Public Law No. 7-8-13, established National Treasury, and in Section 2 (a) and b(3) as implemented by Public Law No. 7-8-14, sets forth the Office of the Public Auditor, respectively; and

WHEREAS, Public Law No. 7-8-8, in Section 4(6), authorizes the President to provide for the subdivisions of five major Ministries and to prescribe thereto their duties, responsibilities and functions by executive order; and

WHEREAS, said Public Law No. 7-8-8, in Section 5, empowers the President to establishes, by executive order, offices and agencies within the Executive Branch and to prescribe thereto 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, as an elected President of the Republic, it is incumbent upon me to organize the Executive Branch of the Government of the Republic of Palau in such a fashion so as to protect the public interest and well-being; to ensure delivery of governmental services to the general public; to assure political stability and economic self-sufficiency; and to focus national efforts and resources towards building a new nation;

NOW THEREFORE, by virtue of the authority vested in me as the President of the Republic of Palau pursuant to the foregoing enumerated constitutional mandates and statutory requirements, it is ordered that the Executive Branch of the Government of the Republic of Palau shall be and is hereby formally and officially reorganized hereunder as follows: (Note: Existence of certain boards, commissions, and authorities are shown separately in this organizational structure, but will be eliminated with functional responsibilities to be integrated in appropriate

ministry when corresponding laws which created them are repealed by legislation).

PART I. OFFICE OF THE PRESIDENT, VICE PRESIDENT, CHIEFS
AND PUBLIC AUDITOR:

Section 1. The Council of Chiefs is an advisory body to the President 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.

Section 2. In addition to his duties and responsibilities by virtue of his office as Vice President of the Republic, the Vice President shall serve as the head of the Ministry of State pursuant to appointment.

Section 3. The President's Cabinet shall consist of the Vice President and all the other 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 meeting as may be necessary and appropriate.

Section 4. There is established an office of Public Auditor that shall operate freely and independently from any ministry or other government agency in accordance with Article XII, Section 2, of the Constitution, and as implemented by Public Law No. 7-8-14.

PART II. MINISTRY OF ADMINISTRATION:

The Ministry of Administration, headed by a Minister with administrative staff assistants, shall have the following Bureaus and Divisions responsible for major programs or administrative support areas in the Government of the Republic of Palau:

Section 1. Bureau of the National Treasury.

The Bureau of the National Treasury headed by a Director who is under direct supervision of the Minister of Administration, is responsible for the receipt, custody and expenditure of funds and the acquisition, control and disposal of property, and for advising the President, Ministers and other officials on financial matters through the Minister of Administration. The Bureau of National Treasury shall consist of following divisions:

a) Division of Finance and Accounting. Headed by a Chief who is responsible to the Bureau Director, the Division of Finance and Accounting shall have the following duties and responsibilities:

- i) Maintain accounting records of all revenues, obligations, disbursements, assets, and liabilities of the National Government, and issue payrolls, checks and other financial documents;
- ii) Provide staff support to the Bureau Director in the daily management, activities 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.

b) Division of Property and Supply. Headed by a Chief who is responsible to the Bureau Director, the Division of Property and Supply shall have the following duties and functions:

- i) Procure supplies, equipment, services, material and other personal property for the use of the National Government, and state governments assist other agencies, if such purchases are authorized, in accordance with established procurement regulations and laws;
- ii) Maintain a store of common use items for issuance to national government agencies against requisitions;
- iii) Maintain a complete inventory record of personal property of the national government, and conduct periodic physical inventories to verify the accuracy of the record and conduct survey of properties when appropriate; and
- iv) Provide for the upkeep and maintenance of national government property and for routine office services to governmental agencies.

c) Division of Revenue and Taxation. Headed by a Chief who is responsible to the Bureau Director, the Division of Revenue and Taxation shall have the following duties and functions:

- i) Inspect books and accounts of local businesses for purpose of tax assessment;
- ii) Perform customs assessments, inspections, collections and impose duties on taxable import or export items;
- iii) Process individual and business tax returns and income tax withholdings;
- iv) Collect delinquent accounts;
- v) Draft proposed tax legislation, issue rulings and interpretations to tax law in consultation with the Director where necessary; which rulings and interpretations are subject to appeal to and review by the Minister Administration;
- vi) Assist taxpayers in maintaining compliance with the tax laws;
- vii) Collect all revenues authorized by tax and revenue laws of the Republic and the laws and regulations of the Trust Territory of the Pacific Islands applicable to

Republic of Palau;

- viii) Estimate monthly and annual tax and revenue collections;
- ix) Perform all other tax collection and administration as required by law and good administrative practice; and
- x) Make, amend or repeal such rules and regulations as may be necessary with the approval of the Minister of Administration for the performance of the duties imposed by ROPPL No. 6-8-7.

Section 2. Bureau of Program, Budget and Management.

The Bureau of Program, Budget and Management headed by a Director who is responsible directly to the Minister of Administration, is responsible for preparing and reviewing the national budget in accordance with the policies set forth under the National Unified Budget Act, planning and management improvements in the national government and advising the President and all the Ministries through the Minister of Administration on budget preparation and fiscal management matters. The Bureau of Program, Budget and Management shall consist of the following divisions:

a) Division of Management and Budget. Headed by a Chief who is responsible to the Bureau Director, the Division of Management and Budget shall have the following duties and functions:

- i) Compile, adjust and review budgetary estimates and justifications in order to prepare the annual national budget of estimated revenues and proposed expenditures.
- ii) Perform such functions as may be of the competence of the National Government in the budget process for the States;
- iii) Prepare apportionment and allotment schemes, supplementary budgetary and appropriation requests and other material related to the budget process;
- iv) On request or as assigned, survey, evaluate and make recommendations for improving the structure, assignment of functions, administrative procedures and work methods of national government agencies; and
- v) Draft and maintain the implementing administrative manual of the National Government in accordance with the provisions of this Order.
- vi) At the request of the President and the Minister of Administration, testify and justify the Unified National Budget before Olbiil Era Kelulau and U.S. Congress.

b) Division of Planning and Programming. Headed by a Chief who is responsible to the

Bureau Director, the Division of Planning and Programming shall have the following duties and functions:

- i) Prepare and maintain national and sectorial development plans, including developmental goals, objectives and strategies;
- ii) Review and make recommendations on projects and programs of the Ministries; review state plans and projects to ensure their coordination with national plans and programs; and
- iii) Review annual and long-term budget proposals and assess their compatibility with accepted development plans and programs for the nation as a whole.

Section 3. Bureau of Public Service System.

The Bureau of Public Services System, headed by Director who is under direct supervision of the Minister of Administration, is responsible for personnel administration of the National Government, including its training programs and its staff housing and for advising other Ministries and other officials on employment practices and pay policies. The Bureau of Public Services System shall consist of the following divisions:

a) Division of Personnel Administration. Headed by a Chief who is responsible to the Bureau Director, the Division of Personnel Administration shall have the following duties and functions:

- i) Administer the National Public Service System;
- ii) Establish and keep current pay plan and benefits (including housing) for all national government employee as part of the Public Service System; and
- iii) Formulate personnel regulations for the implementing National Public Service for the review by the Minister of Administration and approval of the President.

b) Division of Training. Headed by a Chief who is responsible to the Bureau Director, the Division of Training shall have the following duties and functions:

- i) Analyze and identify the training needs of the National Public Service System;
- ii) Plan, organize and oversee training courses and programs to meet those needs; and
- iii) Assist the state governments in planning and conducting their employee training programs upon request and contingent upon available resources.
- iv) Maintain current National Government employees register.

Section 4. Social Security Administration.

Organizationally the administration of Social Security (Palau Branch) is hereby placed under the supervision of the Minister of Administration unless and until a policy decision is made to have Social Services become separately administered.

Section 5. National Postal Service Agency.

Established organizationally within the Ministry of Administration is the National Postal Service Agency. Headed by a Post Master General who is responsible directly to the President, the National Postal Service Agency shall carry out its duties and functions as set forth under and in accordance with the provisions of RPPL No. 1-39.

PART III. MINISTRY OF SOCIAL SERVICES:

The Ministry of Social Services, headed by a Minister with administrative staff assistants, shall have the following bureaus and divisions, responsible for major programs and administrative support functions in the government of the Republic of Palau:

Section 1. Bureau of Education.

The Bureau of Education, headed by a Director who is under direct supervision of the Minister of Social Services, shall consist of the following divisions:

a) Division of Elementary Education. Headed by a Chief who is responsible to the Director of Bureau of Education, Division of Elementary Education shall have the following duties and functions:

- i) Operate and manage public elementary school system throughout the Republic;
- ii) Develop, formulate and establish in cooperation with Division of Curriculum Development standardized and uniform curricula for all elementary schools;
- iii) Recommend minimum qualifications and requirements for all elementary school teachers; and
- iv) Explore and recommend training programs for elementary school teachers for the purpose of upgrading their teaching skills and abilities.

b) Division of Secondary Education. The Division of Secondary Education, headed by a Chief who is responsible to the Director of Bureau of Education, shall have the following duties and functions:

- i) Operate and manage the public secondary education system;
- ii) Develop, formulate and establish in cooperation with Division of Curriculum

Development, curricula for all secondary schools

- iii) Recommend minimum qualifications and requirements for teachers of Secondary Education;
- iv) Explore and recommend training programs for Secondary Education teachers for the purpose of enhancing their teaching skills and abilities; and
- v) Develop, promote academic and vocational counseling services and assistance for students.

c) Division of Curriculum Development. The Division of Curriculum Development headed by a Chief who is responsible to the Director of the Bureau of Education, shall have the following duties and functions:

- i) Initiate and prepare programs, proposals and applications for education related federal programs;
- ii) Administer all existing and subsequent federally funded programs and projects related to education; and coordinate curriculum development in cooperation with the Elementary and Secondary Education Divisions; and
- iii) Coordinate participation in training, meetings or regional conferences relating to education related federal programs.

Section 2. Bureau of Health Services.

The Bureau of Health Services, headed by a Director who is under direct supervision of the Minister of Social Services, shall consist of the following divisions:

a) Division of Public Health. The Division of Public Health, headed by a Chief who is responsible to the Director of Bureau of Health Services, shall have the following duties and functions:

- i) Improve and maintain environmental and sanitary condition in the Republic;
- ii) Maintain communicable disease control;
- iii) Maintain chronic disease control;
- iv) Provide mental health control program;
- v) Promote family planning and maternal child health care;
- vi) Provide geriatric health services; and

vii) Provide health education program.

b) Division of Clinical Services. The Division of Clinical Services, headed by a Chief who is responsible to the Director of Bureau of Health Services, shall have the following duties and functions:

- i) Provide and maintain standard medical and clinical care;
- ii) Provide emergency patient care; and
- iii) Provide and maintain auxiliary services, such as laboratory X-Ray, pharmacy, etc.

c) Division of Dental Services. The Division of Dental Services, headed by a Chief who is responsible to the Director of Bureau of Health Services, shall have the following duties and functions:

- i) Provide clinical dental services;
- ii) Provide preventive dental services;
- iii) Carry on dental laboratory tasks; and
- iv) Promote dental health education in oral hygiene and nutrition.

Section 3. Bureau of Community Services.

The Bureau of Community Services, headed by a Director who is under direct supervision of the Minister of Social Services, shall consist of the following divisions:

a) Division of Cultural Affairs. The Division of Cultural Affairs, headed by a Chief who is responsible to the Director of Bureau of Community Services, shall have the following duties and functions:

- i) Develop and promote an on-going program of historical and cultural resources;
- ii) In cooperation with Advisory Council on Historical Preservation, acquire and protect historic sites or tangible cultural properties as prescribed by law;
- iii) Carry on nationwide survey in identifying documents and gather information on actual or potential historical sites, tangible and intangible cultural properties, and living national treasures in the Republic of Palau; and
- iv) Develop, maintain and preserve national archives in cooperation with Belau National Museum.

b) Division of Parks and Recreation. The Division of Parks and Recreation, headed by a

Chief who is responsible to the Director of Bureau of Community Services, shall have 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;
- iv) To facilitate, wherever possible , all existing public and private institutions, organizations, and associations in the Republic which are involved in recreational activities and programs;
- v) Provide, coordinate and support national and inter-national sports and recreational activities; and
- vi) Organize and coordinate community fairs or other national festivals.

c) Division of Social Work. The Division of Social Work, headed by a Chief who is responsible to the Director of Bureau of Community Services, shall have the following duties and functions:

- i) Survey, identify and assess current or potential social problems in the Republic; determine their causes and develop remedial programs and carry out their implementations for the society;
- ii) Develop and promote social rehabilitation programs in cooperation with other government agencies and other civic organizations;
- iii) Develop and promote other programs which will help to enhance standards of living of the people in the Republic; and
- iv) Organize major efforts for improvement of the conditions of disadvantaged classes; to provide counseling to adult population, juveniles, and drug abusers.

Section 4. Belau National Museum, Inc.

This is an autonomous non-profit corporation established under Article of Incorporation and Bylaws though for administrative purpose is attached to the Department of Social Services. Because of the nature of Museum activities it works and operated very closely with the Division of Cultural Affairs.

Section 5. Office of Aging.

This office is entirely federally funded and the types of activities it carries out appear unique, and therefore, will remain a separate office. The coordinator reports directly to the Minister of Social Services with exception of two components; Geriatric Health Care attached to Bureau of Health Services and Senior Community Employment Program attached to the Bureau of Education. In the future the program may phase out and some of the activities may be absorbed by the Division of Social Work.

PART IV. MINISTRY OF JUSTICE:

The Ministry of Justice, headed by a Minister with administrative staff assistants, shall have the following bureaus and divisions responsible for major programs or administrative support areas in the Government of the Republic of Palau including Executive Branch liaison responsibility with the Alcohol Beverage Control and Parole Boards:

Section 1. Bureau of Legal Affairs.

The Bureau of Legal Affairs, headed by an Attorney General who is responsible to and under the direct supervision of the Minister of Justice, shall be responsible for execution of laws and orders applicable in Palau; for prosecution of all criminal and civil cases; for rendering legal services and assistance to other agencies of the Executive Branch, and for drafting and reviewing of government contracts, corporate documents and legislation. The Bureau of Legal Affairs shall consist of the following divisions:

a) Division of Corporations Registry. Headed by a Registrar of Corporation who is responsible to the Attorney General, the Division of Corporation Registry shall have the following duties and functions:

- i) Review as to form, legality and content all proposed corporations, cooperatives, credit unions and associations, both foreign and domestic, to be chartered in Palau;
- ii) Register all foreign corporations that wish to do business in the Republic of Palau;
- iii) Serve as legal advisor to the Foreign Investment Board or its successor in matters relating to foreign business permit applications; and
- iv) Issue and promulgate, in consultation with the Foreign Investment Board or its successors foreign investment implementing rules and regulations as required by law and to enforce the same.

b) Division of Civil Laws. Headed by an Assistant Attorney General, who is responsible to the Attorney General, the Division of Civil Laws shall have the following duties and functions:

- i) Provide legal advice and assistance to all agencies of the Executive Branch on

civil matters, including legal research, constitutional and statutory interpretation;

- ii) Represent the Executive Branch in all civil litigation including personal injury, administrative litigation, contract litigation, land, environmental, debt and tax collection cases:
- iii) Analyze and review government contracts to be signed by the President or other authorized contracting national officials as to form and legal sufficiency;
- iv) Draft contracts, agreements, executive orders, bills, resolutions and other legal documents upon requests by agencies of the Executive Branch; and
- v) Provide legal analysis, testimonies and comments on legislative proposals pending before the Olbiil Era Kelulau or before the various state governments, and review bills enacted by the Olbiil Era Kelulau and state ordinances and advice the Chief Executive as to proper action to take on same.

c) Division of Criminal Laws. Headed by a an Assistant Attorney General who is responsible to the Attorney General, the Division of Criminal Laws shall have the following duties and functions:

- i) Enforce all existing criminal laws, quasi-criminal laws and administrative procedures as required by the Constitution of the Republic, the Trust Territory Code and applicable US treaties, laws and orders in the Republic;
- ii) Prosecute all criminal cases and other related matters before the Supreme Court and the Court of Common Pleas of the Republic of Palau; Trust Territory High Court and before all applicable administrative and regulatory tribunals and before the United States Federal Court when necessary;
- iii) Oversee, administer and enforce all criminal probation proceedings including hearings on violations of terms and conditions of probation or parole; and
- iv) Perform and coordinate law enforcement related functions and activities, in conjunction with the Bureau of Public Safety, with corresponding law enforcement agencies of the United States, Trust Territory Government and other Micronesian Governments, including extradition and other related matters.

d) Division of Immigration and Customs. Headed by a Chief who is responsible to the Attorney General, the Division of Immigration and Customs shall have the following duties and functions:

- i) Enforce all immigration and naturalization laws pursuant to United States Immigration and Naturalization Act; Trust Territory Code; the Constitution of the Republic of Palau and all applicable laws, rules and regulations in the Republic;

- ii) Process and facilitate passport, visa and other entry permit applications to Palau; and
- iii) Perform entry and exist inspections on all passengers, aircrafts and vessels for proper travel documentation and with assistance of police officers for contra bands of any kind including illegal firearms, drugs, and other prohibited imports and exports.

Section 2. Bureau of Public Safety.

The Bureau of Public Safety, headed by a Director and assisted by a Deputy Director with administrative staff assistants, and who is responsible to and under direct supervision of the Minister of Justice, shall have the following general duties and functions and divisions:

- i) Provide for the protection and safety of the general public and government property of the Republic of Palau;
- ii) Establish, administer and provide for national guard to maintain law and order in the event of uprising, public disturbances or other national emergencies;
- iii) Maintain sufficient number and size of police force to provide law enforcement assistance to various states of the nation;
- iv) Maintain all criminal police files, maintenance and expenditure reports, issuance of license plates and drivers licenses and statistical records and reports to other government agencies upon request;
- v) Manage and control acquisition of office supplies, materials and equipment, including vehicles, which are necessary for proper operation of the Bureau;
- vi) Provide security and related assistance to government officials of the Republic and foreign dignitaries and officials as appropriate;
- vii) Coordinate and conduct investigations for prosecution of crimes against the Republic and the public sector as well as crimes against individuals; and
- viii) Provide investigative and liaison functions with the Bureau of Legal Affairs;
- ix) Administer and maintain national correction and rehabilitation facilities and Program; and
- x) Perform other functions as assigned.

a) Division of Patrol. Headed by a Chief who is responsible to the Director of Public Safety, the Division of Patrol shall have the following duties and functions:

- i) Provide mobile land, sea and air police services; prevention of crime; traffic control; public service functions; conservation and law enforcement; service of criminal process, and other duties that may be assigned;
- ii) Provide manpower needed in case of fires and operate emergency ambulance services and conduct land, sea and air rescue missions;
- iii) Conduct investigations primarily involved traffic and misdemeanor offenses; and
- iv) Provide patrol service throughout the population center of Koror State and other states as appropriate.

b) Division of Criminal Investigation. Headed by a Chief who is responsible to the Director, the Division of Criminal Investigation shall have the following duties and functions:

- i) Serve as the primary investigative arm of the Bureau of Public Safety and conduct major investigations involving more serious crimes such as homicide, drugs, arson, burglary, assault, etc., and investigations as assigned by the Director;
- ii) Oversee and follow up criminal offense reports; collect and preserve evidence and intelligence information and present them to the Director for appropriate action;
- iii) Carry out other duties as assigned.

c) Division of Fire Protection. Headed by a Chief who is responsible to the Director, the Division of Fire Protection shall have the following duties and functions:

- i) Respond to fire alarms and combat fires with assistance of uniformed police officers;
- ii) Maintain a fire truck or trucks, and other equipment in operating condition in readiness for fires and be at attendance for arrivals and departures of aircrafts;
- iii) Inspect fire extinguishers in all public buildings and property, and inspect the latter for fire safety and free of hazardous or other flammable materials;
- iv) Provide emergency measures in case of natural disaster such as typhoons, tidal waves, or other acts of God;
- v) Dispatch ambulance in response to medical emergencies and other emergency services as may be required;
- vi) Cooperate in criminal investigations involving arson; and
- vii) Enforce fire safety measures, building codes and laws as applicable.

d) Division of Corrections and Rehabilitation. Headed by a Chief who is responsible to

the Director, the Division of Corrections and Rehabilitation shall have the following duties and functions:

- i) Administer and operate a national penal institution including daily care and housing of non-bondable offenders awaiting trial and convicted offenders serving court sentences;
- ii) Develop and manage prisoners' program to provide necessary work force and manpower in certain public or government projects of national benefits; and
- iii) Develop and administer rehabilitation programs and projects by providing good citizenship and civic classes, training in woodcarving, handicrafts and cabinet manufacturing, gardening or fishing, etc.

PART V. MINISTRY OF NATIONAL RESOURCES:

The Ministry of National Resources, headed by a Minister with administrative staff assistants, shall have the following bureaus and divisions responsible for the following major programs and administrative support functions in the Government of the Republic of Palau:

Section 1. Bureau of Resources and Development.

The Bureau of Resources and Development, headed by a Director who is under direct supervision of the Minister of National Resources, is responsible for the promotion, exploitation, development and conservation of the natural resources of the Republic, including marine and fisheries, agricultural, forestry, mineral and other land-based and ocean resources. The Bureau of Resources and Development shall consist of the following divisions:

a) Division of Agriculture. Headed by a Chief who is responsible to the Director of the Bureau of Resources and Development, the Division of Agriculture shall have the following duties and functions:

- i) Develop and implement agricultural and forestry programs;
- ii) Conduct field experiments for introduction of new crops and improve existing crops for both local subsistence use as well as for commercial development;
- iii) Maintain both crop and forestry seedlings nurseries to support local farming and forestry activities;
- iv) Maintain hog breeding stock and cattle breeding herd and provide certain veterinary related services; v) Provide entomological and plant pathological services;
- vi) Provide advice on soil conservation and soil improvement practices;

- vii) Operate a livestock feed-mill and engage in the sale of animal feed, seeds, fertilizers, insecticides and farm tools and equipment to local farmers;
- viii) Extend technical assistance and management services to local farmers in the several states upon request and on service available basis;
- ix) Provide the public minor repair services on farm machinery and equipment;
- x) Assist in the promotion and marketing of local farm produce, livestock and poultry products; and
- xi) Perform agriculture quarantine inspections at the Republic's ports and entries and enforces quarantine rules and regulations.

b) Division of Marine Resources. Headed by a Chief who is responsible to the Director of Resources and Developments, the Division of Marine Resources shall have the following duties and functions:

- i) Conduct a pilot program on fishery development projects with the aim toward promoting and developing commercialization of fisheries and fishery products;
- ii) Maintain and operate the Micronesian Mariculture Demonstration Center as a situs for marine biological research, study and experimentation of mariculture and aqua-culture fisheries;
- iii) Conduct hatchery and rearing of certain species of fish, mollusks, crustaceans and turtle to be placed back in their natural habitats at maturity as a means of preventing the depletion of these important marine resources;
- iv) Assess and evaluate commercial potential of reef and deep water fish, bait-fish, mollusks, crustaceans, turtles, etc. from catch record, census and quantitative field measurements;
- v) Formulate, establish and implement guidelines and conservation measures to safeguard against over exploitation and harvesting of fish and other marine resources;
- vi) 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 externally;
- vii) Provide staff support and administrative assistance to the Board of Directors of Palau Fishing Authority upon request and on the basis of staff availability.

Section 2. Bureau of Public Works.

The Bureau of Public Works, headed by a Director who is under the direct supervision of the Minister of National Resources, is responsible for the operations and maintenance of public utility systems; maintenance of the Republic's transportation, health, education and administrative facilities; maintenance of government owned equipment; assist in the planning and implementation of the Republic's capital improvement program; and provision of design, engineering and other related professional and technical services. The Bureau of Public Works shall include the following divisions:

a) Division of Public Utilities. Headed by a Chief who is responsible to the Director of Bureau of Public Works, the Division of Public Utilities shall have the following duties and functions:

- i) Operate and maintain the Republic's electrical power system;
- ii) Operate and maintain the Republic's water system;
- iii) Operate and maintain the Republic's sewer system;
- iv) Conduct monthly readings of utility meters and turn over these readings to the appropriate agency within the Ministry of Administration for processing, customer billings and timely collections; and
- v) Provide professional services and technical assistance to the various states in the operation and maintenance of their power and water systems as requested.

b) Division of Maintenance. Headed by a Chief who is responsible to the Director of Bureau of Public Works, the Division of Maintenance shall have the following duties and functions:

- i) Maintain the Republic's roads, airports, and docks;
- ii) Maintain the Republic's public buildings including transportation, health, education and administrative facilities;
- iii) Maintain all government owned equipment including cold storage plants, air conditioning units, heavy and construction equipment, vehicles, boats, vessels, etc.;
- iv) Operate the boat-pool, engage in sand dredging and hauling activities, operate a concrete batch plant, dispense fuel to government owned vehicles and deliver POL to government power and water plants and operations;
- v) Maintain navigational aids throughout the Republic of ensure safe sea and air transportation therein; and
- vi) Maintain public solid waste disposal dumps.

c) Division of Design and Engineering. Headed by a Chief who is responsible to the Director of Bureau of Public Works, the Division of Design and Engineering shall have the following duties and functions:

- i) Provide architectural and engineering services, surveying and other related Professional services;
- ii) Administer architectural and engineering, surveying, construction and maintenance services contracts;
- iii) Provide physical planning for the Republic's capital improvement program; and
- iv) Engage in energy planning, conduct and monitor research and studies on alternate energy sources that may be locally available.

Section 3. Bureau of Commerce.

The Bureau of Commerce, headed by a Director who is under the direct supervision of the Minister of National Resources is responsible for the promotion of economic and commercial development programs and projects including but not limited to implementation of development proposals, promotion of tourism, assisting in the marketing of local products, stimulating the development of small cottage industries, providing technical assistance and services to local cooperatives and credit unions, collection and compilation of trade and commercial statistics; enforcement of the provisions of Title 49 of the Trust Territory Code - Non-Resident Workers Act - and enforces the rules and regulations promulgated thereunder; development of long range air, land and sea transportation systems; Controlling the operations of the Republic's commercial seaports and airports; promulgation and implementation of the Republic's communications rules and regulations and enforcement of the provisions of Title 19 of the Trust Territory Code - Admiralty and maritime and enforce4s the rules and regulations promulgated thereunder. The Bureau of Commerce shall consist of the following divisions:

a) Division of Economic Development. Headed by a Chief who is responsible to the Director of the Bureau of Commerce, the Division of Economic Development shall have the following duties and functions:

- i) Develop economic and commercial development and projects of the Republic;
- ii) Assist in the implementation of investment plans or proposals by both foreign and local entrepreneurs;
- iii) Promote tourism by supporting the Palau Tourists Commission;
- iv) Assist in the review and analysis of foreign business proposals and business permit applications and licenses;
- v) Monitor the activities of foreign investors/companies after having acquired

foreign investment licenses to do business in the Republic;

- vi) Collect and compile all trade commercial investment and economic data and statistics;
- vii) Promote commercial production and marketing of local products for local consumption as well as export purposes; and
- viii) Stimulate the development and the establishment of small cottage industries.

b) Division of Labor. Headed by a Chief who is responsible to the Director of the Bureau of Commerce, the Division of Labor shall have the following duties and functions:

- i) Administer Title 49 of the Trust Territory Code - Non-Resident Workers Act - and enforce the rules and regulations promulgated thereunder;
- ii) Review and approve applications for importation of non-resident workers into the Republic;
- iii) Arbitrate labor and employment disputes between non-resident workers and their employers in accordance with law and applicable rules and regulations;
- iv) Provide assistance to the private sector in advertising, reviewing employment applications and recruitment of employees to meet the labor and employment requirements for the private sector community;
- v) Review and analyze local labor statistics and manpower needs of the private sector; and
- vi) Conduct unemployment study within the Republic and assist in the placement of potential employees in local business establishments.

c) Division of Transportation and Communications. Headed by a Chief who is responsible to the Director of Bureau of Commerce, the Division shall have the following duties and functions:

- i) Develop long range air, land and sea transportation system plans for the Republic;
- ii) Assist in the planning and construction of air, land and sea transportation facilities;
- iii) Control the operations of the Republic's commercial seaports and airports;
- iv) Inspect technical and ground systems equipment, technical, and electrical/electronic equipment for government vessels in full coordination with the American Bureau of Shipping or other recognized certification agencies;

- v) In close cooperation with the Federal Aviation Agency, inspect to ensure proper operating conditions and maintenance of ground based navigation and communications system and provide daily inspections at the airport to ensure safe operations of aircrafts in and out of the airport;
- vi) Review requests and grant landing rights to private and commercial air carriers, including requests for special charter flights;
- vii) Promulgate Republic's communications rules and regulations covering the following services; (a) Government services; (b) Maritime Services; (c) Coastal Stations in the maritime mobile services; (d) point - to - point fixed service (land stations); (e) Amateur radio services; (f) Citizens radio service; (g) Broadcast services and other communications services;
- viii) Administer tests, review applications and grant licenses to qualified applicants for operation and operators of above listed services;
- ix) Issue authorizations for and control the limitation of communications related technical matters, including but not limited to the following: (a) Radio frequency assignment and call signs; (b) frequency tolerances; (c) emission bandwidths; (d) type of transmitting/receiving equipment; (e) transmitter power outputs and antenna structure lengths; (f) modulation adjustments, etc.; and
- x) Conduct regular inspection of communications facilities, equipment and operations to ensure compliance to technical and equipment requirements and that services are carried out in compliance with communications rules and regulations of the Republic and international communications laws.

PART VI. MINISTRY OF STATE:

The Ministry of State is headed by the Vice President of the Republic of Palau as Minister of State and shall have the following bureaus and divisions responsible for major programs and administrative support functions in the Government of the Republic of Palau:

Section 1. Bureau of Foreign Affairs.

The Bureau of Foreign Affairs, headed by a Director who is under direct supervision of the Vice President/Minister of State, shall be responsible for the conduct of foreign affairs between the Republic, and foreign countries, international and regional organizations, and, in consultation and coordination with the Office of the Ambassador for International Trade and Relations and Status Negotiations and other agencies of the national government, serve as a conduit through which all incoming and outgoing official communications or contacts with foreign countries, international. and regional organizations, shall be channeled. The Bureau of Foreign Affairs shall have the following duties and functions:

a) Division of Foreign Relations. Headed by a Chief who is responsible to the Director, the Division of Foreign Relations shall have the following duties and functions:

- i) Establish and conduct relations for general governmental purposes with governments of foreign nations, which shall include the governments of the United States and the Trust Territory of the Pacific Islands, Asia, Pacific and Micronesian States;
- ii) Establish and conduct relationships for general governmental purposes with international and regional governmental organizations and agencies, including the United Nations;
- iii) Coordinate functions and activities of Liaison Officers of the Republic;
- iv) Establish and facilitate relationships for special governmental purposes between agencies of the national government and international and regional governmental organizations and agencies, and agencies of foreign nations;
- v) Provide protocol services for the Republic including arrangement for visits by foreign officials and dignitaries;
- vi) Coordinate and facilitate out of country conferences, trainings and meetings, participated in by officials of the Republic; and
- vii) Coordinate and monitor all war claims and related matters for the Republic.

b) Division of International Trade. Headed by a Chief who is responsible to the Director and in close coordination and consultation with the Office of Ambassador for Status Negotiations and Trade Relations, the Division of International Trade shall have the following duties and functions:

- i) Investigate through official channels every possible avenue for the Government of the Republic of Palau to obtain aids and technical assistances from foreign nations, agencies, corporations, associations, international or regional organizations and person, hereinafter referred to collectively as “International Agencies”;
- ii) Coordinate and monitor through the Bureau of Foreign Affairs and the Ministry of State all formal contacts with the International Agencies on behalf of the Government of Palau for foreign aid and/or technical assistance;
- iii) Oversee and evaluate in consultation with concerned program bureaus that foreign aids or technical assistance obtained from International Agencies are properly utilized to fully meet the developmental goals and objectives of the Republic;

- iv) Assist in the promotion and establishment of foreign businesses and in bringing in capital investments to the Republic on close cooperation with appropriate agencies within both the National Government and State Governments;
- v) Provide expert and technical assistance in connection with maritime and fisheries agreement negotiations;
- vi) Assist in the formulation of policies and guidelines in order to promote development of international or regional trades towards enhancing the economic and social advancement of the Republic;
- vii) Establish, maintain and improve foreign aids relations between the Republic of Palau and the neighboring nations in the Pacific Basin as well as other nations through formally established channels; and
- viii) Organize activities and provide technical advice and necessary support for international or regional promotion.

c) Palau Maritime Authority. In compliance with Subsection (2), Section 7 of Article VIII of the Constitution, the conduct of fisheries negotiations and treaty of agreement making authority heretofore performed or exercised by the Palau Maritime Authority pursuant to Public Law Nb. 6-6S-5 as amended by Public Law No. 6-7-14 and by Public Law No. 7-1-21, shall be coordinated by the Bureau of Foreign Affairs under direct line supervision of the Minister of State Department. Upon dissolution by act of the Olbiil Era Kelulau, the foregoing function shall automatically devolve upon and become a function of the Bureau of Foreign Affairs.

d) War Claims Commission. To the extent that war claims related matters remain unresolved and in as much as such war claims matters involve communicating with foreign countries or international or regional organizations, war claims as governmental function shall be coordinated by the Bureau of Foreign Affairs in direct line supervision of the Minister of State Department. Upon dissolution by an act of the Olbiil Era Kelulau, subject war claims function heretofore performed by the Palau War Claims Commission, as established by Public Law No. 7-4-11, shall automatically devolve upon and become a function of the Bureau of Foreign Affairs.

e) Office of the Ambassador for Trade Relations and Status Negotiations:

Negotiations for the future political status of the Republic of Palau shall be the responsibility of the Ambassador for Trade Relations and Status Negotiations. As specified under Executive Order No. 5, concerning presidential appointment of Ambassador for Trade Relations and Status Negotiations, Ambassador designated Salii shall have, “unto himself alone, the full and unabridged authority to represent, negotiate for and commit the Republic of Palau to any and all agreements relating to the Compact of Free Association and the Compact itself, subject to final presidential assent after consultation with the Minister of State and lawful ratification by the Olbiil Era Kelulau should the same be necessary under the laws of the Republic of Palau.”

Ambassador Salii shall have unto himself alone, the executively delegated and unabridged authority to represent, negotiate and lawfully bind the Republic of Palau to any Trade, economic assistance or foreign aid agreement with any sovereign nation, international or regional organization or institution, or person, subject to final presidential assent to ratification by the Olbiil Era Kelulau should the same be necessary under the laws of the Republic of Palau.

f) Liaison Offices: The Republic of Palau Liaison Offices shall be operated pursuant to respective orders establishing them, and no provision of this Order shall be construed as superseding them in case of conflicts. The Bureau of Foreign Affairs and the divisions and offices therein shall provide staff and other assistance to said Palau Liaison Offices at the direction of Vice President/Minister of State Department.

Section 2. Bureau of Domestic Affairs.

The Bureau of Domestic Affairs, headed by a Director who is under direct supervision of Vice President/Minister of State, is responsible for national and state relations, for public affairs including the conduct of all national and state elections, plebiscites or referenda and for coordination of women interests activities, programs and projects in consultation with the Committee on Planning and Programming of Women Interest Activities. The Director shall serve as principal legislative liaison between the Executive and Legislative Branches of the national government. The Bureau of Domestic Affairs shall have the following divisions:

a) Division of Public Affairs. Headed by a Chief who is responsible to the Director, the Division of Public Affairs shall have the following duties and functions:

- i) Coordinate and assist the Council of Chiefs in the performance of the Council's function as an advisory body to the President on matters concerning traditional laws, customs and their relationships to the Constitution and laws of the Republic;
- ii) Establish and maintain relationships with traditional leaders in their customary role as the chiefs of their respective states;
- iii) Establish and conduct relationships on general government matters with the states and as necessary and appropriate with their sub-divisions and agencies;
- iv) Monitor and evaluate the impact of activities of national government agencies upon the states and advise the concerned national government agencies on the same;
- v) Disseminate public information and operate broadcasting facilities;
- vi) Administer national elections and provide administrative support for state elections as may be required;
- vii) Facilitate communication between the Olbiil Era Kelulau and agencies of the executive branch of the national government, and coordinate executive branch

agency reviews and comments on legislative proposals, including notification and identification of major executive branch primary witnesses on same during public hearing; and

- viii) Collect and compile periodic population census and all statistical data as necessary and required for proper and efficient functioning of the national government.

b) Division of Lands and Surveys. Headed by a Chief who is responsible to the Director, this Division shall have the following duties and functions:

- i) Provide land surveying, mapping, title services and other technical assistance to the Land Commission and its land registration teams in the Commission's function with respect to land title adjudication and determination;
- ii) Provide land surveying, mapping, title services and such other technical assistance on the matter of the return of public lands to the states wherein located; and
- iii) Provide such land surveying, mapping, title services as may be required by both the national and state governments and their agencies, including implementation of Section 7 of the 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 therein conferred.

c) Land Commission. The Palau Land Commission as presently constituted under the provisions of Title 67 of the Trust Territory Code Sections 101-120, shall by this Executive Order continue to perform its function in the land title adjudication and determination. In the performance line function in its relation with the Bureau of Domestic Affairs and staff function in its relation with its Division of Lands and Surveys, and as semi-judicial body, the Commission may from time to time be assisted by the Office of the Attorney General of the Ministry of Justice as may be necessary.

d) Palau Public Lands Authority. The Palau Public Lands Authority shall continue to exist. In the performance of its functions, said Authority shall have a direct line authority in its relation to the Bureau of Domestic Affairs and staff function in its relation to the Division of Lands and Surveys. The Authority's activities shall be coordinated by the Bureau of Domestic Affairs in direct line supervision by the Minister of State. Upon dissolution by an act of the Olbiil Era Kelulau, the functions heretofore performed by subject Palau Public Lands Authority shall automatically devolve upon and become functions of the Bureau of Domestic Affairs.

PART VII. OFFICE OF THE PUBLIC DEFENDER:

Section 1. Objectives and Authority.

The Office of the Public Defender is charged with the administration of a public defender

system in the Republic of Palau by providing counsel to needy persons who require defense in criminal proceedings and assistance in civil problems. The Public Defender is under the overall authority and supervision of the Vice President of the Republic of Palau; however, in pursuing his professional duties; the Public Defender is allowed to complete independence of action subject to the Canons of Professional Responsibility.

Section 2. Relationship to the Vice President.

As a Department of the Vice President, the Public Defender is responsible to the Vice President for what his office does or fails to do. He receives administrative direction in the form of Manual of Administration instructions which provide the scope and limitations of the activities of the Office of the Public Defender. He is also subject to every applicable administrative directive of the President or Vice President in the form of memoranda or verbal orders. The Public Defender, however, has within the controls and standards set forth in the Code of Professional Responsibility, a free hand in the exercise of his professional duties listed hereunder.

The Public Defender must look to the Vice President for Administrative support such as housing, communications, fiscal and accounting support, procurement and supply, and personnel processing as may be required to enable the Office to carry out his functions. The Vice President shall be the approving official for the travel authorizations requested by the Public Defender for his travels within and outside the Republic of Palau.

Section 3. Professional Duties.

The Public Defender has the duty of providing criminal defense to all needy persons in the Republic of Palau. A "needy person" is a person who, at the time his need is determined, is financially unable without undue hardship, to provide for full payment of an attorney and all other necessary expenses of representation, or who is otherwise unable to employ an attorney. The Public Defender provides legal counsel and assistance to needy persons in the Republic of Palau who seek his counsel in civil matters which a private attorney would ordinarily handle, except that the Public Defender and his staff are prohibited from bringing civil suits and administrative claims and actions against the governments of the Republic of Palau and the Trust Territory, or any of their officers. He may prepare legal documents that relate to the legal assistance being given. He may defend civil suits and administrative claims and actions brought by the Republic of Palau and Trust Territory governments against needy persons.

The Public Defender trains Micronesian personnel in the legal and administrative aspects of assigned work. He supervises the work and the professional conduct of his entire staff.

Section 4. Administrative Duties.

The Public Defender manages the Office of the Public Defender in conformance with relevant provisions of the Trust Territory Code, Republic of Palau Constitution and Public Laws, Code of Public Regulations, Manual of Administration, Attorney General's opinions, and the policies and practices of the President and Vice President and their staffs, relating to

administration. He plans the programs for his office based on authorized activities of the Office of Public Defender. He develops the budget for his office and submits the same to the President for his approval. Except as provided for in Section 2 above, he administers personnel matters such as leaves, disciplinary matters and other related activities, however, any personnel matters including leaves and travels relating to the Public Defender himself require the action of the Vice President.

Section 5. Job Controls.

The Public Defender duties require that his total energy and attention be given to the job. Therefore, he cannot engage in the private practice of law at any time, whether for pay or otherwise, or during duty hours or off-duty hours, or while on leave of any kind. He is prohibited from accepting any favors, free services, gifts, preferences, compensation or material benefits for any services, professional or otherwise, he render, regardless of where and when performed, where such services fall within the assigned duties and responsibilities of his office. As a government employee, he is accountable for his time while performing his duties.

All information as to criminal activity he uncovers shall be brought to the attention of the Attorney General. No criminal complaints can be filed directly by the Public Defender or his staff except as a victim of unlawful activity.

These job controls are equally applicable to all members of the Public Defender's staff.

PART VIII. SPECIAL ASSISTANTS TO PRESIDENT AND VICE PRESIDENT:

There are established within the respective offices of the President and Vice President of the Republic of Palau the following positions whose duties and responsibilities shall be prescribed by the appointment letters and/or job descriptions of the incumbents

Section 1. Office of the President.

- i) Chief of Staff for Administrative Matters;
- ii) Special Assistant
- iii) Special Assistant for Public Relations;
- iv) Special Assistant for Legal Matters; and
- v) Federal Program Coordinator

Section 2. Office of the Vice President.

- i) Special Assistant to the Vice President.

PART IX. ADDITIONAL BUREAUS, DIVISIONS, OFFICES OR INDEPENDENT

AGENCIES:

Additional bureaus, divisions, offices or agencies may be established or existing ones abolished by amendments to this Order or by subsequent executive orders; provided, however, that independent (including temporary) agencies may be established and need not be organized under or within an existing bureau or division.

PART X. PRIOR EXECUTIVE ORDERS OR MANUALS:

Executive Order No. 03 entitled the "Organization of the Executive Branch - Government of the Republic of Palau" issued on the 31st of August 1981 and the manual of Administration effectuating the organization of the District Government of Palau pursuant to Title 2, Section 22(4) of the Trust Territory Code (then effective), are hereby superseded and are rendered without force and effect. Other prior executive orders whose provisions contravenes those of this Order are likewise superceded to the extent of the conflicts.

PART XI. EFFECTIVE DATE.

This Order becomes effective upon issuance and promulgation by the President of the Republic of Palau and shall continue in force until superceded by subsequent executive orders, or otherwise rendered ineffective by force of law enacted by the Olbiil Era Kelulau to replace it.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my Seal this 29th day of September, 1982, in the State of Koror, Republic of Palau.

Haruo I. Remeliik
President
Republic of Palau