

# REGULATION OF RADIO BROADCASTING 15 PNCA § 101

## TITLE 15 COMMUNICATIONS

### Chapter 1 Regulation of Radio Frequencies

#### Subchapter 1 General Provisions

- § 101. Findings and purpose.
- § 102. Definitions.
- § 103. Duties and powers of Division.
- § 104. Stations likely to interfere with distress signals; designation and regulation.
- § 105. Prohibited communications.
- § 106. Operation of chapter.
- § 107. Authority of Division to license and regulate new radio communication technologies.

#### **§ 101. Findings and purpose.**

The Olbiil Era Kelulau finds and declares as follows:

(a) The number of AM and FM radio stations broadcasting in the Republic has increased significantly in recent years. The number and use of very high frequency radios (“VHF radios”) by private individuals, government agencies, and commercial enterprises have also increased significantly in recent years, and will foreseeably continue to increase as tourism and other segments of the Palau economy grow. Individuals and commercial entities are also using “ultra high frequency” (“UHF”) and “high frequency” (“HF”) radios within the Republic. Cellular telephone services and paging services are also now operating in the Republic.

(b) In section 26 of RPPL No. 4-32, the Olbiil Era Kelulau appropriated one hundred ninety thousand dollars (\$190,000) to purchase and install VHF radio transmission repeaters to greatly extend the range of certain channels of VHF marine radio communications in Palau, and thereby to establish a VHF marine radio network. The repeaters have now been installed. In the Koror area, the repeaters operate on VHF international channel 5. In Northern Babeldaob, the repeaters operate on VHF international channel 7. In the Peleliu-Angaur area, the repeaters operate on VHF international channel 3.

(c) It is the purpose of this chapter to establish necessary government control over radio transmission, and to provide for the use, but not ownership, of radio channels and frequencies by persons for limited periods of time, under licenses granted by the Republic.

**Source**

RPPL 5-43 § 2, modified.

**Notes**

Former chapter 1 §§ 101 through 106 were repealed by RPPL 5-43 § 1.

**§ 102. Definitions.**

As used in this chapter:

- (a) “AM radio station” means a radio station equipped to engage in broadcasting through amplitude modulation on frequencies between 540 and 1600 kilohertz;
- (b) “Broadcasting” means the dissemination of radio communications intended to be received by the public, directly or by the intermediary of relay stations;
- (c) “Broadcast television station” means a station equipped to engage in broadcasting pictures, sounds, and signals using frequencies between 54 and 72 megahertz, 76 and 88 megahertz and 174 and 216 megahertz;
- (d) “Calling” means establishing radio contact for purposes of reasonably brief communication necessary to arrange for use of an alternative channel for prolonged communication;
- (e) “Cellular telephone service” means a radio communication service operating on frequencies between 806.0125 and 960 megahertz provided to eligible users and carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves;
- (f) “Division” means the Division of Communication within the Ministry of Public Infrastructure, Industries and Commerce, or its successor;
- (g) “Emergency” means a situation where there exists a threat of loss of life, personal injury, or significant property loss requiring immediate attention;
- (h) “FM radio station” means a radio station equipped to engage in broadcasting through

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frequency modulation on frequencies between 88 and 108 megahertz;

(i) “HF radio” means High Frequency radio operating on frequencies between 3 and 30 megahertz;

(j) “Licensee” means the holder of a license granted or renewed under the authority of this chapter;

(k) “Paging service” means a radio communication service provided to eligible users to notify them of the receipt of telephone calls on a specific telephone number;

(l) “Person” means an individual, partnership, association, joint-stock company, trust, corporation, or other nongovernmental entity, however organized;

(m) “Radio communication” means the transmission by radio of signals or sounds of all kinds between two or more points;

(n) “Repeated” means the commission or omission of an act more than once, or if such commission or omission is continuous, for more than one day;

(o) “Republic” means the territory of the Republic of Palau, including the fishery zone as defined by 27 PNC 143(a), or, if the context dictates, the government of the Republic of Palau;

(p) “Resident” means any person lawfully residing in the Republic, regardless of nationality, except for a person holding a tourist visa;

(q) “Television station” means a broadcast television station, and includes a station that receives broadcast signals and transmits them to subscribers by means of cable;

(r) “UHF Radio” means an Ultra High Frequency radio operating on frequencies between 300 and 3000 megahertz;

(s) “VHF Radio” means a Very High Frequency radio operating on frequencies between 30 and 300 megahertz; and

(t) “Willful” means the conscious and deliberate commission or omission of an act, irrespective of intent to violate any provision of this chapter or any regulation of the Division authorized by the chapter.

### Source

RPPL 5-43 § 2, modified.

**Notes**

“Ministry of Public Infrastructure, Industries and Commerce” in subsection (f) read “Ministry of Commerce and Trade” and was amended by RPPL 7-43 § 2, *see* 2 PNCA § 102.

**§ 103. Duties and powers of Division.**

(a) The Division shall have the following duties and powers:

- (1) to administer, implement and enforce the provisions of this chapter;
- (2) to promulgate regulations to implement the provisions of this chapter, including regulations it deems necessary to make available, so far as possible, to the people of the Republic such communication services required for the purposes of conducting personal business, promoting safety of life and property, providing public service, and to prevent interference between radio stations; provided, that the Division shall promulgate regulations within one hundred eighty (180) days after June 5, 2000;
- (3) to assign appropriate permitted uses to the bands of the radio spectrum, including, but not limited to, uses as commercial or public radio and television stations and uses as amateur or private noncommercial communication channels;
- (4) to continually monitor radio frequencies to ensure compliance with this chapter and the safety of life and property;
- (5) to regulate any modification of radio or television broadcasting equipment that is intended to increase transmission power or that otherwise increases the potential for interference with any other licensed radio or television broadcasting equipment, whether or not such interference actually occurs;
- (6) to protect radio frequency bands; the Division shall follow the Radio Regulations of the International Telecommunications Union;
- (7) to investigate and study the best use of radio communications to protect the safety of life and property; and
- (8) to report annually to the President and Olbiil Era Kelulau on:
  - (A) information and data collected by the Division material to issues of

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regulation of radio communication and radio transmissions;

(B) information and data collected by the Division material to the functioning of the Division and of value to the President and Olbiil Era Kelulau in evaluating funding needs of the Division;

(C) funds expended during the preceding year by the Division; and

(D) specific recommendations to the President and Olbiil Era Kelulau regarding additional legislation the Division deems necessary or desirable.

### Source

RPPL 5-43 § 2., modified.

### § 104. Stations likely to interfere with distress signals; designation and regulation.

The Division is authorized to designate from time to time radio stations the signals of which are likely to interfere with the transmission or reception of distress signals of vessels. Such stations shall keep a licensed radio operator listening on the frequencies designated for distress signals and related radio communications during the entire period the transmitter of such stations is in operation.

### Source

RPPL 5-43 § 2.

### § 105. Prohibited communications.

The Division may revoke a private operator's license issued to any person under this chapter who is found to have willfully used his or her license for the purpose of committing any crime, including distributing, or assisting in the distribution of, any controlled substance, as defined in 34 PNC Chapter 31 as amended from time to time, in violation of any provision of the law of the Republic. The Division may, at the request of an appropriate national law enforcement agency, assist in the enforcement of national law prohibiting the use or distribution of any controlled substance where communications equipment within the jurisdiction of the Division under this chapter is willfully being used for purposes of distributing, or assisting in the distribution of, any controlled substance.

### Source

RPPL 5-43 § 2, modified.

**§ 106. Operation of chapter.**

(a) No license issued under this chapter shall create any right beyond the terms, conditions, and periods of the license.

(b) Any person who, on June 5, 2000, owns or operates a VHF, UHF, or HF radio, or a cellular telephone service, or an AM or FM radio station or television station, and who applies to the Division for the appropriate license under this chapter within 60 days of June 5, 2000, may continue to operate such VHF, UHF, or HF radio, or a cellular telephone service, or AM or FM radio station, or television station until such time as the Division either approves or denies the license application.

(c) Nothing in this chapter shall be construed to regulate or limit any noncommercial activities of a foreign government.

(d) Nothing in this chapter shall be construed to regulate or limit activities of the Palau National Communications Corporation related to providing communication services.

**Source**

RPPL 5-43 § 2, modified.

**§ 107. Authority of Division to license and regulate new radio communication technologies.**

Nothing in this chapter shall be construed to limit the authority of the Division to license and regulate any existing electronic communication technology other than the technologies specified in this chapter (such as citizens' band ("CB") radios, family radio service ("FRS"), and the like), or to license and regulate any electronic communication technology invented or developed after June 5, 2000.

**Source**

RPPL 5-43 § 2, modified.

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## Subchapter 2 Regulation of VHF, UHF, and HF Radios

- § 111. Licensing of VHF, UHF and HF radios.
- § 112. Issuance of license; information for license application.
- § 113. Designated use of VHF channels.
- § 114. Penalties.

### **§ 111. Licensing of VHF, UHF and HF radios.**

No person may transmit VHF, UHF or HF radio signals within the Republic unless the person first obtains the appropriate operator's license from the Division, provided that persons on vessels in transit to the Republic shall obtain a license under this section within 30 days of arriving at a port of entry, as defined in 13 PNC 1102. This section shall not apply to (1) vessels exercising the right of innocent passage pursuant to 7 PNC 203 or (2) employees of the National Government or any state government making VHF, UHF or HF radio transmissions within the scope of their employment. In all circumstances, except in case of radio communications or signals relating to vessels in distress, all VHF, UHF and HF radio stations shall use the minimum available transmission power necessary to establish and maintain communication.

**Source**  
RPPL 5-43 § 2.

### **§ 112. Issuance of license; information for license application.**

(a) The Division may issue a VHF, UHF or HF radio operator's license, for a period not to exceed four years, to any person who submits an accurate and completed license application and pays the license fee. The Division shall establish a licensing fee schedule reasonably calculated to permit it to recover the costs of administering and enforcing the terms of the license. The fee schedule may distinguish between commercial and noncommercial licensees.

(b) All license applications shall set forth such facts as the Division may prescribe by regulation as to the citizenship, character, and financial, technical, and other qualifications of the applicant to operate a VHF, UHF or HF radio, as the case may be; the ownership, proposed use, and location of the VHF, UHF or HF radio; the frequency or frequencies and transmission power desired to be used; and such other information as the Division may require. The Division may, at any time after the filing of the original

application and during the term of the license, require from an applicant or licensee further written statements of fact to enable it to determine whether the original application should be granted or denied, or the license revoked. The Division may, if it finds that the public interest, convenience, or necessity will be served thereby, waive or modify the licensing requirements provided in this chapter or by regulation for the operation of any VHF, UHF or HF radio.

(c) VHF, UHF and HF radio licenses shall be in a form the Division may prescribe, provided that such licenses shall state:

- (1) the name and address of the licensee;
- (2) the duration of the license;
- (3) the type of equipment licensed to be operated;
- (4) the channel or channels on which the licensee may operate a VHF, UHF or HF radio and the transmitting power that may be used;
- (5) that the license does not vest in the licensee any right to operate the VHF, UHF or HF radio or any right in the channel or channels designated in the license beyond the term thereof or in any manner other than as authorized in the license; and
- (6) that neither the license nor the right granted under the license may be assigned or transferred to any other person.

(d) The Division shall issue an identification name or number to each licensee. Each licensee shall be required to state his or her identification name or number each time the licensee participates in a radio communication.

**Source**

RPPL 5-43 § 2, modified.

**§ 113. Designated use of VHF channels.**

The Division may designate by regulation specific permitted uses of VHF channels, and shall designate one channel to be reserved for use as a calling and local distress frequency. Any use [of] the channel designated by the Division as a distress frequency, except for reasonably brief



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transmissions and responses for hailing purposes or local emergencies, is prohibited. VHF international channel 16 is reserved for communications to and from vessels entering and leaving port and for international distress calls; any use of VHF international channel 16, except for purposes of communicating with vessels entering and leaving port, for international emergencies or for reasonably brief communications for hailing purposes, is prohibited.

### Source

RPPL 5-43 § 2, modified.

### Notes

The bracketed [of] does not appear in the original legislation.

### § 114. Penalties.

(a) Any person who violates any provision of this subchapter, except for section 113, or any related regulation shall, upon conviction thereof, be subject to a civil fine of not more than \$500; a person convicted of a second violation occurring within one year after a prior conviction shall be guilty of a misdemeanor and shall be fined not more than \$1,000; a person convicted of a third or subsequent violation occurring within one year after the second of two prior convictions shall be guilty of a misdemeanor and shall be fined not more than \$2,500 and shall have his or her license suspended by the Division for a period of not more than one year. A person whose license has been suspended under this section shall be prohibited from transmitting any signal on a VHF, UHF or HF radio except in cases of emergency.

(b) Any person who violates section 113 shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$5,000. Any person convicted of a second violation of section 113 shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$10,000, imprisoned for a period of not more than 6 months, or both. Any person convicted of a third or subsequent violation of section 113 shall be guilty of a felony and, upon conviction thereof, shall be fined not more than \$25,000, imprisoned for a period of not more than 6 months, or both.

### Source

RPPL 5-43 § 2.

**Subchapter 3  
Regulation of Cellular Telephone and Paging Services**

- § 121. Licensing of cellular telephone services and paging services.
- § 122. Interception of cellular telecommunications prohibited; prohibition against licensing, manufacturing, and importing equipment.
- § 123. Penalties.

**§ 121. Licensing of cellular telephone services and paging services.**

(a) No person may operate a cellular telephone service or paging service in the Republic unless the person first obtains the appropriate license from the Division. The Division may issue a cellular telephone service or paging service license to any person who submits a completed license application and pays the license fee. A license issued under this section shall be valid for four years, provided that a licensee who has timely submitted an application for renewal shall be permitted to operate its cellular telephone service or paging service until such time as the Division acts on the application. The Division shall establish a licensing fee schedule reasonably calculated to permit it to recover the costs of administering and enforcing the terms of the license.

(b) Any license issued by the Division under this subchapter shall specify the frequency or frequencies on which the licensee may operate its cellular telephone service or paging service. No licensee may operate its cellular telephone service or paging service on any frequency or frequencies other than the one or ones specified in the license. Cellular telephone service or paging service licenses shall be in a form the Division may prescribe, provided that such licenses shall state:

- (1) the name and address of the licensee;
- (2) the duration of the license;
- (3) the type of equipment licensed to be operated;
- (4) the frequency or frequencies on which the licensee may operate a cellular telephone service or paging service and the transmitting power that may be used;
- (5) that the license does not vest in the licensee any right to operate the cellular telephone service or paging service or any right in the frequency or frequencies

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designated in the license beyond the term thereof or in any manner other than as authorized in the license; and

(6) that neither the license nor the rights granted under the license may be assigned or transferred to any other person.

(c) All license applications shall set forth such facts as the Division may prescribe by regulation as to the citizenship, character, and financial, technical, and other qualifications of the applicant to operate a cellular telephone service or paging service; the ownership, proposed use, and business address of the cellular telephone service or paging service; the frequency and transmission power desired to be used; and such other information as the Division may require. The Division may, at any time after the filing of the original application and during the term of the license, require from an applicant or licensee further written statements of fact to enable it to determine whether the original application should be granted or denied or the license suspended or revoked. The Division may, if it finds that the public interest, convenience, or necessity will be served thereby, waive or modify the licensing requirements provided in this chapter or by regulation for the operation of any cellular telephone service or paging service.

### Source

RPPL 5-43 § 2, modified.

### **§ 122. Interception of cellular telecommunications prohibited; prohibition against licensing, manufacturing, and importing equipment.**

(a) The interception of or listening to any cellular telephone transmission by any person other than the person or persons for whom the transmission is intended is prohibited, except where authorized by court order for law enforcement purposes.

(b) 180 days after June 5, 2000, it shall be unlawful for any person, other than authorized law enforcement personnel, to possess any scanning receiver that is capable of:

(1) receiving transmissions in the frequencies allocated to domestic cellular radio telecommunications service;

(2) readily being altered or modified to receive transmissions in such frequencies;  
or

(3) being equipped with decoders that convert digital cellular transmissions to

analog voice audio.

**Source**

RPPL 5-43 § 2, modified.

**§ 123. Penalties.**

Any person who violates any provision of this subchapter or related regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000. A person convicted of a second violation of this subchapter or related regulations occurring within one year after a prior conviction shall be fined not more than \$2,500. A person convicted of a third or subsequent violation of this subchapter or related regulations occurring within one year after the second of two prior convictions shall be fined not more than \$5,000 and shall have his or her license suspended by the Division for a period of not more than one year. A person whose license has been suspended under this section shall be prohibited from operating a cellular telephone service or paging service, as the case may be, until the suspension period has elapsed and the person applies for and is granted a new license.

**Source**

RPPL 5-43 § 2.

**Subchapter 4**

**Regulation of AM and FM Radio Stations and Television Stations**

- § 131. License required; maintenance of records of broadcast.
- § 132. Application for license.
- § 133. Consideration of application for license or licenses.
- § 134. Issuance of license.
- § 135. Suspension of license.
- § 136. Revocation of license; cease and desist order.
- § 137. Modification of license.
- § 138. Equal time requirements.
- § 139. Enforcement.
- § 140. Penalty.

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### § 131. License required; maintenance of records of broadcast.

(a) No person may operate an AM or FM radio station or television station in the Republic of Palau unless the person first obtains the appropriate license from the Division.

(b) All locally produced AM or FM radio or cable television programs, the substance of which is broadcast live, shall be recorded in full by the person or entity that produces the program on audio or video tape, CD, DVD, or other tangible form of electronic recording, as the case may be, at the time of broadcast, and recordings of such programs shall be retained by the person or entity that produces the program and made available to the Division for inspection for not less than fifteen (15) days after the date of broadcast unless otherwise authorized or required by the Division. The recordings must be clear and decipherable. No person may in any way edit or otherwise alter any recording. Any person who violates this subsection shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000). A person convicted of a second violation shall be fined not less than one thousand dollars (\$1,000) and not more than ten thousand dollars (\$10,000), shall be imprisoned not more than six (6) months, or both. A person convicted of a third or subsequent violation shall be fined not less than ten thousand dollars (\$10,000), shall be imprisoned for not more than one (1) year, or both, and shall have his or her license suspended by the Division for a period of not less than six (6) months or not more than one (1) year.

(c) Any person aggrieved by any AM or FM radio or cable television broadcast may request that the Division obtain a tape, CD, DVD, or other tangible form of electronic recording, of the recording from the broadcast for that person's review. The Division shall liberally grant these requests when it appears that the request is made in good faith. If the Division grants the request, the aggrieved person shall have the right to bring an action in the Supreme Court to enforce this section.

(d) Each licensee shall maintain a log book of all broadcasts. The log book shall record all subjects discussed, guests interviewed and programs broadcast on that radio station. Each day's entry shall be maintained for a period of at least two (2) years after the entry is made. The log books shall be available for inspection by the Division.

#### Source

RPPL 5-43 § 2, modified. Subsections (b) & (c) are amended by RPPL 8-38 § 2, modified.

**§ 132. Application for license.**

All applications for the issuance, modification, or renewal of an AM or FM radio station or television station license shall be written and shall set forth the following:

- (a) such facts as the Division by regulation may prescribe as to citizenship, character, and financial, technical and other qualifications of the applicant to operate the station;
- (b) the ownership and proposed location of the AM or FM radio or television station;
- (c) the frequency or frequencies and transmission power to be used;
- (d) the hours of the day or other periods of time during which the station is to be used;
- (e) the purposes for which the station is to be used;
- (f) a waiver of any claim to the use of any particular frequency as against the regulatory power of the Republic because of the previous use of the frequency, whether by license or otherwise; and
- (g) such other information as the Division may require from the applicant or licensee.

The application shall be signed by the applicant or licensee. The applicant or licensee shall report to the Division all changes to information submitted as part of the license application occurring after submission of the application and before the expiration date entered on the face of the license.

**Source**  
RPPL 5-43 § 2.

**§ 133. Consideration of application for license or licenses.**

- (a) No license may be granted or renewed by the Division under this subchapter within thirty (30) days following issuance of written public notice by the Division stating acceptance for filing of such application or any substantial amendment thereto, and specifying the time and place of the public hearing required by subsection (c).
- (b) Any person may file with the Division a petition for the denial by the Division of any application for an AM or FM radio station or television station license, or for a

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modification or renewal of such license, within the time specified by the Division, which shall not be less than thirty (30) days after the issuance of the public notice specified in subsection (a). The petitioner shall serve a copy of the petition on the applicant. The petition shall set forth specific allegations as to why issuance of the license, or the modification or renewal of the license, would not serve public convenience, interest, or necessity.

(c) The Division shall conduct a public hearing before the issuance of any license under this subchapter, or any modification or renewal of such license. Such hearing may not take place until at least thirty (30) days after the issuance of the notice required by subsection (a). The Division shall serve notice of the hearing on the applicant and any person who filed a petition under subsection (b). The applicant and any other person shall have the right to attend and participate in the hearing.

### Source

RPPL 5-43 § 2, modified.

### § 134. Issuance of license.

(a) The Division may issue an AM or FM radio station license, or television station license, if public convenience, interest, or necessity will be served thereby.

(b) Unless the applicant or licensee holds a valid foreign investment permit, no AM or FM radio station or television station license may be issued to or held by:

(1) any foreign government or any representative of a foreign government;

(2) any non-citizen or representative of a non-citizen;

(3) any corporation organized under the laws of any foreign government;

(4) any corporation of which any officer or director is a non-citizen or of which more than one-fifth of the capital stock is owned or voted by non-citizens or their representatives or by a foreign government or their representatives or by any corporation organized under the laws of a foreign government; or

(5) any corporation directly or indirectly controlled by any other corporation of which any officer or director is a non-citizen or of which more than one-fourth of the capital stock is owned or voted by non-citizens or their representatives or by a

foreign government or their representatives or by any corporation organized under the laws of a foreign government.

(c) A license issued under this section shall be valid for a period to be set by the Division by regulation, provided such period may not exceed four (4) years. If a licensee has not been convicted of violating any term of a license issued under this section, the license, upon expiration, shall be renewed automatically by the Division for a duration of not less than the duration of the expiring license.

(d) AM or FM radio and television station licenses shall be in a form the Division may prescribe, provided that such licenses shall state:

- (1) the name and address of the licensee;
- (2) the duration of the license;
- (3) the type of equipment licensed to be operated;
- (4) the frequency or frequencies on which the AM or FM radio station or television station may operate, and the transmitting power the station may use;
- (5) that the license does not vest in the licensee any right to operate the AM or FM radio station or television station, nor any right in the frequencies designated in the license, beyond the term thereof or in any manner other than as authorized in the license; and
- (6) that neither the license nor the right granted under the license may be assigned or transferred to any other person.

(e) The Division shall establish a licensing fee schedule reasonably calculated to permit it to recover the costs of administering and enforcing the terms of the license.

**Source**

RPPL 5-43 § 2, modified.

**§ 135. Suspension of license.**

(a) The Division may suspend the license of any AM or FM radio station or television station licensee for up to one year upon proof that the licensee:



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- (1) has violated any provision of this chapter or any regulation adopted by the Division pursuant to this chapter;
- (2) has violated or failed to comply with any term or condition of its license;
- (3) has transmitted obscene words or language;
- (4) has willfully or maliciously interfered with any other radio communication or signal; or
- (5) has obtained, or attempted to obtain or has assisted another to obtain or attempt to obtain, an AM or FM radio station or television station license by fraudulent means.

(b) No order of suspension of any license issued under this subchapter shall take effect until thirty (30) days after written notice of the proposed suspension, has been served on the licensee. The notice to the licensee shall not be effective until actually received. Notice of an order of suspension shall state the cause for the suspension, with reference to the appropriate provisions of the Palau National Code or Division regulations, and shall plainly set forth the procedure and time limit for requesting a hearing upon the order. A licensee having been served with proper notice of an order of suspension may at any time within thirty (30) days after service make a written application to the Division for a hearing upon the order. An application for a hearing on an order of suspension may be submitted to the Division after the lapse of thirty (30) days and may be granted on the basis of a satisfactory explanation of the delay. Upon receipt by the Division of an application for a hearing, the order of suspension shall be held in abeyance until the conclusion of the hearing. The hearing shall be conducted under such rules as the Division may prescribe. Upon the conclusion of the hearing the Division may affirm, modify, or revoke the order of suspension.

(c) An order issued by the Division after a hearing pursuant to subsection (b) may be appealed to the Supreme Court, Trial Division, within thirty (30) days after service of the order upon the affected person. The order shall be reviewed *de novo*, provided that the reviewing Court may in its discretion make use of the record of prior proceedings and may consider additional evidence.

**Source**  
RPPL 5-43 § 2, modified.

**§ 136. Revocation of license; cease and desist order.**

(a) The Division may revoke an AM or FM radio station or television station license on the basis of:

- (1) material false statements knowingly made in an application for a license;
- (2) the discovery of facts that, if known at the time the application for a license was submitted, would have justified the Division's refusal to grant the license;
- (3) a licensee's willful or repeated failure to operate substantially as set forth in the license;
- (4) a licensee's willful or repeated violation of, or willful or repeated failure to observe, any provision of this chapter or any regulation of the Division authorized by this chapter;
- (5) a licensee's violation or failure to observe any final cease and desist order issued by the Division under this section; or
- (6) a licensee's failure to report to the Division all changes to information submitted as part of the license application occurring after submission of the application and before the expiration date entered on the face of the license.

(b) Where any person (1) has failed to operate substantially as set forth in a license, (2) has violated or failed to observe any of the provisions of this chapter, or (3) has violated or failed to observe any regulation of the Division authorized by this chapter, the Division may order such person to cease and desist from such action.

(c) Before revoking a license or issuing a cease and desist order, the Division shall serve upon the licensee an order to show cause why an order of revocation or a cease and desist order should not be issued. An order to show cause shall contain a statement of the matters with respect to which the Division is inquiring and shall call upon the licensee to appear before the Division at a time and place stated in the order, but in no event less than thirty (30) days after the receipt of the order, and give evidence upon the matter specified therein. If, after a hearing or waiver thereof, the Division determines that an order of revocation or a cease and desist order should issue, the Division shall include in its order a statement of findings and the grounds and reasons for the order, specify the effective date of the order, and cause the order to be served on the licensee in any manner of

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service authorized under 14 PNC Chapter 1.

(d) An order issued by the Division after a hearing pursuant to subsection (c) may be appealed to the Supreme Court, Trial Division, within thirty (30) days after service of the order upon the affected person. The order shall be reviewed *de novo*, provided that the reviewing Court may in its discretion make use of the record of prior proceedings and may consider additional evidence.

### Source

RPPL 5-43 § 2, modified.

### § 137. Modification of license.

Any AM or FM radio station or television station license may be modified by order of the Division either for a limited time or for the duration of the term of the license, if in the discretion of the Division the modification will promote the public interest and convenience or will promote compliance with the provisions of this chapter. No order of modification shall become final until the licensee has been notified in writing of the proposed action, and the grounds and reasons therefor, and shall have been given reasonable time of not less than thirty (30) days, to show cause at a public hearing why such order of modification should not issue.

### Source

RPPL 5-43 § 2, modified.

### § 138. Equal time requirements.

(a) If any licensee permits a legally qualified candidate for public office to use an AM or FM radio station or television station, the licensee shall afford equal opportunity to all other legally qualified candidates for that office in the use of such station; provided, that the licensee shall have no power of censorship over the material broadcast under the provisions of this section. A licensee is not required under this subsection to allow the use of its station by any candidate for public office. A statement by a legally qualified candidate for public office made as part of a genuine (1) news broadcast, (2) news interview, (3) news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or (4) live report of news events (including but not limited to political conventions and activities incidental thereof thereto), shall not be deemed to be use of a station within the meaning of this subsection. No provision of this subsection relieves a news service, in connection

with the presentation of news broadcasts, news interviews, news documentaries, and live coverage of news events, from its obligation under this chapter to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of importance to the public.

(b) Charges by a licensee for the use of an AM or FM radio station or television station by a legally qualified candidate for public office in connection with his or her candidacy for such office shall not exceed:

(1) during the forty-five (45) days preceding the date of a primary or primary runoff election or during the sixty (60) days preceding the date of a general or special election in which such person is a candidate, the lowest unit charge of the station for the same class and amount of time for the same period; and

(2) at any other time, the charges made for comparable use of such station by other users thereof.

If any person makes a statement on an AM or FM radio station or a television station about any other person, the licensee of that station shall afford the person referred to on air an opportunity to rebut that statement on air.

**Source**

RPPL 5-43 § 2, modified.

**§ 139. Enforcement.**

If any person fails to obey any order of the Division, other than for the payment of money, while such order is in effect, the Division or any party injured thereby, or the Republic of Palau, may apply to the Trial Division of the Supreme Court for enforcement of such order. If, after hearing, the court determines that the order was regularly made and duly served, and that the person has failed to comply with the order, the court shall issue such relief as may be necessary to compel compliance.

**Source**

RPPL 5-43 § 2.

**§140. Penalty.**

Unless otherwise provided, in addition to any administrative enforcement action taken by the

## REGULATION OF RADIO BROADCASTING 15 PNCA § 150

Division, any person who violates any provision of this subchapter or related regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one thousand dollars (\$1,000). A person convicted of a second violation of this subchapter or related regulations occurring within one (1) year after a prior conviction shall be fined not more than five thousand dollars (\$5,000). A person convicted of a third or subsequent violation of this subchapter or related regulations occurring within one (1) year after the second of two (2) prior convictions shall be fined not more than ten thousand dollars (\$10,000), or imprisoned for a term of not more than six (6) months, or both.

### Source

RPPL 5-43 § 2.

### Subchapter 5 Miscellaneous

- § 150. Safety; distress signals and communications.
- § 151. False, fraudulent, or unauthorized transmissions.
- § 152. Use of minimum power.
- § 153. Censorship.
- § 154. Willful or malicious interference; penalties.
- § 155. Funds received by Division.

#### **§ 150. Safety; distress signals and communications.**

(a) The transmitting set in a radio station on shipboard may be adjusted to produce a maximum of radiation, irrespective of the amount of interference thus caused, when the station is sending radio communications or signals of distress and related radio communications.

(b) All radio stations, including without limitation government stations and stations on board foreign vessels when within the territorial waters of the Republic, shall give absolute priority to radio communications or signals relating to vessels in distress; shall cease all transmission on frequencies that will interfere with hearing a radio communication or signal of distress; and shall refrain, except when engaged in answering or aiding the vessel in distress, from transmitting any radio communications or signals until there is assurance that no interference will be caused with the radio communications or signals relating thereto, and shall assist the vessel in distress, so far as possible, by complying with its instructions.

**Source**  
RPPL 5-43 § 2.

**§ 151. False, fraudulent, or unauthorized transmissions.**

No person within the jurisdiction of the Republic may knowingly utter or transmit, or cause to be uttered or transmitted, any false or fraudulent signal of distress, or related communication, nor may any broadcasting station re-broadcast the program or any part thereof of another broadcasting station without the express authority [of] the originating station. Any person who violates this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be liable to a term of imprisonment of not more than six (6) months, or a fine of not more than one thousand dollars (\$1,000), or both.

**Source**  
RPPL 5-43 § 2, modified.

**Notes**  
The bracketed [of] appears as “or” in the original legislation.

**§ 152. Use of minimum power.**

In all circumstances, except in case of radio transmissions or signals relating to vessels in distress, all radio stations, including without limitation those owned and operated by the Republic, shall use the minimum transmission power necessary to carry out the communication desired. The Division shall establish by regulation minimum transmission requirements.

**Source**  
RPPL 5-43 § 2.

**§ 153. Censorship.**

Nothing in this chapter may be understood or construed to give the Division the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition may be promulgated or fixed by the Division that interferes with the right of free speech by radio communication.

**Source**  
RPPL 5-43 § 2, modified.

**REGULATION OF RADIO BROADCASTING 15 PNCA § 155**

**§ 154. Willful or malicious interference; penalties.**

(a) Any person who willfully or maliciously interferes with or causes interference to any radio communications of any station licensed or authorized by or under this chapter or operated by the National Government shall be guilty of a misdemeanor and, upon conviction thereof, shall be liable to a term of imprisonment of not more than one (1) year, or a fine of not more than one thousand dollars (\$1,000), or both.

(b) The penalties provided for an alleged violation of subsection (a) shall not bar an action for damages arising from that violation.

**Source**

RPPL 5-43 § 2, modified.

**§ 155. Funds received by Division.**

All funds received by the Division from any source other than an appropriation by the OEK shall be deposited in the National Treasury.

**Source**

RPPL 5-43 § 2.

**Chapter 2  
Broadcasts  
[Repealed]**

§ 201 - § 204. [Repealed]

**Source**

Chapter 2 §§ 201 through 204 were repealed by RPPL 5-43 § 1.



**Chapter 3  
Palau National Communications Corporation**

**Subchapter I  
General Provisions**

§ 301. Short title.

§ 302. Definitions.

**§ 301. Short title.**

This chapter may be cited as the “Palau National Communications Corporation Act.”

**Source**

RPPL 1-40 § 1, modified.

**§ 302. Definitions.**

- (a) “Congress” means the Olbiil Era Kelulau of the Republic of Palau.
- (b) “Foreign entity” means any person who is not a citizen of the Republic or any corporation or other legally cognizable entity in which a person who is not a citizen of the Republic owns any interest, and who or which is not authorized by law to do business in the Republic.
- (c) “Person” means any natural person, individual, clan, association, business, partnership, company, joint venture, corporation or any other entity legally cognizable.
- (d) “P.N.C.C.” means the Palau National Corporation for Communications.
- (e) “President” means the President of the Republic of Palau.
- (f) “Public corporation” means an autonomous entity wholly-owned by the national government.
- (g) “REA” means Rural Electrification Administration.
- (h) “Telecommunication common carrier” means a person who transmits or transports

telecommunications.

(i) “Telecommunication” means any transmission, emission or reception of signs, signals, writings, images, sounds or intelligence of any nature by wire, radio, optical, or other electro-magnetic system.

(j) “Telecommunication services” means all telephone, telegraph, telex, radio, television and all other telecommunication services or modes, together with all associated equipment and facilities for reception, tracking, guidance, control, command, and transmission.

**Source**

RPPL 1-40 § 2. Subsections (f), (h) & (j) are amended by RPPL 3-68 § 1(1), modified. RPPL 3-68 § 1(f) is added as subsection (a).

**Notes**

The terms were put in alphabetical order and section modified.

**Subchapter II  
Corporation**

- § 311. Creation of corporation; general provisions.
- § 312. Board of Directors; terms, vacancies, quorums and compensation.
- § 313. Same; public meetings and official documents.
- § 314. Same; appointment of general manager.
- § 315. Powers and responsibilities of P.N.C.C..
- § 316. [Repealed]
- § 317. Approval of foreign agreements.
- § 318. Fiscal authority of corporation; audits.
- § 319. P.N.C.C. Fund.
- § 320. Rates and regulations.
- § 321. Transfer of property to corporation.
- § 322. Construction of chapter.
- § 323. Repealer and superseder.
- § 324. Transfer of telecommunication services.
- § 325. Prohibition of free or discounted services to P.N.C.C. employees.
- § 326. Regulatory authority of President.

**§ 311. Creation of corporation; general provisions.**

(a) There is created a public corporation, to be called the Palau National Communications Corporation (P.N.C.C.), which shall operate in the form and manner prescribed by this chapter.

(b) The P.N.C.C. shall be subject to the corporate laws of the Republic of Palau to the extent such laws do not conflict with this chapter or in any way distort the public character of the corporation.

(c) The P.N.C.C., not including its subsidiary entities, Palau National Cellular, Inc. ("PNCF") and Island Cable Television ("ICTV"), is exempt from all national and state taxes, or fees, specifically including any charges for easements across or under public lands and from all state governments regulation or control, provided however, that nothing in this chapter shall exempt the P.N.C.C. from charges or fees for electricity, water, and sewer services. Employees, suppliers, independent contractors, partners of, joint venturers with, or the subsidiary entities, PNCF and ICTV, of the P.N.C.C. shall not be exempt from their respective tax obligations or applicable fees, and the P.N.C.C. shall be liable for any contributions to the social security system or pension plan required by law. After the P.N.C.C. has paid off the REA loan in full, the P.N.C.C. shall no longer be exempt from all national and state taxes.

(d) All business transactions of a foreign entity with the P.N.C.C. and funded by the Rural Electrification Administration Loan are exempt from the provisions of any otherwise applicable foreign investment permit process or requirements, specifically including RPPL No. 3-34, and any amendments thereto, except that any such foreign entity shall be required to comply with Section 8(11)(i) of RPPL No. 3-34.

(e) The national government of the Republic of Palau, shall provide property for the lawful needs of the P.N.C.C. in carrying out its obligations and duties pursuant to this chapter.

**Source**

RPPL 1-40 § 3, modified. Subsection (c) is amended by RPPL 3-68 § 1(2), a new § (d) is added and existing § (d) is re-lettered as § (e). Subsection (c) is amended by RPPL 3-75 § 1(2), a new § (d) is added and existing § (d) is re-lettered as § (e). Subsection (c) amended by RPPL 6-37 § 35.

**§ 312. Board of directors, terms, vacancies, quorums and compensation.**

- (a) The affairs of the P.N.C.C. shall be managed and directed, and its corporate powers exercised, by a Board of Directors.
- (b) The Board shall be composed of five members, all citizens of the Republic who shall be appointed by the President with the advice and consent of the Senate. The Board shall designate one of its members as Chairman. The President shall have the power to remove a Board member only for cause.
- (c) The initial terms of office of the members shall be two (2) members for two (2) years, two (2) members for three (3) years, and the chairman for four (4) years. Subsequent appointments shall be for full four (4) year terms.
- (d) Any member appointed to fill a vacancy on the Board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed by the President, with the advice and consent of the Senate, for the remainder of such term.
- (e) Vacancies on the Board, so long as there shall be three (3) members in office, shall not impair the powers of the Board to execute the functions of the P.N.C.C., and three (3) of the members in office shall constitute a quorum for the transaction of the business of the Board. All decisions of the Board shall be by majority vote.
- (f) Members of the Board shall be entitled to compensation and per diem at established national government rates when traveling on the business of the P.N.C.C.

**Source**

RPPL 1-40 § 4, modified. Section title & subsection (b) are amended by RPPL 3-68 § 1(3), modified.

**§ 313. Same; public meetings and official documents.**

All meetings of the Board shall be open to the public and official documents shall be available for public inspection.

**Source**

RPPL 1-40 § 5(d), modified.

**PALAU NAT'L COMMUNICATIONS CORP. 15 PNCA § 315**

**§ 314. Same; appointment of general manager.**

The Board shall appoint a general manager of the P.N.C.C. and shall determine his compensation and term of office. The general manager shall manage the operations of the P.N.C.C. and shall, in accordance with policies established by the Board, retain, direct and terminate the services of employees.

**Source**

RPPL 1-40 § 6, modified.

**§ 315. Powers and responsibilities of P.N.C.C..**

In order to achieve the objectives and to carry out the purposes and provisions of this chapter, the P.N.C.C. shall have the following authority:

- (a) to establish, provide and operate telecommunication services in the Republic;
- (b) to establish and operate, in conjunction with foreign government(s) or any person, telecommunication services;
- (c) to establish and implement a structure of rates and tariffs for its telecommunication services calculated to ensure that adequate and equitable charges are imposed on all distributors and users of its services and that the use of its telecommunication facilities is increased to the maximum extent practicable;
- (d) to take over complete control and operation of existing government-owned telecommunication services subject to Section 321 of this Chapter;
- (e) to participate in meetings, conferences and seminars regarding the furnishing of telecommunication services;
- (f) to coordinate activities with governmental agencies both national and state, to ensure the efficient and comprehensive development of a telecommunication system which meets the needs of the Republic;
- (g) to furnish for hire, or for distribution on a commercially reasonable basis, channels of communication and any telecommunication services to any person or to the national or any state government;

- (h) to have succession and to sue and be sued;
- (i) to purchase, operate, use, in any lawful manner, any type of property, whether real, personal, or mixed. No property transferred from the national government shall be mortgaged or otherwise encumbered without the prior approval of the Olbiil Era Kelulau. This Subsection shall not apply to any mortgage or encumbrance in favor of the Rural Electrification Administration (REA).
- (j) to make any lawful contracts;
- (k) to adopt and use a seal;
- (l) to adopt, amend or repeal policies or by-laws;
- (m) to borrow or raise any sum of money and to issue bonds or notes upon such terms as may be deemed necessary; and obligations of the P.N.C.C. shall not be the debts and obligations of the national government, nor shall the national government be liable for the debts or obligations of the P.N.C.C.;
- (n) to retain and terminate the services of employees, agents, attorneys, auditors and independent contractors upon such terms and conditions as it deems appropriate; and
- (o) [Repealed]

**Source**

RPPL 1-40 5(a), modified. Amended by RPPL 3-68 § 1(4). Subsection (o) is repealed by RPPL 3-80 § 27.

**§ 316. Review of contracts by Minister of Justice. [Repealed]**

**Source**

RPPL 1-40 § 5(e). Repealed by RPPL 3-68 § 1(5).

**§ 317. Approval of foreign agreements.**

Any agreement or series of related agreements with a foreign entity, except those which are to be approved by the REA, for the sale, lease, or purchase of any goods or services in excess of two hundred thousand dollars (\$200,000) shall be subject to the prior approval of the Olbiil Era Kelulau by joint resolution. The Olbiil Era Kelulau shall act to approve or disapprove any

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agreement or series of agreement submitted to it within thirty (30) calendar days of submission. An agreement disapproved by the Olbiil Era Kelulau shall be returned to the P.N.C.C. with a written statement of the reasons for such disapproval. Any agreement or series of agreements not disapproved of within thirty (30) days of submission to the Olbiil Era Kelulau shall be deemed approved.

**Source**

RPPL 1-40 § 8. Amended by RPPL 3-14 § 1(1). Amended by RPPL 3-68 § 1(6), modified. RPPL 3-68 §1(9) repeals RPPL 3-14 § 1(1).

**Notes**

RPPL 3-14 § 1(1) was amended by RPPL 3-68 § 1(6) and repealed by the same legislation § 1(9), see § 323. The wordings of § 317 above are incorporated from RPPL 3-68 § 1(6).

ROP v. Airai State Public Lands Authority, 9 ROP 201, 205 (2002).

**§ 318. Fiscal authority of corporation; audits.**

- (a) The P.N.C.C. shall establish and maintain records and accounts of all of its financial transactions, and shall have full charge of its financial affairs.
- (b) The Public Auditor shall conduct bi-annual audits and reviews of all operations, books, records, procedures, and transactions of the P.N.C.C. and report his findings to the President and the Olbiil Era Kelulau.
- (c) Not later than sixty (60) days before it is to take effect, the P.N.C.C. shall submit a detailed and itemized budget on the upcoming fiscal year to the Olbiil Era Kelulau for its review and comments. After the P.N.C.C. has repaid the REA loan, the P.N.C.C. shall submit a detailed and itemized budget by no later than sixty (60) days before it is to take effect, to the Olbiil Era Kelulau for its approval. Such budget shall be deemed approved unless rejected by a joint resolution of the Olbiil Era Kelulau within sixty (60) days of submission. If such budget is rejected, the P.N.C.C. shall submit a revised budget for approval in accordance with this provision.

**Source**

Subsection (a) -- RPPL 1-40 § 9(a), modified; subsection (b) -- RPPL 1-40 § 5(b). Amendment by RPPL 3-14 § 1(2) was repealed by RPPL 3-68 § 1(9). Subsection (c) is amended by RPPLs 3-80 § 25 & 5-2 § 21.

**Notes**

RPPL 3-14 § 1(2) which added subsection (c) to section 318 was repealed by RPPL 3-68 § 1(9). RPPLs 3-80 & 5-2 amended subsection (c) which has been repealed by RPPL 3-68, see § 323.

**§ 319. P.N.C.C. Fund.**

The P.N.C.C. shall establish an account or accounts, to be collectively known as the “Palau National Communications Corporation Fund” into which all appropriations, funds and revenues accruing to the P.N.C.C. shall be deposited and from which all P.N.C.C. expenditures or obligations shall be made; provided, that P.N.C.C. is hereby authorized to create any additional accounts as may be required by the Rural Electrification Administration (REA) of the United States Department of Agriculture subject to whatever conditions the REA may by law require in order for P.N.C.C. to obtain an REA loan.

**Source**

RPPL 1-61 1(8)(a), modified. Amended by RPPL 3-68 § 1(7).

**§ 320. Rates and regulations.**

(a) All rates and regulations pertinent to the use of telecommunication services by distributors and customers of the P.N.C.C. shall be adopted by the Board of P.N.C.C. only after public hearings following public notice published and posted as herein provided. The rates adopted by the Board of the P.N.C.C. must be sufficient to enable the P.N.C.C. to pay and discharge all maintenance and operating expenses of its telecommunication system, as well as any indebtedness of the P.N.C.C. and in the event REA makes a loan to the P.N.C.C. such rates must meet REA’s requirements with respect to such REA loan. In no event, however, shall any rate increase by more than ten percent in any calendar year.

(1) Prior to the adoption of new or amended or the repeal of any rate or regulation (“action”), P.N.C.C. shall give at least thirty (30) calendar days notice of its proposed action by posting written notice at the President’s Office, at the Judiciary Building, at the Olbiil Era Kelulau, and at the Post Office. The notice shall also be read over WSZB Radio at least four (4) times daily on ten (10) consecutive business days within the first twenty-five (25) days after its is posted. Such notice shall be posted and read in English and Palauan and shall include the following:

- (A) a short statement of either the terms or substance of the proposed action together with a brief description of the subject and issues involved;
- (B) reference to the legal authority under which the action is proposed;



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(C) when, where, and how interested persons may present their views thereon; and

(D) where copies of the proposed action will be available for reading or distribution to the public.

(2) P.N.C.C. shall make copies of each proposed action available for reading at its main office and shall afford all interested persons the opportunity to submit data, views, or arguments in writing.

(3) The Board of the P.N.C.C. shall conduct a public hearing on a proposed action and shall fully consider all written and oral submissions concerning the proposed action.

(4) After having complied with the provisions of this section the Board of the P.N.C.C. shall adopt or reject the action and shall issue a concise statement of the basis upon which it has acted. Actions adopted by the Board of the P.N.C.C. shall thereafter be filed with the Office of the President and shall become effective upon the date of such filing.

(5) The General Manager of P.N.C.C. shall compile, index, and maintain all written rates and regulations of P.N.C.C. in effect and shall promptly supplement or revise such rates and regulations as adopted, amended or repealed.

(b) The P.N.C.C. is exempt from the provisions of chapter 1, Title 6 of this Code as that chapter applies to the promulgation of regulations.

**Source**

Subsection (a)--RPPL 1-40 § 9(b) and subsection (b)-- RPPL 1-40 § 5(f). Amended by RPPL 3-68 § 1(8), modified.

**§ 321. Transfer of property to Palau National Communications Corporation (P.N.C.C.).**

(a) The national government of the Republic of Palau shall transfer to the P.N.C.C., without compensation or reimbursement, all property that it now holds or may receive from the United States Government or the Trust Territory of the Pacific Islands Government that is appropriate to the exercise of the functions of the P.N.C.C. in providing communication services within the Republic.

(b) All working capital, cash, accounts payable and receivable, books, records, files,

maps, and other rights, obligations, assets, liabilities, agreements and privileges pertaining to the property described in subsection (a) shall be transferred to the P.N.C.C..

(c) The P.N.C.C. assumes the rights and obligations of contracts negotiated by the Republic with the Communications Satellite Corporation prior to the effective date of this chapter.

(d) Each employee of the national government or the Trust Territory Government who is primarily engaged in providing public communications services within the Republic on the effective date of this chapter shall be offered employment by the P.N.C.C. at a compensation level determined by the P.N.C.C..

(e) The President shall inform the Olbiil Era Kelulau of all transfers made pursuant to subsections (a) through (c) of this section.

**Source**

RPPL 1-40 § 7, modified.

**§ 322. Construction of chapter.**

Nothing in this chapter is intended to affect the rights, obligations and responsibilities of the United States Government as Administering Authority under the Trusteeship Agreement or Secretarial Order No. 3039, and this chapter shall be construed accordingly.

**Source**

RPPL 1-40 § 10(a), modified.

**Cross-reference**

For retained functions of the United States regarding telecommunications, see the Compact of Free Association and its related subsidiary agreements.

**§ 323. Repealer and superseder.**

Sections 1(1) and 2 of RPPL No. 3-14 are hereby repealed. Any provisions of law or any regulations promulgated pursuant to law which are inconsistent with the provisions of this Act to the extent of such inconsistency, are hereby superseded.

**Source**

RPPL 3-68 § 1(9).

**§ 324. Transfer of telecommunication services.**

In the exercise of their respective discretion, the P.N.C.C. is hereby authorize to transfer to the national government and the national government is authorized to receive from P.N.C.C. all of the P.N.C.C.'s right, title, interest, assets, employees, authority and obligations (1) in and to WSZB radio and its operation, and (2) in and to that equipment and those telecommunication services which P.N.C.C. utilizes and provides solely for the benefit of the national or state governments at the airport or related to maritime activities and the interstate radio system.

**Source**  
RPPL 3-80 § 26.

**§ 325. Prohibition of free or discounted services to P.N.C.C. employees.**

No officer or employee of the Palau National Communications Corporation may receive free telephone service, or any discount for such service not generally available to customers of P.N.C.C..

**Source**  
RPPL 5-7 § 47, modified.

**Notes**

Legislation includes both P.N.C.C. and P.U.C.; division into two sections by Code Commission. See 37 PNCA § 416 for companion section.

**§ 326. Regulatory Authority of President.**

The President of the Republic of Palau is hereby designated as the "State commission" for the Republic of Palau for the sole purpose of designating common carriers as "eligible telecommunications carriers" and to make related certifications regarding such carriers, and is hereby granted all regulatory jurisdiction with respect to intrastate operations of carriers in the Republic of Palau necessary for the President to carry out such duties.

**Source**  
RPPL 6-33 § 2.

