

ECONOMIC PLANNING & COORDINATING 36 PNCA § 108

**TITLE 36
PUBLIC PLANNING AND DEVELOPMENT**

**Chapter 1
Economic Planning and Coordinating Council
[Repealed]**

- § 101. [Repealed]
- § 102. [Repealed]
- § 103. [Repealed]
- § 104. [Repealed]
- § 105. [Repealed]
- § 106. [Repealed]
- § 107. [Repealed]
- § 108. [Repealed]

Source

PL 5-1-17, modified; repealed by RPPL 4-14, § 1(7).

36 PNCA § 201 PUBLIC PLANNING AND DEVELOPMENT

**Chapter 2
Price Commission
[Repealed]**

- § 201. [Repealed]
- § 202. [Repealed]
- § 203. [Repealed]
- § 204. [Repealed]
- § 205. [Repealed]
- § 206. [Repealed]
- § 207. [Repealed]

Source

PL 5-6-19, modified; repealed by RPPL 4-14, § 1(7).

Chapter 3
National Permanent Capital Act

- § 301. Short title.
- § 302. Legislative findings and purposes.
- § 303. Capital declared.
- § 304. Capital Relocation Commission; created.
- § 305. Same; composition.
- § 306. Same; duties.
- § 307. Developmental procedures and guidelines.

§ 301. Short title.

This chapter may be cited as the "National Permanent Capital Act."

Source

RPPL 1-70 § 1(a), modified.

§ 302. Legislative findings and purposes.

The Olbiil Era Kelulau hereby finds and declares the public policy of the nation to be, as follows:

- (a) The Constitution requires that a permanent national capital be designated and established within 10 years in Babeldaob.
- (b) The State of Melekeok and the State of Ngatpang, due to their willingness to house the national capital, ideal location, environmental conditions and potential for transportation and communication development are the ideal sites for the permanent national capital of the Republic of Palau.

Source

RPPL 1-70 § 1(b), modified.

Cross-reference

ROP Const., Art. XIII, § 11.

36 PNCA § 303 PUBLIC PLANNING AND DEVELOPMENT

§ 303. Capital declared.

The State of Melekeok is hereby designated as the permanent national capital site of the Republic. An alternative national capital site shall be the State of Ngatpang. This designation of the permanent national capital site is conditional of the willingness and ability of the state government to donate and grant to the national government the lands upon which the national capital buildings shall be constructed.

Source

RPPL 1-70 § 2(a), modified.

Cross-reference

ROP Const., Art. XIII, § 11.

§ 304. Capital Relocation Commission; created.

There shall be created a Capital Relocation Commission to study and report on all aspects of relocating the national capital. The Commission shall complete a comprehensive plan for the development of a permanent national capital as is set forth in sections 307(a), 307(b) and 307(c) of this chapter.

Source

RPPL 1-70 § 3(a), modified.

§ 305. Same; composition.

The Commission shall be composed of eight members, five of which shall be the Governors of the States of Melekeok, Ngchesar, Ngiwal, Ngeremlengui and Ngatpang. Three members shall be appointed by the President with the advice and consent of the Senate and shall represent a cross section of the community. All members shall serve for a term of two years. Vacancies on the Commission shall be filled for the unexpired term in the same way the original appointment was made. Commission members who are employees of the national or state government or their agencies shall be granted administrative leave and shall receive their regular salary while on the business of the Commission. Commission members will be paid travel expenses and per diem at standard national government rates, while traveling on the business of the Commission.

Source

RPPL 1-70 § 3(b), modified.

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§ 306. Same; duties.

The Commission shall conduct studies on all aspects of relocating the national capital. These aspects shall include, but not be limited to, the design of the capital, its construction, all costs that are to be incurred in relocating and building the national capital, the possible timetable for the relocation and the construction of the national capital, and the economic, environmental, and social impact of relocating the national capital. The Commission shall come up with a comprehensive report on its studies and a plan for the relocation of the national capital and shall submit its report and plan as is set forth in section 307(c) of this chapter.

Source

RPPL 1-70 § 3(c), modified.

§ 307. Developmental procedures and guidelines.

(a) The President of the Republic of Palau shall assist in the immediate preparation of a plan for development of Melekeok State as the permanent National Capital of the Republic. The President shall do this by providing the Capital Relocation Commission created in sections 304, 305, and 306 of this chapter with administrative assistance and other support to facilitate the work of the Commission.

(b) The Capital Relocation Commission shall come up with a plan for the relocation of the national capital. Such plan will include all architectural, engineering, infrastructure and capital improvement projects and other studies necessary to accomplish the purposes of this chapter.

(c) Annual reports shall be made by the Capital Relocation Commission to the President and to the Olbiil Era Kelulau on the progress of said plan and the plan itself shall be submitted to the President for his approval and then to the Olbiil Era Kelulau for their subsequent approval or amendment by joint resolution. This process shall be completed no later than December 31, 1986.

(d) The President shall begin in Fiscal Year 1987, as a part of his unified budget proposal, to recommend the authorization and appropriation of funds necessary to develop and implement the approved plan and prepare for the final move to the permanent National Capital.

Source

RPPL 1-70 § 2(b), (c), (d) and (e) modified.

36 PNCA § 401 PUBLIC PLANNING AND DEVELOPMENT

Chapter 4 Development of Infrastructure

- § 401. Public policy.
- § 402. Responsibilities of the President.
- § 403. Contracting authority.
- § 404. Authorization.

§ 401. Public policy.

It is hereby declared and established a priority public policy of the Republic of Palau to develop the infrastructure of the Republic of Palau. Such infrastructure shall include a road system linking all states of Babeldaob at the rate of construction of not less than one mile of sealed road per year, an electrical power transmission system providing electricity to all states of the Republic of Palau and water systems serving all states of the Republic of Palau and other infrastructure projects on Kayangel, Angaur, Peleliu, Tobi, and Sonsorol may proceed at the same time as projects in Babeldaob, with the approval of the President of the Republic of Palau. The President and the Olbiil Era Kelulau shall take all feasible steps to achieve these objectives.

Source
RPPL 3-53 § 1.

§ 402. Responsibilities of the President.

In carrying out his duties and responsibilities as granted pursuant to this chapter, the President shall take into consideration the following factors:

- (a) Land use including the distribution, location, and extent of existing and proposed use of land for residential housing, commercial, industrial, agricultural, recreational, educational, public or governmental use and other categories of public and private land use;
- (b) Transportation, and communication including location, type and extent of existing and proposed roads, terminals, airports, docks, harbors, shipping routes, major communication facilities, and any local transportation uses;
- (c) Conservation and environmental preservation planning needs including planning for the conservation, protection and balanced utilization and appropriate development

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of natural resources including forests, soil, watersheds, rivers, and other waters to ensure the protection, control and correction of soil erosion;

(d) Development and preservation of recreational sites, designating the location and proposed locations of recreational sites such as nature preserves, parks, beaches, playgrounds, historical areas and areas of scenic significance;

(e) Development and analysis of public services and utilities facilities including anticipated locations for electric power generation and transmission lines, sewage facilities, drainage facilities, solid waste disposal, water supply and service, and the related rights of way, easements and other such supportive facilities;

(f) Development and analysis of public facilities including existing or anticipated locations and configurations of civic and community centers, public schools libraries, police and fire stations and other such public service facilities and areas; and

(g) Any other or additional factors which relate to subjects connected to the development of the infrastructure of the Republic of Palau.

Source

RPPL 3-53 § 2, modified.

§ 403. Contracting authority.

The President is authorized to enter into contracts with capable companies and/or agreements with foreign governments to accomplish the objectives set forth in section 401 of this chapter, subject to the approval by joint resolution of both houses of the Olbiil Era Kelulau.

Source

RPPL 3-53 § 3, modified.

§ 404. Authorization.

There is hereby authorized to be appropriated in the unified national budget for Fiscal Year 1992 and each Fiscal Year thereafter the sum of \$1,000,000.00 for carrying out the purposes of this chapter. Upon completion of the purposes of this chapter such sum shall be utilized for improvement, maintenance, and the repair of the infrastructure.

Source

RPPL 3-53 § 4, modified.

**Chapter 5
Statistics Act**

Subchapter I

- § 501. Short title.
- § 502. Purpose.
- § 503. Definitions.

§ 501. Short title.

This chapter may be cited as the “Statistics Act of 2011”.

Source

RPPL 7-46 § 101, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 101, modified.

§ 502. Purpose.

The purpose of this chapter is:

- (a) To establish a framework for the collection of statistics to provide information required by the National Government of the Republic of Palau, state governments and businesses for the purpose of making policy decisions;
- (b) To facilitate a coordinated approach to statistics collection that produces useful information and eliminates duplication of requests for information; and
- (c) To encourage the development of economic, social, demographic and other matters of interest to the National Government, state governments, businesses, and to the general public.

Source

RPPL 7-46 § 102, modified. Repealed by RPPL 8-26 § 407 and replaced RPPL 8-26 § 102, modified.

§ 503. Definitions.

In this chapter, unless the context requires otherwise:

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- (a) “Appropriate Management Official” means the duly authorized person to act on behalf of an authoritative body of government.
- (b) “Authorized Officer” means any person employed or appointed in the performance of any duty under this chapter.
- (c) “Director” means the Director of the Bureau of Budget and Planning, or his designee.

Source

RPPL 7-46 § 103. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 103, modified.

Subchapter II Collection of Statistics

- § 511. Duties.
- § 512. Official statistics.
- § 513. Current statistics collection.
- § 514. Restriction on publication.
- § 515. Statistical instructions.
- § 516. Government agency statistics.
- § 517. Power to obtain particulars.
- § 518. Access to public and other records.

§ 511. Duties.

- (a) In accordance with the provisions of this chapter, it shall be the duty of the Director:
 - (1) To collect, compile, analyze, abstract and publish statistical information relating to the commercial, industrial, agricultural, social, economic and general activities and condition of the people, institutions and environment of the Republic;
 - (2) To promote, in consultation with the National Planning Committee, or similar authoritative body, and other users of statistics in the Government of the Republic of Palau, the collection, compilation and analysis of the type of information required for development planning and for the evaluation of plan implementation;
 - (3) To collaborate with ministries, bureaus, divisions, and agencies and entities of the Government of the Republic of Palau in the collection, compilation, analysis,

abstraction and publication of statistics from administrative records;

(4) To determine, in collaboration with governmental, semi-governmental and interested private bodies and organizations, standards (including concepts, definition, classifications, and procedures) for the collection, processing, and presentation of statistical information, and to ensure that the standards are implemented by government agencies; and

(5) To establish, develop and maintain a coordinated system of social and economic statistics in relation to the Republic of Palau.

(b) It shall be the duty of the Director to make such arrangements and to do all such things as are necessary and proper for the purpose of carrying into effect the provisions of this chapter.

Source

RPPL 7-46 § 201, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 201, modified.

§ 512. Official statistics.

(a) The Director may collect, in the Republic or any part thereof, official statistics relating to Section 511(a)(1) of this chapter, including any of the following:

- (1) Population and housing;
- (2) Vital occurrences and morbidity;
- (3) Immigration and emigration;
- (4) Internal and external trade;
- (5) Primary and secondary production;
- (6) Agriculture, including dairy, horticulture, pastoral and allied industries;
- (7) Forestry and fishing;
- (8) Factories, mines and productive industries generally;
- (9) Employment and unemployment;

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- (10) Salaries, wages, bonuses, fees, allowances and any other payments in case or kind and honoraria for services rendered;
- (11) Income, earnings, costs of production, profits and interest, and household expenditure;
- (12) Social, educational, labor and industrial matters, including associations of employers, employees and other persons generally;
- (13) Industrial disturbances and disputes:
- (14) Banking and finance generally:
- (15) Commercial and professional undertaking;
- (16) Distributive trades;
- (17) Health;
- (18) Transport and communication in all forms by land, water or air;
- (19) Wholesale and retail prices of commodities, rents and cost of living;
- (20) Injuries, accidents and compensation;
- (21) Stocks of manufactured and unmanufactured goods;
- (22) Sweepstakes, lotteries, charitable and other public collections of money;
- (23) Land tenure, the occupation and use of land and the produce thereof;
- (24) Local government;
- (25) Fire, marine, life, and accident insurance;
- (26) Transfers of land, mortgages or privileges on land, and leases of land;
- (27) Information required for the computation of the national income of the Republic;

- (28) Crime and law enforcement;
- (29) Weather and other environmental conditions; and
- (30) Any other matter as directed by the Director.

(b) The Director shall cause the statistics collected under this chapter to be compiled, tabulated and analyzed and, subject to the provisions of this chapter, may cause such statistics or abstracts thereof to be published, with or without comments thereon, in such manner as may be determined.

Source

RPPL 7-46 § 202, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 202, modified.

§ 513. Current statistics collection.

(a) As required by the Director after the commencement of this chapter, the appropriate management official of each ministry, bureau, division, agency and other government entity shall inform the Director of the statistics for which it or should be responsible. This information may, if the Director requires, include details of the concepts, classifications, and schedules used; the statistical methods and procedures employed; the resources employed; the means of publishing the official statistics and all other such matters as the Director may require so that duties under this chapter may be exercised. Thereafter an authorized officer shall advise the Director of these matters when any new official statistics or substantial alteration to existing official statistics is being proposed in relation to such agency, or when any document which is being used or proposed to be used as the source of official statistics is being amended or drafted.

(b) The Director, after discussion with the appropriate management official of the government agency concerned, may in any specific or general case, waive or relax, in whole or in part, the duty under subsection (a) of this section in respect to that government agency.

(c) In the case of a disagreement or dispute between the parties in any discussion pursuant to subsections (a) and (b) of this section, the Director shall make the final determination regarding the type and extent of statistical data to be compiled.

Source

RPPL 7-46 § 203, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 203, modified.

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§ 514. Restriction on publication.

(a) Except for the purposes of a prosecution under this chapter, none of the following information shall be published, admitted in evidence, or disclosed to any person not employed in the performance of his or her duties established under this chapter unless the consent thereto, in writing, has previously been obtained from the person, or, in the case of an undertaking or business, from the owner or person having the control, management or superintendence of the undertaking or business:

- (1) an individual return, or part thereof, made for the purpose of this chapter;
- (2) an answer given to any question given for the purposes of this chapter; and
- (3) an report, abstract or other document, containing particulars comprised in any such return or answer so arranged so as to enable identification of such particulars with any person, undertaking or business.

Source

RPPL 7-46 § 204, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 204, modified.

§ 515. Statistical instructions.

The Director may issue instructions as to:

- (a) The standards to be complied with in the collection and dissemination of statistical information under or for the purposes of this chapter;
- (b) The procedures for the collection and dissemination of such information; and
- (c) The form in which such information is collected and disseminated.

Source

RPPL 7-46 § 205, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 205, modified.

§ 516. Governmental agency statistics.

Before any ministry, agency or other instrumentality of the Government of the Republic of Palau, a state government, or statutory corporation, commences a new statistical collection, whether or not the results are for publication, it shall consult the Director with respect to his functions under

section 511 of this chapter.

Source

RPPL 7-46 § 206, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 206, modified.

§ 517. Power to obtain particulars.

(a) Where any statistical information is being collected in accordance with the provisions of [this] chapter, an authorized officer may request any person from whom particulars may lawfully be requested under this chapter to supply the authorized officer with such particulars as may be prescribed or which the Director may consider necessary or desirable in relation to the collection of such statistical information; and for the purpose of obtaining such particular information, a person shall, to the best of their knowledge and belief, fill out such forms, make such returns, answer such questions and give all such information, in such manner and within such reasonable time, as may be requested by the authorized officer.

(b) An authorized officer may request any person to supply particulars, either by interviewing such person personally or by leaving at his last known address, or posting to his last known address, a form having thereon a notice requesting the form to be completed and returned in the manner and within the time specified in the notice.

(c) Where any particulars are, by any document purporting to be issued by an authorized officer, requested to be supplied by any person, it shall be presumed until the contrary is proved:

(1) That the particulars may lawfully be requested from that person in accordance with the provisions of this chapter; and

(2) That the document has been issued by an authorized officer.

Source

RPPL 7-46 § 207, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 207, modified.

Notes

The bracketted [this] in subsection (a) read [the] in the statute.

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§ 518. Access to public and other records.

Where the Director has approved, or directed the collection of statistics relating to any matter, and where the Director is of the opinion that there can be obtained from any records or documents of the Government of the Republic of Palau, or from any records or documents belonging to any agency of the Government of the Republic or from any state government authority, or information sought with respect to the matter in relation to which the collection of statistics has been approved or directed as aforesaid in this section, or information which would aid in the completion or correction of such statistics in this section. Any person who has the custody or control of any such record or document shall, upon request, grant the Director or any authorized officer access to such information.

Source

RPPL 7-46 § 208, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 208, modified.

Subchapter III Offenses and Penalties

§ 521. Improper use or disclosure of information.

§ 522. Offenses in relation to the collection, etc., of information.

§ 523. Obstruction, etc.

§ 521. Improper use or disclosure of information.

(a) Subject to subsection (d) of this section, any person employed in the performance of any function under or for the purposes of this chapter, who:

(1) by virtue of such employment or function comes into possession of any information which might influence or affect the market value of any share, interest or other security, or any product or article; and

(2) before the information is made public, uses it, directly or indirectly, for personal use or any other person gain; then

(3) such person shall be guilty of a felony and shall, upon conviction, be liable for a fine not exceeding five thousand dollars (\$5,000) or to a term of imprisonment not exceeding three (3) years, or both.

(b) Subject to subsection (d) of this section, any person employed in the performance of any duty under or for the purposes of this chapter who, without lawful authority, discloses to any person, other than in the course of that employment, any information that comes into their possession in the course of that employment, shall be guilty of a criminal offense and shall, upon conviction, be liable to a fine not exceeding two thousand dollars (\$2,000) or a term of imprisonment not exceeding two (2) years, or both.

(c) Subject to subsection (e) of this section, any person who is in possession of any information which, to their knowledge, has been disclosed in contravention of this chapter, and who without lawful authority, discloses to any person other than in the course of employment under or for the purposes of this chapter, any such information, shall be guilty of a criminal offense and shall, upon conviction, be liable for a fine not exceeding two thousand dollars (\$2,000) or to a term of imprisonment not exceeding two (2) years, or both.

(d) It shall be a defense to a charge under subsection (a) or (b) of this section, if the person charged proves that the information which is the subject of the charge also came into his possession before the alleged offense in a way not amounting to a contravention of this chapter.

(e) It shall be a defense to a charge under subsection (c) of this section, if the person charged proves that the information, which is the subject of the charge, had, before the alleged offense, already been made public, or disclosed to the person to whom he disclosed it, in a way not amounting to a contravention of this chapter.

Source

RPPL 7-46 § 301, modified. Repealed by RPPL 8-26 § 407 and replaced by Rpp1 8-26 § 301, modified.

§ 522. Offenses in relation to the collection, etc., of information.

Any person who does any of the following shall be guilty of a criminal offense and shall, upon conviction, be liable for a fine not exceeding one thousand dollars (\$1,000) or to a term of imprisonment not exceeding one (1) year, or both:

(a) Knowingly or recklessly makes, in any return, form or other document completed or supplied under this chapter, or in any answer to any question or inquiry made under the authority of this chapter, any statement which is untrue in any material particular; or

(b) Without lawful authority, destroys, defaces or mutilates any return, form or other

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document containing particulars collected under this chapter.

Source

RPPL 7-46 § 302, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 302, modified.

§ 523. Obstruction, etc.

A person who hinders or obstructs an authorized officer in the performance of their functions under this chapter, shall be guilty of a criminal offense and shall, upon conviction be liable for a fine not exceeding one thousand dollars (\$1,000) or to a term of imprisonment not exceeding one (1) year, or both.

Source

RPPL 7-46 § 303, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 303, modified.

Subchapter IV Miscellaneous

§ 531. Privileged information.

§ 532. Questions as to other persons.

§ 533. Reports.

§ 534. Regulations.

§ 535. Oath of secrecy.

§ 536. Severability.

§ 531. Privileged information.

(a) Nothing in this chapter shall be construed as affecting any other law relating to the disclosure of any official, secret or confidential information.

(b) No person shall be required, under this chapter, to supply information which necessitates the disclosure of any technical process or trade secret in or relating to an undertaking of which the person is the owner, or in the conduct or supervision of which that person is engaged.

Source

RPPL 7-46 § 401, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 401, modified.

§ 532. Questions as to other persons.

Notwithstanding any other provision of this chapter, no person shall be compelled, under this chapter, to disclose any information concerning any other person, except that persons may be compelled to disclose:

- (a) Information concerning a company or association, corporate or unincorporated, of which the person concerned is a member, officer or servant;
- (b) Information concerning a dependent or member of the household of the person concerned, or an individual for whom the person is, by law or by custom, responsible; or
- (c) Information for the purpose of population statistics concerning the presence in any place or the absence from any place, of any person, together with relevant details of the person.

Source

RPPL 7-46 § 402, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 402, modified.

Notes

Numbering subsections in RPPL 8-26 § 402 are re-lettered to comply with the code format.

§ 533. Reports.

The Director shall, at least once in every twelve month period, make a report to the President for presentation to the Olbiil Era Kelulau, on the collection of information for the purposes of this chapter, and the administration of this chapter.

Source

RPPL 7-46 § 403, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 403, modified.

§ 534. Regulations.

The Director may promulgate rules and regulations in accordance with the Administrative Procedures Act not inconsistent with this chapter, and, in particular, but without prejudice to the generality of the foregoing, may make regulations:

- (a) Prescribing the particulars and information to be furnished in relation to any matter in which statistics may be collected under the provisions of this chapter; and

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(b) Prescribing a tariff of fees for the furnishing of statistics compiled under this chapter and for special information or report supplied or special investigation carried out by the Director.

Source

RPPL 7-46 § 405, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 404, modified.

§ 535. Oath of secrecy.

Every person employed in the performance of any duty under this chapter shall, before beginning their duties, take and subscribe before an Officer of the Supreme Court or other person authorized by law to take oaths, can make an affirmation of the following:

- (a) To fully and honestly fulfill duties in accordance with the Statistics Act of 2011; and
- (b) To not, without due authority, disclose any information acquired by virtue of those duties or, until the information is made public, or to directly or indirectly use such information for personal gain of that of any other person.

Source

RPPL 7-46 § 406, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 405, modified.

§ 536. Severability.

If any provision of this chapter shall be held invalid, such invalidity shall not affect the other provisions of the chapter, which can be given effect without such invalid provision, and to this extent, the provisions of this chapter are severable.

Source

RPPL 7-46 § 407, modified. Repealed by RPPL 8-26 § 407 and replaced by RPPL 8-26 § 406, modified.