

AN ACT

To establish the Palau Visitor Authority and abolish the Palau Tourist Commission, to repeal the existing Section 900 of the Palau District Code, Palau Public Law Nos. 68(2)-4 and 4-4-8, and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

1           Section 1. Short title. This Act shall be known and may be  
2           cited as the "Tourism Reorganization Act of 1982."

3           Section 2. Declaration of policy. It is hereby declared the  
4           policy of the Government of the Republic of Palau to promote and  
5           encourage the development of a visitor industry in Palau and to make  
6           it a responsibility of all visitor-oriented government and quasi-  
7           government agencies to assist and participate in the implementation of  
8           this policy.

9           Section 3. Palau Visitor Authority established as a public  
10          corporation. The Palau Visitor Authority is hereby established as a  
11          public corporation to carry out the purpose and policy of this Act.

12          Section 4. Board of directors, created, composition, terms.

13          (a) There shall be a Board of Directors of the Palau Visitor  
14          Authority which shall consist of the following members who shall serve  
15          the following terms:

16                 Seven members appointed by the President, subject to advice and  
17                 consent of the Senate; provided that, three of the members shall be  
18                 duly licensed tour operators in the Republic of Palau; and provided  
19                 further, that three of the members shall serve an initial term of two  
20                 years and four of the members shall serve an initial term of three

1 years. After the initial terms are completed appointments shall be  
2 for terms of two years. Any member may be reappointed for additional  
3 terms.

4 (b) Vacancies in the membership of the Board shall be filled  
5 in the same manner to complete the term of the original member.

6 (c) Members of the Board shall be compensated pursuant to law.

7 (d) Members of the Board shall serve at the pleasure of the  
8 President and may be removed without cause.

9 Section 5. Organization, meetings, quorum.

10 (a) The Board of Directors shall meet and organize by the  
11 election of its Chairman at an annual meeting to be held on the third  
12 Monday in January of each year. The Board shall meet at such times as  
13 the Board shall determine or as otherwise specified by law.

14 (b) The first meeting of the Board shall be called by the  
15 Minister of National Resources, who shall preside as temporary  
16 chairman until a permanent chairman is selected.

17 (c) At the first meeting of the Board and annually thereafter,  
18 members of the Board shall by majority vote select a chairman from  
19 their own membership, who shall preside at all meetings. At the same  
20 time they shall likewise select a vice chairman to serve as presiding  
21 officer in the absence of the chairman.

22 (d) A quorum shall consist of a majority of all voting mem-  
23 bers. All business shall be conducted by a majority vote of those  
24 present unless otherwise provided by law or the Rules of Procedures  
25 adopted by the Board.

26 Section 6. Rules of Procedure. The Board of Directors shall  
27 adopt rules of procedure consistent with this Act.

1           Section 7. Managing Director. The Authority shall hire a  
2           Managing Director who shall not be a members of the Board of Directors  
3           and who shall report to the Chairman of the Board. The Managing

1 Director shall be responsible for the daily operations and affairs of  
2 the Authority and for supervision of other employees of the Authority.  
3 The Authority may hire additional staff as may be necessary to carry  
4 out its responsibilities. The Managing Director and other staff of  
5 the Authority shall be compensated as determined by the Board.

6 Section 8. Powers and duties. It shall be the duty and  
7 responsibility of the Authority to:

8 (a) Implement the policy declared in this Act;

9 (b) Implement the Republic of Belau Tourism Master Plan after  
10 its adoption;

11 (c) Attract visitors to Palau;

12 (d) Conduct programs of advertising, publicity and promotion  
13 designed to familiarized the travelling public with Palau;

14 (e) Recommend to the President of the Republic necessary or  
15 desirable public policies and programs to increase and improve the  
16 number of tourist facilities in Palau, including the construction of  
17 additional hotel rooms, airport and affiliated facilities and attrac-  
18 tions which would facilitate the entry of visitors to Palau;

19 (f) Encourage the participation of foreign and local private  
20 capital in the development of tourism in Palau;

21 (g) Recommend efficient procedures to clear visitors through  
22 immigration and customs;

23 (h) Recommend steps to improve communication between visitors  
24 and members of the community;

25 (i) Promote the manufacture of local handicrafts and artifacts  
26 and to help establish standards of quality;

27 (j) Provide liaison between government and private agencies

1 and business in the promotion of a visitor industry in Palau;  
2 (k) Promulgate regulations to carry out the provisions of this  
3 Act, such regulations to be immediately transmitted to the Olbiil Era

1 Kel ul au and subj ect to legi sl ati ve veto of the Ol bi i l Era Kel ul au for  
2 ni nety days fol l owi ng promul gati on; and

3 (I) Take any other speci fi c steps as may be necessary to carry  
4 out i ts responsi bi l i ti es.

5 Secti on 9. Accounts and records. The Authori ty shal l mai ntai n  
6 accurate accounts and records whi ch shal l be subj ect to audi t and  
7 i nspecti on as prescri bed by l aw.

8 Secti on 10. Fundi ng. The Board of Di rectors may recei ve,  
9 manage, i nvest and spend pursuant to l aw money or other property,  
10 real , personal , or mi xed, whi ch may be appropri ated, granted, gi ven,  
11 bequeathed, devi sed, endowed, or i n any manner recei ved from any  
12 source for the purposes set forth herei n.

13 Secti on 11. Sui ts. The Authori ty may sue and be sued i n i ts  
14 corporate name, provi ded that i t shal l be subj ect to sui t onl y i n the  
15 manner provi ded for sui ts agai nst the Republ i c of Pal au; provi ded  
16 further that any l i abi l i ty i ncurred by the Authori ty shal l not be a  
17 l i abi l i ty of the Republ i c of Pal au or any subdi vi si on thereof. The  
18 Chai rman of the Board, the Vi ce-Chai rman i n the absence of the  
19 Chai rman, and the Managi ng Di rector are authori zed to accept servi ce  
20 or to be served on behal f of the Authori ty. The Mi ni ster of Justi ce  
21 of the Republ i c of Pal au shal l represent the Authori ty i n al l l egal  
22 acti ons.

23 Secti on 12. Annual report. The Authori ty shal l submi t on or  
24 before Apri l 1 of each year an annual report to the Presi dent of the  
25 Republ i c and the Ol bi i l Era Kel ul au of i ts acti vi ti es and a bal ance  
26 sheet showi ng al l revenues and expendi tures.

27 Secti on 13. Transfer of property. Upon the effecti ve date of

1            thi s Act, the fol lowi ng property and funds shal l be transferred to  
2            the Authori ty:

1 (a) All items of property, materials and equipment owned or  
2 otherwise in the possession of the Palau Tourism Commission;

3 (b) All working capital, cash, accounts receivable and pay-  
4 able, deposits, advances, appropriations, all books, records and  
5 documents, and all other rights, obligations and privileges pertaining  
6 to the operation of the Palau Tourist Commission.

7 Section 14. Repeal. Public Law No. 68(2)-4, Section 900 of  
8 the Palau District Code, and Public Law No. 4-4-8 are repealed in  
9 their entirety.

10 Section 15. Conflict of Laws. Any law, rule or regulation in  
11 conflict with the provisions of this Act are hereby superceded and  
12 void to the extent of the conflict.

13 Section 16. Effective date. This Act shall take effect upon  
14 its approval by the President of the Republic of Palau, or upon its  
15 becoming law without such approval, except as otherwise provided by  
16 law.

Passed: November 5, 1982

Approved this 23 day of November 1982.

/s/ \_\_\_\_\_  
Haruo I. Remelick  
President  
Republic of Palau