

REGULATIONS FOR BAGGAGE/LUGGAGE CLAIMS AND FEE

Division of Customs
Bureau of Revenue, Customs and Taxation

The following are proposed regulations regarding establishing a baggage and luggage claim procedure and fee for baggage and luggage left unattended and unclaimed at the airport terminal or claimed baggage and luggage being held pending payment of appropriate tax, fees, or other payments.

These regulations are being proposed by the Division of Customs, Bureau of Revenue, Customs and Taxation pursuant to its duties and functions set forth in Executive Order No. 116 and pursuant to the required rule making provisions of Section 121 of the Administrative Procedure Act (APA) of Title 6 of the Palau National Code (PNC).

These proposed regulations provide for the following:

1. Establishing a procedure by which the personnel of the Division of Customs will collect, transport, and retain in its custody all unclaimed baggage or luggage left at the airport terminal, and any baggage or luggage which is being held pending payment of appropriate taxes or other fee payments. These baggage and luggage will be transported from the airport into Koror and kept in the office of the Division of Customs or an alternative location for pick up by their owners.
2. Establishing proper identification and other procedures necessary for release of baggage or luggage in the custody of the Division of Customs.
3. Establishing a handling, transport and storage fee per piece of baggage or luggage which must be paid prior to release of the baggage or luggage to the owner.

These regulations are promulgated by the Chief, Division of Customs specifically pursuant to his authority set forth in Section 121 of the Administrative Procedure Act of Title 6 of the PNC. Pursuant to 6 PNC 125(3), for at least 30 days after providing notice, an agency shall afford all interested persons the opportunity to submit data, views, or arguments in writing. Any views, comments, and recommendations for revision should be sent to the Chief, Division of Customs, Koror, Republic of Palau 96940. Copies of these proposed regulations have been posted and are available for reading at the Division of Customs, Bureau of Revenue, Customs and Taxation, the Office of the Vice President/Minister of Administration, the Bureau of Domestic Affairs, the Judiciary Building, and at the Olbiil Era Kelulau.

1. CUSTODY OF BAGGAGE OR LUGGAGE

1.1 Personnel of the Division of Customs shall take custody of any arriving passenger checked-in baggage or luggage left unclaimed at the airport terminal. This shall include, but not be limited to, baggage or luggage left unclaimed at the passenger baggage or luggage pick-up area and at the customs counters.

1.2 Personnel of the Division of Customs may take temporary custody of any baggage or luggage for which appropriate taxes or other payments are due.

1.3 Personnel of the Division of Customs shall transport any baggage or luggage in their possession to Koror for holding and storage at the office of the Division of Customs or other alternative storage place deemed appropriate by the Chief of the Division of Customs.

1.4 The Division of Customs shall not be responsible or liable for any perishable goods which may spoil or become damaged during handling, transport or storage. If such perishable goods become spoiled or damaged, the Division of Customs may dispose of such goods in an appropriate manner.

1.5 The Division of Customs shall not be held responsible or liable for any damage, breakage, loss or theft of any baggage or luggage left in its possession at the airport during its handling, transit or storage by the Division of Customs.

2. PICK-UP OF BAGGAGE OR LUGGAGE BY CLAIMANT

2.1 Persons who are claiming baggage or luggage in the possession of the Division of Customs shall do so only during normal working hours, unless prior permission or arrangement is made with personnel of the Division of Customs for pick-up after normal working hours.

2.2 For release of such baggage or luggage, the claimant must provide the following: (1) the baggage claim ticket for the item(s); (2) identification to satisfy personnel of the Division of Customs that they are the owner of such item(s); (3) a receipt showing that the fee for the handling, transport and storage of the item(s) has been paid; and (4) if applicable, a receipt showing that any other applicable tax, fee or other charge has been paid.

2.3 Prior to release of any baggage or luggage, such baggage or luggage will be subject to customs examination in the presence of the claimant. Subject to the findings of such examination, such baggage or luggage may be withheld subject to payment of any applicable tax, fee or other charge.

3. FEE FOR RELEASE OF BAGGAGE OR LUGGAGE

3.1 Prior to release of any baggage or luggage in the possession of the Division of Customs pursuant to these regulations, the owner of such baggage or luggage shall pay a fee for the handling, transport and storage of such item(s), into the National Treasury. The fee shall be

