

A BILL FOR AN ACT

To amend Chapter 10 of Title 13, Section 1403 of Title 40, and Section 3413 of Title 24 to create a single visa fee for that will consolidate entry permit fees, environmental protection fees, and taxes levied on arrival and departure from the Republic, and for other related purposes.

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

1           **Section 1.** Legislative Findings. The Olbiil Era Kelulau finds that the existing  
2 system of a combination of departure taxes and arrival fees is inefficient and bears a high  
3 administrative cost, as well as being unpopular among visitors. Many countries apply a  
4 single, uniform fee before a visitor's arrival as a tourist or for business, charging a fee that  
5 accompanies the visa which provides written authorization for a noncitizen to enter. Such  
6 application for entry, along with a fee, may easily be taken care of prior to a visitor's entry  
7 into a country. A noncitizen may apply online, at a local embassy or consulate, or through  
8 their travel agent when booking a ticket. By consolidating the existing departure tax (\$20.00  
9 for most noncitizens), the Green Fee (\$30.00 for most noncitizens), and adding an additional  
10 \$50.00 fee for the purpose of contributing to the General Fund of the National Treasury and  
11 facilitating tourism to the Republic, the Republic can reduce administrative costs, ensure pre-  
12 entry authorization, and secure additional revenue to support our infrastructure and economy.  
13 In addition, because such taxes and fees are intended to help, not burden, Palauan citizens,  
14 this new system would eliminate departure taxes for citizens, and would simply apply a single  
15 visa fee for noncitizens who come to Palau for tourism or other purposes. Palau would no

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1 longer have to pay the private airlines to be Palau's agent for collection, and Palau would  
2 have full control over the entry process through the Bureau of Immigration.

3 **Section 2.** Amendment. 13 PNC Chapter 10 is hereby amended as follows:

4 **“§ 1001.** ~~Director~~ Bureau of Immigration.

5 The ~~Director~~ Bureau of Immigration shall perform such duties, pertaining to  
6 nationality, emigration and immigration, and administer all laws and regulations  
7 pertaining thereto as the President may delegate.

8 **§ 1002.** ~~Entry permits~~ Visas; required; issuance.

9 (a) No person, vessel or aircraft, unless specifically exempted by applicable  
10 law and regulations, shall enter the Republic without having been issued an  
11 appropriate visa ~~entry permit~~.

12 (b) “Visa”, for purposes of Immigration, shall mean a passport stamp or  
13 document that authorizes the passport-holder to enter a country for specific purposes  
14 for a particular time period. A visa may also be referred to as an entry permit.

15 ~~(b) (c) Entry permits~~ Visas to visit, ~~or~~ reside or work in the Republic shall be  
16 issued in accordance with this title and regulations issued pursuant thereto. ~~by the~~  
17 ~~President and approved by the Secretary of the Interior of the United States.~~ All  
18 noncitizens entering the Republic of Palau to fulfill the terms of an employment  
19 agreement or to seek work in the Republic of Palau shall secure a work visa prior to  
20 entry. All persons entering the Republic of Palau for any other purpose shall obtain  
21 an appropriate visa issued in accordance with this title and regulations issued pursuant  
22 thereto.

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1           ~~(c) Entry may be issued in conjunction with a nonresident workers'~~  
2           ~~identification certificate issued under the provisions of Title 30 of this Code. Entry~~  
3           ~~permits issued under the provisions of this subsection shall carry the notation that~~  
4           ~~they are issued in conjunction with a nonresident workers' identification certificate,~~  
5           ~~and shall expire upon the date on which such nonresident workers' identification~~  
6           ~~certificate expires.~~

7           (d) Provisions of law and regulations implementing this section shall ~~may~~,  
8           pursuant to ~~article 3, paragraph 1 of the trusteeship agreement for the former Japanese~~  
9           ~~Mandated Islands~~ Section 142 of the Compact of Free Association, ~~accord the United~~  
10          ~~States citizens and nationals treatment more~~ no less ~~favorable than is accorded persons~~  
11          ~~other than United States citizens and nationals. With respect to the subject matter of~~  
12          ~~this Section, the Government of Palau shall~~ accord to citizens and nationals of the  
13          United States treatment no less favorable than that accorded to citizens of other  
14          countries; any denial of entry to or deportation of a citizen or national of the United  
15          States as an undesirable alien must be pursuant to reasonable statutory grounds.

16                **§ 1003.** Same; authority of Director of Immigration to issue.

17           The Director of Immigration shall have the authority in the case of visitors,  
18           to issue visas ~~entry permits~~ and to permit entry into the Republic of persons, vessels,  
19           and aircraft, under the provisions of this title, regulations promulgated ~~by the~~  
20           ~~President~~ pursuant thereto, and under such conditions as may be prescribed from time  
21           to time by the President. The Director of Immigration may delegate this power to  
22           entities or persons he designates, including Palau Embassies and Consulates, upon

1           approval by the President.

2           **§ 1004.** Same; applications.

3           (a) Applications for a permit visa to enter the Republic for any purpose  
4           shall be made to the Director of Immigration or to entities or persons he designates,  
5           including any Palau Embassy or Consulate, that are approved by the President.  
6           ~~President in such form and manner as he shall prescribe from time to time.~~

7           (b) The Director of Immigration shall promulgate regulations, that are  
8           approved by the President, specifying the form and manner of visa application. Such  
9           form and manner shall include provisions for application in person, online, or through  
10          an agent.

11          (c) Visa fees shall be collected at the time of application.

12          **§1005.** Same; standards for exclusion.

13          The ~~President~~ Director of Immigration may deny entry or a visa ~~an entry~~  
14          permit to any person or revoke a visa ~~an entry permit~~ upon substantial evidence of  
15          any of the following:

16          ...

17          **§ 1006.** Same; revocation.

18          Visas ~~Permits~~ to enter the Republic may be revoked or renewal of such  
19          visas~~permits~~ refused by the Director of Immigration ~~President~~ at any time upon a  
20          finding that:

21          ...

22          **§1007.** ~~Repealed~~ Visa Fees.

1                    (a) Visa fees are as follows for noncitizens seeking to enter or to remain  
2                    in the Republic of Palau:

3                    (1) The fee for noncitizens who hold passports from the Federated  
4                    States of Micronesia, the Republic of the Marshall Islands, or the United  
5                    States of America shall be \$100.00 for authorization to enter and remain in  
6                    the Republic of Palau for a period not to exceed one (1) year. Such visas may  
7                    be renewed on an annual basis for a fee of \$100.00 per year.

8                    (2) The fee for noncitizens who hold passports from any other  
9                    country shall be \$100.00 for authorization to enter and remain in the Republic  
10                   of Palau for a period not to exceed thirty (30) days. Such visas may be  
11                   extended for up to two (2) additional thirty (30) day periods. The fee for each  
12                   additional period shall be \$100.00.

13                   (3) Notwithstanding the foregoing, the Bureau of Immigration  
14                   may establish a different fee for a work visa and may establish exemptions  
15                   from visa fees.

16                   (b) The total visa fee for subsections (a)(1) and (a)(2) above shall be  
17                   allocated as follows:

18                   (1) Fifty percent (50%) to the General Fund of the National Treasury;

19                   (2) Thirty percent (30%) in accordance with the Protected Areas Network  
20                   Act, 24 PNC §3413, as amended;

21                   (3) Ten percent (10%) to the Bureau of Aviation and earmarked for  
22                   maintenance of the airport and air traffic needs; and

1                   (4) Ten percent (10%) to the Palau Visitors' Authority and earmarked for  
2                   the promotion of tourism in the Republic.

3                   **§1008. ...**

4                   ....”

5                   **Section 3. Repealer.** 40 PNC § 1403, Departure Tax, is hereby repealed.

6                   **Section 4. Amendment.** 24 PNC §3413, Environmental Protection Fee (“Green  
7                   Fee”), is hereby amended as follows:

8                   “§ 3413. Environmental Protection Fee (“Green Fee”).

9                   (a) ~~Effective on October 1, 2008, the Minister of Finance, or his or her~~  
10                  ~~authorized designee, shall be authorized to implement a tourist and visitor~~  
11                  ~~environmental protection arrival fee of~~ Thirty percent dollars (\$30.00) of the visa fee  
12                  charged pursuant to 13 PNC §1007 shall be to be allocated as follows:

13                         (1) Two thirds ~~Twenty dollars (\$20.00)~~ of the money collected  
14                         ~~through the environmental protection arrival fee shall be used for the sole~~  
15                         purpose of the operation of the Protected Areas Network (“PAN”) and shall  
16                         initially be deposited into an account within the National Treasury that shall  
17                         be separate and distinct from all other accounts.

18                         (2) One third ~~Ten dollars (\$10.00)~~ of the money collected ~~through the~~  
19                         ~~environmental protection arrival fee shall be deposited into an account within~~  
20                         the National Treasury that shall be separate and distinct from all other  
21                         accounts.

22                   ...

1 (c) . . .

2 (d) The Bureau of Immigration shall be responsible for collecting the arrival  
3 fee from tourists and visitors arriving in the Republic of Palau. The Bureau of  
4 Immigration shall use an outside source, such as the International Air Transport  
5 Association (IATA), to collect the applicable fees from tourists and visitors arriving  
6 by airplane by imposing the fee at the time of airfare purchase. The Director of the  
7 Bureau of Immigration in cooperation with the Minister of Finance shall promulgate  
8 regulations as may be necessary to implement this subsection before October 1, 2008.

9 These regulations shall include reasonable provisions to exempt special guests of the  
10 Republic from paying the environmental protection fee.”

11 **Section 5. Regulations.**

12 Within 90 days of the effective date of this Act, the Director of Immigration, with the  
13 approval of the President, shall promulgate rules and regulations necessary or appropriate to  
14 effectuate the provisions of this Act. Such rules and regulations shall become effective  
15 immediately, or on the date which the Director shall determine, and shall have the force and  
16 effect of law.

17 **Section 6. Transition.**

18 Existing valid entry permits shall not expire prior to their stated date as a result of the  
19 amendments set forth in this Act. However, any new applicants for entry for any purpose or  
20 applicants for renewal of existing permits shall be done under the amended visa program  
21 beginning ninety (90) days after the effective date of this Act.

22 **Section 7. Effective Date.**

1            This Act shall take effect upon its approval by the President of the Republic of Palau,  
2            or upon it becoming law without such approval.

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Date: 1-28-09

Introduced by:       /s/        
Surangel S. Whipps, Jr., Senator

      /s/        
Raynold B. Oilouch, Floor Leader