

REPUBLIC OF PALAU

**TITLE 13
CITIZENSHIP AND IMMIGRATION**

**DIVISION 1
CITIZENSHIP**

**Chapter 1
Citizenship Act**

**Subchapter I
General Provisions**

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§ 101. Short title.

This chapter shall be known as the "Citizenship Act."

Source

RPPL 1-62 § 101, modified.

§ 102. Definitions.

In this chapter:

- (a) Citizen of any other nation means any natural person who is not a citizen of the Republic.
- (b) Bureau means the Bureau of Immigration within the Ministry of Justice.
- (c) Naturalization means the conferring of citizenship upon a person after birth, pursuant to this chapter.
- (d) Of recognized Palauan ancestry means of Palauan blood as may be determined by testimony or evidence admissible in a court of law.

(e) Special mail means certified mail if the addressee is located in the Republic, in the United States or in what has become known as the Trust Territory of the Pacific Islands and means registered return receipt requested if the addressee is located anywhere else in the world. The term "is located" means the last known address.

Source

RPPL 1-62 § 102, § 102(e) omitted as unnecessary and section modified. Subsection (b) amended by RPPL 6-26 § 19(a)[102(b)].

§ 103. Bureau of Immigration.

There is in the Ministry of Justice a Bureau of Immigration.

Source

RPPL 1-62 § 103. Amended by RPPL 6-26 § 19(b)[103].

§ 104. Copies of records.

Certifications and certified copies of all papers, documents, certificates and records required or authorized to be issued, used, filed, recorded, or kept under any and all provisions of this chapter shall be admitted in evidence equally with the originals in any and all cases and proceedings under this chapter and in all cases and proceedings in which the originals thereof might be admissible as evidence.

Source

RPPL 1-62 § 104, modified.

§ 105. Issuance of certificate of naturalization or citizenship.

A certificate of naturalization or of citizenship may be issued by the Minister of Justice under the authority of this chapter upon the request of a citizen of Palau and have the same effect in all courts and public offices of the Republic, at home and abroad, as a certificate of naturalization or of citizenship issued by a court having naturalization jurisdiction.

Source

RPPL 1-62 § 105, modified.

§ 106. Documents and copies issued by the Minister of Justice.

(a) If any certificate of naturalization or citizenship issued to any citizen or any declaration of

intention furnished to any declarant is lost, mutilated, or destroyed, the citizen or declarant may make application to the Minister of Justice for a new certificate or declaration. If the Minister of Justice finds that the certificate or declaration is lost, mutilated, or destroyed, he shall issue to the applicant a new certificate or declaration.

(b) If the name of any naturalized citizen has, subsequent to naturalization, been changed by order of any court of competent jurisdiction, or by marriage, the citizen may make application for a new certificate of naturalization in the new name of such citizen. If the Minister of Justice finds the name of the applicant to have been changed as claimed, the Minister of Justice shall issue to the applicant a new certificate and shall notify the court of such action.

Source

RPPL 1-62 § 106, modified.

Subchapter II Renunciation and Registration

§ 121. Retention of Palauan citizenship by those who are also citizens of another nation; procedure.

§ 122. Certificates of citizenship; procedure.

§ 121. Retention of Palauan citizenship by those who are also citizens of another nation; procedure.

A citizen of the Republic who is a citizen of another nation may, within three years after his eighteenth birthday or prior to January 1, 1984, whichever is later, renounce his citizenship of such other nation and register his intent to remain a citizen of the Republic with the Minister of Justice. Renunciation of citizenship of another nation and registration of intent to remain a citizen of the Republic, regardless of his place of residence, may only take place pursuant to the following procedures:

(a) Any Palauan citizen with dual citizenship who elects to retain his Palauan citizenship shall file in the Office of the Minister of Justice a sworn statement in writing, signed by the applicant in the applicant's own handwriting if physically able to write, and duly verified by two witnesses, which statement shall be on a form prescribed by the Minister of Justice and shall include averments of all facts which in the opinion of the Minister of Justice may be material to the citizen's retention of Republic of Palau citizenship and shall include substantially the following statement: AI pledge allegiance to the Constitution of the Republic of Palau and hereby renounce allegiance to any other nation.

(b) Upon receipt of a signed petition the Minister of Justice shall mark the date and acknowledge receipt of the statement by mail.

(c) The Minister of Justice shall examine or cause to be examined the signed statement for purposes of determining whether it substantially conforms with the Constitution, this chapter, and the duly prescribed requirements. The Minister of Justice shall notify by special mail within sixty (60) days of receipt of a statement, an applicant whose statement in any respect fails to conform with legal requirements.

Source

RPPL 1-62 § 201, modified.

§ 122. Certificates of citizenship; procedure.

Upon proof to the Minister of Justice or upon determination by the court and court order that a citizen who elects to retain Palauan citizenship has complied with all constitutional and legal requirements, and upon a specific request therefor by the citizen, such citizen shall be furnished by the Minister of Justice with a certificate of citizenship. If such applicant is outside of the Republic, the Minister of Justice shall send by mail the duly acquired certificate of citizenship.

Source

RPPL 1-62 § 202.

**Subchapter III
Naturalization**

§ 131. Jurisdiction to naturalize.

§ 132. Requirements as to naturalization.

§ 133. Rules.

§ 134. Forms.

§ 135. Oaths.

§ 136. Petition for naturalization; who and when.

§ 137. Investigation of petitioners; preliminary examination; taking testimony; aid of the court.

§ 138. Same; recommendations of examiner; submission to the court.

§ 139. Final hearing to be held in open court; Minister's right to participate; subpoena of witnesses.

§ 140. Oath of renunciation and allegiance.

§ 141. Certificate of naturalization; contents.

§ 142. Functions and duties of Clerk of Courts.

§ 143. Revocation of naturalization.

§ 131. Jurisdiction to naturalize.

(a) Exclusive jurisdiction to naturalize persons as citizens of the Republic is hereby conferred

upon the Supreme Court of the Republic of Palau.

(b) A person may be naturalized as a citizen of the Republic in the manner and under the conditions prescribed in this chapter, and not otherwise.

Source

RPPL 1-62 § 301, modified.

§ 132. Requirements as to naturalization.

Only persons born of parents, one or both of whom are of recognized Palauan ancestry, may be eligible to become naturalized citizens.

Source

RPPL 1-62 § 302.

§ 133. Rules.

The Minister of Justice shall make such rules and regulations pursuant to the Administrative Procedures Act of chapter 1, Title 6 of this Code, as may be necessary to prescribe the format of the petition for naturalization as to admissibility to citizenship and for the purpose of making appropriate recommendations to the court.

Source

RPPL 1-62 § 303(a), modified.

§ 134. Forms.

The Minister of Justice shall prescribe and furnish such forms as may be required to give effect to the provisions of this chapter, and only such forms as may be so provided shall be legal.

Source

RPPL 1-62 § 303(b), modified.

§ 135. Oaths.

Employees may be designated by the Minister of Justice to administer oaths and to take depositions relating to the administration of this chapter.

Source

RPPL 1-62 § 303(c), modified.

§ 136. Petition for naturalization; who and when.

(a) An applicant for naturalization shall make and file in the Office of the Clerk of Courts, in duplicate, a sworn petition in writing, signed by the applicant in the applicant's own handwriting if physically able to write, and duly verified by two witnesses, which petition shall be on a form prescribed by the Minister of Justice and shall include averments of all facts which in the opinion of the Minister of Justice may be material to the applicant's naturalization, and required to be proved upon the hearing of such petition.

(b) No person shall file a valid petition for naturalization unless:

(1) he shall have attained the age of eighteen (18) years and

(2) he shall have first filed an application therefor at the Bureau in the form and manner prescribed by the Minister of Justice.

(c) Petitions for naturalization shall be docketed the same day as filed, but final action thereon shall be had only on stated days, to be fixed by rule of the court.

Source

RPPL 1-62 § 304, modified. Subsection (b)(2) amended by RPPL 6-26 § 19(c)[136(b)(2)].

§ 137. Investigation of petitioners; preliminary examination; taking testimony; aid of the court.

(a) At any time prior to the holding of the final hearing on a petition for naturalization provided for by section 139 of this subchapter the Minister of Justice may designate employees of the Bureau to conduct preliminary examinations upon such petitions and to make recommendations thereon to such court. For such purposes any such employee so designated is hereby authorized to take testimony concerning any matter touching, or in any way affecting the admissibility of any petitioner for naturalization, to administer oaths, including the oath of the petitioner for naturalization and the oaths of petitioner's witnesses to the petition for naturalization, and to require by subpoena, the attendance and testimony of witnesses, including petitioner, before such employee so designated and the production of relevant books, papers, and documents, and to that end may invoke the aid of the court. The court may, in the event of neglect or refusal to respond to a subpoena issued by any such employee so designated, or refusal to testify before such employee so designated, issue an order requiring such person to appear before such employee so designated, and produce relevant books, papers, and documents if demanded, and to testify. Any failure to obey such order of the court may be punished by the court as a contempt thereof. The record of the preliminary examination authorized by this subsection shall be admissible as evidence in any final hearing conducted by the court.

(b) The record of the preliminary examination upon any petition for naturalization and recommendation relating thereto, shall upon request by the Minister [be made] by the employee designated to conduct such examination.

Source

RPPL 1-62 §§ 305(a) and (b), modified. Subsection (a) amended by RPPL 6-26 § 19(d)[137(a)].

§ 138. Same; recommendations of examiner; submission to the court.

The recommendations of the employee designated to conduct any such preliminary examination shall be submitted to the court at the hearing upon the petition and shall include a recommendation that the petition be granted, or denied, or continued, with reasons therefor. In any case in which the recommendation of the Minister of Justice does not agree with that of the employee designated to conduct such preliminary examination, the recommendations of both such employee and the Minister of Justice shall be submitted to the court at the hearing upon the petition, and the officer of the Bureau in attendance at such hearing shall, at the request of the court, present both the views of such employee and those of the Minister of Justice with respect to such petition to the court.

Source

RPPL 1-62 § 305(c), made into separate section and modified. Amended by RPPL 6-26 § 19(e)[138].

§ 139. Final hearing to be held in open court; Minister's right to participate; subpoena of witnesses.

(a) Every final hearing upon a petition for naturalization shall be had in open court before a justice thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered into in full upon a record kept for the purpose, and upon such final hearing of such petition the petitioner and the witnesses shall be examined under oath before the court and in the presence of a justice of the court. If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon a petition for naturalization, such final hearing may be had before a justice of the court at such place as may be designated by the court.

(b) The Minister of Justice shall have the right to appear before the court in any naturalization proceedings for the purpose of cross-examining the petitioner and the witnesses produced in support of the petition concerning any matter touching or in any way affecting the petitioner's right to admission to citizenship, and shall have the right to call witnesses, including the petitioner, produce evidence, and be heard in opposition to, or in favor of, the granting of any petition in naturalization proceedings.

(c) The Clerk of Courts shall, if the petitioner requests it at the time of filing the petition for naturalization, issue a subpoena for the witnesses named by such petitioner to appear upon the day set for the final hearing, but in case such witness cannot be produced upon the final hearing other witnesses may be summoned upon notice to the Minister of Justice. If it should appear after the petition has been filed that any of the verifying witnesses thereto are not competent, and it further appears that the petitioner has acted in good faith in producing such witnesses found to be incompetent other witnesses may be substituted.

Source

RPPL 1-62 § 306, modified.

§ 140. Oath of renunciation and allegiance.

(a) A person who has petitioned for naturalization shall, in order to be and before being admitted to citizenship, take in open court an oath:

- (1) to support the Constitution of the Republic;
- (2) to renounce allegiance and fidelity to any nation, foreign prince, potentate, state, or sovereignty of whom or to which the petitioner was before a subject or citizen;
- (3) to support and defend the Constitution and the laws of the Republic against all enemies; and
- (4) to bear true faith and allegiance to the same.

(b) If the petitioner is prevented by sickness or other disability from being in open court, the oath required to be taken by subsection (a) of this section may be taken before a justice of the court at such place as may be designated by the court.

Source

RPPL 1-62 § 307, modified.

§ 141. Certificate of naturalization; contents.

A person admitted to citizenship by the Supreme Court in conformity with the provisions of this subchapter shall be entitled upon such admission to receive from the Clerk of Courts a certificate of naturalization, which shall contain substantially the following information:

- (a) number of petition for naturalization;
- (b) number of certificate of naturalization;

- (c) date of naturalization;
- (d) name, signature, place of residence, and personal description of naturalized person, including age, sex, marital status, and country of former nationality;
- (e) statement that the petitioner has complied in all respects with all of the applicable provisions of the naturalization laws of the Republic, and was entitled to be admitted a citizen of the Republic;
- (f) attestation of the Clerk of Courts; and
- (g) seal of the Court.

Source

RPPL 1-62 § 308, modified.

§ 142. Functions and duties of Clerk of Courts.

- (a) It shall be the duty of the Clerk of Courts to forward to the Minister of Justice a duplicate of each petition for naturalization within fifteen (15) days after the close of the month in which such petition was filed, and to forward to the Minister of Justice certified copies of such other proceedings and orders instituted in or issued out of the court affecting or relating to the naturalization of persons as may be required from time to time by the Minister of Justice.
- (b) It shall be the duty of the Clerk of Courts to issue to any person admitted by the court to citizenship a certificate of naturalization and to forward to the Minister of Justice within fifteen (15) days after the close of the month in which such certificate was issued, and to make and keep on file in the Office of the Clerk of Courts, duplicates thereof.
- (c) It shall be the duty of the Clerk of Courts to report to the Minister of Justice within fifteen (15) days after the close of the month in which the final hearing and decision of the court was had, the name and number of the petition of each and every person who shall be denied naturalization together with the cause of such denial.

Source

RPPL 1-62 § 309, modified.

§ 143. Revocation of naturalization.

- (a) It shall be the duty of the Minister of Justice, upon the showing of good cause therefor, to institute proceedings in the Supreme Court, for the purpose of revoking and setting aside the

order admitting a person to citizenship and canceling the certificate of naturalization on the ground that such order and certificate of naturalization were illegally procured or were procured by concealment of a material fact or by wilful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of the original date of the order and certificate.

(b) The party to whom was granted the naturalization alleged to have been illegally procured or procured by concealment of a material fact or by wilful misrepresentation shall, in any such proceedings under subsection (a) of this section, have 60 days personal notice, unless waived by such party, in which to make answer to the petition of the Republic of Palau; and if such naturalized person be absent from the Republic, such notice shall be given either by personal service upon him or by special mail.

(c) Whenever an order admitting an applicant to citizenship shall be revoked and set aside or a certificate of naturalization shall be canceled, or both, as provided in this section, the court shall make an order canceling such certificate and shall send a certified copy of such order to the Minister of Justice. A person holding a certificate of naturalization or citizenship which has been canceled as provided by this section shall upon notice by which the decree of cancellation was made, or by the Minister of Justice, surrender the same to the Minister of Justice.

(d) Nothing contained in this section shall be regarded as limiting, denying or restricting the power of any court, by or in which a person has been naturalized, to correct, reopen, alter, modify, or vacate its judgment or decree naturalizing such person, as may be prescribed by the rules of procedure or statutes governing the jurisdiction of the court to take such action.

Source

RPPL 1-62 § 310.

Chapter 2

Trust Territory Citizenship

§ 201. Natural citizens.

§ 202. Naturalization; authority of High Commissioner to grant.

§ 203. Same; cancellation.

§ 204. Emigration.

§ 201. Natural citizens.

(a) All persons born in the Trust Territory shall be deemed to be citizens of the Trust Territory, except persons born in the Trust Territory, who at birth or otherwise have acquired another nationality.

(b) A child born outside the Trust Territory of parents who are citizens of the Trust Territory shall be considered a citizen of the Trust Territory while under the age of 21 years, and thereafter if he becomes a permanent resident of the Trust Territory while under the age of 21 years.

Source

(Code 1966, § 660.) 53 TTC § 1.

§ 202. Naturalization; authority of High Commissioner to grant.

The High Commissioner may grant Trust Territory citizenship to persons who:

- (a) are 18 years of age or over;
- (b) are of good moral character, as certified by the district administrator and two leading citizens of the community in which they intend to reside;
- (c) have not acquired, or who renounce, previous citizenship and renounce allegiance to any and all foreign powers and rulers;
- (d) have been permanent residents of and legally domiciled continuously in the Trust Territory for at least five years immediately prior to application for citizenship; and
 - (1) have been born of parents, one of whom was a citizen of, and maintained his principal residence in the Trust Territory at the time of the birth; or
 - (2) have been born of parents, one of whom has been granted Trust Territory citizenship pursuant to this section.

Source

(Code 1966, § 661.) 53 TTC § 2.

§ 203. Same; cancellation.

Persons naturalized under section 202 of this chapter shall be subject to cancellation of their naturalization after hearing for cause upon application by the High Commissioner to the High Court of the Trust Territory. Cause for revocation of naturalization shall be:

- (a) concealment of a material fact or wilful misrepresentation in applying for naturalization; or
- (b) advocacy of the overthrow or alteration of the government of the United States or the government of the Trust Territory by unlawful means; or

(c) commission of, or attempt or preparation to commit, an act of espionage, sabotage, or sedition against the government of the United States or the government of the Trust Territory, or conspiring with or aiding and abetting another to commit such an act; or

(d) fraudulent or illegal entry into the Trust Territory, either prior to or after naturalization; or

(e) travel, within five (5) years of naturalization, to any foreign country for the purpose of establishment of permanent residence therein; provided, that the United States, its territories and possessions and the Commonwealth of Puerto Rico shall not be considered a foreign country for the purposes of this subsection.

Source

(Code 1966, § 662.) 53 TTC § 3.

§ 204. Emigration.

Prior to leaving the Trust Territory, citizens of the Trust Territory shall obtain such travel documents, including a Trust Territory passport, and comply with such regulations as may be prescribed from time to time by the High Commissioner.

Source

(Code 1966, § 663.) 53 TTC § 4.

**DIVISION 2
IMMIGRATION**

**Chapter 10
Immigration Control**

§ 1001. Director of Immigration.

§ 1002. Entry permits; required; issuance.

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

§ 1004. Same; applications.

§ 1005. Same; standards for exclusion.

§ 1006. Same; revocation.

§ 1007. [Repealed]

§ 1008. Immigration officers.

§ 1009. Inspection of vessels and aircraft.

§ 1010. Waiver of provisions.

§ 1011. Penalties for violation of chapter.

§ 1012. [Repealed]

§ 1013. Elite resident visa program.

§ 1001. Director of Immigration.

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

Source

(Code 1966, § 665; P.L. No. 4C-48, § 7(12).) 53 TTC § 52, modified. Amended by RPPL 6-26 § 19(f).

§ 1002. Entry permits; required; issuance.

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

(b) Entry permits to visit or reside in the Republic shall be issued in accordance with this title and regulations issued pursuant thereto by the President and approved by the Secretary of the Interior of the United States.

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

(d) Provisions of law and regulations implementing this section may, pursuant to article 3, paragraph 1 of the trusteeship agreement for the former Japanese Mandated Islands, accord the United States citizens and nationals treatment more favorable than is accorded persons other than United States citizens and nationals.

Source

(Code 1966, § 667; P.L. No. 5-8, § 1.) 53 TTC § 53, modified.

Section 142 of the Compact of Free Association reads:

(a) Any citizen or national of the United States may enter into, lawfully engage in occupations, and reside in Palau, subject to the right of that Government to deny entry to or deport any such citizen or national as an undesirable alien. A citizen or national of the United States may establish habitual residence or domicile in Palau only in accordance with the laws of Palau. This

subsection is without prejudice to the right of the Government of Palau to regulate occupations in Palau in a non-discriminatory manner.

(b) With respect to the subject matter of this Section, the Government of Palau shall accord to citizens and nationals of the United States treatment no less favorable than that accorded to citizens of other countries; any denial of entry to or deportation of a citizen or national of the United States as an undesirable alien must be pursuant to reasonable statutory grounds.

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

The Director of Immigration shall have the authority in the case of visitors, to issue entry permits and to permit entry into the Republic of persons, vessels, and aircraft, under the provisions of this title, regulations promulgated by the President pursuant thereto, and under such conditions as may be prescribed from time to time by the President.

Source

(Code 1966, § 666.) 53 TTC § 54, modified. Amended by RPPL 6-26 § 19(g).

§ 1004. Same; applications.

Applications for a permit to enter the Republic shall be made to the President in such form and manner as he shall prescribe from time to time.

Source

(Code 1966, § 669.) 53 TTC § 55, modified.

§ 1005. Same; standards for exclusion.

The President may deny entry or an entry permit to any person or revoke an entry permit upon substantial evidence of any of the following:

- (a) the wilful furnishing of false, incomplete, or misleading information in an application for an entry permit;
- (b) the advocacy of the overthrow or alteration of the government of the United States or the government of the Republic by unlawful means;
- (c) the commission of, or attempt or preparation to commit, an act of espionage, sabotage, sedition, or treason against the government of the United States or the government of the Republic, or conspiring with or aiding or abetting another to commit such an act;
- (d) performing or attempting to perform duties, or otherwise acting so as to serve the

interests of another government, to the detriment of the United States or the Republic;

(e) deliberate unauthorized disclosure of classified defense information;

(f) membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group or combination of persons, designated by the Attorney General of the United States pursuant to Executive Order 10450 of April 27, 1953, as amended;

(g) serious mental irresponsibility evidenced by having been adjudged insane, or mentally irresponsible, or an incompetent, or a chronic alcoholic, or treated for serious mental or neurological disorders or for chronic alcoholism, without evidence of cure;

(h) addiction to the use of narcotic drugs without adequate evidence of rehabilitation;

(I) conviction of any of the following offenses under circumstances indicative of a criminal tendency potentially dangerous to the security of a strategic area containing military establishments: arson, unlawful trafficking in drugs, espionage, sabotage, treason, murder, kidnapping, blackmail, or sex offenses involving minors or perversion;

(j) illegal presence in the United States, its territories or possessions, having been finally subject to deportation order, or voluntary departure in lieu of deportation order, by the United States Immigration and Naturalization Service;

(k) the applicant or entry permit holder has been convicted of committing, attempting to commit, or conspiring to commit an offense which would be a felony if committed in the Republic or a crime of moral turpitude.

(l) a finding by the President [that] such denial or revocation is in the best interest of the Republic.

Source

(Code 1966, § 668.) 53 TTC § 56, modified. RPPL 6-23 § 2(a), modified. The bracketed word [that] in subsection (l) was added by the Code Commission . RPPL 6-23 § 2(a) amended the beginning clause of this section by adding the power of the President to revoke an entry permit and essentially repealed the former subsection (k) and replaced it with the new subsection (k).

Subsection (l) was also added by RPPL 6-23 § 2(a).

§ 1006. Same; revocation.

Permits to enter the Republic may be revoked or renewal of such permits refused by the President at any time upon a finding that:

- (a) the continued presence of the permit holder in the Republic is not in the best interest of the Republic; or
- (b) the entry permit was obtained through concealment of a material fact or wilful misrepresentation relating to any of the standards enumerated in section 1005 of this chapter; or
- (c) the entry permit holder has, since entry into the Republic, engaged in any of the activities or become subject to any of the conditions enumerated in section 1005 of this chapter; or
- (d) the nonresident workers' identification certificate issued in conjunction with such entry permit has been cancelled.

Source

(Code 1966, § 670; P.L. No. 5-8, §§ 2, 3.) 53 TTC § 57, modified.

§ 1007. [Repealed]

Source

(Code 1966, § 671.) 53 TTC § 58, modified. Repealed by RPPL 6-23 § 2(b).

§ 1008. Immigration officers.

The Director of Immigration shall act as the principal immigration officer and shall perform such duties as may be imposed herein or by regulation issued hereunder from time to time by the President. The Director of Immigration shall also perform such duties as may be required by all other laws and regulations of the Republic pertaining to entry and movement of persons, vessels, and aircraft.

Source

(Code 1966, § 672.) 53 TTC § 59, modified. Amended by RPPL 6-26 § 19(h).

§ 1009. Inspection of vessels and aircraft.

Incoming vessels shall be boarded by an immigration officer who shall examine the Republic documents of each passenger and, if the passenger is eligible to enter the Republic, shall affix to the passport or Republic entry permit an official stamp showing the date and place of entry. The same procedure shall be followed for passengers arriving on aircraft except that immigration officers shall provide facilities for inspection after passengers have disembarked and prior to their departure from the airport terminal.

Source

(Code 1966, § 673.) 53 TTC § 60, modified.

§ 1010. Waiver of provisions.

The President may waive any procedural requirements of this chapter, or of regulations issued pursuant thereto, and of section 202, chapter 2, Title 7 of this Code, in individual cases when, in his discretion, circumstances warrant.

Source

(Code 1966, § 674.) 53 TTC § 61, modified.

§ 1011. Penalties for violation of chapter.

Any person who, not being a citizen or legal resident of the Republic, shall unlawfully enter or attempt to enter the Republic or, having lawfully entered, remains wilfully and unlawfully after expiration or revocation of entry authorization, or who shall violate by act or omission any provision of this chapter, or regulations issued pursuant thereto shall, upon conviction thereof, be imprisoned for a period of not more than two (2) years, or fined not more than five hundred dollars (\$500), or both. In lieu of the foregoing or in addition thereto, any person who shall unlawfully enter the Republic or, having lawfully entered, wilfully and unlawfully remains after expiration or revocation of an entry permit, shall be subject to deportation after hearing upon application by the President to the Supreme Court.

Source

(Code 1966, § 680; P.L. No. 4C-27 § 3.) 53 TTC § 62, modified.

§ 1012. [Repealed]**Source**

RPPL 3-37 § 24, modified. Repealed by RPPL 6-26 § 19(I).

§ 1013. Elite resident visa program.

(a) There is hereby established an elite resident visa program which shall be under the direction of the Ministry of Finance and the Immigration Bureau shall clear all visas, upon approval by the Ministry of Finance.

(b) A non-citizen applying for an elite resident visa shall meet the following criteria:

(1) The non-citizen shall have entered into a valid contract with a Palauan citizen,

non-governmental entity wholly owned by a Palauan citizen, clan, family, or corporation, or business entity for the purchase or lease of a dwelling for the price of at least two hundred and fifty thousand dollars (\$250,000) or more. To qualify under this subsection, the dwelling purchase must be made by cash payments. The non-citizen must pay the contract price in full prior to the issuance of an elite visa under this section;

(2) The non-citizen and any dependents who will be living with the non-citizen in Palau shall not have been convicted of a felony or a crime of moral turpitude, and there shall not be any criminal charges of such offense pending against either the non-citizen or any dependents of the non-citizen who will be living with the non-citizen. Any non-citizen applicant for an elite resident visa shall be required to file an affidavit regarding his or her background, including but not limited to: convictions for felonies, convictions for crimes of moral turpitude, and any pending felony charges; and confirmation of applicant's income, assets, savings, liabilities and obligations. In addition, any applicant for an elite resident visa shall be required to authorize the release of any and all information necessary for a civil and criminal background check that shall be performed by the Minister prior to the issuance of an elite resident visa. The Director shall set a nominal processing fee for this background check in accordance with 6 PNC Chapter 1;

(3) The non-citizen shall have major medical health insurance, covering himself or herself, and any dependents who will be living with the non-citizen in Palau, to prevent any medical costs being incurred by the Republic on behalf of the non-citizen or any of his or her dependents residing in the Republic of Palau. The non-citizen applicant must also demonstrate that he, she, or any of his or her dependents living in the Republic of Palau under an elite tourist visa are entirely covered for any and all healthcare expenses, including pre-existing conditions, by his or her medical insurance;

(4) Non-citizens holding elite resident visas shall not be permitted any discounted medical services in the Republic of Palau, and shall remain liable for the full cost of any healthcare service incurred by the non-citizen or his or her dependents residing in the Republic on an elite resident visa; and

(5) An applicant for an elite resident visa must demonstrate to the Bureau, prior to the issuance of the elite resident visa and thereafter, annually, on the anniversary of such issuance, that he or she has adequate financial means with which to support himself or herself, and any of his or her dependents that shall reside in the Republic of Palau under his or her elite resident visa.

(c) An elite resident visa to visit the Republic shall be valid for a period of ten (10) years and valid for unlimited multiple entries into the Republic. The visa shall be renewable at the end of every ten year period upon a showing that the visa holder continues to meet the criteria set forth in subsection (b) of this Section.

(d) The fee for issuing an initial elite resident visa shall be twenty thousand dollars (\$20,000), payable to the National Treasury; the fee is non-refundable. The renewal fee shall be ten thousand dollars (\$10,000), payable to the National Treasury; the renewal fee is non-refundable. The number of non-citizens that may hold a current elite resident visa at any time shall be limited to one thousand (1,000).

(e) Dependents of an elite resident visa holder shall be issued elite resident dependent visas that shall expire simultaneously with the corresponding elite resident visa. For each such dependent visa, a non-refundable fee of twenty thousand dollars (\$20,000) shall be paid to the National Treasury. For the purposes of this section, dependents shall be limited to spouses and children twenty-one (21) years of age or younger. The twenty thousand dollars (\$20,000) non-refundable fee for dependent children may be prorated at two thousand dollars (\$2,000) per year for the period, or number of years, less than ten (10) years and more than one (1) year, until each dependent child reaches age twenty-one (21).

(f) In addition to any of the grounds specified in 13 PNC Section 1006, the following shall constitute grounds for revocation of elite resident visas by the order of the President or the Minister of Finance:

- (1) Conviction of a violation of any applicable laws regarding foreign investments;
- (2) Where the purchase of the dwelling as required in § 1013(b)(1) is not finalized, the visa holder no longer lives in the purchased dwelling, or sells or otherwise disposes of the dwelling without purchasing another dwelling of equal or greater value;
- (3) Where the visa holder no longer meets the requirements of § 1013(b)(1) for any other reasons; and/or
- (4) Where the visa holder cannot show a source of income adequate for self-support and support of dependents.
- (5) Before any order of revocation becomes final, the visa holder shall be entitled to a hearing before the Minister of Finance or his or her designee, at which hearing the provisions of Subchapter 3 of 6 PNC, Chapter 1, shall apply.

(g) Nothing in this section shall be construed to allow the holder of an elite resident visa to be eligible for any additional right of entry into the Republic of Palau.

(h) A non-citizen applying for an elite resident visa may be denied such visa in accordance with the provisions set forth in 13 PNC Section 1005, as amended by RPPL 6-23.

(i) Upon the death of an elite tourist visa holder during the term of his or her elite resident visa, the elite resident visa may be transferred to a designated person for the remainder of the term of the deceased's elite resident visa, provided that all of the applicable requirements of this section have been fulfilled by the deceased elite resident visa holder and by the transferee. The initial transfer fee for a transferred elite resident visa under this subsection shall be five thousand dollars (\$5,000), payable to the National Treasury; this fee is non-refundable. A renewal of a transferred elite resident visa shall be subject to the renewal fees in subsection (d) of this section.

(j) Holders of elite resident visas or their dependents shall not be eligible to hold a Labor Permit under Title 30 of the Palau National Code. Nothing herein shall be construed to exempt elite resident visa holders or their dependents from the requirements of Title 28 chapter 1.

(k) The Minister of Finance may promulgate regulations as may be appropriate to carry out the purposes of this section.

Source

RPPL 7-38 § 3, modified.

Chapter 11 Ports of Entry

§ 1101. Entry of vessels at ports required.

§ 1102. Official ports of entry.

§ 1103. Foreign fishing vessel entry.

§ 1104. Same; access to live bait.

§ 1105. [Repealed.]

§ 1106. Penalties.

§ 1107. Ports authorized to issue entry permits.

§ 1108. Manifest required for unlicensed vessels.

§ 1109. Inspection at ports of entry.

§ 1110. Pilots.

§ 1101. Entry of vessels at ports required.

All vessels and aircraft authorized to enter the Republic must enter and obtain clearance from an official port of entry, and no vessel or aircraft shall call at any other port in the Republic without first entering and obtaining clearance from an official port of entry unless the President or his designated representative determines that the public interest or an emergency requires the vessel or aircraft to enter another port without first entering and obtaining clearance from an official port of entry, and grants permission to do so. A vessel or aircraft in distress may anchor or land at any port in the Republic but shall immediately thereafter notify the nearest government representative of the national government or state government.

Source

53 TTC § 101(1), modified.

§ 1102. Official ports of entry.

The official ports of entry in the Republic of Palau shall be:

- (a) Malakal Harbor;
- (b) Ngardmau Dock, within the Ngardmau Free Trade Zone;
- (c) Airai Airport;
- (d) Peleliu Airport; and
- (e) Angaur Airport.

Source

53 TTC § 101(1), port of entry designations for other districts omitted and section modified.
Subsection (b) amended by RPPL 6-40 § 29[1102]. Amended by RPPL 8-4 § 2, modified.

§ 1103. Foreign fishing vessel entry.

Subject to approval by resolution of the Olbiil Era Kelulau, foreign fishing vessels shall be granted permission to enter Malakal Harbor for the purpose of purchasing supplies and provisions including food, fuel and water and for the purpose of granting shore leave to crew members.

Source

53 TTC § 101(2), port of entry designations for other districts omitted and section modified.

§ 1104. Same; access to live bait.

Native varieties of live bait fish may only be sold to foreign fishing vessels if such sales are authorized by law of the state affected. The President shall prescribe rules and regulations to control the opening of ports to foreign fishing vessels, including regulations for the conservation of native stocks of live bait fish. The President may also grant access to additional ports, not designated in this section, to foreign fishing vessels subject to approval of the state legislature of the state affected.

Source

53 TTC § 101(3), modified.

§ 1105. [Repealed.]

Source

53 TTC § 101(4) to (6), modified; repealed by RPPL 4-10 § 28.

§ 1106. Penalties.

Any person who violates any of the provisions of sections 1101, 1103, and 1104 of this chapter, or any of the rules and regulations issued pursuant hereto, shall upon conviction thereof be subject to a fine of not less than ten thousand dollars (\$10,000), or to imprisonment for a term not to exceed two (2) years, or both.

Source

53 TTC § 101(7), modified.

§ 1107. Ports authorized to issue entry permits.

The Director of Immigration is hereby authorized to issue entry permits as prescribed by the President, at Malakal Harbor, Koror.

Source

53 TTC § 102, port of entry designation for other districts omitted and section modified.
Amended by RPPL 6-26
§ 19(j).

§ 1108. Manifest required for unlicensed vessels.

The master or other person having the command or charge of any unlicensed vessel, shall, on entry of such vessel into the port designated in section 1107 of this chapter, file a manifest in the form prescribed by the President and signed by such master or other person having the command or charge of said vessel under oath as to the truth of the statements therein contained. Such manifest shall contain:

- (a) the name, description, and build of the vessel, the true measure or tonnage thereof, the port to which such vessel belongs and the name of the master of such vessel;
- (b) a detailed account of all merchandise, if any, on board such vessel;
- (c) an account of the sea stores and ship's stores on board the vessel;

(d) the names of all crew members and passengers aboard such vessel; and

(e) a statement by the master or other person having the command or charge of said vessel as to the purpose of entry and approximate duration of stay in the territorial or inland waters of the Republic.

Source

(Code 1966, § 880.) 53 TTC § 103, modified.

§ 1109. Inspection at ports of entry.

All vessels and aircraft entering and departing a port of entry shall be subject to immigration inspection, customs inspection, agricultural inspection and quarantines, public health inspection and quarantines, and other administrative inspections authorized by law. If any vessel or aircraft not being in distress enters or attempts to enter a port in violation of the provisions of this section, such information shall be communicated by the fastest available means to the Bureau of Public Safety or the Director of Immigration.

Source

(Code 1966, § 872(b).) 53 TTC § 104, modified. Amended by RPPL 6-26 § 19(k).

§ 1110. Pilots.

(a) The President shall designate and by proclamation announce those waters of the Republic in which foreign registered vessels shall be required to have in their service a Republic registered pilot for the waters concerned, who shall be subject to the customary authority of the master and direct the navigation of the vessel in those waters. These designations shall be made with due regard to the public interest, the effective utilization of navigable waters, and marine safety.

(b) The registration of Republic pilots shall be carried out by the Director of the Division of Transportation and Communication under such regulations as to qualifications, terms and conditions which will assure adequate and efficient pilot service. The qualifications, terms and conditions to be met by each pilot shall include, but not be limited to, availability for service when required and agreement to comply with all applicable regulations issued by the Director pursuant to this section.

(c) The Director shall issue documentary evidence of registration to Republic registered pilots and such evidence shall be in their possession at all times when in service of a vessel. This evidence of registration shall describe the part or parts of the Republic waters within which the holder is authorized to perform pilotage.

(d) The Director shall establish by regulation the period of validity of registration of Republic

registered pilots. When the Director determines on record, after notice and opportunity for a hearing, that a registered pilot has violated any regulation pursuant to this section, he may revoke or suspend the registration of such pilot.

(e) The Director shall establish by regulation the rates, charges and any other conditions or terms for services performed by registered pilots to meet the provisions of this section.

(f) The rates, charges and other conditions or terms for pilotage services by registered pilots established by the Director in accordance with subsection (e) of this section shall be fair and equitable, giving due consideration to the public interest and the reasonable cost and expense of providing and maintaining such facilities and arrangements as are required for the efficient performance of pilotage services in accordance with provisions of this section.

(g) Any owner, master or person in charge of a vessel subject to this section who permits the navigation of the vessel by a person not a registered pilot in waters designated by the President pursuant to subsection (a) of this section or who permits the navigation of the vessel without having on board a registered pilot shall be liable to the Republic government in a civil penalty not exceeding one thousand dollars (\$1,000) for each violation, for which sum the vessel shall be liable and may be seized and proceeded against by way of libel in the Supreme Court. Each day the vessel shall be so navigated shall constitute a separate violation.

(h) Notwithstanding any other provision of this section, a vessel may be navigated in Republic waters without a Republic registered pilot when:

- (1) the Director, or his designee, notifies the master that a registered pilot is not available;
- (2) the vessel or its cargo is in distress or jeopardy; or
- (3) the vessel is a foreign fishing vessel or military vessel.

Source

(P.L. No. 7-109, § 1.) 53 TTC § 105, modified.

Chapter 12

Republic of Palau Passport Act of 1994

§ 1201. Purpose.

§ 1202. Definitions.

§ 1203. Authority to grant, issue and verify passports.

§ 1204. Persons entitled to passport.

§ 1205. Application for passport; verification by oath of initial passport.

§ 1206. Types of passports.

- § 1207. Fees for execution and issuance of passports.
- § 1208. Validity of passport; limitation of time; outstanding passport.
- § 1209. Manually-read Republic of Palau passports; expiration.
- § 1210. Security of passports.
- § 1211. Alteration, mutilation, falsification, use other than by bearer.
- § 1212. Contract for procurement of passports.
- § 1213. Regulations.
- § 1214. Authority to grant, issue, and renew diplomatic passports.
- § 1215. Persons authorized to hold diplomatic passports.
- § 1216. Use and surrender of diplomatic passports.

§ 1201. Purpose.

The purpose of this chapter is to regulate the issuance of Republic of Palau passports and to regulate the use of Trust Territory of the Pacific Islands passports. This chapter shall be known as the "Republic of Palau Passport Act of 1994."

Source

RPPL 4-27 § 1, modified.

§ 1202. Definitions.

The following definitions are to be used in interpreting this chapter. Any term not listed below is to be accorded its ordinary dictionary definition:

- (a) "Government" means the National Government of the Republic of Palau.
- (b) "Minister" means the Minister of State.
- (c) "Passport" means any travel document issued by competent authority showing the bearer's origin, identity, and nationality, if any, which is valid for the entry of the bearer into a foreign country.

Source

RPPL 4-27 § 2, modified. RPPL 5-24 § 2(a) added new subsections (a) & (b) and re-lettered subsequent definitions. Amended by RPPL 7-3 § 6.

§ 1203. Authority to grant, issue and verify passports.

The Minister of State or his designees may grant, issue, renew, verify, or revoke passports on behalf of the Republic of Palau. Passports may be granted, issued, renewed, verified, or revoked in foreign countries by diplomatic representatives of the Republic of Palau, under such

regulations as the Minister of State shall promulgate on behalf of the Republic of Palau, and no other person shall grant, issue, verify, or revoke Republic of Palau passports.

Source

RPPL 4-27 § 3.

§ 1204. Persons entitled to passport.

No passport shall be granted, renewed, issued to, or verified for any person other than a citizen of the Republic of Palau, except for individuals residing in the Republic of Palau who carry or are eligible for Trust Territory of the Pacific Islands passports as of the effective date of this Chapter, who are not citizens of any other country, and who apply for a Republic of Palau passport within the two-year transition period.

Source

RPPL 4-27 § 4, modified.

§ 1205. Application for passport; verification by oath of initial passport.

If the applicant has not previously been issued a Republic of Palau passport, the application and its contents shall be sworn to by the applicant before a person authorized and empowered by the Minister of State to administer oaths. The giving of any false or misleading information in the application may be grounds for denial or revocation of the passport.

Source

RPPL 4-27 § 5. Amended in its entirety by RPPL 7-3 § 6.

§ 1206. Types of passports.

There shall be three types of passports in the Republic of Palau: Diplomatic, Official, and Regular. No Diplomatic passport shall be issued until legislation establishing qualifications for recipients has been enacted. Within 45 days of the effective date of this Chapter, the President shall submit such legislation. Official passports may be issued to elected officials of the National Government, including the President, the Vice President and members of Congress; Ministers; members of the Council of Chiefs; and Justices of the Supreme Court who are citizens of Palau. The Minister of State shall, by regulation, establish other eligibility requirements for all types of passports.

Source

RPPL 4-27 § 6, modified.

§ 1207. Fees for execution and issuance of passports.

Except as provided in (a) and (b) below, there shall be collected and paid into the National Treasury a fee, prescribed by the Minister of State by regulation, which shall not be less than full cost to the National Government for each passport issued or renewed.

(a) No fee shall be charged for currently valid passports converted to Machine Readable Travel Documents within sixty (60) days of the effective date of this section, as amended.

(b) No fees shall be charged for Official or Diplomatic passports.

Source

RPPL 4-27 § 7. Amended in its entirety by RPPL 7-3 § 6.

§ 1208. Validity of passport; limitation of time; outstanding passport.

A regular passport shall be valid for a period of five years from the date of issue for an eligible person below 16 years of age and ten years from the date of issue for an eligible person at least 16 years of age. Official and diplomatic passports shall be valid for a period of up to two years with only one renewal. An official or diplomatic passport shall not be used by the holder after the expiration of his or her term of office and shall be surrendered to the Ministry of State within 20 days of such expiration. The Minister of State may limit the validity of a passport to a lesser period in an individual case.

Source

RPPL 4-27 § 8. Amended by RPPL 5-24 § 2(b). Amended in its entirety by RPPL 7-3 § 6.

§ 1209. Manually-read Republic of Palau passports; expiration.

There shall be a transition period expiring December 31, 2006, during which time Republic of Palau passports incapable of being machine-read shall remain valid. Prior to December 31, 2006, all persons bearing Republic of Palau passports which cannot be machine-read, shall submit their passports to the Ministry of State in order to obtain machine-readable Republic of Palau passports. Starting on January 1, 2007, only machine-readable Republic of Palau passports shall be valid, and all others shall be invalid for all purposes.

Source

RPPL 4-27 § 9. Amended in its entirety by RPPL 7-3 § 6.

§ 1210. Security of passports.

The President and Minister of State shall take all measures necessary to maintain the security of Republic of Palau passports.

Source

RPPL 4-27 § 10.

§ 1211. Alteration, mutilation, falsification, use other than by bearer.

Republic of Palau passports may not be altered, mutilated, or falsified in any way. Alteration, mutilation, or falsification may make a passport invalid, and if willful, may subject the bearer to prosecution. It shall be unlawful for any person other than the bearer to use a Republic of Palau passport. Any person guilty of intentionally altering, mutilating, or falsifying a Republic of Palau passport, or using another's Republic of Palau passport, shall be sentenced to a term of not less than 2 years nor more than 10 years, a fine of not less than \$10,000 nor more than \$500,000, or both.

Source

RPPL 4-27 § 11.

§ 1212. Contract for procurement of passports.

The President is hereby authorized to enter into an agreement during Fiscal Year 1994 for designing and printing of Republic of Palau passports. The agreement shall not be subject to the procurement requirements in Chapter 4 of Title 40 of the Palau National Code Annotated.

Source

RPPL 4-27 § 12, modified.

§1213. Regulations.

The Minister is authorized to promulgate regulations consistent with Sections 1201 through 1216 to effectuate the intent and purpose of this chapter.

Source

RPPL 4-27 § 13. Amended by RPPL 5-24 § 2(c).

§1214. Authority to grant, issue, and renew diplomatic passports.

The President of the Republic of Palau or his designee may grant, issue, renew, verify or revoke Republic of Palau diplomatic passports to qualified individuals. Except as set forth herein or in regulations promulgated by the President or his designee, no other person shall have authority to grant, issue, renew, verify or revoke Republic of Palau diplomatic passports. Diplomatic passports may be held by individuals at the same time as they hold a regular passport. This section shall not be deemed to revoke or limit the authority of the Minister under this chapter

concerning other classes of passports.

Source

RPPL 5-24 § 2(d), modified.

§1215. Persons authorized to hold diplomatic passports.

The President or his designee may issue a diplomatic passport to a citizen of the Republic who meets the following criteria:

- (a) The person is employed by the Government and has a duty station located outside of the Republic of Palau; or
- (b) The President or his designee determines that the person's activities on behalf of the Government are diplomatic in nature insofar as the person is authorized as part of his or her duties to represent the Government in dealing with foreign governments; or
- (c) The person (1) is a dependent of the person holding a diplomatic passport pursuant to subsection (a) or (b) of this section, and (2) is residing with such person during the course of his or her tour of duty abroad.

Source

RPPL 5-24 § 2(d), modified.

§1216. Use and surrender of diplomatic passports.

Diplomatic passports shall be immediately surrendered and rendered invalid upon any demand or revocation by the President or his designee. The wilful failure to surrender a diplomatic passport upon demand or revocation by the President or his designee shall be unlawful and subject the person, upon conviction thereof, to a sentence of imprisonment of not more than 10 years, a fine of not more than \$500,000, or both.

Diplomatic passports may only be utilized for official travel and may not be utilized for personal travel. Use of a diplomatic passport for personal travel shall constitute grounds for immediate revocation of the diplomatic passport.

Source

RPPL 5-24 § 2(d), modified.