**Republic of Palau**
*Office of the President*

Tommy E. Remengesau, Jr.
*President*

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August 8, 2018
Serial No. 18-701

Honorable Sabino Anastacio
Speaker of the House of Delegates
10th Olbiil Era Kelulau
Ngerulmud, Republic of Palau

**Transmittal Letter: Responsible Tourism Education Act of 2018**

Dear Speaker Anastacio:

It is my privilege to transmit for your consideration the *Responsible Tourism Education Act of 2018*, attached herein. This short but important bill has the potential to make a lasting impact on the environment here in the Republic of Palau.

All around the world, millions of people have come to know Palau as we do – to recognize our home for its unique and ancient culture, for theabundance of its natural resources, and for its pristine natural environment. We are rightly proud of our small country's outsized reputation, and we know how much we have invested in caring for these islands over countless generations. We have worked hard to cultivate a culture of environmental responsibility, to set a global standard for resource conservation, and to establish a legacy of cultural preservation.

But as our reputation grows, and as more and more people come from all around the world to see our pristine paradise with their own eyes, we cannot relinquish our responsibility for these islands. We must meet our duty, at every opportunity, to educate international visitors about how Palau has lasted in this uniquely untouched natural state for so long, and about how we can keep it this way.

With this bill, we invite visitors to be part of the solution, and to join us in maintaining our Pristine Paradise. Palau for generations to come.

Sincerely,

Tommy E. Remengesau, Jr.
President of the Republic of Palau

TENTH OLBIIL ERA KELULAU

_____ Session, August 2018 House Bill No. _____

A BILL FOR AN ACT

Requiring businesses to educate visitors on the environmental protection policies of the Republic of Palau, encouraging businesses to provide environmentally responsible options to their customers, and endorsing the Palau Responsible Tourism Policy Framework to improve coordination between public and private sector partners in environmental education and conservation awareness.

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

**Section 1. Legislative Findings.**

The Olbiil Era Kelulau finds that plastic waste, chemical pollution, resource overconsumption, and climate change continue to threaten the health of our natural environment. In light of the national government's constitutional mandate to "take positive action" for the "conservation of a beautiful, healthful and resourceful national environment," the Olbiil Era Kelulau recalls the public policy declarations of RPPL 1-58 § 2, including that each person has a fundamental right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

The Olbiil Era Kelulau believes it is the responsibility of residents and visitors alike to contribute to the preservation and enhancement of our environment in the Republic of Palau, and in this spirit we invite all visitors to become "part of the solution" to environmental challenges in our pristine paradise.

As the custodians of many world-famous natural wonders, including a UNESCO World Heritage Site, it is our duty to encourage responsible treatment of these landmarks by the many thousands of visitors who travel from around the world to experience them. However, many residents have witnessed environmentally destructive practices by uneducated visitors includingthe removal of rare creatures, the endangering of coral by fins or chemical pollutants,and the leaving of plastic litter. Measurable contamination of Palau's unique aquatic environments, including the world-famous jellyfish lake, by sunscreen chemicals including oxybenzone, octinoxate, and octocrylene has already been scientifically documented. These chemicals, which have been found in laboratory research to harm the

development of coral, fish, and invertebrates, are heavily concentrated in swimming, snorkelling, and diving areas popular with international visitors. It is our responsibility to educate these visitors on the risks they are creatingto the places they have travelled so far to experience.

In this context, the Olbiil Era Kelulau finds that it is important to keep building on the important conservation steps we have taken so far, and to adopt a comprehensive policy framework for a responsible tourism industry. The Republic must also enhance its efforts to educate visitors about environmental and cultural protection. This should be done upon arrival into the Republic, to encourage responsible behavior in our unique island environment, and throughout the experience of our many famous natural habitats.

Thanks to a legacy of responsible management Palau's islands, waters, coasts, mangroves, and coral reefs are among the world's healthiest and most pristine. With a little help from our international visitors, we can keep them that way for many years to come.

**Section 2. Amendment.**

Section 1009 within Chapter 10 of Title 13 of the Palau National Code is hereby amended as follows:

**"§ 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 the passengers have disembarked and prior to their departure from the airport terminal. This official stamp shall include an area for visitors to acknowledge the cultural and environmental protection policies of the Republic."

**Section 3. Amendment.**

Chapter 10 of Title 13 of the Palau National Code is hereby amended by adding a new Section 1012 as follows:

"…

**§ 1012. Entry by vessels and aircraft; environmental message.**

Entry permits for vessels or aircraft may be conditioned upon an agreement that the vessel or aircraft will abide by all applicable regulations, including those that require the vessel or aircraft to assist the Republic in notifying passengers, either through the distribution of literature, the playing of video, or otherwise, of the Republic's environmental protection, cultural preservation, or other policies."

**Section 4. Amendment.**

Chapter 16 of Title 11 of the Palau National Code is hereby amended by adding new sections 1615 and 1616and renumbering the subsequent sections accordingly as follows:

"…

**§ 1615. Reusable water containers; tour operators.**

All tour operators licensed pursuant to 11PNC section 901shall provide their customers with a reusable alternative to disposable plastic or polystyrene cups, water bottles, and drinking straws, whether through the provision of a reusable water dispenser, the provision of reusable individual water containers and straws, or other means.

**§ 1616. Reusable meal containers; tour operators.**

All tour operators licensed pursuant to 11 PNC section 901shall provide their customers with a reusable alternative to disposable plastic or polystyrene food containers, whether through the provision of reusable containers, the provision of reusable dishes, orother means.

**§ 161~~5~~17.**

…"

**Section 5. Amendment.**

Chapter 12 of Title 24 of the Palau National Codeis hereby amended by adding a new Subchapter VII as follows:

**"Subchapter VII Coral Reefs**

**§ 1271. Reef-toxic sunscreens; defined.**

For the purposes of this subchapter, reef-toxic sunscreens are those skin-care products, sold for topical application, which contain oxybenzone (BP3), octylmethoxycinnamate (EHMC), octocrylene (OC), 4-methyl-benzylidene camphor (4MBC), triclosan, methyl paraben, ethyl paraben, butyl paraben, benzyl paraben, or phenoxythanol, or other chemical ingredients prohibited by the Minister pursuant to regulation.

**§ 1272. Limitation on the sale of reef-toxic sunscreens.**

No reef-toxic sunscreen shall be manufactured or imported for sale in the Republic after the effective date of this Act. No reef-toxic sunscreen shall be sold in the Republic after on or after January 1, 2020.

**§ 1273. Limitation on the importation of reef-toxic sunscreen.**

No person shall bring a reef-toxic sunscreen into the Republic for any purpose on or after January 1, 2020.

**§ 1274. Penalties.**

(a) Any persons found to be selling, offering for sale, or distributing for sale a reef-toxic sunscreen in violation of this Act shall be guilty of violating this subchapter and subject to a civil penalty of not more than one thousand dollars ($1,000) per violation. Reef-toxicsunscreens offered for sale in violation of this act shall be subject to confiscation.

(b) On or after January 1, 2020, any prohibited reef-toxic sunscreen shall be subject to confiscation upon entry into the Republic of Palau.

**§ 1275. Minister to regulate and publicize.**

The Minister shall, in consultation with experts, promulgate regulations implementing this subchapter and develop guidance to retailers and customs authorities on identifying reef-toxic sunscreens. The Minister, in consultation with the Bureau of Tourism and Palau Visitors Authority, shall work to publicize this prohibition and discourage the use of reef-toxic sunscreens by international visitors."

**Section 6. <u>Amendment.</u>**

Section 508 within Chapter 5, Subchapter 1 of Title 28 of the Palau National Code is

hereby amended as follows:

**"§ 508. Powers and duties.**

It shall be the duty and responsibility of the Authority to:

...

(o) promulgate regulations to carry out the provisions of this subchapter, such regulations to be immediately transmitted to the Olbiil Era Kelulau and subject to legislative veto of the Olbiil Era Kelulau for 90 days following promulgation; ~~and~~

(p) develop, publicize,and administer, in consultation with the Bureau of Tourism and other visitor-focused organizations,an accreditation or rating system for tourism or visitor-oriented businesses, based on their commitment and contribution to protection of the local environment or preservationof Palauan culture; and

(q) Palau Visitors Authority shall take any other specific steps as may be necessary to carry out its responsibilities and shall within 180 days from the effective date of this section be in full compliance with the provisions in this subchapter."

**Section 7. Amendment.**

Section 502 within Chapter 5 of Title 28 of the Palau National Code is hereby amended as follows:

**"§ 502. Declaration of Policy.**

It is hereby declared the policy of the government of the Republic of Palau to promote and encourage the development of a visitor industry in Palau, consistent with the Palau Responsible Tourism Policy Framework, and to make it a responsibility of all visitor-oriented government and quasi-government agencies to assist and participate in the implementation of this policy.

..."

**Section 8. Effective Date.**This Act shall take effect upon approval by the President of the Republic of Palau or upon becoming law without such approval.

House Bill No. _____

Date: _____ Introduced by: _____

Delegate Sabino Anastacio
Speaker of the House of Delegates

**Republic of Palau**
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The Honorable Hokkons Baules
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..."

**Section 8. Effective Date.**This Act shall take effect upon approval by the President of the Republic of Palau or upon becoming law without such approval.

Date: _____

Introduced by:

_____
Senator Hokkons Baules
President of the Senate

_____
Senator Mark U. Rudimch
Vice President of the Senate

_____
Senator Kerai Mariur
Floor Leader of the Senate

_____
Senator Regis Akitaya

_____
Senator Rukebai K. Inabo

_____
Senator J. Uduch Sengebau-Senior

_____
Senator Mason N. Whipps

_____
Senator Camsek E. Chin

_____
Senator John B. Skebong

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Senator Aric M. Nakamura

_____
Senator Phillip P. Reklai

_____
Senator Stevenson J. Kuartei

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Senator Frank Kyota