Republic of Palau
Office of the President

Tommy E. Remengesau, Jr.
President

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October 25, 2018
Serial No.18-818

The Honorable Hokkons Baules
Senate President
Tenth Olbiil Era Kelulau
P. O. Box 8
Koror, Republic of Palau 96940

Subject: Signing Statement SB No. 10-135, SD1, HD1 (The Responsible Tourism Education Act of 2018)

Dear Senate President Baules:

It gives me great pleasure to sign into law Senate Bill No. 10-134, SD1, HD1, "The Responsible Tourism Education Act of 2018," which requires businesses to educate visitors on the environmental protection policies of the Republic of Palau, encourages businesses to provide environmentally responsible options to their customers, and endorses the Palau Responsible Tourism Policy Framework to improve coordination between public and private sector partners in environmental education and conservation awareness. With the Our Oceans Conference coming up in 2020, and Palau's leading role in the international renewable energy transition, your passage of this bill could not be timelier.

As the Olbiil Era Kelulau notes in its legislative findings, plastic waste, chemical pollution, resource overconsumption, and climate change all continue to threaten the health of our pristine paradise. I am pleased to see that you have taken into consideration our national government's constitutional mandate to "take positive action" for the "conservation of a beautiful, healthful, and resourceful national environment," as well as the public policy declarations of RPPL 1-58, which states that each Palauan has a fundamental right to a healthy environment and a corresponding responsibility to contribute to the preservation and enhancement of the environment. I thank the OEK for giving these words real meaning, by taking positive action to preserve this great nation. The steps taken in this legislation will help ensure both visitors and locals alike are more aware of the role they play in conservation.

As you know, this bill has five main points. First, Section 1009 in 10 PNC 13 is amended to require Palau's official passport stamp to include "an area for visitors to acknowledge the cultural and environmental protection policies of the Republic." This is exactly what our internationally award-winning Palau Pledge does.

Second, a new section was added to Chapter 10 of Title 13 of the Palau National Code, which further ensures visitors will be educated so as to encourage responsible behavior while they are in

our unique island environment. This new section requires incoming vessels or aircrafts 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." Tourism is a vital industry for our Republic, and it is essential that incoming visitors be made aware, immediately upon entry, of what is expected of them. I thank you for making this not only an environmental best practice, but a legal requirement as well.

Third, I thank you for adding two new sections to Chapter 16 of Title 11 of the PNC. These new sections require all tour operators licensed pursuant to 11 PNC 901 to "provide their customers with a reusable alternative to disposable plastic or polystyrene [Styrofoam] cups, water bottles, and drinking straws," as well as to "provide their customers with a reusable alternative to disposable plastic or polystyrene food containers." As the law notes, this can be done either through the provision of a reusable water dispenser and food containers, the provision of reusable individual water containers, straws, and dishes, or by other means. Given the new policy requiring similar measures in all Executive Branch offices, I thank you for taking this environmentally friendly obligation one step further and cementing it as yet another eco-friendly law.

Fourth, Chapter 12 of Title 24 of the PNC is amended by adding an entire new Subchapter VII, which defines and limits reef-toxic sunscreens. The limit is forward-thinking yet practical, and states that "[n]o 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 on or after January 1, 2020." The real-world effect of this is that, while local businesses can no longer make or import reef-toxic sunscreens, they will still be allowed over a year to sell off their remaining inventory. I am pleased to see that penalties—in the amount of not more than one thousand dollars ($1,000) per violation—were included to ensure that this law will be followed by retailers. I also appreciate that this penalty was restricted to retailers. The power to confiscate sunscreens should be enough to deter their non-commercial use, and these provisions walk a smart balance between educating tourists and scaring them away.

This ban on reef-toxic sunscreens is especially timely, given the recent decision of traditional and government authorities in Koror State to reopen the world-famous Jellyfish Lake. A big impetus for this legislation was the Coral Reef Research Foundation's 2017 report, which found sunscreen products "wide spread" in Jellyfish Lake. Supported by input and recommendations from the Palau International Coral Reef Center, this provision is an excellent example of legislation that is responsive to modern science.

And, finally, fifth, I thank you for amending Section 508 within Chapter 5, Subchapter 1 of Title 28 of the PNC to give the Palau Visitor's Authority the duty and responsibility to "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 preservation of Palauan culture[.]" On a similar note, Section 502 was amended to require that the policy of the Government is to promote and encourage the development of a visitor industry that is "consistent with the Palau Responsible Tourism Policy Framework."

Education is an essential tool in keeping our environment safe, and I thank the OEK for once again going above and beyond in ensuring that our pristine paradise is prioritized above all else. It is because of your hard work and due diligence that we can once again proudly boast that our small island is doing everything it can to protect the global environment.

Sincerely,

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

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October 25, 2018
Serial No.18-818

The Honorable Sabino Anastacio
Speaker of the House of Delegates
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Subject: Signing Statement SB No. 10-135, SD1, HD1 (The Responsible Tourism Education Act of 2018)

Dear Speaker Anastacio:

It gives me great pleasure to sign into law Senate Bill No. 10-134, SD1, HD1, "The Responsible Tourism Education Act of 2018," which requires businesses to educate visitors on the environmental protection policies of the Republic of Palau, encourages businesses to provide environmentally responsible options to their customers, and endorses the Palau Responsible Tourism Policy Framework to improve coordination between public and private sector partners in environmental education and conservation awareness. With the Our Oceans Conference coming up in 2020, and Palau's leading role in the international renewable energy transition, your passage of this bill could not be timelier.

As the Olbiil Era Kelulau notes in its legislative findings, plastic waste, chemical pollution, resource overconsumption, and climate change all continue to threaten the health of our pristine paradise. I am pleased to see that you have taken into consideration our national government's constitutional mandate to "take positive action" for the "conservation of a beautiful, healthful, and resourceful national environment," as well as the public policy declarations of RPPL 1-58, which states that each Palauan has a fundamental right to a healthy environment and a corresponding responsibility to contribute to the preservation and enhancement of the environment. I thank the OEK for giving these words real meaning, by taking positive action to preserve this great nation. The steps taken in this legislation will help ensure both visitors and locals alike are more aware of the role they play in conservation.

As you know, this bill has five main points. First, Section 1009 in 10 PNC 13 is amended to require Palau's official passport stamp to include "an area for visitors to acknowledge the cultural and environmental protection policies of the Republic." This is exactly what our internationally award-winning Palau Pledge does.

Second, a new section was added to Chapter 10 of Title 13 of the Palau National Code, which further ensures visitors will be educated so as to encourage responsible behavior while they are in

our unique island environment. This new section requires incoming vessels or aircrafts 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." Tourism is a vital industry for our Republic, and it is essential that incoming visitors be made aware, immediately upon entry, of what is expected of them. I thank you for making this not only an environmental best practice, but a legal requirement as well.

Third, I thank you for adding two new sections to Chapter 16 of Title 11 of the PNC. These new sections require all tour operators licensed pursuant to 11 PNC 901 to "provide their customers with a reusable alternative to disposable plastic or polystyrene [Styrofoam] cups, water bottles, and drinking straws," as well as to "provide their customers with a reusable alternative to disposable plastic or polystyrene food containers." As the law notes, this can be done either through the provision of a reusable water dispenser and food containers, the provision of reusable individual water containers, straws, and dishes, or by other means. Given the new policy requiring similar measures in allExecutive Branch offices, I thank you for taking this environmentally friendly obligation one step further and cementing it as yet another eco-friendly law.

Fourth, Chapter 12 of Title 24 of the PNC is amended by adding an entire new Subchapter VII, which defines and limits reef-toxic sunscreens. The limit is forward-thinking yet practical, and states that "[n]o 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 on or after January 1, 2020." The real-world effect of this is that, while local businesses can no longer make or import reef-toxic sunscreens, they will still be allowed over a year to sell off their remaining inventory. I am pleased to see that penalties—in the amount of not more than one thousand dollars ($1,000) per violation—were included to ensure that this law will be followed by retailers. I also appreciate that this penalty was restricted to retailers. The power to confiscate sunscreens should be enough to deter their non-commercial use, and these provisions walk a smart balance between educating tourists and scaring them away.

This ban on reef-toxic sunscreens is especially timely, given the recent decision of traditional and government authorities in Koror State to reopen the world-famous Jellyfish Lake. A big impetus for this legislation was the Coral Reef Research Foundation's 2017 report, which found sunscreen products "wide spread" in Jellyfish Lake. Supported by input and recommendations from the Palau International Coral Reef Center, this provision is an excellent example of legislation that is responsive to modern science.

And, finally, fifth, I thank you for amending Section 508 within Chapter 5, Subchapter 1 of Title 28 of the PNC to give the Palau Visitor's Authority the duty and responsibility to "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 preservation of Palauan culture[.]" On a similar note, Section 502 was amended to require that the policy of the Government is to promote and encourage the development of a visitor industry that is "consistent with the Palau Responsible Tourism Policy Framework."

Education is an essential tool in keeping our environment safe, and I thank the OEK for once again going above and beyond in ensuring that our pristine paradise is prioritized above all else. It is because of your hard work and due diligence that we can once again proudly boast that our small island is doing everything it can to protect the global environment.

Sincerely,

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

RPPL NO. 10-30

The Senate

TENTH OLBIIL ERA KELULAU

P.O. Box 8, Ngerulmud
Republic of Palau 96939

Eighth Regular Session

October 2018

INTRODUCED AS SENATE BILL NO. 10-135, SD1, HD2

AN ACT

(See Title Inside)

INTRODUCED BY SENATOR (S) All Senators

ET, AL.,

DATE INTRODUCED August 13, 2018

SENATE ACTION

FIRST READING:	August 13, 2018
REFERRED TO:	Tourism Development*/ Resource, Commerce, Trade & Development
STANDING COMMITTEE REPORT NO.:	10-140
DATE ADOPTED:	August 30, 2018
SECOND READING:	August 30, 2018
LEGAL FORMAT:	Proper
REVIEW:	September 11, 2018
THIRD READING:	September 19, 2018
FINAL READING:	October 23, 2018

HOUSE ACTION

FIRST READING:	September 17, 2018
REFERRED TO:	Natural Resources and Environment
STANDING COMMITTEE REPORT NO.:	10-64
DATE ADOPTED:	October 15, 2018
SECOND READING:	October 15, 2018
LEGAL FORMAT:	Proper
REVIEW:	October 23, 2018
THIRD READING:	October 23, 2018
FINAL READING:	

CONFERENCE COMMITTEE ACTION

DATE:	NONE
COMMITTEE REPORT NO.:	NONE
DATE PASSED:	NONE
FINAL READING:	NONE

Ann L. Pedro
CLERK OF THE SENATE

Marcello Ngirkelau
CLERK, HOUSE OF DELEGATES

TENTH OLBIIL ERA KELULAU

Eighth Special Session, August 2018

RPPL No. 10-30
(Passed as: Senate Bill No. 10-135, SD1, HD2)

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 including the 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, can be 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 creating to 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. Education of our visitors should occur upon their arrival into the Republic to encourage responsible behavior throughout their experience in our unique island environment.

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 travel documents of each passenger and, if the passenger is eligible to enter the Republic, shall affix to the passport or 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 1616 and renumbering the subsequent sections accordingly as follows:

"...

§ 1615. Reusable water containers; tour operators.

All tour operators licensed pursuant to 11PNC § 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 § 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, or other means.

§ 1617.

…"

Section 5. Amendment.

Chapter 12 of Title 24 of the Palau National Code is 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), octyl methoxycinnamate (EHMC), octocrylene (OC), 4-methyl-benzylidene camphor (4MBC), triclosan, methyl paraben, ethyl paraben, butyl paraben, benzyl paraben, or phenoxyethanol, 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 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-toxic sunscreens 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. Amendment.

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:

...

(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 preservation of 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 the development of a visitor industry in Palau consistent with the Palau Responsible Tourism Policy Framework, and market Palau as a high-value tourism

destination with a high quality tourism product, that envisions "Pristine Paradise Palau" and that is environmentally friendly. It is the responsibility of all visitor-oriented government and quasi-government agencies to assist and participate in the implementation of this policy, and to coordinate with the public and private sector businesses in furtherance 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.

Passed on: October 23, 2018

Approved this 25th **day of** October **, 2018.**

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