

Chapter 1
GENERAL PROVISIONS

§ 101. Authority. Purpose and Applicability. These regulations, promulgated pursuant to the authority contained in Chapters 10 and 11 of Title 13 of the Palau National Code, apply to, and establish procedures and requirements for, all persons and Carriers entering into, or departing from, the Republic of Palau, and all Aliens remaining in the Republic of Palau. Pursuant to Executive Orders 36-86 and 116 as amended, the power to enforce immigration laws and these regulations, including the application for deportation of Aliens from the Republic of Palau, is delegated by the President to the Minister of Justice and personnel acting under his direction and control, including Director of the Bureau of Immigration.

§ 102. Repealer. Upon taking effect, all previous immigration regulations are repealed.

§ 103. Definitions. The following definitions shall apply to these regulations:

- a. "Agent" refers to the designated representative of a vessel or aircraft, who has agreed to be responsible for the payment of all fees and charges incurred by such vessel or aircraft, and who is authorized to accept service of process for the vessel or aircraft, or for the Captain, owner or operator thereof. An Agent must be domiciled in the Republic of Palau.
- b. "Alien" refers to any person who is not a Palauan as defined by law.
- c. "Bureau" refers to the Bureau of Immigration and the employees thereof.
- d. "Carrier" refers to any vessel or aircraft which is used, or is intended for use, to transport persons or goods into or out of the Republic.
- e. "Captain" refers to the person in command of a Carrier.
- f. "Commercial Carrier" refers to a vessel or aircraft which regularly transports persons and/or goods into and out of the Republic.
- g. "Citizen" refers to the legal status of a person who is subject to the duties, rights, and responsibilities of a nation.
- h. "Dependent" refers to a child or spouse who depends upon a person for financial assistance and/or care.
- i. "Director" refers to the Director of the Bureau of Immigration or his designee.
- j. "Disembark" refers to the act of departing a Carrier.

- k. "Entry" refers to the Entry of a person or Carrier into the Republic of Palau's contiguous zone from a foreign country, but does not include over flight or innocent passage. For purposes of these regulations, the definitions of contiguous zone and innocent passage are those contained in the United Nations Convention on the Law of the Sea.
- l. "Entry Form" refers to the written document that persons entering Palau must complete.
- m. "Entry Permit" refers to written authorization from the Director for a Carrier to enter the Republic.
- n. "FSM" refers to the Federated States of Micronesia.
- o. "Immigration Officer" refers to an officer of the Bureau of Immigration.
- p. "Minister" refers to the Minister of Justice.
- q. "Noncommercial Carrier" refers to any vessel or aircraft that is not a Commercial Carrier.
- r. "Onward Travel" refers to the ability of an Alien to depart the Republic and comply with all Passport, Visa and other requirements to enter a foreign jurisdiction.
- s. "Overtime" refers to any hours worked outside of the basic workweek as defined in 33 PNC § 1001.
- t. "Palauan" refers to a person born of parents, one or both of whom are of recognized Palauan ancestry as defined in Article III of the Constitution of the Republic of Palau.
- v. "RMI" refers to Republic of the Marshall Islands.
- w. "USA" refers to United States of America.
- x. "Passport" refers to a legal Passport which complies with international standards.
- y. "Visa" refers to written authorization for an Alien to enter pursuant to 13 PNC § 1002.

Chapter 2
ENTRY OF PERSONS

§ 201. Requirements for Passport/Documentation. Every Alien entering Palau shall possess a valid Passport or other travel document for Entry, which shall be provided to an Immigration Officer upon Disembarking from a Carrier in the Republic. A Passport shall not be considered valid if it expires in less than six months from the date of Entry. It shall be the responsibility of each Carrier to ensure that each Alien complies with this provision.

§ 202. Requirements to Prepare Entry Form. Every person entering the Republic shall complete an Entry Form, which shall include an address at which the Alien can be reached. It shall be the responsibility of each Carrier to ensure that each passenger complies with this provision. The Alien shall provide written notice to the Director within twenty four hours upon a change of address.

§ 203. Health Requirements. Persons entering the Republic may be required, prior to Entry, and in accordance with the policy of the Ministry of Health, to: (1) present a health/vaccination certificate; (2) undergo a vaccination/inoculation; or (3) undergo a health examination.

§ 204. Requirement of Support. All Aliens, entering the Republic must provide proof that the Alien has sufficient support during the length of the visit and shall not become a public charge. Proof of such support may be in the form of a letter of credit, or other evidence as may be acceptable to the Director. Adequate support shall be determined on a case by case basis by the Director.

§ 205. Requirement of Onward Travel. Every Alien, prior to Entry, shall provide proof of onward travel. Such proof may include: (1) a ticket; (2) a labor permit; (3) the posting of a bond acceptable to the Director; (4) evidence that a person or organization in the Republic shall be responsible for providing Onward Travel; or (5) other evidence or circumstances acceptable to the Director. Citizens of FSM/RMI/USA are exempt from this requirement. It shall be the responsibility of each Carrier to ensure that each Alien complies with this section.

§ 206. Exchange/Disposal of Onward Ticket Prohibited:

- a. No Alien shall sell, exchange, or otherwise relinquish a ticket that was used as proof of Onward Travel without the written permission of the Director. Such permission shall not be given unless the Alien provides other satisfactory proof of the ability to obtain Onward Travel.
- b. No Commercial Carrier shall refund, exchange, or otherwise cancel a ticket held by an Alien which has been used as proof of Onward Travel without the written consent of the Director. Notwithstanding, a Carrier may exchange such a ticket if it is replaced with a ticket for travel to some other foreign jurisdiction and does not impair the ability of the Alien to timely depart the Republic.

§ 207. Denial of Entry. Entry shall be denied to an Alien who: (1) does not have a Passport or other acceptable travel documentation; (2) possesses a Passport or travel document which expires in less than six months from the date of Entry or if the Passport or travel document will expire on a date which will prevent Onward Travel; (3) is unable to demonstrate proof of Onward Travel; (4) has insufficient support during the length of the visit and may become a public charge; (5) has previously been involved in improper circumstances resulting in Visa revocation or denial of Visa extension; (6) would, in all medical probability, constitute a substantial danger to the health of the inhabitants of the Republic or would require prolonged medical care and treatment while in the Republic; (7) fails to otherwise meet the requirements of these regulations or law; or (8) should be excluded for any reason set forth in 13 PNC § 1005.

§ 208. Procedures for Denial of Entry When Arriving by Commercial Carrier. When an Alien arriving on a Commercial Carrier is denied Entry into the Republic pursuant to these regulations, the Carrier shall be immediately notified, and the following procedures shall be followed:

- a. The Agent for the Carrier shall delay the departure of the Carrier and the Alien shall be placed back aboard such Commercial Carrier. If the Carrier has departed the Republic, the Carrier who brought the Alien into the Republic shall make arrangements to take the Alien on the next scheduled Commercial Carrier departing the Republic. It shall be the

responsibility of the Agent to provide space on the Carrier for the Alien.

- b. An Alien who is unable to re-board the original Carrier shall be allowed to remain in the Republic until the departure of the next available Commercial Carrier under conditions established by the Director. Such Entry shall not waive or mitigate any obligations of the original Carrier nor shall it be deemed a lawful Entry.
- c. If the Alien denied Entry fails to depart the Republic as the Carrier has arranged, the Alien shall be subject to arrest for illegal Entry and detention in jail. The Alien may be released to a third party, at the discretion of the Director, pending departure, if sufficient guarantees of support and responsibility can be provided. In addition to penalties levied, any Carrier which allows a passenger to Disembark in the Republic will be responsible for maintaining and caring for the Alien, and for any monetary damages caused by such Alien, if the Alien is denied Entry due to: (1) inability to produce a Passport or appropriate travel document; (2) a Passport which expires in less than six months from the date of Entry; or (3) failure to demonstrate proof of Onward Travel. If denied Entry for any other reason, the Alien will be responsible for all costs incurred until the Alien departs the Republic. The Alien may be released to a third party, pending departure, if sufficient guarantees of support and Onward Travel can be provided.

§ 209. Denial of Entry When Arriving by Noncommercial Carrier. When an Alien arriving on a Noncommercial Carrier is denied Entry into the Republic pursuant to these regulations, the following procedures shall be followed:

- a. The Noncommercial Carrier bringing such Alien to the Republic shall be denied Entry pending satisfactory arrangements for the transportation of the Alien out of the Republic. No Alien from such Carrier, other than the Captain, shall be allowed to Disembark from the Carrier, until such time as satisfactory arrangements have been made for transportation of the Alien out of the Republic. If satisfactory arrangements are not promptly made, the Carrier will be required to depart the Republic.
- b. The Noncommercial Carrier bringing the Alien into the Republic shall be responsible for all expenses incurred by the Republic in the maintenance and care of the Alien, and shall be responsible for any monetary damage caused by the Alien during the presence of the Alien in the Republic. Such expenses may constitute a lien against the Carrier.
- c. An Alien that does not promptly depart shall be subject to arrest for illegal Entry into the Republic and detention in jail. The Alien may be released to a third party, at the discretion of the Director, pending departure, if sufficient guarantees of support and Onward Travel can be provided.

§210. Revocation of Entry. Any Alien who is legally permitted to enter the Republic may later have such permission revoked if the Alien: (1) does not have a Passport or other acceptable travel documentation; (2) is carrying a Passport or travel document where the expiration date may prevent Onward Travel; (3) is unable to demonstrate proof of Onward Travel; (4) has insufficient support during the length of the visit and may become a public charge; (5) has previously been involved in improper circumstances resulting in Visa revocation or denial of a Visa extension; (6) would, in all medical probability, constitute a substantial danger to the health of the inhabitants of the Republic or require prolonged medical care and treatment while in the Republic; (7) has been found by a Court of the Republic to have committed any criminal act other than a minor traffic violation; (8) is working or conducting business activities in the Republic in

violation of these regulations or the labor and foreign

investment laws and regulations of the Republic; (9) fails to otherwise meet the requirements of these regulations or law; or (10) should have the Entry permission revoked for the reasons set forth in 13 PNC § 1006.

§ 211. Procedure for Revocation: Entry Permission may be revoked by the Director upon a written finding that any of the standards for revocation set out in these regulations or the laws of the Republic have been met. Before revoking Entry permission, the Director shall notify the Alien in writing of the intent to revoke, and shall offer the Alien an opportunity to appear before the Director and to provide a statement of evidence. The Alien shall be given at least twenty-four hours notice of the hearing. The Director shall issue a written decision, upon consultation with the Minister, describing the basis of his decision within twenty four hours of the hearing. Such decision may be appealed to the Republic Supreme Court. Appeals by Citizens of the United States shall comply with the requirements of 13 PNC § 1007 and the Compact of Free Association.

Chapter 3 VISAS

§301. Visa Issuance Procedures. All Visas listed in these regulations may be issued upon Entry. However no Visa shall be granted for a period in excess of the validity dates of the Passport or travel document presented.

§ 302. Business Visa. A Business Visa may be issued to a person who is primarily employed by a business located outside the Republic, and who enters the Republic in the course of conducting that business. This includes, but is not limited to, salesmen, factory representatives, consultants, professionals including doctors and attorneys, repairmen, and like persons. The Visa may be issued for up to thirty days.

§ 303. Dependent Visa. A Dependent Visa may be issued to a Dependent of a person lawfully present in the Republic. An application for a Dependent Visa shall require a sworn statement attesting to dependency. The Visa may be issued for up to five years, but in the case of a Dependent of a non Palauan, shall expire no later than the date of expiration of the Visa held by the person of whom the person is a Dependent.

§ 304. FSM/RMI/USA Visa. A Visa shall be issued to Citizens of the FSM, RMI and USA, unless otherwise excluded for reasons set forth in these regulations, and in compliance with law and the Compact of Free Association with the United States. The Visa may be issued for up to one year.

§ 305. Foreign Government/International Organization Representative Visa. A Foreign Government/International Organization Representative Visa may be issued to Aliens paid by a foreign government or an international organization who are required to reside in the Republic during the term of the program or consultancy. The Visa may be issued for a period of up to five years or for the term of the program, whichever is shorter.

§ 306. Government Employee. A Government Employee Visa may be issued to an Alien that is an employee of the national government, a state government, or a public corporation of the Republic. The Visa may be issued for a period of up to five years or for the term of the contract

plus thirty days, whichever is shorter.

§ 307. Investor Visa. An Investor Visa may be issued to an Alien who has received a Foreign Investment Approval Certificate and is certified by the Foreign Investment Board as an investor holding at least a 25% equity interest. No more than four Investor Visas shall be issued at the same time for a single Foreign Investment Approval Certificate. The Visa may be issued for a period of up to five years, but in no case longer than the term of the Foreign Investment Approval Certificate.

§ 308. Missionary Visa. A Missionary Visa may be issued to Aliens affiliated with, and paid primarily by, recognized religious organizations, and who are involved with religious teaching or provide other services to the community. The Visa may be issued for a period of up to five years, or for the term of the service, whichever is shorter.

§ 309. Resident Visa. A Resident Visa may be issued to Aliens at the discretion of the Director. In granting the Visa, the Director shall consider: (1) the purpose of the presence of the Alien in the Republic; (2) whether or not the Alien has Dependents who may lawfully stay in the Republic; (3) the ability of the Alien to provide support for the Alien; and (4) other factors relating to the best interests of the Republic. The Visa may be issued for up to two years.

§ 310. Student Visa. A Student Visa may be issued to an Alien who is enrolled as a full-time student at a school in the Republic and who will live in housing maintained by the school. The Alien shall provide proof of admission and housing, and shall maintain good standing at the school. It shall be the duty of the student to submit proof of continuing enrollment and housing at such school at the beginning of each semester. A Student Visa shall be canceled upon failure to maintain good standing, being terminated by the school or upon the student failing to enroll. A Student Visa shall be valid for no more than one year.

311. Temporary Visa. A Temporary Visa may be issued by the Director when in the best interests of the Republic or for humanitarian reasons, and shall contain such conditions as the Director deems appropriate. A Temporary Visa shall be valid for no more than 30 days.

§ 312. Tourist Visa. A Tourist Visa may be issued to an Alien who is visiting Palau for recreation and not to perform work. A Tourist Visa may be issued for up to 30 days, and may be extended for two additional 30 day periods.

§ 313. Work Visa. A Work Visa may be issued to Aliens who have been issued a permit from the Division of Labor allowing them to work in the Republic and to officers and crew of fishing vessels lawfully present in the Republic. Such Visas may be issued for a term equal to the labor permit issued to the Alien. Aliens who have been issued a provisional labor permit may be issued a Temporary Visa for the duration of the provisional labor permit.

§ 314. Visa Exemptions: The following persons shall be exempt from obtaining a Visa:

- a. Diplomatic Missions. A Visa shall not be required for members of a diplomatic mission and their families, who have been formally recognized by the Ministry of State.
- b. Crews of Commercial Carriers: A Visa shall not be required for officers and crew of Commercial Carriers for stays in the Republic of forty eight hours or less.

§ 315. Visa Application Documents. Persons applying for an Investor, Missionary, Resident or

Dependent Visa shall submit to the Director, in addition to any other documents required by law and these regulations, the following: (1) a police clearance from the Palau Bureau of Public Safety and the place of residence of the Alien; (2) a sworn statement from the Alien that the Alien has never been convicted of a felony; (3) proof of financial responsibility; (4) a medical examination report stating whether the Alien has any communicable diseases; (5) a statement of the purpose of the presence of the Alien in the Republic; (6) two recent photographs of the Alien; and (7) any other information that the applicant may wish to provide to show that such a Visa will be in the best interest of the Republic.

§ 316. Denial/Revocation of Visas. A Visa shall not be issued to any person who does not meet the requirements of these regulations, the law, or is otherwise excluded pursuant to 13 PNC § 1005. The Director may revoke a Visa at any time in accordance with 13 PNC § 1006. Denial or revocation of a Visa for Citizens of the United States shall comply with the requirements of 13 PNC § 1007 and the Compact of Free Association.

§ 317. New/Renewal Visa. Aliens already present in the Republic may apply to the Director for a new or renewal Visa in the same manner and under the same terms and conditions as for an applicant from outside of the Republic. Unless stated otherwise, a Visa may be issued upon submission of information sufficient for an original application. Requests for a new or renewal Visa must be made in a timely fashion, and in no event less than seven days before the expiration of the present Visa. No Visa shall be granted in violation of these regulations or law.

§ 318. Ability to Conduct Business. Aliens holding a FSM/RMI/USA, Resident or Dependent Visa may work or conduct business activities in the Republic only in accordance with the labor, foreign investment, tax and any other laws and regulations of the Republic. Aliens holding Student, Temporary or Tourist Visas may not work in the Republic, unless expressly exempted in writing by the Director. Aliens holding any other Visa may work in the Republic only in accordance with the purpose for which the Visa was granted.

Chapter 4 ENTRY OF CARRIERS

§ 401. Port of Entry. Carriers shall only enter the Republic at the ports authorized by 13 PNC § 1102. Foreign fishing vessels shall only enter the Republic at the Malakal Harbor pursuant to 13 PNC § 1103. Carriers entering, or stopping at, at any location not authorized by law shall be immediately instructed to proceed to an authorized location.

§ 402. Entry Permit for Carriers. All Carriers entering the Republic shall apply for an Entry Permit at least two weeks in advance of the expected Entry on forms prescribed by the Director. Carriers arriving without an Entry Permit will be denied Entry unless: (1) a permit is obtained; (2) circumstances exist which threaten life or property; or (3) such Entry is in the best interests of the Republic as determined by the Director. Upon receipt of an application for an Entry Permit, the Bureau shall promptly notify the Customs and Quarantine officials and other appropriate authorities to make a complete investigation of the entering Carrier and her crew. Entry Permits for aircraft will be issued only after the Ministry of Commerce and Trade has approved the landing permit and the Administrator of the National Aviation Administration has provided the necessary certification and approvals. An Entry Permit shall not be issued to any Carrier that intends to load or unload cargo of any type unless the Minister of Commerce and Trade concurs.

§ 403. Issuance of Entry Permit. Carriers may be issued Entry Permits allowing the Carrier to remain in the Republic for the duration of the lawful presence of the Captain of the Carrier. The

Entry Permit may be extended for a term not to exceed the Visa issued to the Captain of the Carrier. In determining whether to grant or extend an Entry Permit, the Director shall consider: (1) whether the presence of the Carrier and passengers/crew is in the best interests of the Republic; (2) weather; (3) condition of the Carrier; and (4) the purpose the Carrier has for entering or remaining in the Republic.

§ 404. Denial and Revocation of Entry Permit. Entry may be denied to any Carrier which has a passenger/crew that is denied Entry or if the Carrier presents an imminent health, quarantine or environmental danger. An Entry Permit may be revoked after issuance, should the Carrier present an imminent health, quarantine or environmental danger. An Entry Permit shall automatically be revoked upon the expiration of the Visa issued to the Captain of the Carrier, unless alternative arrangements are made which are acceptable to the Director.

§ 405. Presentation of Permit. Carriers entering the Republic shall immediately present their Entry Permits to an Immigration Officer. No person, other than the Captain, is permitted to Disembark from a Carrier until such time as an Entry Permit has been issued to the Carrier. No person other than an Immigration, Customs or Quarantine officer may board the Carrier, until a Visa has been issued to each passenger/crew member on board the and until such time as the passengers/crew members have been cleared through Immigration.

§ 406. Emergency Entry.

- a. A Carrier in distress which has not obtained an Entry Permit, may anchor or land at any port in the Republic, but shall immediately thereafter: (1) notify the nearest government representative of the national government or state government; and (2) make an application for an Entry Permit as soon as possible after Entry, explaining the nature of the distress, and of the plan to make repairs or otherwise ready the Carrier for immediate departure. A Carrier entering in distress shall be issued a Temporary Visa, provided that the Carrier and crew/passengers meet applicable health and quarantine requirements. The Entry shall be allowed only to the minimum extent necessary to protect life and property and may be extended only if: (1) the distress has not been remedied; and (2) the persons responsible for the Carrier are making a good faith effort to remedy the situation.
- b. Disembarkation of Aliens from a Carrier arriving without a permit may be allowed for humanitarian reasons or practical considerations by the issuance of a Temporary Visa. Otherwise, Disembarkation shall not be allowed for any person arriving on the Carrier until such time as an Entry Permit for the Carrier is issued. In the event that an Alien has overstayed his/her Visa because the Carrier is not fit for travel, the Alien shall depart the Republic immediately by other means. In the event the Alien is the Captain of the Carrier, the Alien shall, prior to departure, appoint an Agent acceptable to the Director. Such Agent shall be responsible for continuing the repairs, maintenance and security of the Carrier, and for ensuring that the Carrier does not become a hazard to navigation or a public charge. If no Agent is provided prior to departure of the Captain of the Carrier, ownership of the Carrier may be forfeited to the Republic. such forfeit shall not relieve the Captain or owner of any damages or liabilities incurred.

Chapter 5

DEPARTURE OF PERSONS

§ 501. Requirement to Depart. It shall be the responsibility of each Alien to depart the Republic

prior to the expiration of the Visa issued. This section shall not apply to Aliens whose applications for Visa extensions or renewals have been timely submitted, whose fees have been paid, and whose application is pending further action by the government. An Alien whose Visa is revoked or whose application for a Visa extension or renewal has been denied is required to depart the Republic prior to the expiration of his/her Visa or within 10 days of the notice of the revocation or denial.

§ 502. Denial of Departure of Persons. Any person who has a pending criminal case, or a Court Order requiring that the person remain in the Republic, shall not be allowed to depart the Republic, and is subject to arrest should departure be attempted.

Chapter 6 DEPARTURE OF CARRIERS

§ 601. Clearance. Carriers shall provide to the Bureau notice of intent to depart the Republic at least forty eight hours in advance of such departure. Carriers may depart Palau at a designated port of Entry, only after: (1) complying with all applicable laws and regulations; (2) passing all inspections, including but not limited to, health, customs and quarantine; and (3) all persons to be transported on the Carrier have been processed and cleared by Immigration Officers.

§ 602. Requirement of Carriers to Depart With Aliens. Carriers shall not be allowed to depart the Republic without taking all Aliens that arrived on the Carrier, unless: (1) the Alien(s) have already departed the Republic; (2) the remaining Alien(s) have made adequate arrangements to depart by other means; or (3) the remaining Alien(s) have a valid Visa allowing the Alien to remain in the Republic after the departure of the Carrier on which the Alien arrived.

§ 603. Closing time for Departure Screening. Immigration Officers shall close departure screening 30 minutes prior to scheduled departure for Commercial Carriers.

§ 604. Denial of Departure of Carriers. Any Carrier which is the subject of a Court Order requiring that the Carrier remain in the Republic, shall not be allowed to depart the Republic, and is subject to arrest should departure be attempted.

Chapter 7 ENFORCEMENT AUTHORITY

§ 701. Investigation. The Director is hereby authorized to undertake such investigations, and require the submission of such documents, in addition to those listed in these regulations, as is required to verify information necessary to implement these regulations.

§ 702. Proof of Lawful Presence. Immigration Officers shall at all reasonable times have the authority to demand from Aliens proof of lawful presence in the Republic. This shall include, but not be limited to, inspection of (1) Passports; (2) travel documents; (3) labor applications and permits; and (4) documents relevant to the Visa issued to the Alien.

§ 703. Inspection of Carriers. The Bureau shall inspect all Carriers for compliance with the immigration laws and these regulations. If during the search, an Immigration Officer finds contraband, such as firearms, ammunition, explosive devices, or illicit drugs, the Immigration Officer shall immediately notify the Bureau of Public Safety and Division of Customs.

§ 704. Notice to Depart. The Director shall issue a Notice to Depart to an Alien who remains in Palau beyond the term of the Visa issued to the Alien. Such notice shall advise the Alien of the facts of the overstay and of any procedures and rights of the Alien. Such notice shall require that the Alien depart the Republic within ten days of receipt, unless otherwise stated by the Director.

§ 705. Forms. The Director shall prescribe appropriate forms, as deemed necessary, to effectuate the provisions of these regulations.

Chapter 8 FEES AND OVERTIME

§ 801. Payment. Payment of all fees shall be made to the Republic Bureau of National Treasury and evidence of such payment shall be submitted to the Bureau. Fees remitted in any other manner shall not be valid and may result in delays in the issuance of Entry Permits or Visas. All fees shall be paid before an extension of a Entry Permit or Visa is granted, and failure to timely pay fees shall be grounds for the denial of an Entry Permit or Visa. All fees and costs incurred for Visas issued outside the Republic shall be paid by the Alien.

§ 802. Visa Fees. Visa fees shall be assessed as follow:

- a. No fee shall be imposed for issuance of the following Visas: (1) Business (initial entry); (2) Dependent of a government employee; (3) Dependent of a Palauan; (4) Foreign Government/International Organization Representative

(5) FSM/RMI/USA; (6) Government Employee; (7) Missionary; (8) student; (9) Temporary; (10) Tourist (initial entry); (11) work.
- b. A fee of \$10 shall be imposed for the issuance of a Visa for a Dependent of a Missionary.
- c. A fee of \$50 shall be imposed for the issuance of the following Visas: (1) Business (renewal); (2) FSM/RMI/USA (renewal); (3) Investor; (4) Dependent of FSM/RMI/USA; (5) Tourist (renewal);
- d. A fee of \$150 shall be imposed for the issuance of a Dependent Visa, except as otherwise noted above.
- e. A fee of \$200 shall be imposed for the issuance of a Resident Visa.

§ 803. Entry Permit Fees. The following fees shall be charged for Carrier Entry Permits:

- a. A fee of \$1,000 shall be imposed for the issuance of a one year multiple Entry Permit for Commercial Carriers.
- b. A fee of \$500 shall be imposed for the issuance of a one year multiple Entry Permit for Noncommercial Carriers.
- c. A fee of \$100 shall be imposed for the issuance of a single Entry Permit for Commercial Carriers.
- d. A fee of \$50 shall be imposed for the issuance of a single Entry Permit for

Noncommercial Carriers.

§ 804. Assignment of Officers. Each Commercial Carrier shall inform the Bureau as to the number of passengers on board the Carrier at least twenty four hours before such Entry. The Bureau shall, based on the number of passengers estimated by the Carrier, assign Immigration Officers to process the passengers. If the Carrier has failed to notify the Bureau of the anticipated number of passengers twenty four hours in advance of Entry, the Bureau shall estimate the number of passengers, and shall charge the Carrier accordingly. In no case shall fewer than two officers be assigned to any Entry or departure. Officers shall be assigned as follows:

- a. Airport Entry. One supervisor shall be assigned to every Entry and one officer for every twenty passengers or portion thereof.
- b. Airport Departure. One supervisor and two officers shall be assigned to each departure.
- c. Seaport Entry and Departure. Two officers shall be assigned to each Entry and departure. However, Carriers may pay the expense of Immigration Officers to travel to the port of departure to process passengers in advance of Entry. All costs for advance processing of passengers shall be paid by the Carrier.

§ 805. Overtime fees.

- a. The Carrier shall pay costs for Overtime when clearance necessitates that Immigration Officers work Overtime. Costs shall be assessed based on the number of hours actually worked, or a minimum of two hours, whichever is greater.
- b. In the event that two or more Carriers arrive or depart on the same date, each necessitating payment for services provided by Immigration Officers, each Carrier shall pay complete charges as calculated above, as if it were the only Entry or departure.

Chapter 9
PENALTIES

§ 901. Payment. Payment of penalties imposed by the Bureau shall be made to the Republic National Treasury. Penalties imposed by the Palau Supreme Court shall be made to the Clerk of Courts.

§ 902. Penalty for Aliens Without Proper Documentation. For each Alien allowed to Disembark: (1) without a Passport or other required documentation; or (2) without proof of Onward Travel; or (3) with a Passport that expires less than six months from the date of Entry, the Carrier shall be assessed a penalty of \$1,000, in addition to being held responsible for any expenses incurred by the Republic in the maintenance of the Alien and in the cost of transporting the Alien out of the Republic.

§ 903. Penalty for Alien Failure to Prepare Entry Form. A Commercial Carrier shall be assessed a penalty of \$5.00 for each Alien who is allowed to Disembark without the proper Entry Form, unless the Carrier can prove mitigating circumstances, for which the Carrier is not responsible.

§ 904. Penalty for Carriers Refunding/Exchanging/Canceling Tickets Used as Proof of Onward Travel. A Carrier that refunds, exchanges, or cancels a ticket held by an Alien which has been

used as proof of Onward Travel shall be assessed a penalty of \$1,000 for each passenger. However, no penalty shall be assessed if: (1) the Director provides written consent for the refund, exchange or cancellation; (2) the refund, exchange or cancellation does not impair the ability of the Alien to timely depart the Republic.

§ 905. Penalty for Aliens Refunding/Exchanging/Canceling Tickets Used as Proof of Onward Travel. An Alien that refunds, exchanges, or cancels a ticket which has been used as proof of Onward Travel shall be assessed a penalty of not more than \$1,000, and shall be responsible to pay all costs related to repatriation. However, no penalty shall be assessed if: (1) the Director provides written consent for the refund, exchange or cancellation; (2) the refund, exchange or cancellation does not impair the ability of the Alien to timely depart the Republic.

§ 906. Penalty for Carriers Arriving Without Entry Permit. A Carrier that arrives in Palau without receiving an Entry Permit shall pay a penalty of \$100, in addition to any other costs imposed by law or regulation.

§ 907. Penalty for Unlawful Entry/Unlawfully Remaining/Violating Immigration Law or Regulations. An Alien who: (1) unlawfully enters or attempts to enter the Republic; or (2) having lawfully entered, remains willfully and unlawfully after expiration or revocation of Entry authorization; or (3) who shall violate, by act or omission any provision of the immigration law or these regulations, shall be subject to a maximum penalty of imprisonment for a period of not more than two years, or fined not more than \$500.00, or both.

§ 908. Employer Penalty for Failure to Depart. Any person who employs an Alien who has remained in the Republic after the expiration of the Alien's Work Visa, in addition to any other penalties provided by law, shall be subject to a fine of twenty dollars (\$20.00) per day for each day that the Alien is in the Republic without a valid Visa.

§ 909. Waiver/Deferral of Overstay Fine.

- a. The Director may waive a fine imposed upon the Alien under these regulations if the Alien was not responsible for the overstay or was incapable of avoiding the overstay, for example due to health reasons. Waiver shall not be permitted if the Alien was responsible for the overstay and capable of avoiding such overstay.
- b. The Director may waive a fine imposed upon an employer only if clear and convincing evidence is provided that the employer made every reasonable effort to ensure that the Alien was not an overstay.
- c. The Director may defer a fine imposed upon an Alien under these regulations if the Alien was not responsible for the overstay, was unable to avoid the overstay for health or other reasons, or is unable to pay the fine. Any fines which are deferred must be paid prior to the Alien re entering the Republic.

- d. Any waiver or deferral must be in writing, explaining the reason for the waiver/deferral and a copy transmitted to the Minister the following business day.

§ 910. Deportation.

- a. An Alien present in the Republic is subject to deportation when: (1) the Alien is without a valid Visa or pending application for extension or renewal; or (2) the Alien has not departed the Republic within ten days of receiving the notice of the revocation of the Visa or the denial of a renewal or extension of the Visa. Any deportation ordered by the Palau Supreme Court shall be in strict compliance with such order.
- b. In lieu of arrest, prosecution or deportation, the Alien may voluntarily depart the Republic.

§ 911. Penalty for Unlawful Entry by Carriers. Any person responsible for the Entry of a Carrier, who willfully violates any of the provisions of 13 PNC §§ 1101, 1103, 1104, or any of these regulations, shall be subject to a fine of not less than \$10,000.00, or to imprisonment for a term not to exceed two years, or both.

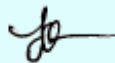
Chapter 10
WAIVER

The President may waive any procedural requirements of these regulations, in individual cases when, in his, discretion, circumstances warrant.

Chapter 11
SEVERABILITY

If any provision of these regulations, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are severable.

Adopted By:



BENITO THOMAS
Director, Bureau of Immigration

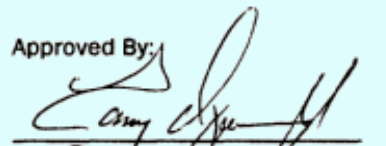
Date: 1/6/06

Review and Consent By:


ELIAS CAMSEK CHIN
Minister of Justice

Date: 1/6/06

Approved By:


TOMMYE REMENGESAO, JR.
President of the Republic of Palau

Date: 2/17/06