

P- 1st Reading
4/21/26 JGA
RS

A BILL FOR AN ACT

To amend Title 13 to provide for Palauan nationality for certain qualified individuals; and for other related purposes.

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

1 **Section 1. Legislative Findings.** The Olbiil Era Kelulau finds that there are individuals
2 born in the Republic of Palau, and individuals adopted by citizens of the Republic of Palau
3 under Palauan law or recognized custom, who have longstanding and substantial ties to the
4 Republic but who do not qualify for citizenship.

5 The Olbiil Era Kelulau further finds that some of these individuals have maintained
6 permanent residence in the Republic of Palau and have resided in the Republic for many years,
7 have established their lives in Palau, and are integrated into the social and economic life of
8 the Republic.

9 The Olbiil Era Kelulau further finds that the Republic has a legitimate interest in
10 recognizing and regularizing the status of persons who have a genuine, enduring, and
11 demonstrated connection to Palau, while preserving the distinct constitutional and legal status
12 of Palauan citizenship.

13 The Olbiil Era Kelulau further finds that, in some cases, the children of such
14 individuals may be unable, after reasonable efforts, to establish citizenship in any country,
15 creating a risk of legal uncertainty and hardship.

16 The Olbiil Era Kelulau further finds that establishing a limited form of Palauan
17 nationality for these categories of individuals will promote legal certainty, family stability,
18 and the orderly administration of residency, employment, and related matters within the
19 Republic.

20 The Olbiil Era Kelulau further finds that it is in the public interest to permit individuals
21 granted Palauan nationality under this Act to reside permanently in the Republic, to engage in
22 lawful employment, to participate in the economic life of the Republic, and to hold a passport
23 issued by the Republic bearing an endorsement noting that the holder is a Palauan national but
24 not a citizen of Palau.

1 The Olbiil Era Kelulau further finds that granting Palauan nationality under this Act
2 does not confer Palauan citizenship and does not entitle any person to vote, hold elective
3 office, or exercise any other right, privilege, or status reserved by the Constitution or laws of
4 the Republic to citizens.

5 The Olbiil Era Kelulau further finds that requiring an application to be submitted
6 within a defined period is a reasonable means of identifying eligible individuals, promoting
7 administrative finality, and limiting the scope of this Act to those persons presently in need of
8 recognition.

9 **Section 2.** Chapter 1 of Title 13 is amended as follows:

10 “ . . .

11 **§ 102. Definitions.**

12 ~~In this title~~ For the purposes of this title, the following definitions apply:

13 (1) “available” means able to be on the island on which the employer desires
14 workers on the date the employer states the workers are desired.

15 (2) “citizen of any other nation” means any natural person who is not a citizen
16 of the Republic.

17 (3) “employer” means any individual, partnership, association, or corporation
18 hiring employees in the Republic and any individual who has in his employ a domestic
19 servant, but does not include any branch or agency of the national government.

20 (4) “employment service” means the employment service established under
21 this title.

22 (5) “employment service officer” means the official who is the head of the
23 employment service established under this title.

24 (6) “naturalization” means the conferring of citizenship upon a person after
25 birth, pursuant to this chapter.

26 (7) “nonresident worker” means any person who is capable of performing
27 services or labor and who is not a citizen of the Republic, a Palauan national, or an
28 immigrant alien admitted to the Republic for permanent residence under the provisions

1 of this title, including persons acting in a professional, managerial, or executive
2 capacity.

3 (8) “of recognized Palauan ancestry” means of Palauan blood as may be
4 determined by testimony or evidence admissible in a court of law.

5 (9) “Palauan national” means an individual who attains Palauan nationality
6 pursuant to Subchapter IV of Chapter 1 of Title 13.

7 ~~(9)~~ (10) “resident worker” means any person who is capable of performing
8 services or labor and who is a citizen of the Republic, a Palauan national, or an
9 immigrant alien admitted to the Republic for permanent residence under the provisions
10 of this title, including persons acting in a professional, managerial, or executive
11 capacity.

12 ~~(10)~~ (11) “skilled worker” means an employee with specialized skills,
13 training, knowledge, and acquired ability in order to perform the duties of their
14 employment, such as software development, paramedics, physicians, heavy equipment
15 operator, mechanics, plumbers, craftsmen, and accountants.

16 ~~(11)~~ (12) “special mail” means certified mail if the addressee is located in the
17 Republic, in the United States or in what has become known as the Trust Territory of
18 the Pacific Islands and means registered return receipt requested if the addressee is
19 located anywhere else in the world. The term “is located” means the last known
20 address.

21 . . .

22 § 105. Issuance of certificate of naturalization, ~~or citizenship~~, or Palauan nationality.

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

27 (b) A certificate of Palauan nationality may be issued by the Minister of Justice upon
28 the request of a Palauan national and have the same effect in all courts and public offices of

1 the Republic, at home and abroad, as a certificate of Palauan nationality issued by a court
2 having jurisdiction over that status.

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

4 (a) If any certificate of naturalization or citizenship issued to any citizen, a certificate
5 of Palauan nationality, or any declaration of intention furnished to any declarant is lost,
6 mutilated, or destroyed, the citizen, Palauan national, or declarant may make application to
7 the Minister of Justice for a new certificate or declaration. If the Minister of Justice finds that
8 the certificate or declaration is lost, mutilated, or destroyed, he shall issue to the applicant a
9 new certificate or declaration.

10 (b) If the name of any naturalized citizen or a Palauan national has, subsequent to
11 naturalization or acquisition of Palauan nationality, been changed by order of any court of
12 competent jurisdiction, or by marriage, the citizen or Palauan national may make application
13 for a new certificate of naturalization or certificate of Palauan nationality in the new name of
14 such citizen or Palauan national. If the Minister of Justice finds the name of the applicant to
15 have been changed as claimed, the Minister of Justice shall issue to the applicant a new
16 certificate and shall notify the court of such action.”

17 **Section 3.** Chapter 1 of Title 13 is amended with a new subchapter as follows:

18 “Subchapter IV – Acquiring Palauan Nationality

19 § 151. Eligibility for Palauan nationality.

20 (a) Subject to the requirements of this subchapter, the following individuals may
21 acquire Palauan nationality:

22 (1) an individual:

23 (A) who was born in the Republic of Palau;

24 (B) who was adopted by at least one citizen of the Republic of Palau
25 under a decree issued pursuant to Chapter 4 of Title 21 of the Palau National
26 Code or, if the adoption was pursuant to recognized custom in the Republic,
27 under a decree issued pursuant to 21 PNC § 104;

1 (C) who has maintained a primary residence in the Republic of Palau
2 for at least twenty-five years prior to application for acquisition of Palauan
3 nationality;

4 (D) who has not been convicted of a felony in the Republic of Palau;
5 and

6 (E) who submits the individual's application to acquire Palauan
7 nationality to the Bureau of Immigration and Foreign Labor between [the
8 effective date of this act] and one year after [the effective date of this act].

9 (2) who, regardless of age, was born to a person who has acquired Palauan
10 nationality under this section, if the individual demonstrates, after
11 reasonable efforts, that the individual is unable to establish citizenship in
12 any country.

13 (b) For the purposes of this section, "primary residence" means a residence in the
14 Republic of Palau where the individual:

15 (1) has an actual residence;

16 (2) has the intention to make the Republic of Palau the individual's permanent
17 home; and

18 (3) has been physically present in the Republic of Palau on a reasonably continuous
19 basis consistent with that intent.

20 § 152. Effect of Palauan nationality.

21 (a) An individual who has acquired Palauan nationality under this subchapter:

22 (1) is entitled to enter, reside permanently in, depart from, and return to the
23 Republic and is not required to obtain a visa or permit to enter, reside, or return to the
24 Republic, subject to applicable laws governing passports or other travel documents
25 verifying the individual's status as a Palauan national.

26 (2) is entitled to lawfully work in the Republic and is not required to obtain a
27 visa or work permit to be employed in the Republic, but may be required by an
28 employer to present proof of Palauan nationality.

1 (3) may own a business or part of a business in accordance with the provisions
2 concerning non-citizens under the Foreign Investment Act, provided for in Chapter 1
3 of Title 28 of the Palau National Code.

4 (b) An individual who has acquired Palauan nationality under this subchapter is not a
5 Palauan citizen and is not entitled to:

- 6 (1) vote in national or state elections;
7 (2) hold an elective office restricted to citizens under the constitution or law;
8 (3) acquire title to land or waters in Palau; or
9 (4) other benefits explicitly reserved to Palauan citizens by the constitution or
10 law.

11 § 153. Procedures for Palauan nationality.

12 (a) Except as otherwise specifically provided in this subchapter, and to the extent
13 not inconsistent with this subchapter, the procedural provisions set forth in
14 Subchapter III of this chapter governing naturalization, including revocation
15 proceedings, shall apply to proceedings under this subchapter.

16 (b) Any provision of Subchapter III establishing substantive eligibility requirements
17 for naturalization, including any requirement relating to citizenship, recognized
18 Palauan ancestry, or eligibility to be admitted as a citizen of the Republic, shall not
19 apply except as expressly provided in this subchapter.

20 § 154. Petition for Palauan nationality.

21 (a) Prior to filing a petition for Palauan nationality consistent with the procedures
22 under Subchapter III of this chapter governing naturalization, an applicant shall file an
23 application at the Bureau of Immigration and Foreign Labor in the form and manner prescribed
24 by the Minister of Justice.

25 (b) A person may not file a valid petition for Palauan nationality with the Office of the
26 Clerk of Courts consistent with the procedures in Subchapter III of this chapter unless:

- 27 (1) the individual meets the requirements of § 151 of this title; and
28 (2) the individual has first filed the application provided for in subsection (a)
29 and followed any related procedures provided for in this subchapter and by rule.

1 § 155. Oath of allegiance.

2 (a) Following a final hearing on a petition for Palauan nationality pursuant to the
3 procedures under Subchapter III of this chapter governing naturalization, if an applicant is
4 over the age of 18, the applicant shall, in order to acquire Palauan nationality, take in open
5 court an oath:

6 (1) to support the Constitution of the Republic;

7 (2) to defend the Constitution and the laws of the Republic against all enemies;

8 and

9 (3) to bear true faith and allegiance to the same.

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

13 § 156. Certificate of Palauan nationality.

14 A person acquiring Palauan nationality by the Supreme Court in conformity with the
15 provisions of this subchapter shall be entitled upon such acquisition to receive from the Clerk
16 of Courts a certificate of Palauan nationality, which shall contain substantially the following
17 information:

18 (1) number of petition for Palauan nationality;

19 (2) number of certificate of Palauan nationality;

20 (3) date of acquisition of Palauan nationality;

21 (4) name, place of residence, and personal description of the applicant,
22 including place of birth, date of birth, sex, marital status, and country of former
23 nationality, if any;

24 (5) statement that the petitioner has complied in all respects with all of the
25 applicable requirements for Palauan nationality;

26 (6) attestation of the Clerk of Courts; and

27 (7) seal of the Court.”

28 **Section 4.** Section 1204 of Title 13 is amended as follows:

1 “§ 1204. Persons entitled to passport. No passport shall be granted, renewed, issued
2 to, or verified for any person other than:

3 (1) a citizen of the Republic of Palau, except for individuals residing in the
4 Republic of Palau who carry or are eligible for Trust Territory of the Pacific Islands
5 passports as of ~~the effective date of this chapter~~ October 1, 1994, who are not citizens
6 of any other country, and who apply for a Republic of Palau passport within the two-
7 year transition period provided for by RPPL 4-27; or

8 (2) an individual who has acquired Palauan nationality as provided in
9 Subchapter IV of Chapter 1 of Title 13. A passport issued to an individual who has
10 acquired Palauan nationality must bear a prominent endorsement within the passport
11 stating that “The bearer is a Palauan national and is not a citizen of the Republic of
12 Palau.”

13 **Section 5.** Section 1209 of Title 13 is amended as follows:

14 ~~“§ 1209. Manually read Republic of Palau passports; expiration-~~

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

22 **Section 6. Repealer.** The following section of the Palau National Code is hereby
23 repealed:

24 13 PNC § 1212 Contract for procurement of passports.

25 **Section 7. Effective date.** This Act shall take effect upon its approval by the President
26 of the Republic of Palau, or upon its becoming law without such approval.

Date: 4/21/24

Introduced by: [Signature]
Senator Hokkons Baules

[Signature]
Senator Siegfried Bai Nakamura

[Signature]
Senator Mark U. Rudimch

[Signature]
Senator Lentcer Basilius

[Signature]
Senator Secilil Eldebechel

[Signature]
Senator Stevenson J. Kuartei

[Signature]
Senator Kerai Mariur

[Signature]
Senator Brian Melareii

[Signature]
Senator Andrew Tabelual

[Signature]
Senator Rukebai Kikuo Inabo

[Signature]
Senator Ann Latii Pedro

[Signature]
Senator Mason N. Whippo