

**TITLE 24
ENVIRONMENTAL PROTECTION**

DIVISION 2: WILDLIFE PROTECTION

24 PNC 1201

PROTECTED SEA LIFE

24 PNC 1211

Chapter 12: Protected Sea Life

Subchapter I: Turtles

§1201. Limitations on taking of turtles.

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(a) No hawksbill turtles or sea turtles shall be taken or intentionally killed while on shore, nor shall their eggs be taken.

(b) No hawksbill turtle shall be taken or killed except whose shell is at least 27 inches when measured over the top of the carapace shell lengthwise; no green turtle shall be taken or killed except whose shell is at least 34 inches when measured over the top of the carapace shell lengthwise.

(c) No sea turtle of any size shall be taken or killed from the first day of June to the thirty-first day of August inclusive, nor from the first day of December to the thirty-first day of January inclusive.

(d) Notwithstanding any provisions of this section to the contrary, taking of sea turtles and their eggs shall be allowed for scientific purposes when specifically authorized by the President.

(e) A person violating any of the provisions of this section shall, upon conviction, be imprisoned for a period not exceeding six months, or fined not more than \$100.00, or both.

Source: Subsections (a) through (d) -- 45 TTC §2; subsection (e) -- 45 TTC §5; section modified.

Subchapter II: Sponges

§1211. Control of sponge harvesting.

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(a) No sponges artificially planted or cultivated shall be taken or molested, except by permission of the President.

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Source: Subsection (a) -- 45 TTC §3; subsection (b) -- 45 TTC §5; section modified.

Subchapter III: Mother-of-Pearl

§1221. Control of black-lip mother-of-pearl oyster shell harvesting.

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(a) No black-lip mother-of-pearl oyster shell (Pinctada margaritifera) shall be taken except whose shell is at least four inches in diameter as measured across the nacre.

(b) No black-lip mother-of-pearl oyster shell of any size shall be taken from the first day of August to the thirty-first day of December inclusive.

(c) Notwithstanding any provisions of this section to the contrary, black-lip mother-of-pearl shells of any size may be taken at any time for scientific purposes when specifically authorized by the President.

(d) A person violating any of the provisions of this section shall, upon conviction, be imprisoned for a period not exceeding six months, or fined not more than \$100.00, or both.

Source: Subsections (a) through (c) -- 45 TTC §4; subsection (d) -- 45 TTC §5; section modified.

Subchapter IV: Dugong

§1231. Conservation of dugongs.

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(a) No person shall kill, trap, capture, wound, possess, transport, restrain or otherwise have under his control any dugong or any part or product thereof, except as provided for in subsections (b) and (c).

(b) The President may, upon cause shown, grant a permit for the capture, restraint, or transportation of dugong subject to such terms, conditions and restrictions as he may deem fit and proper.

(c) If any dugong is accidentally caught in a fishing net, trap, wire, or by any other fishing method, it must be released immediately if still alive. If found dead in such fishing apparatus, the person who found it must notify the chief executive officer of the state where found. The chief executive officer shall ascertain that the dugong was caught inadvertently and found dead and, after establishing these facts, shall release the dead dugong to the person who found it.

(d) A person found guilty of violating this section shall, upon conviction, be imprisoned for a period of not more than six months, or fined not more than \$50.00, or both for the first offense; for every offense thereafter, the convicted person shall be imprisoned for not more than one year, or fined not more than \$100.00, or both.

Source: PDC §203, modified.

Subchapter V: Trochus

- §1241. Trochus; defined.
- §1242. Same; harvesting restricted.
- §1243. Same; designation of season; rules and regulations for harvesting.
- §1244. Same; authority of state government to permit removal and replanting of beds.
- §1245. Export of clam meat prohibited.

§1241. Trochus; defined.

For the purpose of this subchapter, the term Trochus shall be considered Trochus niloticus. The names of Trochus maximus, Tectus niloticus, and Tectus maximus shall be considered names synonymous with Trochus niloticus.

Source: 45 TTC §51(2), as amended by RPPL 1-30 §1, modified.

§1242. Same; harvesting restricted.

The harvesting of or in any way intentionally interfering with the growth of trochus in the waters of any state of the Republic is prohibited, except as provided in sections 1243 and 1244 of this chapter.

Source: 45 TTC §51(1), as amended by RPPL 1-30 §1, modified.

§1243. Same; designation of season; rules and regulations for harvesting.

(a) Each state government may designate and vary from year to year an open season or seasons for such period of time as deemed advisable for the harvesting of trochus in its territorial waters, and may designate certain reefs or sections thereof that shall be closed for harvesting of trochus, notwithstanding the fact that the season is open. The open season may vary in different areas or islands within each state. Public notice shall be given in each state of the dates designated for the harvesting of trochus and of the reefs that have been declared closed, if any, by posting a writing in the Palauan and English languages in a public and conspicuous place and filing a copy of each designation with the Clerk of Courts.

(b) During an open season, any citizen of Palau may dive for and harvest trochus in the state to which the season applies, within those areas in which he has the right to fish under established local custom and subject to any regulations of the concerned state government governing the taking of trochus; provided that no trochus shall be taken whose shell is less than three inches in diameter at the base.

(c) Each state government may, if it is deemed expedient, prohibit the harvesting of trochus during any calendar year or years. Public notice shall be given of the prohibition in the same manner as the notice designating the dates for the harvesting of trochus in subsection (a) of this section.

Source: 45 TTC §52, as amended by RPPL 1-30 §1, modified.

§1244. Same; authority of state government to permit removal and replanting of beds.

(a) If a state government determines that underwater operations which will interfere with an existing trochus bed are in the public interest, a written permit may be issued by the appropriate state official for the removal and replanting of such bed at the expense of the person or persons desiring to conduct the underwater operations.

(b) Each state government may at any time authorize the removal and transportation of trochus for the purpose of introduction to other reefs, islands or atolls.

Source: 45 TTC §53, as amended by RPPL 1-30 §1, modified.

Subchapter VI: Clams

§1261. Export of clam meat prohibited.

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(a) For purposes of this section, clam shall mean: Tridacna gigas (Otkang); T. squamosa (Ribkungel); T. derosa (Kism); T. maxima (Melibes); T. crocea (Oruer); and Hippopus hippopus (Duadu).

(b) Any person who shall engage in a commercial activity for purposes of exporting clam meat, or part thereof, or engage or take part in such export shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned for a period of not more than one year, or fined not less than \$500.00 nor more than \$2000.00, or both.

Source: RPPL 1-9-§1, modified.