



Koror State Government

Tourist Guide Certification Regulations

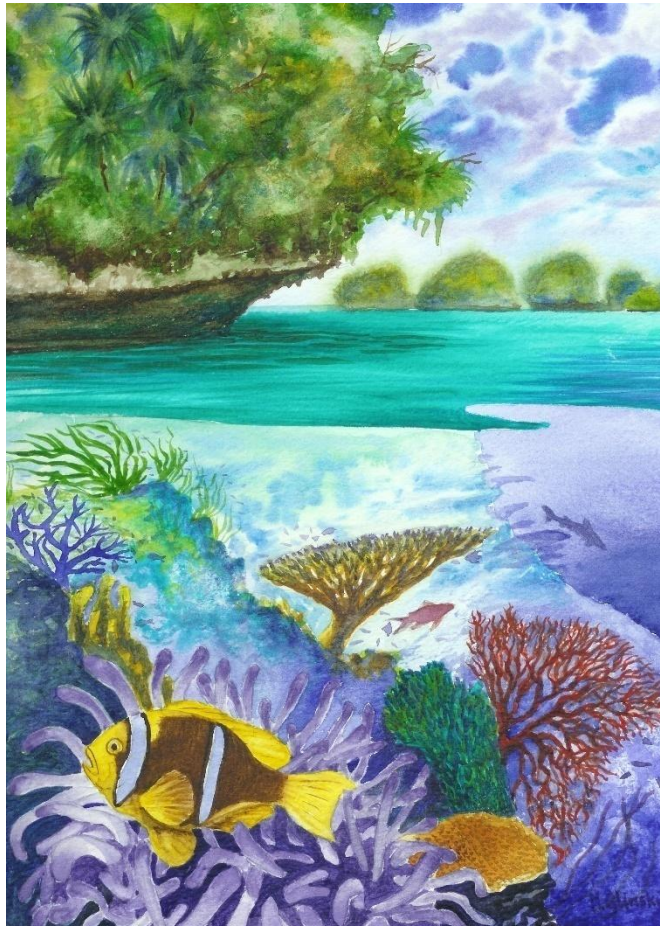
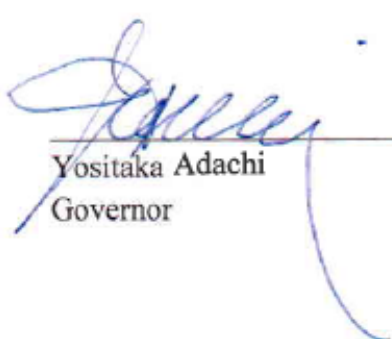


Table of Contents

Article	Article Description	Page No
1	General Provisions	3
2	General Certification Requirements	5
3	Tour Guide Training	6
4	Tour Guide Certification Requirements	8
5	Cardiopulmonary resuscitation (CPR) and First Aid Certification Requirement	10
6	Resources for Koror State Tour Guide Certification	11
7	Certified Tour Guide on all Commercial Tours	12
8	Penalties	13

These Regulations are adopted pursuant to the authority of Section 10, Koror State Public Law K9-263-2013 (effective July 1, 2014) with their implementation effective upon signature.

DATED this 14th day of April, 2015


Yositaka Adachi
Governor

*For Koror State Government by:
J. Maireng Sengebau, BEHST Inc.;
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ARTICLE 1: GENERAL PROVISIONS

1.1 **SHORT TITLE:**

These Regulations may be cited as the KSG Tour Guide Certification Regulations.

1.2 **AUTHORITY:**

These regulations are promulgated pursuant to the authority contained in Koror State Public Law (KSPL) No. K9-263-2013 Section 10, and KSPL K8-207-2009. These regulations shall have the force and effect of law.

1.3 **PURPOSE AND APPLICABILITY:**

The purpose of these regulations is to ensure that industry best practices are followed that protect the environment and culture and ensure that visitors to Koror have a safe and positive experience.

1.4 **FEES & PENALTIES:**

Unless otherwise provided for by law or regulations, fees and penalties shall be imposed pursuant to KSPL No. K9-263-2013 and these regulations.

1.5 **DEFINITIONS:**

“Acting as a Tour Guide” means accompanying, escorting, guiding, supervising or assisting people on a Commercial Tour to tour, see, or visit the Rock Islands, a marine lake or any other location in the waters or on the land of the State of Koror.

“Commercial Tour” means any trip, excursion or tour to the Rock Islands and/or the waters of Koror State or any other area within Koror State, including any land trip or tour and any marine lake trip or tour, performed or offered in exchange for a fee, or offered as part of a package tour, or provided in exchange for any good and valuable consideration.

“CPR” means cardiopulmonary resuscitation.

“Rock Islands” means all islands, including the land, beaches, waters, and marine lakes, within the territorial jurisdiction of Koror State, with the exception of the islands of Koror (Oreor), Malakal, Ngerkebesang, Ngerur Island, and any other small islands or islets joined to them by a causeway or bridge.

“Tourist Guide or Tour Guide” means a person who serves or acts, whether as an employee, contractor or self-employed individual, as a guide, instructor, supervisor, or leader of a Commercial Tour, including persons who serve as scuba diving and snorkeling guides, and including escorts on land tours and trips to marine lakes.

“Waters of Koror State” means all ocean waters from the land of Koror State to twelve nautical miles seaward from the traditional baselines, and also includes any marine lake or landlocked lake.

ARTICLE 2: GENERAL CERTIFICATION REQUIREMENTS

- 2.1** No person shall act as a Tour Guide on the Rock Islands, marine lake, or any other location in the waters or on the land of the State of Koror unless the person holds a valid tour guide certification card issued by the Department of Conservation and Law Enforcement (DCLE) for Koror State Government.

- 2.2** An applicant for a Tour Guide Certification Card shall fill out the application form provided by the DCLE and submit all required documentation. Upon determination of eligibility, the date of certification examination shall be scheduled.

- 2.3** No Tour Guide shall engage in business or do business in Koror State with a company or individual not properly licensed by the Palau National Government and Koror State Government; and registered with Palau Visitors Authority and/or Bureau of Tourism, Ministry of Natural Resources, Environment, and Tourism (MNRET).

- 2.4** All businesses or other entities which provide Commercial Tours in Koror State shall conspicuously post a notice at their operating site which states that such business or entity employs or uses the services of Tour Guides who have been certified by the Koror State DCLE. Notice shall be provided by Koror State DCLE.

ARTICLE 3: TOUR GUIDE TRAINING

3.1 TOUR GUIDE REQUIREMENT

A) Koror State DCLE shall work with relevant agencies to develop the Koror State Tour Guide Certification Program which shall include at a minimum:

- 1) Koror State Rock Island Management Regulations
- 2) Koror State Environmental Laws
- 3) National Government Environmental and Cultural and Historical Preservation Laws
- 4) Safety Guidelines for tourists engaged in water or other outdoor activities
 - i. National and State Water Safety Laws & Regulations
 - a) Boat Requirements
 - b) Safety Equipment
 - c) Palau Marine Advisory System
 - d) Koror State Personal Watercraft Regulations
 - ii. Tour Guide shall have a list of the entire tour group in Roman Alphabet, as shown on their Passports, before the tour takes place that matches the names on permits on a given tour readily available for the inspection of Rangers.
 - iii. Tour Guide shall be trained and certified in CPR and First Aid by Internationally recognized organizations and known by Koror State DCLE.
 - iv. Tour Guide shall ensure that means of communication with tour station is continuous and uninterrupted at all times.
 - v. Tour Guide shall ensure life jackets or buoyancy compensator devices (BCD) are onboard for each passenger during sea tour operations at all times.
 - vi. Tour Guide shall ensure that appropriate safety gears are available and used by customers.
 - vii. Tour Guide shall ensure that a tour dive boat is equipped with functional emergency medical oxygen kit and emergency first aid kit at all times.
 - viii. Tour Guide shall give briefings before a tour.
 - ix. Tour Guide shall ensure full accessibility of the emergency channel/frequency (Channel 16 or established emergency channel) at all times.
- 5) Guidelines and “best practices” to minimize impact on the environment from snorkeling, scuba diving and other outdoor activities (details in Tour Guide Manual).
 - i. Tour Guide shall give site specific briefings before a site tour.

- ii. Tour Guide shall demonstrate appropriate dive etiquette, e.g. do not touch, handle, or provoke any marine organism; do not alter or deface anything on the reef; do not collect or remove any corals, sea grass, algae, or any other marine organisms.
 - iii. Tour Guide shall ensure appropriate practice of boat mooring instead of anchoring at applicable sites.
 - iv. Tour Guide shall ensure diving ratio is 8 divers to 1 tour guide.
 - v. Tour Guide shall ensure snorkeling ratio is 10 snorkelers to 1 tour guide.
 - vi. Tour Guide shall ensure gloves are prohibited while diving or snorkeling.
 - vii. Tour Guide shall ensure that reef hooks are properly placed to minimize environmental impact.
 - viii. Tour Guide shall ensure that trash is properly disposed. All trash shall be removed upon departure from the site.
 - ix. Tour Guide shall ensure tourists never stand on, kick or hold coral or other stationary marine life.
 - x. Tour Guide shall ensure prevention of cross contamination in accordance with established guidelines at designated sites, i.e. do not bring anything but clean snorkel gear into Jellyfish Lake and not to take anything from the lake into the ocean (*this includes things that appear dead like seashells, marine or terrestrial rocks, which can house potentially invasive organisms*).
- 6) Code of conduct to minimize impact on cultural, historical, and archaeological sites and place (details in Tour Guide Manual). Tour Guide shall ensure that tourists:
- i. Remember to take everything they brought to the site when they leave and not to leave anything.
 - ii. Do not remove anything from the site. Although tourists may think something is not significant to the site, all pieces make up the whole.
 - iii. Remember that many sites include culturally sensitive areas and therefore behavior should always be respectful.
 - iv. Respect every place/site visited.
- B) Pass the examination offered for such program
- (1) A person may choose to take the exam without completion of the Tour Guide Certification Course.
- C) All tour Guides shall take an annual “refresher” course in order to remain certified as a Koror State Tour Guide.
- (1) In order to take the “refresher” course, a tour guide must have:
- i. Valid working permit if not a citizen of Palau
 - ii. Valid CPR and First Aid Certification

ARTICLE 4: TOUR GUIDE CERTIFICATION REQUIREMENTS

4.1 TOUR GUIDE CERTIFICATION EXAMINATION:

A person applying for a Tour Guide Certification shall:

- 1) Be at least eighteen (18) years of age
- 2) Be proficient in the Palauan or English language
- 3) Have a valid working permit as a tour guide from Palau National Government, if not a Palauan citizen
- 4) Have a valid CPR and First Aid Certification from an entity that is internationally recognized and known by the Koror State DCLE.
- 5) Tour Guide Certification Examination
 - i. An applicant must submit the Tour Guide Certification Examination Application Form to Koror State DCLE with the following:
 - a. Two (2) copies of a valid CPR and First Aid certification issued by an internationally recognized CPR and First Aid certifying authority and known by the Koror State DCLE.
 - b. Two (2) copies of valid picture I.D.
 - Passport, driver's license, or national I.D. for citizen
 - Passport only for non-citizen
 - c. Two (2) copies of tour guide working permit issued by the Palau National Government if non-citizen. Work permit and passport shall have same name on both documents.
 - ii. The Koror State DCLE will review Tour Guide Certification Examination Application Form to determine eligibility. Examination will be scheduled thereafter.
 - iii. An applicant must bring 2 pencils/pens on the examination day. Any electronic devices (i.e. cellphone and radio) are prohibited in the examination room. Notes or any other types of booklets for reference are not allowed during testing.
 - iv. An applicant will be given a maximum of one (1) hour to complete the Koror State Tour Guide Certification Exam.
 - v. An applicant must pass an examination under the supervision of the Koror State DCLE covering knowledge of tourist sites, points of the island historical and cultural; marine and terrestrial fragile environment; safety regulations, and general interests in Koror State.
 - vi. The passing grade for Koror State Tour Guide Certification Examination is 80%.
 - vii. The result for Koror State Tour Guide Certification Examination will be available in ten (10) working days.

4.2 TOUR GUIDE CERTIFICATION CARD:

- A. The Tour Guide Certification Card will be issued in 10 working days following examination date.
- B. The Tour Guide Certification Card components shall be:
 - 1) Full name of an applicant
 - 2) Birthdate of an applicant
 - 3) CPR and First Aid Certification number
 - 4) CPR and First Aid Certification expiration date
 - 5) Tour Guide Certification number
 - 6) Tour Guide Certification issuance date
 - 7) Tour Guide Certification expiration date
 - 8) Seal of Koror State DCLE
 - 9) Signature of Director of Koror State DCLE
 - 10) Recent passport size picture
- C. The validation for Tour Guide Certification Card
 - 1) The validation of Tour Guide Certification Card is one (1) year, provided that CPR and First Aid Certification is valid for that period.
- D. The Tour Guide Certification Fee
 - 1) The fee for the first Tour Guide Certification Card is \$30.00
 - 2) The fee for each annual renewal of tour guide certification is \$10.00
- E. All fees shall be payable to Koror State Finance Office.

4.3 COMMERCIAL TOURS:

- a) All businesses or other entities which provide Commercial tours in Koror State shall conspicuously post a notice at their operating site which states that such business or entity employs or uses the services of Tour Guides who have been certified by the Koror State Tour Guide Certification Program.
 - 1) The notice must be issued by the Koror State DCLE.
 - i. The notice components include the following:
 - a) Name of the business or an entity
 - b) Seal of the Koror State DCLE
 - c) Signature of Director of Koror State DCLE
 - d) Signature of Koror State Governor, or the Governor's designee
 - 2) The notice will be seized from the business or entity operating site by Koror State DCLE if a business or entity violates Article 8 Section 1, 2, 3, and 4.

ARTICLE 5: CPR AND FIRST AID CERTIFICATION REQUIREMENT

5.1 CPR AND FIRST AID CERTIFICATION REQUIREMENT:

- a) Any person who wishes to work or act as a tour guide in Koror State must be CPR and First Aid certified by a verifiable and internationally recognized as CPR and First Aid certifying authority such as International Red Cross.
- b) All Commercial Tour companies shall submit an up-to date list of all CPR and First Aid certified tour guides to Koror State DCLE throughout the year.
 - 1) An electronic copy shall be sent to rorrangers@palaunet.com by the end of each quarter.
 - i. End of the 1st quarter is by the last Monday of March
 - ii. End of the 2nd quarter is by the last Monday of June
 - iii. End of the 3rd quarter is by the last Monday of September
 - iv. End of the 4th quarter is by the last Monday of December

5.2 VERIFIABLE CPR AND FIRST AID AUTHORITY:

A verifiable CPR and First Aid certifying authority can be an NGO, government, or business entity that is capable of training, certifying and issuing CPR and First Aid certification and is internationally recognized and known by Koror State DCLE. The department will maintain an up-to-date list of verifiable CPR and First Aid certifying authorities.

ARTICLE 6: RESOURCES FOR KOROR STATE TOUR GUIDE CERTIFICATION

6.1 KOROR STATE TOUR GUIDE CERTIFICATION PROGRAM MANUAL and BOOKLET

Koror State DCLE has the following resource materials:

- Koror State Government Tour Guide Certification Program Manual
- Koror State Government Tour Guide Booklet

6.2 CPR CERTIFICATION

A person or business entity may seek CPR and First Aid training program from entities that are internationally recognized and known by the Koror State DCLE.

6.3 OTHERS

Additional information on the following topics may be obtained from the Koror State DCLE:

- Terrestrial and Marine Environment
- Traditional and Contemporary Culture
- Palauan History

ARTICLE 7: CERTIFIED TOUR GUIDE ON ALL COMMERCIAL TOURS

7.1 CERTIFIED TOUR GUIDE ON ALL COMMERCIAL TOURS

A) A certified tour guide must be present on all commercial tours in Koror State

- (1) The certified tour guide shall be proficient in English and/or Palauan languages.
- (2) Any tour guide conducting a tour without a permit shall be cited on site and immediate return to its tour station may take place if safety of the passengers and the tour is at risk. Any subsequent similar offenses shall result in citation including immediate return to its tour station.
- (3) All tour guides must be registered under a tour agency.
- (4) A certified tour guide shall have a valid working permit, if not a citizen of Palau.
- (5) All tour agencies shall provide an updated list of their certified tour guides to the DCLE.

7.2 PROOF OF POSSESSION

- A) A certified tour guide shall carry a valid Tour Guide Certification Card at all times while working or otherwise acting as a tour guide in Koror State.
- (1) Every tour guide on any tour must be able to produce his/her tour guide certification card upon request of any Koror State Ranger.
 - (2) Any tour guide conducting a tour without a permit shall be cited on site and immediate return to its tour station may take place if safety of the passengers and the tour is at risk. Any subsequent similar offenses shall result in citation including immediate return to its tour station.

ARTICLE 8: PENALTIES

- 8.1** Any person found to be working as a tour guide in Koror State without a valid and current Tour Guide certification card shall be convicted of a misdemeanor and be sentenced to pay a fine to the Koror State Treasury after conviction:
1. First offense is \$100.00
 2. Second offense is \$250.00
 3. Third offense is \$500
- 8.2** Any person or business entity that employs a person as a Tour Guide who does not possess a valid and current Tour Guide Certification as required in Articles 3,4, &5 shall be convicted of a misdemeanor and be sentenced to pay a fine to the Koror State Treasury after conviction:
1. First offense is \$100.00
 2. Second offense is \$250.00
 3. Third offense is \$500
- 8.3** Any person or business entity that does not provide an up-to-date list to Koror State Department of Conservation and Law Enforcement of all of its CPR and First Aid certified tour guides as required by Article 5 shall pay a fine to the Koror State Treasury after conviction.
1. First offense is \$100.00
 2. Second offense is \$250.00
 3. Third offense is \$500.00 and KSG business license of such violator shall be subject to suspension, revocation and/or cancellation as provided in KSPL No. K8-188-2007 (November 21, 2007) and/or its consequent amendments.
- 8.4** Any person or business entity that conducts a Commercial tour in the land or waters of Koror State without the presence of a Tour Guide who is validly certified under the Koror State Tour Guide Certification Program and who is CPR and First Aid certified shall pay a fine to Koror State Treasury after conviction.
1. First offense is \$100.00
 2. Second offense is \$250.00
 3. Third offense is \$500.00 and KSG business license of such violator shall be subject to suspension, revocation and/or cancellation as provided in KSPL No. K8-188-2007 (November 21, 2007)) and/or its consequent amendments.
- 8.5** It shall be unlawful to aid, abet, counsel, command, induce, or procure or cause the commission of violation of Article 3, Article 4, Article 5 or Article 7 of these regulations, which if directly performed by any person would be a violation of Article 3, Article 4, Article 5 or Article 7 of these regulations, and any such person may and shall be punished as a principal. No distinction is made between principals in degrees, and no distinction is made between a principal and what may be referred to as an accessory before the fact.