

Edited Content Extracted from: section 101-112.docx

PART I. GENERAL PROVISIONS

Section 101. Authority

The ensuing rules and procedures are established in accordance with RPPL No. 2-29, as amended by RPPL No. 3-64, and codified in Title 41 of the Palau National Code (hereafter referred to as "PNC"). These rules and procedures have been issued by the Republic of Palau Social Security Board (hereafter referred to as "Board") and carry the force and effect of law. They serve as supplements to 41 PNC, unless otherwise specified by the Board.

[Source: 41 PNC § 711 and § 712(d)]

Section 102. Purpose

The purpose of these operational rules and procedures is to ensure the efficient and economical operation of the Social Security Administration as a governmental administrative agency responsible for administering a compulsory, self-supporting, and self-financing national insurance system known as the Social Security System.

[Source: 41 PNC § 701]

Section 103. To Whom Applicable

These operational rules and procedures are to be enforced by employees of the Social Security Administration (hereafter referred to as "Administration") of the Republic of Palau, applying to all employers and employees covered by and subject to the provisions of 41 PNC.

[Source: 41 PNC § 703]

Section 104. Definitions

Unless otherwise specified, the definitions as set forth in 41 PNC § 702 are incorporated herein by reference for all purposes.

[Source: 41 PNC § 702]

Section 105. Amendment

Any provision of these rules and procedures may be amended by a majority vote of the Board's membership. The Board shall not take official actions that are contrary to these rules and procedures, only to retroactively make such official action in accordance with these rules and procedures.

[Source: 41 PNC § 711, § 712(d), & SSA By-Laws]

Section 106. Sovereign Immunity

The Administration, acting on behalf of the National Government in its official capacity, is protected by the doctrine of sovereign immunity unless otherwise provided. [Doctrine of Sovereign Immunity]

Section 107. Record Keeping

The Administrator shall maintain records of all employees and contributors, including self-employed persons, for a minimum of ten (10) years. Records may be maintained for more than ten (10) years when the Administrator deems it necessary for purposes such as on-going or future legal actions, debt collection, settlement agreements, estate proceedings, or other essential purposes.

[Source: 41 PNC § 711, § 712(d), § 724, & SSA By-Laws]

Section 108. Funds

All funds received by the Administration shall be deposited on a daily basis. No funds shall be held overnight. For safety purposes, deposits made after 4:30 shall be accompanied by two (2) Administration employees.

[Source: SSA By-Laws]

Section 109. Discretion of the Administrator

The Administrator shall have the discretion to deviate from these rules and procedures as they deem necessary to best serve the interests of the Administration. In such cases, the Administrator must inform the Board in writing during the next regular meeting. This section does not approve any acts committed by the Administrator that are contrary to law.

[Source: 41 PNC § 724 & SSA By-Laws]

Section 110. Uniformity

All provisions of these rules and procedures shall be interpreted and applied in a uniform, nondiscriminatory manner.

[Article IV, Section 5. ROP Constitution]

Section 111. Severability

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

[General Provision]

Section 112. Effective Date

These rules and procedures shall take effect upon their approval by a majority vote of the Board of the Republic of Palau Social Security Administration. Actions prior to the effective date of these rules and procedures will not be subject to these newly promulgated rules and procedures. [General Provision]