

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

DECREE-LAW NO. 14/2009

of 4 of March

**4th AMENDMENT TO THE STRUCTURE OF THE FOURTH
CONSTITUTIONAL GOVERNMENT**

Whereas Timor-Leste is experiencing a high growth rate that was made only possible by a strong leadership and a Government that is technically skilled and politically committed to fulfilling the people's vast expectations;

Whereas the Government is aware that Timor-Leste's democracy requires State institutions to work hard to ensure the implementation of the Government's Programme while respecting all social and political balances and striving to achieve an adequate reform of State administration;

The IV Constitutional Government has decided to strengthen capacity at the Ministry of Finance and of the Ministry of Infrastructure by bolstering their respective hierarchical structures, as well as by giving the new impetus to the Office of the Prime Minister by appointing a second Deputy Prime Minister.

Thus,

The Government, pursuant to article 115(3) of the Constitution of the Republic, decrees the following that shall have the force of law:

**Article 1
Amendments**

Articles 1, 2, 4, 5, 6, 7, 10, 12, 14, 15, 21, 28, 31, and 34 of Decree-Law no. 7/2007 of 5 of September shall read as follows:

**“Article 1
Structure**

The Government consists of the Prime Minister, two Deputy Prime Ministers, the Ministers, Deputy Ministers and Secretaries of State.

**Article 2
Deputy Prime Ministers**

The Government features two Deputy Prime Minister, who depends directly from the Prime Minister and who follows him in the hierarchy.

Article 4 **Composition of the Government**

1. The Prime Minister is assisted in his functions by the following members of Government, who are part of the Presidency of the Council of Ministers:

- a) Deputy Prime Minister for the Coordination of Social Affairs;
- b) Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State;
- c) Secretary of State for the Council of Ministers;
- d) Secretary of State for Youth and Sports
- e) Secretary of State for Natural Resources;
- f) Secretary of State for Energy Policy;
- g) Secretary of State for Vocational Training and Employment;
- h) Secretary of State for the Promotion of Equality.

2. The Ministers are assisted in their functions by the following Deputy Ministers and Secretaries of State:

- a) The Minister of Defence and Security, by the Secretary of State for Defence and by the Secretary of State for Security;
- b) The Minister of Foreign Affairs, by the Secretary of State for International Cooperation and by the Secretary of State for Migrations and Communities Abroad;
- c) The Minister of Finance by the Deputy Minister of Finance;
- d) The Minister of Health, by the Deputy Minister of Health;
- e) The Minister of Education, by the Deputy Minister of Education and by the Secretary of State for Culture;
- f) The Minister of State Administration and Territorial Management, by the Secretary of State for the Region of Oe-cusse and by the Secretary of State for Administrative Reform;

g) The Minister of Economy and Development, by the Deputy Minister of Economy and Development, by the Secretary of State for Rural Development and Cooperatives; and by the Secretary of State for the Environment;

h) The Minister of Social Solidarity, by the Secretary of State for the Affairs of Former Combatants of National Liberation, by the Secretary of State for Social Assistance and Natural Disasters and by the Secretary of State for Social Security;

i) The Minister of Infrastructures, by the Deputy Minister of Infrastructures, by the Secretary of State for Public Works, by the Secretary of State for Transports, Equipment and Communications and by the Secretary of State for Electricity, Water and Urban Planning;

j) The Minister of Tourism, Trade and Industry, by the Secretary of State for Tourism;

k) The Minister of Agriculture and Fisheries, by the Secretary of State for Agriculture and Arboriculture, by the Secretary of State for Fisheries and by the Secretary of State for Livestock.

Article 5

Council of Ministers

1. The Council of Ministers consists of the Prime Minister, the Deputy Prime Ministers and the Ministers.
2. Unless if there is a determination otherwise, the Secretaries of State directly under the Prime Minister shall take part in the Council of Ministers, without the right to vote.
3. The Deputy Ministers and the further Secretaries of State called upon by indication of the Prime Minister may also take part in the Council of Ministers, without the right to vote, except if they are substituting the respective minister.
4. It is incumbent upon the Council of Ministers to approve, through a resolution, the rules regarding its organisation and operation.
5. It is also incumbent upon the Council of Ministers to decide on the creation of permanent or temporary committees for the analysis of legislative or political drafts, or for the submission of recommendations to the council.

Article 6

Prime Minister

1. The Prime Minister has his own competence and competence that is delegated upon him pursuant to the Constitution and the law.
2. It is incumbent upon the Prime Minister in particular:
 - a) To lead the Government and preside over the Council of Ministers;
 - b) To direct and guide the overall policy of the Government and its actions;
 - c) To represent the Government and the Council of Ministers in their relations with the President of the Republic and the National Parliament;
3. In his quality as head of Government, the Prime Minister has the power to issue instructions to any member of Government and to make decisions on matters included in the areas of responsibility of any Ministry or Secretariat of State, as well as to create permanent or temporary committees or workgroups for any matters under the Government's purview.
4. The Prime Minister also has powers regarding the services, bodies and activities under the Presidency of the Council of Ministers that are not the responsibility of the other members of Government that are part of it.
5. The Prime Minister may delegate on any member of Government the powers referred to in the previous paragraph, as well as those that legally bestowed upon him.
6. In his absences or impediments, the Prime Minister shall be replaced by the Deputy Prime Ministers and by the members of Government that follow in the Government's hierarchy, successively.

Article 7

Deputy Prime Minister for the Coordination of Social Affairs

1. The Deputy Prime Minister for the Coordination of Social Affairs assists the Prime Minister in supervising the Government's general policies in social areas. It is specifically incumbent upon the Deputy Prime Minister to oversee the work and activities of the following Secretariats of State:
 - a) Secretary of State for Youth and Sports;
 - b) Secretary of State for Vocational Training and Employment;
 - c) Secretary of State for the Promotion of Equality.
2. In case of natural disasters, the Deputy Prime Minister for the Coordination of Social Affairs takes responsibility for inter-ministerial coordination.

3. The Deputy Prime Minister for the Coordination of Social Affairs coordinates the Government in the absences and impediments of the Prime Minister, whenever designated by the latter .

4. The Deputy Prime Minister for the Coordination of Social Affairs shall take part in coordination meetings every fortnight. Such meetings shall be convened and presided over by the Prime Minister and shall take place on Tuesdays, before the Council of Ministers meets.

Article 10

Services and bodies under the Prime Minister

1. The following bodies are depend directly from the Prime Minister:

- a) National Intelligence Service;
- b) Strategic Planning Unit;

2. According to its statute, the Banking and Payments Authority also depends directly from the Prime Minister.

Article 12

Secretary of State for the Council of Ministers

1. The Secretary of State for the Council of Ministers is granted the necessary powers to carry out the duties assigned to the Secretariat of State for the Council of Ministers.

2. The Secretariat of State for the Council of Ministers is the central Government body for providing judicial support and consultation to the Council of Ministers and Prime Minister, being responsible:

- a) for coordinating legislative procedures within the Government, ensuring the internal legal coherence and harmony of the legislation adopted by the Council of Ministers;
- b) for analysing and drafting legislation and regulations for the Government, in coordination with the proposing ministries;
- c) for providing technical and administrative support to the Council of Ministers;
- d) for providing litigation services to the Presidency of the Council of Ministers;
- e) for responding, in collaboration with the respective ministry, to procedures aimed at verifying the constitutionality and legality of legislation or regulations;

- f) for coordinating the implementation of the decisions by the Council of Ministers;
- g) for ensuring the publication of Government's legislation in the *Jornal da República*;
- h) for representing the Council of Ministers and the Prime Minister, when he so decides, in specially created committees;
- i) for liaising with the National Parliament and the parliamentary factions on behalf of the Government;
- j) for ensuring compliance with the rules and procedures of the Council of Ministers;
- k) for translating or supervising the translation of legal documents or other documents that the Council of Ministers or the Prime Minister may require;
- l) for acting as spokesperson for the Council of Ministers;
- m) for drafting policies and the legislation required to regulate the media in general, as well as overseeing State-owned media organisations.

3. It is also incumbent upon the Secretary of State for the Council of Ministers to oversee the Capacity Development Coordination Unit.

4. The bodies and services that compose the Secretariat of State for the Council of Ministers are those defined in the respective organic law.

Article 14 **Secretary of State for Natural Resources**

1. The Secretary of State for Natural Resources is granted the necessary powers to carry out the duties assigned to the Secretariat of State for Natural Resources.

1. The Secretariat of State for Natural Resources is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of mineral and natural resources, including oil and gas, as well as the activities of the mining, petroleum and chemical industries, namely:

- a) for drafting policies and the legislation required for the areas under its responsibility;

- b) for setting up contacts with international investors so as to attract investment to the country in the areas under its responsibility;
- c) for drafting legislation and regulations on matters concerning the areas under its responsibility;
- d) for monitoring the implementation of international treaties in its area of responsibility;
- e) for determining, in view of the trends of the market, the conditions for the exploration of resources;
- f) for ensuring a transparent management of the resources, in line with internationally accepted standards;
- g) for managing oil resources and the activities of the oil industry in accordance with the legislation on oil;
- h) for authorizing and supervising production sharing contracts, authorizations and approvals;
- i) for promoting new explorations of oil resources and developing those already in existence;
- j) for maintaining an information archive on oil operations and resources;
- k) for measuring and verifying oil production and reserves;
- l) for setting up a monitoring and inspection program to ensure that operators perform in accordance with their licences, the law and the regulations;
- m) for licensing mining operators;
- n) for setting up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.

3. The bodies and services included in the Secretariat of State for Natural Resources are those defined in the respective organic law.

Article 15

Secretary of State for Energy Policy

1. The Secretary of State for Energy Policy is granted the necessary powers to carry out the duties assigned to the Secretariat of State for Energy Policy.

2. The Secretariat of State for Energy Policy is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of energy resources, namely:

- a) for drafting and proposing to the Government the guidelines for energy policy;
- b) for executing and ensuring the implementation of the policy approved by the Government under the previous sub-paragraph;
- c) for developing the legal and regulatory framework for the activities connected with energy resources;
- d) for promoting contacts with international investors so as to attract external investment to the areas under its responsibility;
- e) for regulating, in coordination with other ministries, operators in the area of power generation;
- f) for developing studies on the capacity of energy resources and alternative energies;
- g) for maintain an information archive on energy operations and resources;
- h) for coordinating and promoting the management and updating of the infrastructures in the areas of power generation;
- i) for ensuring the coordination of the energy sector and stimulating complementarity between its various modes of energy generation, as well as the sector's competitiveness, so as to better serve users;

3. The bodies and services included in the Secretariat of State for Natural Resources are those defined in the respective organic law.

Article 28

Ministry of Infrastructures

1. The Ministry of Infrastructures is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of civil works, urban planning, water and power supply, civil land, sea and air transportation, auxiliary communications services, including postal, telegraphic and telephone services, as well as the other telecommunications, use of the radioelectric spectrum, meteorological services and computers, namely:

- a) for proposing the policy and drafting the legislation required for the areas under its responsibility;

- b) for ensuring the implementation of the regulatory framework for the activities related with the ministry;
- c) for coordinating and promote the management, maintenance and updating of airport, aerial navigation, road and port infrastructures
- d) for proposing and executing the policy guidelines of the Ministry in terms of urban planning, infrastructures, road network, buildings and public works;
- e) for creating and implementing the regulatory framework for civil works activities, including the licensing of operators and the investigation of construction materials;
- f) for studying and executing works for the protection, maintenance and repairing of bridges, roads, and river and sea banks, namely for controlling floods;
- g) for promoting the study and execution of new infrastructural networks related to the supply of water and power, as well to basic sanitation, and oversee their operation and exploration, without prejudice to the powers granted to other bodies in these domains;
- h) for promoting the construction, maintenance and repair of public buildings, monuments and special facilities, whenever they are under its responsibility;
- i) for promoting the adoption of technical standards and regulations for the materials used in civil works, as well as for developing laboratory tests to ensure the security of buildings and structures;
- j) for licensing and overseeing all urban constructions, namely private, municipal or belonging to autonomous bodies, according to the applicable legislation;
- k) for maintaining and develop a national information and surveillance system on the condition of works and on the materials for civil works, including the effect of floods on the infrastructures;
- l) for preparing and developing , in cooperation with other public services, the implementation of the road network plan for the national territory and the national urban plans;
- m) for developing and regulating communications activities, as well as for optimizing the means of communication;
- n) for ensuring the coordination of the sector of transportation and stimulate complementarity between its various modes, as well as competitiveness, towards the provision of a better service to is users;

- o) for promoting the management of the radioelectric spectrum, as well as the adoption of technical and regulation rules concerning the public use of the communications services;
- p) for ensuring the provision of public telecommunications services and the use of the radioelectric spectrum by public companies, or the granting of the provision of public service to private entities;
- q) for maintaining and developing the national meteorological and seismological information and surveillance systems, including the construction and maintenance of the respective infrastructures;
- r) for managing the information technology system of the Government and ensuring the provision of services, as well as for implementing computer systems throughout the national territory;
- s) for promoting and coordinating scientific research and technological development within the domains of civil land, air and sea transportation;
- t) for setting up collaboration and coordination mechanisms with other Government bodies responsible for related areas.

2. The following will be under the responsibility and oversight of the Minister of Infrastructures:

- a) Equipment Management Institute;
- b) Port Administration of Timor-Leste;
- c) Civil Aviation Authority of Timor-Leste;
- d) Aerial Navigation and Airports of Timor-Leste, Public Company;
- e) Communications Regulation Authority.

3. The bodies and services that make up the Ministry of Infrastructures are those defined in its organic law.

4. The Minister of Infrastructures may delegate on the Secretaries of State the powers regarding the bodies and services under him.

Article 31

Equalization

1. The following are considered equivalent to Ministers, for remuneration purposes: the Chief of Defence Force; the Commander General of the PNTL; the head of the National Intelligence Service.

2. The following are considered equivalent to Secretaries of State, for remuneration purposes: the Chief of Staff of F-FDTL and the Deputy Commander General of PNTL.

Article 34

Who may delegate powers

The following may delegate powers:

- a) The Prime Minister, on the Deputy Prime Ministers, the Ministers and the Secretaries of State directly dependent from him;
- b) The Ministers, on the Deputy Ministers and Secretaries of State in their respective ministries.”

Article 2

Addendum

A new article 7-A is added, as follows:

“Article 7-A

Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State

1. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State assists the Prime Minister in the management of State Administration. It is specifically incumbent upon the Deputy Prime Minister to oversee the work and activities of the following entities:

- a) Office of the Inspector General;
- b) Government’s Audit Office.

2. It is further incumbent upon the Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State:

- a) to oversee the management of the ongoing review of processes at Ministries, namely as regards procurement and tendering;
- b) to ensure supervision of the implementation of projects regarding the State’s physical infrastructures;
- c) to ensure good inter-ministerial coordination;

d) to coordinate activities with the Secretariat aimed at establishing the Civil Service Commission;

e) to coordinate the decentralisation process;

f) to ensure cooperation with the Anti-Corruption Commission.

3. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State coordinates the Government in the absences and impediments of the Prime Minister, whenever designated by the latter .

4. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State shall take part in coordination meetings every fortnight. Such meetings shall be convened and presided over by the Prime Minister and shall take place on Tuesdays, before the Council of Ministers meets.”

Article 3

Repeal

Articles 11, 12-A and 21(2) are hereby revoked.

Article 4

Re-publication

Decree-Law no. 7/2007 of 5 September, as amended by Decree-Laws no. 5/2008 of 5 March, 26/2008 of 23 July and 37/2008 of 22 September is re-published as an annex to this decree-law in its amended version.

Article 5

Entry into force

The present decree-law enters into force on the day immediately after that of its publication.

Approved by the Council of Ministers on 11 February 2009.

The Prime Minister,

Kay Rala Xanana Gusmão

Promulgated on 2.3.2009

Let it be published.

The President of the Republic,

José Ramos-Horta

ANNEX

DECREE-LAW NO. 7/2007 OF 5 SEPTEMBER

STRUCTURE OF THE FOURTH CONSTITUTIONAL GOVERNMENT

The Fourth Constitutional Government of Timor-Leste is the result of a broad consensus by various parties regarding the need to change something in governance, to open a new cycle in the political life of the country. Indeed, the result of the election for the National Parliament has shown that most of the population was not satisfied with the path the country was on, and consequently hopes and wishes to change the policies that regulated the development of Timor-Leste.

This change should be translated firstly in the organization of the Government. This Government takes on a different structure in relation to the previous ones, in order to reflect that will to go through different paths, so as to meet the aspirations of the population in terms of the resolution of the problems of the country, moving on to a reform of the very management of the State, reflected in this organic structure.

Thus,

The Government decrees, under article 115 paragraph 3 of the Constitution, to be valid as law, the following:

CHAPTER I GOVERNMENT STRUCTURE

Article 1 Structure

The Government consists of the Prime Minister, two Deputy Prime Ministers, the Ministers, Deputy Ministers and Secretaries of State.

Article 2 Deputy Prime Ministers

The Government features two Deputy Prime Minister, who depends directly from the Prime Minister and who follows him in the hierarchy.

Article 3 Ministers

1. The Government has the following ministers:

- a) Minister of Defence and Security;

- b) Minister of Foreign Affairs;
 - c) Minister of Finance;
 - d) Minister of Justice;
 - e) Minister of Health;
 - f) Minister of Education;
 - g) Minister of State Administration and Arrangement of the Territory;
 - h) Minister of Economy and Development;
 - i) Minister of Social Solidarity;
 - j) Minister of Infrastructures;
 - k) Minister of Tourism, Trade and Industry;
 - l) Minister of Agriculture and Fisheries.
2. The Prime Minister also holds the functions of Minister of Defence and Security.

Article 4

Composition of the Government

1. The Prime Minister is assisted in his functions by the following members of Government, who are part of the Presidency of the Council of Ministers:
- a) Deputy Prime Minister for the Coordination of Social Affairs;
 - b) Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State;
 - c) Secretary of State for the Council of Ministers;
 - d) Secretary of State for Youth and Sports
 - e) Secretary of State for Natural Resources;
 - f) Secretary of State for Energy Policy;
 - g) Secretary of State for Vocational Training and Employment;
 - h) Secretary of State for the Promotion of Equality.

2. The Ministers are assisted in their functions by the following Deputy Ministers and Secretaries of State:

- a) The Minister of Defence and Security, by the Secretary of State for Defence and by the Secretary of State for Security;
- b) The Minister of Foreign Affairs, by the Secretary of State for International Cooperation and by the Secretary of State for Migrations and Communities Abroad;
- c) The Minister of Finance by the Deputy Minister of Finance;
- d) The Minister of Health, by the Deputy Minister of Health;
- e) The Minister of Education, by the Deputy Minister of Education and by the Secretary of State for Culture;
- f) The Minister of State Administration and Territorial Management, by the Secretary of State for the Region of Oe-cusse and by the Secretary of State for Administrative Reform;
- g) The Minister of Economy and Development, by the Deputy Minister of Economy and Development, by the Secretary of State for Rural Development and Cooperatives; and by the Secretary of State for the Environment;
- h) The Minister of Social Solidarity, by the Secretary of State for the Affairs of Former Combatants of National Liberation, by the Secretary of State for Social Assistance and Natural Disasters and by the Secretary of State for Social Security;
- i) The Minister of Infrastructures, by the Deputy Minister of Infrastructures, by the Secretary of State for Public Works, by the Secretary of State for Transports, Equipment and Communications and by the Secretary of State for Electricity, Water and Urban Planning;
- j) The Minister of Tourism, Trade and Industry, by the Secretary of State for Tourism;
- k) The Minister of Agriculture and Fisheries, by the Secretary of State for Agriculture and Arboriculture, by the Secretary of State for Fisheries and by the Secretary of State for Livestock.

Article 5
Council of Ministers

1. The Council of Ministers consists of the Prime Minister, the Deputy Prime Ministers and the Ministers.
2. Unless if there is a determination otherwise, the Secretaries of State directly under the Prime Minister shall take part in the Council of Ministers, without the right to vote.
3. The Deputy Ministers and the further Secretaries of State called upon by indication of the Prime Minister may also take part in the Council of Ministers, without the right to vote, except if they are substituting the respective minister.
4. It is incumbent upon the Council of Ministers to approve, through a resolution, the rules regarding its organisation and operation.
5. It is also incumbent upon the Council of Ministers to decide on the creation of permanent or temporary committees for the analysis of legislative or political drafts, or for the submission of recommendations to the council.

Article 6

Prime Minister

1. The Prime Minister has his own competence and competence that is delegated upon him pursuant to the Constitution and the law.
2. It is incumbent upon the Prime Minister in particular:
 - a) To lead the Government and preside over the Council of Ministers;
 - b) To direct and guide the overall policy of the Government and its actions;
 - c) To represent the Government and the Council of Ministers in their relations with the President of the Republic and the National Parliament;
3. In his quality as head of Government, the Prime Minister has the power to issue instructions to any member of Government and to make decisions on matters included in the areas of responsibility of any Ministry or Secretariat of State, as well as to create permanent or temporary committees or workgroups for any matters under the Government's purview.
4. The Prime Minister also has powers regarding the services, bodies and activities under the Presidency of the Council of Ministers that are not the responsibility of the other members of Government that are part of it.
5. The Prime Minister may delegate on any member of Government the powers referred to in the previous paragraph, as well as those that legally bestowed upon him.
6. In his absences or impediments, the Prime Minister shall be replaced by the Deputy Prime Ministers and by the members of Government that follow in the Government's

hierarchy, successively.

Article 7
Deputy Prime Minister for the Coordination of Social Affairs

1. The Deputy Prime Minister for the Coordination of Social Affairs assists the Prime Minister in supervising the Government's general policies in social areas. It is specifically incumbent upon the Deputy Prime Minister to oversee the work and activities of the following Secretariats of State:

- a) Secretary of State for Youth and Sports;
- b) Secretary of State for Vocational Training and Employment;
- c) Secretary of State for the Promotion of Equality.

2. In case of natural disasters, the Deputy Prime Minister for the Coordination of Social Affairs takes responsibility for inter-ministerial coordination.

3. The Deputy Prime Minister for the Coordination of Social Affairs coordinates the Government in the absences and impediments of the Prime Minister, whenever designated by the latter .

4. The Deputy Prime Minister for the Coordination of Social Affairs shall take part in coordination meetings every fortnight. Such meetings shall be convened and presided over by the Prime Minister and shall take place on Tuesdays, before the Council of Ministers meets.

Article 7-A
Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State

1. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State assists the Prime Minister in the management of State Administration. It is specifically incumbent upon the Deputy Prime Minister to oversee the work and activities of the following entities:

- a) Office of the Inspector General;
- b) Government's Audit Office.

2. It is further incumbent upon the Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State:

- a) to oversee the management of the ongoing review of processes at Ministries, namely as regards procurement and tendering;

- b) to ensure supervision of the implementation of projects regarding the State's physical infrastructures;
- c) to ensure good inter-ministerial coordination;
- d) to coordinate activities with the Secretariat aimed at establishing the Civil Service Commission;
- e) to coordinate the decentralisation process;
- f) to ensure cooperation with the Anti-Corruption Commission.

3. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State coordinates the Government in the absences and impediments of the Prime Minister, whenever designated by the latter .

4. The Deputy Prime Minister for the Coordination of Affairs relating to the Administration of the State shall take part in coordination meetings every fortnight. Such meetings shall be convened and presided over by the Prime Minister and shall take place on Tuesdays, before the Council of Ministers meets

Article 8 Ministers

- 1. Ministers have their own competence and the competence that is delegated unto them, under the law, by the Prime Minister or by the Council of Ministers.
- 2. Each minister is replaced, in his absences or impediments, by the respective Vice Minister or Secretary of State.
- 3. Should no substitution be possible within the Ministry, it shall be done by another Minister, designated by the Prime Minister, under proposal by the Minister to be replaced.

Article 9 Deputy Ministers and Secretaries of State

The Deputy Ministers and Secretaries of State do not have their own competences, except in what regards the offices they hold, and carry out the competences delegated upon them by the present diploma, by the Prime Minister or by the respective minister.

CHAPTER III ORGANIC OF THE GOVERNMENT

SECTION I PRESIDENCY OF THE COUNCIL OF MINISTERS

Article 10
Services and bodies under the Prime Minister

1. The following bodies are depend directly from the Prime Minister:

- a) National Intelligence Service;
- b) Strategic Planning Unit;

2. According to its statute, the Banking and Payments Authority also depends directly from the Prime Minister.

Article 11
Presidency of the Council of Ministers

(Repealed).

Article 12
Secretary of State for the Council of Ministers

1. The Secretary of State for the Council of Ministers is granted the necessary powers to carry out the duties assigned to the Secretariat of State for the Council of Ministers.

2. The Secretariat of State for the Council of Ministers is the central Government body for providing judicial support and consultation to the Council of Ministers and Prime Minister, being responsible:

- a) for coordinating legislative procedures within the Government, ensuring the internal legal coherence and harmony of the legislation adopted by the Council of Ministers;
- b) for analysing and drafting legislation and regulations for the Government, in coordination with the proposing ministries;
- c) for providing technical and administrative support to the Council of Ministers;
- d) for providing litigation services to the Presidency of the Council of Ministers;
- e) for responding, in collaboration with the respective ministry, to procedures aimed at verifying the constitutionality and legality of legislation or regulations;
- f) for coordinating the implementation of the decisions by the Council of Ministers;

g) for ensuring the publication of Government's legislation in the *Jornal da República*;

h) for representing the Council of Ministers and the Prime Minister, when he so decides, in specially created committees;

i) for liaising with the National Parliament and the parliamentary factions on behalf of the Government;

j) for ensuring compliance with the rules and procedures of the Council of Ministers;

k) for translating or supervising the translation of legal documents or other documents that the Council of Ministers or the Prime Minister may require;

l) for acting as spokesperson for the Council of Ministers;

m) for drafting policies and the legislation required to regulate the media in general, as well as overseeing State-owned media organisations.

3. It is also incumbent upon the Secretary of State for the Council of Ministers to oversee the Capacity Development Coordination Unit.

4. The bodies and services that compose the Secretariat of State for the Council of Ministers are those defined in the respective organic law.

Article 12-A

Secretary of State for Parliamentary Affairs

(Repealed).

Article 13

Secretary of State for Youth and Sports

1. The Secretary of State for the Youth and Sports takes on the competences necessary for the work of the Office of the Secretary of State for the Youth and Sports

2. The Office of the Secretary of State for Youth and Sports is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of promotion of the wellbeing and development of youth and sports, namely:

a) Propose the policy and draft the regulation projects required for the areas of youth and sport;

- b) Ensure the implementation and execution of the legal and regulatory framework for the activities connected with Youth and Sports;
 - c) Promote activities meant for young people, especially in the fields of sports, art and culture;
 - d) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
3. The bodies and services that make up the Office of the Secretary of State for Youth and Sports are those defined in the respective organic law.

Article 14

Secretary of State for Natural Resources

1. The Secretary of State for Natural Resources is granted the necessary powers to carry out the duties assigned to the Secretariat of State for Natural Resources.
1. The Secretariat of State for Natural Resources is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of mineral and natural resources, including oil and gas, as well as the activities of the mining, petroleum and chemical industries, namely:
- a) for drafting policies and the legislation required for the areas under its responsibility;
 - b) for setting up contacts with international investors so as to attract investment to the country in the areas under its responsibility;
 - c) for drafting legislation and regulations on matters concerning the areas under its responsibility;
 - d) for monitoring the implementation of international treaties in its area of responsibility;
 - e) for determining, in view of the trends of the market, the conditions for the exploration of resources;
 - f) for ensuring a transparent management of the resources, in line with internationally accepted standards;
 - g) for managing oil resources and the activities of the oil industry in accordance with the legislation on oil;

- h) for authorizing and supervising production sharing contracts, authorizations and approvals;
- i) for promoting new explorations of oil resources and developing those already in existence;
- j) for maintaining an information archive on oil operations and resources;
- k) for measuring and verifying oil production and reserves;
- l) for setting up a monitoring and inspection program to ensure that operators perform in accordance with their licences, the law and the regulations;
- m) for licensing mining operators;
- n) for setting up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.

3. The bodies and services included in the Secretariat of State for Natural Resources are those defined in the respective organic law.

Article 15 **Secretary of State for Energy Policy**

1. The Secretary of State for Energy Policy is granted the necessary powers to carry out the duties assigned to the Secretariat of State for Energy Policy.

2. The Secretariat of State for Energy Policy is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of energy resources, namely:

- a) for drafting and proposing to the Government the guidelines for energy policy;
- b) for executing and ensuring the implementation of the policy approved by the Government under the previous sub-paragraph;
- c) for developing the legal and regulatory framework for the activities connected with energy resources;
- d) for promoting contacts with international investors so as to attract external investment to the areas under its responsibility;
- e) for regulating, in coordination with other ministries, operators in the area of power generation;
- f) for developing studies on the capacity of energy resources and alternative energies;

- g) for maintain an information archive on energy operations and resources;
 - h) for coordinating and promoting the management and updating of the infrastructures in the areas of power generation;
 - i) for ensuring the coordination of the energy sector and stimulating complementarity between its various modes of energy generation, as well as the sector's competitiveness, so as to better serve users;
3. The bodies and services included in the Secretariat of State for Natural Resources are those defined in the respective organic law.

Article 16

Secretary of State for Professional Training and Employment

1. The Secretary of State for the Professional Training and Employment takes on the competences necessary for the work of the Office of the Secretary of State for Professional Training and Employment.
2. The Office of the Secretary of State for Professional Training and Employment is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of labour, professional training and employment, namely:
- a) Propose the policy and draft the regulation projects for the areas of labour, professional training and employment;
 - b) Promote and regulate professional training;
 - c) Encourage the hiring of Timorese workers abroad;
 - d) Regulate and oversee the work performed by foreigners in Timor-Leste;
 - e) Oversee the compliance with the legal dispositions regarding labour;
 - f) Promote and oversee Health, Safety and Hygiene in the work;
 - g) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
3. The bodies and services included in the Office of the Secretary of State for Professional Training and Employment are those defined in the respective organic law.

Article 17

Secretary of State for the Promotion of Equality

1. The Secretary of State for the Promotion of Equality takes on the competences necessary for the work of the Office of the Secretary of State for the Promotion of Equality.

2. The Office of the Secretary of State for the Promotion of Equality is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of promotion and defence of gender equality, namely:

- a) Support the drafting of the global and sector policy regarding the promotion of equality and the strengthening of the role of the Timorese woman in society;
- b) Draft normative proposals, issue opinions and intervene, according to the law, in all areas connected with the promotion of equality, establishing mechanisms for the revision of Government laws, policies, budget and programs in the areas under their respective responsibility;
- c) Coordinate with the various ministries agreed actions for promoting equality and strengthening the role of women;
- d) Develop partnerships and provide support to women organizations involved in the promotion and defence of gender equality, ensuring consultation mechanisms with the civil society and international organizations;
- e) Promote public opinion sensitization actions, as well as actions for the adoption of good practices, concerning gender equality, equal participation in the economic, social, political and family life, and the fight against situations of discrimination and violence against women;
- f) Maintain the public opinion informed and sensitive in relation to the issues concerning equality and the rights of women, using the media, publications and other means considered to be appropriate;
- g) Ensure the modalities of institutional participation and the non government organizations that contribute towards the realization of the gender equality policies, as well as bestow technical competences and certify qualities unto people and entities involved in the promotion and defence of gender equality;
- h) Cooperate with community and international organization, as well as with foreign counterpart bodies, in order to participate in the major international guidelines regarding gender equality and to promote their national implementation.

3. The bodies and services included in the Office of the Secretary of State for the Promotion of Equality are those defined in the respective organic law.

SECTION II MINISTRIES

Article 18 Ministries

The ministers listed in the sub-paragraphs of article 3 are, respectively, the heads of the following ministries:

- a) Ministry of Defence and Security;
- b) Ministry of Foreign Affairs;
- c) Ministry of Finance;
- d) Ministry of Justice;
- e) Ministry of Health;
- f) Ministry of Education;
- g) Ministry of State Administration and Arrangement of the Territory;
- h) Ministry of Economy and Development;
- i) Ministry of Social Solidarity;
- j) Ministry of Infrastructures;
- k) Ministry of Tourism, Trade and Industry;
- l) Ministry of Agriculture and Fisheries.

Article 19 Ministry of Defence and Security

1. The Office of the Secretary of State for Defence and Security is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of national defence, military cooperation, public security, criminal investigation and immigration, namely:

- a) Propose the policy and draft the regulation projects required for the areas under its responsibility;

- b) Celebrate, in coordination with the Ministry of Foreign Affairs, international agreements on defence and military cooperation;
 - c) Administrate and oversee the armed forces of Timor-Leste;
 - d) Promote the adequacy of the military means;
 - e) Oversee military maritime and aerial navigation;
 - f) Be responsible for the police forces of Timor-Leste;
 - g) Promote the adequacy of police means;
 - h) Be responsible for the Immigration Services;
 - i) Oversee civil maritime and aerial navigation;
 - j) Look after the safety of people and goods in case of fires, floods, landslides, earthquakes and all other risk situations;
 - k) Develop civic education programs to respond to natural disasters or others caused by human action, thereby consolidating social solidarity;
 - l) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The competences listed in subparagraphs a) to e) and l) of the previous paragraph are delegated on the Secretary of State for Defence.
3. The competences listed in subparagraphs a) and 0 to l) of paragraph 1 are delegated on the Secretary of State for Security.
4. The bodies and services that make up the Ministry of Defence and Security are those defined in the respective organic law.

Article 20

Ministry of Foreign Affairs

1. The Ministry of Foreign Affairs is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of international diplomacy and cooperation, consular functions, and promotion and defence of the interests of the Timorese living abroad.
2. It is up to the Ministry of Foreign Affairs to coordinate, in collaboration with the Ministry of Finance, the relations between Timor-Leste and the donors.

3. The bodies and services that make up the Ministry of Foreign Affairs are those defined in its organic law.

Article 21

Ministry of Finance

1. The Ministry of Finance is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of budget and finance annual planning and monitoring, namely:

- a) Propose the macroeconomic, monetary and exchange policies, in collaboration with the central bank;
- b) Propose the policy and draft the regulation projects for tax and non-tax revenues, budget framework, procurement, public accounting, public finance, auditing and control of the State treasury, issuing and management of the public debt;
- c) Administer the petroleum fund of Timor-Leste;
- d) Work in cooperation with the Ministry of Foreign Affairs, so as to coordinate the relationship of Timor-Leste with the donors;
- e) Manage the external public debt, the State participations and the external assistance, coordinating and defining the financial and tax aspects;
- f) Manage the patrimony of the State, without harm to the attributions of the Ministry of Justice in terms of real estate patrimony;
- g) Draft and public official statistics;
- h) Assume the responsibility for the implementation of the budget allocated from the State General Budget;
- i) Promote the necessary regulation and carry out financial control over the expenses of the State General Budget that are attributed to the remaining ministries, in view of pursuing a policy of greater financial autonomy for the services;
- j) Look after the good management of the finding from the State General Budget by the State indirect administration bodies and by the local governance bodies, through audits and monitoring;

- k) Administrate and promote international technical assistance in terms of technical advisory for the State bodies, except for the areas of human resource training;
 - 1) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. (Repealed).
3. The bodies and services that make up the Ministry of Finance are those defined in its organic law.

Article 22

Ministry of Justice

1. The Ministry of Justice is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of justice and human rights, namely:
- a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
 - b) Regulate and manage the prison system, the execution of the penalties and the social reinsertion services;
 - c) Ensure mechanisms of representation and legal aid for the most underprivileged citizens, through the Public Defence;
 - d) Create and ensure the proper mechanisms for ensuring citizenship rights and promoting the divulgation of applicable laws;
 - e) Organize the cadastre of rural and urban buildings and the registry of immovable assets;
 - f) Manage and oversee the registry and notary service system;
 - g) Administrate and manage the intangible assets of the State;
 - h) Promote and guide the judicial training for the law staff and other civil servants;
 - i) Pronounce, under request from other ministries, on the compliance of any draft legislative diploma with the guiding principles of the democratic rule of law, the values of Justice and Law, and with the rights, liberties and guarantees;

- j) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The Office of the Advisor on Human Rights is placed within the Ministry of Justice.
 3. The bodies and services that make up the Ministry of Justice are those defined in its organic law.

Article 23

Ministry of Health

1. The Ministry of Health is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of health and pharmaceutical activities, namely:
 - a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
 - b) Ensure access to health care for all citizens;
 - c) Coordinate activities concerning the control of epidemics;
 - d) Provide sanitation control over products with influence on human health;
 - e) Promote the training of health staff;
 - f) Contribute towards the success of humanitarian assistance, promotion of peace, security and social and economic development, through coordination and collaboration mechanisms with other Government bodies responsible for connected areas.
2. The bodies and services that make up the Ministry of Health are those defined in its organic law.
3. The Minister of Health may delegate on the Vice Minister the competences regarding the bodies and services under him.

Article 24

Ministry of Education

1. The Ministry of Education is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of education and culture, as well as science and technology, namely:

- a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
 - b) Ensure education for children, literacy and teaching;
 - c) Regulate the mechanisms for equalization of academic degrees and propose the curricula for the various degrees of education;
 - d) Develop and implement a competitive and transparent policy for granting scholarships;
 - e) Protect the rights concerning artistic and literary creation;
 - f) Promote the knowledge of science and the implementation of new technologies in Timor-Leste;
 - g) Draft the policy and the regulations for the conservation, protection and preservation of the historic and cultural legacy;
 - h) Draft policies for the definition and development of culture;
 - i) Establish policies of cooperation and cultural exchange with CPLP countries, cultural organizations and neighbouring countries;
 - j) Set up cooperation policies with UNESCO;
 - k) Promote the creation of a National Library and a National Museum;
 - l) Develop programs for the introduction of culture in education curricula;
 - m) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The bodies and services that make up the Ministry of Education are those defined in its organic law.
3. The Minister of Education and Culture may delegate on the Vice Minister and the Secretary of State the competences concerning the bodies and services under him.

Article 25

Ministry of State Administration and Arrangement of the Territory

1. The Ministry of State Administration and Arrangement of the Territory is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of public

administration, local and regional power, and arrangement of the territory, namely:

- a) (repealed)
 - b) Propose and promote measures aiming for the debureaucratization and improvement of the efficiency of the Public Administration;
 - c) Promote the training and improvement of the human resources and civil service, aiming for the professionalization of the Public Administration, the improvement of efficiency and the rationalization of the administrative activity;
 - d) Promote the correct publication and ensure the proper preservation of the official and historic documents;
 - e) Ensure the proper preservation of the official and historic documents;
 - f) Ensure the proper support to the electoral process, according to the law and the regulations of CNE;
 - g) Coordinate and oversee the activity of the services and bodies of the regional and local administrations, as well as promote and lead the process of administrative decentralization;
 - h) Define the procedures for the drafting and approval of territorial management instruments, ensuring at the same time the administrative reform mechanisms for a proper coordination, collaboration and concertation between public entities, besides the forms of participation by the citizens;
 - i) Define the material and documental content of the strategic and sector policy instruments, as well as of the territorial planning instruments;
 - j) Carry out other overseeing acts regarding the measures taken for the physical development and the arrangement of the territory;
 - k) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The bodies and services that make up the Ministry of State Administration and Arrangement of the Territory are those defined in its organic law.
3. The Minister of State Administration and Arrangement of the Territory may delegate on the Secretaries of State the competences regarding the bodies and services under him.

Article 26

Ministry of Economy and Development

1. The Ministry of Economy and Development is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of development of microfinances and cooperatives, as well as environment, namely:

- a) Propose policies and draft the regulation projects required for the areas under its responsibility;
- b) Draft studies in view of the preparation of the five-year national development plan;
- c) Make recommendations to the other members of Government towards the implementation of the five-year national development plan;
- d) Propose policies and legislation related with the promotion of private investment and partnerships between the State and private investors;
- e) Promote the development of cooperative and microfinance system, namely in the rural areas and in the agriculture sector;
- f) Divulge the importance of the cooperative economic sector and of micro and small companies, and promote training in the creation, organization, management and accounting of cooperatives and small companies;
- g) Organize and manage a cadastre of cooperatives;
- h) Draft the environmental policy and monitor the execution and evaluation of the achieved results;
- i) Promote, accompany and support strategies for integrating environment in sector policies;
- j) Carry out the strategic environmental assessment of plans and programs, and coordinate the processes for evaluating the environmental impact of national projects, including public consultation procedures;
- k) Ensure the adoption of pollution prevention and control measures by the facilities covered by the environmental licensing office;
- l) Manage National Parks and protected areas;
- m) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.

2. The Ministry of Economy and Development will now be responsible for:

- a) Institute for Supporting Business Development;
 - b) Institute for the Promotion of External Investments and Exports;
 - c) Microfinance Institute of Timor-Leste.
3. The bodies and services that make up the Ministry of Economy and Development are those defined in its organic law.
4. The Minister of Development may delegate on the Vice Minister or Secretary of State the competences regarding the bodies and services under him.

Article 27

Ministry of Social Solidarity

1. The Ministry of Social Solidarity is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of social assistance, social security and community reinsertion, namely:

- a) Design and implement social security systems for the workers and the remaining population;
 - b) Develop programs of social assistance and humanitarian aid for the most underprivileged and in the event of natural calamities and disasters;
 - c) Promote programs of demobilization, retirement and pensions for the former National Liberation fighters and veterans;
 - d) Monitor the community insertion by veterans and former fighters;
 - e) Monitor and protect the community reinsertion of other vulnerable groups;
 - f) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The bodies and services that make up the Ministry of Social Solidarity are those defined in its organic law.
3. The Minister of Social Solidarity may delegate on the Secretaries of State the competences regarding the bodies and services under him.

Article 28

Ministry of Infrastructures

1. The Ministry of Infrastructures is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of civil works, urban planning, water and power supply, civil land, sea and air transportation, auxiliary communications services, including postal, telegraphic and telephone services, as well as the other telecommunications, use of the radioelectric spectrum, meteorological services and computers, namely:

- a) for proposing the policy and drafting the legislation required for the areas under its responsibility;
- b) for ensuring the implementation of the regulatory framework for the activities related with the ministry;
- c) for coordinating and promote the management, maintenance and updating of airport, aerial navigation, road and port infrastructures
- d) for proposing and executing the policy guidelines of the Ministry in terms of urban planning, infrastructures, road network, buildings and public works;
- e) for creating and implementing the regulatory framework for civil works activities, including the licensing of operators and the investigation of construction materials;
- f) for studying and executing works for the protection, maintenance and repairing of bridges, roads, and river and sea banks, namely for controlling floods;
- g) for promoting the study and execution of new infrastructural networks related to the supply of water and power, as well to basic sanitation, and oversee their operation and exploration, without prejudice to the powers granted to other bodies in these domains;
- h) for promoting the construction, maintenance and repair of public buildings, monuments and special facilities, whenever they are under its responsibility;
- i) for promoting the adoption of technical standards and regulations for the materials used in civil works, as well as for developing laboratory tests to ensure the security of buildings and structures;
- j) for licensing and overseeing all urban constructions, namely private, municipal or belonging to autonomous bodies, according to the applicable legislation;
- k) for maintaining and develop a national information and surveillance system on the condition of works and on the materials for civil works, including the effect of floods on the infrastructures;

l) for preparing and developing , in cooperation with other public services, the implementation of the road network plan for the national territory and the national urban plans;

m) for developing and regulating communications activities, as well as for optimizing the means of communication;

n) for ensuring the coordination of the sector of transportation and stimulate complementarity between its various modes, as well as competitiveness, towards the provision of a better service to its users;

o) for promoting the management of the radioelectric spectrum, as well as the adoption of technical and regulation rules concerning the public use of the communications services;

p) for ensuring the provision of public telecommunications services and the use of the radioelectric spectrum by public companies, or the granting of the provision of public service to private entities;

q) (Repealed);

r) for maintaining and developing the national meteorological and seismological information and surveillance systems, including the construction and maintenance of the respective infrastructures;

s) for managing the information technology system of the Government and ensuring the provision of services, as well as for implementing computer systems throughout the national territory;

t) for promoting and coordinating scientific research and technological development within the domains of civil land, air and sea transportation;

u) for setting up collaboration and coordination mechanisms with other Government bodies responsible for related areas.

2. The following will be under the responsibility and oversight of the Minister of Infrastructures:

a) Equipment Management Institute;

b) Port Administration of Timor-Leste;

c) Civil Aviation Authority of Timor-Leste;

- d) Aerial Navigation and Airports of Timor-Leste, Public Company;
 - e) Communications Regulation Authority.
3. The bodies and services that make up the Ministry of Infrastructures are those defined in its organic law.
4. The Minister of Infrastructures may delegate on the Secretaries of State the powers regarding the bodies and services under him.

Article 29

Ministry of Tourism, Trade and Industry

1. The Ministry of Tourism, Trade and Industry is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and approved by the Council of Ministers for the areas of tourism and economic, commercial and industrial activities, namely:
- a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
 - b) Design, execute and evaluate the trade policy;
 - c) Contribute towards the improvement of the commercial economic activity, including in what regards internal and international competitiveness;
 - d) Analyse commercial activity and propose measures and public policies for its development;
 - e) Support the activities of economic agents of the commercial sector, promoting the necessary diligences for valorising solutions that enable a simpler and quicker bureaucratic procedure;
 - f) Provide opinions on requests of previous information for the setting up of commercial companies;
 - g) Appreciate and licence projects concerning facilities and the operation of commercial and industrial undertakings;
 - h) Inspect and oversee the commercial activities and undertakings, according to the law;
 - i) Design, execute and evaluate the industrial sector policies;
 - j) Inspect and oversee the industrial activities and undertakings according to the applicable legislation;

- k) Maintain and manage an information and documentation centre on companies and activities of the industrial sector;
 - l) Propose the revocation of the licence for carrying out industrial activities, when the situation justifies it;
 - m) Propose the qualification and classification of business undertakings, according to the applicable legislation;
 - n) Organize and manage the registry of industrial property;
 - o) Promote the internal and international rules of normalization, metrology and quality control, as well as measuring standards for units and physical magnitude;
 - p) Design, execute and evaluate the national tourism policy;
 - q) Draft the annual plan of promotional activities for the development of tourism, with the respective cost estimate;
 - r) Implement and execute the legislation regarding the installation, licensing and verification of the operation conditions of tourism equipment;
 - s) Set up collaboration and coordination mechanisms with other Government services and bodies responsible for connected areas, namely the services of arrangement and physical development of the territory, in view of the promotion of strategic areas for national tourism development;
 - t) Collaborate with the competent public bodies and institutions in promoting and disseminating information about Timor-Leste amongst investors and tourism operators, and ensuring that the necessary information is disseminated;
 - u) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. The bodies and services that make up the Ministry of Tourism, Trade and Industry are those defined in its organic law.
3. The Minister of Tourism, Trade and Industry may delegate on the Secretaries of State the competences regarding the bodies and services under him.

Article 30

Ministry of Agriculture and Fisheries

1. The Ministry of Agriculture and Fisheries is the central Government body responsible for the design, execution, coordination and assessment of the policy defined and

approved by the Council of Ministers for the areas of agriculture, forestry, fisheries and environment, namely:

- a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
- b) Ensure the implementation and continuity of rural development programs, in coordination with the Ministry of Economy and Development;
- c) Create technical assistance centres for farmers;
- d) Manage technical and agricultural education;
- e) Promote agrarian investigation;
- f) Control the use of land for agricultural and livestock purposes;
- g) Promote and verify animal health;
- h) Promote the industries of agriculture, livestock and fisheries;
- i) Oversee food production;
- j) Ensure Quarantine Services;
- k) Promote rural development, in coordination with the Ministry of Economy and Development, implementing a cooperative system for the production and trading of agricultural produce;
- l) Carry out feasibility studies for the installation of irrigation systems;
- m) Manage forest resources and watersheds;
- n) Manage the water meant for agricultural purposes;
- o) Control and oversee the fisheries and aquaculture sector;
- p) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas;
- q) Manage National Parks and Protected Areas.

2. The bodies and services that make up the Ministry of Agriculture and Fisheries are those defined in its organic law.

3. The Minister of Agriculture and Fisheries may delegate on the Secretaries of State the competences regarding the bodies and services under him.

SECTION III OTHER ENTITIES AND INSTITUTIONS

Article 31 Equalization

1. The following are considered equivalent to Ministers, for remuneration purposes: the Chief of Defence Force; the Commander General of the PNTL; the head of the National Intelligence Service.

2. The following are considered equivalent to Secretaries of State, for remuneration purposes: the Chief of Staff of F-FDTL and the Deputy Commander General of PNTL.

Article 32 Indirect administration

1. Under article 115 paragraph 3 of the Constitution of the Republic, the Government shall create, through decree-law, public legal persons, with administrative, financial and patrimonial autonomy, under the charge of the relevant member of Government for the respective area, with the goal of meeting the collective needs, when it is concluded that the modality of indirect administration is the most adequate to the pursuing of the public interest and the satisfaction of the said needs.

2. The public legal persons mentioned in the previous paragraph may take the form of public institutes, public institutions, public foundations and public companies, in conformity with the respective organic diploma.

3. The regime for the various modalities of public legal persons, including the scope and the limits of their administrative and financial autonomy, as defined in a specific diploma.

CHAPTER IV FINAL AND TRANSITORY PROVISIONS

Article 33 Delegation of powers

1. The delegation of powers shall be done from higher ranked officers to lower ranked officers, according to the law.

2. Powers determined by the Constitution may not be delegated.

3. In the further cases, the delegation of powers is allowed as long as it is not expressly forbidden by law, and must be stated in a written document that indicates its scope and duration.

4. The delegating body maintains the responsibility for the acts carried out in the exercise of the delegated powers by the party that received the delegation.

Article 34

Who may delegate powers

The following may delegate powers:

- a) The Prime Minister, on the Deputy Prime Ministers, the Ministers and the Secretaries of State directly dependent from him;
- b) The Ministers, on the Deputy Ministers and Secretaries of State in their respective ministries.

Article 35

Transition of services

1. All services, bodies and entities that have their ministerial framework changed maintain the same judicial nature, changing only, as the case may dictate, the hierarchic superior or the body that holds the powers of superintendence and custody.

2. The alterations in the organic structure resulting from the present diploma are accompanied by the consequent movement of staff, without depending from any formality and without losing any acquired rights.

3. The rights and obligations of ministries, services, bodies or entities changed by the present law are automatically transferred to the new ministries, services or bodies that replace them, without requiring any formality.

4. The Secretariat for the Establishment of the Civil Service Commission, under the leadership of a Director-General, has the following competences:

- a) To ensure the central direction of management of human resources of the civil service;
- b) To control the manpower of the Public Administration;
- c) To keep the database of the personnel belonging to Public Administration;
- d) To implement and develop the general career regime in the Public Administration;
- e) To take part in the process for the establishment and implementation of the special career regimes in the Public Administration;

- f) To develop a training system on Public Administration in a sustained manner and in close articulation with the National Public Administration Institute;
- g) To promote the professionalization of the Public Administration;
- h) To study, propose and implement the complementary regulation of the Statute of Civil Service;
- i) To promote dissemination of, and compliance with, civil service ethical and deontological norms.

Article 36

Extinction of services

1. The Timor Sea Office is terminated, with all documental records being transferred to the Office of the Secretary of State for Natural Resources;
2. The Office of the Advisor for Human Rights is terminated, with all documental records being transferred to the Ministry of Justice;
3. The Office of the Advisor for the Promotion of Equality is terminated, with all documental records being transferred to the Office of the Secretary of State for the Promotion of Equality.

Article 37

Organic laws

The Ministries and Offices of Secretaries of State dependent from the Prime Minister shall, within 90 days from the entry into force of the present diploma, draft or change their respective organic laws accordingly.

Article 38

Repeal

Decree-Law no. 4/2007, of June 20, is hereby revoked.

Article 39

Entry into force

The present diploma enters into force on the day immediately after that of its publication.

Article 40

Effectiveness

The present diploma is effective from 8 August 2007, with all acts meanwhile practised and the regularity of which depend of the respective conformity with this diploma being considered as ratified.

Approved by Council of Ministers on 17 August 2007

The Prime Minister,

(Kay Rala Xanana Gusmão)

Promulgated on 29 August 2007

Let it be published.

The President of the Republic,

(José Ramos-Horta)