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**Decreto Lei No. /2013
Establishment and Management of Áreas Protegidas**

Preamble

The present Decreto Lei contributes to the implementation of Artigos 6(f) and 61 of the Constitution, Timor-Leste's obligations as a Party to the Convention on Biological Diversity under Lei N° 6/2010 sobre Tratados Internacionais, Artigo 27.º of Decreto Lei N° 26/2012 Lei de Bases do Ambiente, and Decreto Lei N° 21/2006.

The people of Timor-Leste are dependent on the country's natural resources and on the services that the country's ecosystems provide. The Government's development priorities to promote agriculture and tourism are highly dependent on sustainable use of natural resources and on the natural beauty of the country and its landscapes. Protected areas are integral to addressing the fundamental priorities for sustainable management of the environment, natural resources and biological diversity of Timor-Leste. Among many other things, they will contribute to safeguarding the sources of the country's scarce freshwater supply and its watersheds.

As a Party to the Convention on Biological Diversity, Timor-Leste has undertaken an obligation to create a national system of protected areas, set guidelines for selecting, establishing and managing protected areas, and identify and then fill gaps in the protected area system to ensure that all native species and ecosystems are represented in protected areas of sufficient size, number and distribution to guarantee their long-term survival. Timor-Leste has prepared the National Ecological Gap Assessment, the National Biodiversity Strategy and Action Plan, and other related assessments of ecosystems and biological resources to begin and facilitate that process.

A draft of this Decreto Lei was the subject of five public consultations involving citizens from 13 districts, and one consultation in Dili involving representatives of ministries, non-governmental organizations, and donor-funded projects. Drafts of this Decreto Lei were circulated twice to ministries and non-governmental organizations, requesting their comments. Comments received from all sources were taken into account in preparing the final version of this Decreto Lei.

Therefore, since it is appropriate to endow the country with a national system of protected areas and create a regulatory framework for the administration of the national system, the Government enacts the following that shall have the force of law:

Chapter I – General Provisions

Artigo 1.º

Creation and Purpose of National System of Protected Areas

The State creates the National System of Protected Areas for the following purposes:

1. To protect areas representing all ecosystems and all critical habitats for endemic and other species that are protected under national law as well as for migratory species found in Timor-Leste;
2. To implement the ecosystem approach in Timor-Leste and ensure that ecosystems in the country can continue to provide the services on which human well-being depends; and
3. To ensure that protected areas are designed so that the ecosystems they protect are resilient and able to play a role in mitigating and adapting to natural and human-induced stresses and changes including, but not limited to, climate change.

Artigo 2.º

Scope

This Decreto Lei applies to:

1. The National System of Protected Areas of Timor-Leste as a whole, to the individual protected areas that are its component parts;
2. All persons who use, or attempt to use, the componentes ambientais within protected areas; and
3. All public entities at all levels of the government.

Artigo 3.º

Principles

The following principles shall apply to the implementation of this Decreto Lei:

1. Protected areas are part of the património ambiental nacional as specified in Artigo 29.º of the Lei de Bases do Ambiente;
2. No part of a protected area may be given away, traded for land or other goods, or sold for money;
3. Protected areas and the natural and cultural resources found in them may be used only as provided in this Decreto Lei and the individual management plans, rules, and co-management agreements for each protected area;
4. Under the ecosystem approach, the individual and collective needs of local people living in and in the vicinity of each protected area must be harmonized with the objectives for creating that protected area and must be reflected in the management plan and co-management agreement for that protected area; and
5. O princípio da solidariedade entre gerações as set out in Artigo 5.º of the Lei de Bases do Ambiente means that protected areas must contribute to conserving and restoring biological resources and their non-living ambiente em prol do benefício das gerações actuais e futuras.

Artigo 4.º

Definitions

Para efeitos de interpretação e aplicação do presente Decreto Lei, são adoptadas as seguintes definições, para as palavras e conceitos utilizados no seu articulado:

1. Área Protegida: is a clearly defined area of land, freshwater and wetlands, coastal or marine ecosystems, or any combination of these ecosystems, that is dedicated to the protection and maintenance of biological diversity, geomorphological diversity, environmental services and associated cultural values and managed through legal or other effective means.
2. Alien species: is a species or subspecies occurring outside of the range it occupies naturally or could not occupy without direct or indirect introduction or care by humans, and includes any part of that species that might survive and subsequently reproduce.
3. Avaliação Ambiental: é o conceito genérico do procedimento tendo em vista uma decisão sobre a viabilidade ambiental de execução de determinados projectos, baseado em instrumentos de avaliação e gestão ambiental definidos nel Decreto Lei No 5/2011.
4. Biodiversidade: é a diversidade entre os organismos vivos de todas as origens, incluindo, entre outros, os dos ecossistemas terrestres, marinhos e outros ecossistemas aquáticos, assim como os complexos ecológicos dos quais fazem parte, compreendendo a diversidade dentro de cada espécie, entre as espécies e dos ecossistemas.
5. Biological community: is a group of interdependent organisms living and interacting with each other in a particular place.
6. Clearing-House Mechanism: is the system established under Article 18.3 of the Convention on Biological Diversity (CBD) provide effective information services in order to promote and facilitate scientific and technical cooperation, knowledge sharing and information exchange, and to establish a fully operational network of Parties and partners.
7. Climate change adaptation: is a response to climate change that seeks to reduce the vulnerability of natural and human systems to climate change effects.
8. Climate change mitigation: is an action or set of actions aimed at reducing the potential effects of global warming.
9. *Componentes ambientais*: são os diversos elementos que integram o ambiente e cuja interacção permite o seu equilíbrio, incluindo o ar, a água, o solo, o subsolo, os seres vivos, os recursos naturais renováveis e não renováveis e as condições socioeconómicas;
10. Connectivity corridor: is designated patches of habitat whose size and distribution between protected areas or between core zones within a protected area are sufficient to combat ecosystem and habitat fragmentation and to provide suitable habitat that allows species to move through the landscape between the patches with relative ease. Connectivity corridors which link protected areas are not protected areas themselves.
11. Cooperative management or co-management: is a partnership arrangement in which local resource users, government, and other stakeholders share the authority for making

decisions about the management of natural resources and the responsibility for implementing those decisions.

12. Critical habitat: is the specific area required to ensure that a species population can survive and thrive in all its stages of life.

13. Ecosistema: é um complexo dinâmico de comunidades vegetais, animais e microrganismos e o seu ambiente não vivo que interage como uma unidade funcional.

14. Ecosystem approach: is a strategy for the long-term integrated management of terrestrial, freshwater and wetland, coastal and marine ecosystems and their components ambientais that places human needs at the center of biodiversity management and promotes conservation and sustainable use in an equitable way.

15. Serviços ambientais: são as funções dos ecossistemas que criam e fornecem benefícios para os seres humanos e para os próprios ecossistemas, incluindo o sequestro, armazenamento e processamento de gases com efeito de estufa, a geração, filtragem e protecção da água, protecção da biodiversidade e da beleza natural;

16. Habitat: is the place or type of site where an organism or population naturally occurs or that it uses during different phases of its lifecycle to find shelter, feed, and breed.

17. Household garden: is a site or group of sites that are farmed by one extended family on a cyclical basis, leaving some sites fallow for periods of time.

18. Household subsistence: is hunting, fishing, and agriculture only for the purpose of providing food for oneself or one's family at the minimum level required for survival, and does not include any sale or commercialization of the specimens that are hunted or fished or of the agricultural produce.

19. Invasive alien species: is an alien species which becomes established in natural or semi-natural ecosystems or habitat, is an agent of change, and threatens native biological diversity. Invasive species may be native to Timor-Leste, but alien outside their normal distribution in the country.

20. *Lia nain* (and the equivalent in other national languages): is a traditional leader.

21. License: is a formal authorization granted by the Ministry responsible for protected areas to provide infrastructure or a service in a protected area.

22. *Lisuk* (and the equivalent in other national languages): is communal rights, particularly in the context of land management.

23. *Fatin lulik* (and the equivalent in other national languages): is a sacred place.

24. *Lisan* (and the equivalent in other national languages): is allocation of responsibility among households.

25. *Nahe bití bot* (and the equivalent in other national languages): is a traditional dispute resolution mechanism.
26. Ecotourism: is environmentally sustainable and socially responsible travel to natural areas and cultural features that contributes to improving livelihoods in rural communities and promotes conservation of the natural environment and cultural heritage.
27. Ordenamento do território: é o processo integrado de organização do espaço biofísico, tendo como objectivo o uso e transformação do território de acordo com as suas capacidades, vocações, permanência dos valores de equilíbrio biológico e de estabilidade geológica, numa perspectiva de manutenção e aumento da sua capacidade de suporte à vida.
28. Permit: is a formal authorization granted by the Ministry responsible for protected areas to carry out specified activities, other than providing services, within a protected area.
29. Person: is any individual person and any collective person or legal entity.
30. Protected species: is any threatened species and any other species listed as protected under national law and under any international agreement to which the Democratic Republic of Timor-Leste is a Party;
31. *Rai nain* (and the equivalent in other national languages): is a landowner.
32. Specimen: is both living and dead animals and plants and any readily recognizable parts or derivatives.
33. *Tara bandu* (and the equivalent in other national languages): is a traditional process by which a community establishes permanent or seasonal restrictions on the access to and use of natural resources.

Artigo 5.º

Traditional protection

1. The process of designating protected areas and determining their boundaries must take *lisuk*, *fatin lulik*, and *lisan* into account, following consultation with the authorities of special administrative and economic regions, local government authorities, all *suco* council members, and *chefes* of each *suco* and *aldeia* in which the area is wholly or partly located.
2. Tendo sido levada a cabo uma acção de *tara bandu*, nos termos do Artigo 8.º da Lei de Bases do Ambiente, o Estado deve garantir a efectiva protecção da área envolvida.

Chapter II – Administration

Artigo 6.º

Ministry responsible for protected areas

1. The Ministry responsible for protected areas shall administer the National System of Protected Areas of Timor-Leste.

2. The functions of the Ministry responsible for protected areas shall be to:
- a) Prepare and update, as required, the National System of Protected Areas Plan in consultation with the ministries and state secretariats responsible for environment, land use planning/*cadastro*, tourism, cultural heritage, and other relevant ministries and state secretariats, the authorities of special administrative and economic regions as applicable, local government authorities, *suco* councils, and *chefes de aldeias*;
 - b) Identify areas requiring protection on the basis of scientific data compiled through all available assessments of ecosystems and biological resources in the country and prepare proposals to establish protected areas;
 - c) Ensure that prior notification of all decision-making processes related to the National System of Protected Areas is given on the Ministry's website and is otherwise available through appropriate media to the general public;
 - d) Ensure that the preparation of proposals to establish protected areas follows national environment impact assessment procedures and involves persons living and having interests in and adjacent to the proposed protected areas and all other stakeholders in the process of making decisions about establishing protected areas;
 - e) Prepare, jointly with the Protected Area Management Committees and the ministries and state secretariats responsible for biodiversity, land use planning/*cadastro*, tourism, cultural heritage, and other relevant ministries and state secretariats, the management plans and co-management agreements for individual protected areas;
 - f) Demarcate protected areas and their zones in cooperation with the ministries and state secretariats responsible for environment and land and property/*cadastro*, and the authorities of special administrative and economic regions as applicable, local government authorities, *suco* councils and *chefes de aldeias*;
 - g) Identify the human resource needs of the National System of Protected Areas and prepare and implement a plan for the training and professional development of personnel of the national system and of each individual protected area;
 - h) Supervise the administration and operations of each individual protected area in the National System of Protected Areas;
 - i) Establish and maintain the National System of Protected Areas communication network, linking individual protected area communication systems with the national network;
 - j) Prepare and manage the budget assigned to the National System of Protected Areas including preparation of the budgets for individual protected areas, and solicit additional funds to support the operation of the National System of Protected Areas and individual protected areas from national and non-national, individual and institutional donors;
 - k) Create dynamic partnerships with donors in support of the National System of Protected Areas and building the capacity to administer it;
 - l) Establish and maintain a national database of information on the National System of Protected Areas including, but not limited to, proposals to create provisional conservation areas and protected areas, Protected Area Management Committees, management plans, co-management agreements, and connectivity corridors, and ensure that this information is available on the Ministry's website and is otherwise available through appropriate media to the general public and to the CBD Clearing-House Mechanism as required;

m) Initiate and supervise the preparation and implementation of a national public awareness program on protected areas and their contribution to sustainable national development;

n) Monitor and document the contribution of the National System of Protected Areas and of individual protected areas to *aldeia*, *suco*, sub-district, district, special administrative and economic region as applicable, and national development and to the conservation and sustainable use of componentes ambientais and cultural heritage;

o) Encourage, including through appropriate incentives, and authorize scientific research in protected areas and apply research findings to strengthen protected area management;

p) Contribute to updating all assessments of ecosystems and biological resources in the country, the National Biodiversity Strategy and Action Plan, and any other national policy relevant to protected areas, in cooperation with the Ministry and State Secretariat responsible for environment and other relevant ministries and state secretariats;

q) Design the National System of Protected Areas logo, insignia and badges for the uniforms of protected area staff and establish rules for their use;

r) Study the possibilities and options for implementing private management of protected areas in the country;

s) Prepare guidelines as specified in this Decreto Lei;

t) Promote cooperation and partnerships among national authorities, special administrative and economic region authorities as applicable, local government authorities, *suco* councils, the private sector, and international partners to ensure the effective implementation of this Decreto Lei;

u) Monitor the implementation of this Decreto Lei; and

v) Periodically review this Decreto Lei, in cooperation with the ministries and state secretariats responsible for environment, land and property, tourism, cultural heritage, and other relevant ministries and state secretariats, and make recommendations to the Council of Ministers to amend and update it, as necessary; and

w) Any other function that may be delegated or assigned by the State.

3. In carrying out its functions, the Ministry responsible for protected areas must coordinate with national authorities, special administrative and economic region authorities as applicable, local government authorities, *suco* councils and *chefes de aldeias* to ensure that:

a) consultations and decision-making on proposals for establishing protected areas are carried out in accordance with this Decreto Lei; and

b) planning for protected areas is appropriately incorporated into the respective land-use and development plans.

4. In carrying out its functions, the Ministry responsible for protected areas must coordinate with:

a) the ministries responsible for tourism and for cultural heritage to ensure that the National System of Protected Areas Plan and individual protected area management plans incorporate appropriate planning for ecotourism and the management of cultural sites so that arrangements for both are consistent with the objectives of each protected area and appropriately addressed in tourism and cultural resource management planning;

b) the ministry responsible for education to ensure that information concerning the country's protected areas is appropriately incorporated in the national curriculum at primary, secondary, and university levels; and

c) designated national focal points to contribute to preparing the proposals required for the designation of Biosphere Reserves and sites listed under other international programmes and agreements.

Artigo 7.º

Protected area management committees

1. The Ministry responsible for protected areas, in consultation with special administrative and economic region authorities as applicable, local government authorities and *suco* councils, must establish a Protected Area Committee for each protected area and each provisional conservation area at the time the protected area or provisional conservation area is designated.

2. The members of a Protected Area Committee must include:

a) a *lia nain*, or other representative of traditional authorities from each of the *sucos* located in and/or adjacent to the protected area;

b) one representative of the youth of each *suco* located in and/or adjacent to the protected area;

c) one representative of the women of each *suco* located in and/or adjacent to the protected area;

d) one representative of the elderly people of each *suco* located in and/or adjacent to the protected area;

e) one religious leader from the *suco* in which the protected area is located or from one or more of the *sucos* located in and/or adjacent to the protected area;

f) one representative of the special administrative and economic region authorities, as applicable;

g) one representative of the local government authorities in the district or each of the districts in which the protected area is wholly or partly located;

h) one representative from the police with jurisdiction over the protected area;

i) one district representative of the ministries responsible for environment, tourism, and cultural heritage;

j) one representative of each of any resource user groups established in and/or adjacent to the protected area;

k) any other appropriate representative as may be determined by the Ministry responsible for protected areas, in consultation with special administrative and economic region authorities as applicable, local government authorities and *suco* councils; and

l) the Head of the protected area, representing the Ministry responsible for protected areas and serving as the Secretary of the Protected Area Management Committee.

3. One representative each from the private sector, non-governmental organizations and civil society organizations having interests in or adjacent to the protected area may participate as observers in a Protected Area Management Committee.

4. Representatives of communities located in and adjacent to the protected area must comprise the majority of the members of a Protected Area Committee.

5. The members of the Protected Area Management Committee must elect the chairperson.

6. The functions of a Protected Area Management Committee shall be to actively participate in:

a) Preparing the management plan and co-management agreement for the protected area and approving them before the national government department responsible for protected areas submits it to the Minister responsible for protected areas for review and approval;

b) Providing community input into managing the protected area, in accordance with the co-management agreement and the approved management plan;

c) Overseeing the implementation of the management plan and the co-management agreement;

d) Resolving disputes and applying customary penalties;

e) Annual meetings to review and update the management plan and the co-management agreement until they are finalized and, following finalization, reviewing and updating them periodically, as required;

f) Assisting the Head of the protected area with overseeing the operations of all projects and other activities carried out under licenses and permits;

g) Approving the selection of community-based organizations formed to manage protected area facilities, undertake ecotourism projects, or provide other services for the protected area;

h) Any consultations carried out as part of any environmental impact assessment process for any development that will potentially impact the protected area;

i) Providing for the establishment of ecotourism facilities including shelter, water, food, waste disposal and toilets at suitable locations;

j) Initiating programs offering alternative income sources for local communities;

k) Ensuring that information about the protected area, its ecosystems and species, is made available to the local schools; and

l) Any other function that may be assigned by the Ministry responsible for protected areas.

7. The Ministry responsible for protected areas and each Protected Area Management Committee must jointly review the membership and the functioning of the Committee at least once every five years.

8. The Protected Area Committee must sign the co-management agreement for the protected area.

9. Decisions of a Protected Area Committee must be reviewed and approved by the Ministry responsible for protected areas.

Chapter III – Establishment, Categories, and Planning

Artigo 8.º

Power to establish protected areas

1. Protected areas may be established only by a Government Resolution.

2. The Ministry responsible for protected areas must prepare proposals for establishing protected areas as stipulated in Artigo 12.º.

3. Any proposal by the Ministry responsible for protected areas to change the boundaries of a protected area or to change a protected area in any other way for the purposes of adaptive management may only be implemented by a Government Resolution.

4. Any proposal by any other person to reduce the size of a protected area, eliminate a protected area, or change a protected area in any other way may only be implemented by an act of the National Parliament.

Artigo 9.º

Declaration of protected areas

1. The areas listed in Annex 1 are declared and established as protected areas.

2. The Ministry responsible for protected areas must, within one (1) year from the date this Decreto Lei comes into force, establish the schedule for completing the management plans and co-management agreements for each of the protected areas listed in Annex 1 of this Decreto Lei.

3. The Ministry responsible for protected areas must, within one (1) year from the date this Decreto Lei comes into force, issue guidelines for preparing proposals for protected areas and provisional conservation areas.

Artigo 10.º

Local community and private protected areas

1. The State recognizes the local protection given by communities to specific areas and species.

2. Communities and persons may request that locally and individually protected terrestrial, freshwater and wetland, and coastal and marine areas be considered for recognition as part of the National System of Protected Areas.

3. When a local community or person requests the recognition of a locally protected area by the National System of Protected Areas, the Ministry responsible for protected areas may designate the area as a provisional conservation area under Artigo 13.º and, once the area is recognized, must provide all necessary assistance to the local community or person to ensure that the specified procedures are followed in a timely manner.

4. When a locally or individually protected area is formally recognized as part of the National System of Protected Areas, the Ministry responsible for protected areas must provide appropriate training and extension services to enable the community or person to effectively manage the protected area.

Artigo 11.º

National System of Protected Areas Plan

1. The Ministry responsible for protected areas must, in consultation with the ministries and state secretariats responsible for environment, land use planning/*cadastro*, tourism, cultural

heritage, and other relevant ministries and state secretariats, prepare and finalize the National System of Protected Areas Plan.

2. Preparation of the National System of Protected Areas Plan must be done incrementally, according to priorities established in relevant national assessments, strategies and action plans, and must be coordinated with and integrated into national land-use plans/*cadastro*.

3. The National System of Protected Areas Plan must be completed within [three (3)] [five (5)] years of the date this Decreto Lei comes into force

4. The National System of Protected Areas Plan must set out the process for defining the scope, purpose, and primary management objectives of protected areas, according to the categories established in Article 14.º and include strategies for:

- a) implementing the ecosystem approach in Timor-Leste and promoting and supporting co-management of protected areas;
- b) achieving the targets for terrestrial, freshwater and wetland, coastal, and marine ecosystems set out in relevant national assessments, strategies and action plans;
- c) achieving full representation of all national ecosystems in the National System of Protected Areas;
- d) climate change adaptation and climate change mitigation in the National System of Protected Areas;
- e) securing financial resources for developing and maintaining the system; and
- f) building management capacity.

5. The Ministry responsible for protected areas must submit the National System of Protected Areas Plan to the Council of Ministers for review and approval and, following approval, the National System of Protected Areas Plan must be issued as a Government Resolution.

6. The Ministry responsible for protected areas must, in consultation with other relevant ministries and state secretariats, update the National System of Protected Areas Plan every five (5) years.

7. Each update of the National System of Protected Areas Plan must be issued as a Government Resolution.

Artigo 12.º

Procedure for establishing protected areas

1. The Ministry responsible for protected areas must prepare a proposal to establish a protected area.

2. As the first step in preparing a proposal to establish a protected area, the Ministry responsible for protected areas, in consultation and collaboration with the ministries and state secretariats responsible for environment, tourism, cultural heritage, land and property, and finance, the authorities of special administrative and economic regions as applicable, and local governments, must carry out consultations in all special administrative and economic regions as applicable, districts, sub-districts, *sucos*, and *aldeias* where all or part of the proposed protected area would be located.

3. The procedure for consultations must be:
 - a) the Ministry responsible for protected areas must publish notice of the intention to prepare a proposal to establish a protected area on the Ministry's website and [how else should this be done to ensure that it reaches everyone who would be affected? By radio? By newspaper? By some other means? By some combination of different means of publication?];
 - b) the minimum period for consultations must be thirty (30) days, beginning ten (10) days following the date of publication of the notice;
 - c) the Ministry responsible for protected areas must document all comments received during the consultation period and must publish the documented comments on the Ministry's website and in the same way the original notice is published.

4. The notice as stipulated in clause 3.a) of this Article must specify:
 - a) the area proposed as a protected area;
 - b) the proposed category of protection and the implications for inhabitants and activities in the proposed area;
 - c) the location and date of each public consultation;
 - d) the person to whom written comments should be directed, along with all contact information for that person; and
 - e) any other information that may be required for the purpose of a specific proposal.

5. A proposal to establish a protected area must, at a minimum, include:
 - a) an overall justification for establishing the protected area;
 - b) a description of any *lisuk*, *lisan*, and any action of *tara bandu* that apply to the proposed area and their implications for the proposed area;
 - c) a physical survey of the proposed protected area;
 - d) a map of the proposed protected area;
 - e) a detailed description of the natural and/or cultural resources that will be protected in the proposed area;
 - f) an assessment of the social impact of establishing the proposed protected area, which includes a detailed description of measures to be taken to compensate for and mitigate any negative social impacts;
 - g) a description of the role the proposed protected area may play in climate change mitigation or climate change adaptation;
 - h) a justification for the category of protection proposed;
 - i) a detailed report of all consultations in all special administrative and economic regions as applicable, districts, sub-districts, *sucos*, and *aldeias* where all or part of the proposed protected area would be located;
 - j) a compilation of all comments received from all sources; and
 - k) any other information that may be required for the purpose of a specific proposal.

6. The map stipulated in clause 5.d) of this Article must indicate the following information:
 - a) the total area of the proposed protected area;
 - b) the special administrative and economic region as applicable, district, sub-district, *suco*, and *aldeia* where all or part of the protected area is located; and

c) the geographic position, including the longitude and latitude, of the protected area.

7. The process of preparing a proposal to establish a protected area must be completed within six months.

8. The national government department responsible for protected areas must review and approve the final proposal before it is submitted to the Minister responsible for protected areas.

9. The national government department responsible for administering protected areas, in consultation and collaboration with the ministries responsible for environment, tourism, cultural heritage, land and property, and finance, must prepare detailed guidelines on developing proposals for establishing protected areas, which must be issued as a Diploma Ministerial Conjunto.

Artigo 13.º

Interim protection prior to establishment of a protected area

1. The Ministry responsible for protected areas may, in consultation with the authorities of special administrative and economic regions, local government authorities and *suco* councils, and for a period of not more than three (3) years, designate as a provisional conservation area any area of interest that is identified through any national assessment process as an area that requires protection in order to provide for its conservation and management while the process of formally declaring it as a protected area and developing the management plan and co-management agreement is carried out.

2. Prior to designating any area as a provisional conservation area, the Ministry responsible for protected areas must, in consultation and collaboration with the ministries and state secretariats responsible for environment, tourism, cultural heritage, land and property, and finance, the authorities of special administrative and economic regions as applicable, and local governments, must carry out consultations in all special administrative and economic regions as applicable, districts, sub-districts, *sucos*, and *aldeias* where all or part of the proposed provisional conservation area would be located, according to the procedures set out in Article 12.

3. A Provisional Conservation Area Management Committee must be created for each Provisional Conservation Area. The members and functions of a Provisional Conservation Area Management Committee must be as specified in Artigo 7.º.

3. The national government department responsible for administering protected areas must prepare a provisional management plan and co-management agreement for each provisional conservation area in consultation with the Provisional Conservation Area Management Committee, the ministries responsible for environment, tourism, cultural heritage, and land and property, the authorities of special administrative and economic regions as applicable, and local government authorities.

4. The provisional conservation area must be registered with national and local government land use plans/*cadastro*.

5. The provisional management plan and co-management agreement for a provisional conservation area must be issued as a Government Resolution.
6. A provisional conservation area must be administered on the basis of the provisional management plan and co-management agreement until such time as the protected area is officially established.
7. The process of declaring a provisional conservation area as a protected area must be completed within three (3) years of the date of the designation of the provisional protected area.

Artigo 14.º

Management categories and types of protected area

1. The management categories are set out in Annex II.
2. The types of protected areas shall be:
 - a) National park/national marine park: this type of protected area may be managed according to protected area management categories II, V, or VI;
 - b) Forest reserve: this type of protected area may be managed according to protected area management categories IV or VI;
 - c) Wildlife sanctuary: this type of protected area must be managed according to protected area management category IV;
 - d) Natural reserve: this type of protected area may be managed according to protected area management categories Ia or Ib;
 - e) Wetland reserve/mangrove reserve: this type of protected area may be managed according to protected area management categories Ia, Ib, II, or IV;
 - f) Aquatic natural reserve and marine restocking area: these types of protected areas must be managed according to protected area management category IV.

Artigo 15.º

Zones

1. The following zones are established for the National System of Protected Areas:
 - a) core zone or zones/permanent no-take zone or zones, which are the area or areas in which resource use is not permitted;
 - b) buffer zone or zones/seasonal no-take zone or zones, which are the area or areas in which resource management must support the conservation of the core zone or zones; and
 - c) use zone, an area in which infrastructure, including access roads, required for the management of the protected area may be located, where services for visitors may be constructed and provided, where there may be human settlement, and where natural resources may be used, subject to the approved management plan and co-management agreement.
2. The management plan for each protected area must specify the zones established for the protected area.
3. The Ministry responsible for protected areas must, in collaboration with the ministries responsible for tourism and for cultural heritage, prepare guidelines for the operation of core zones, buffer zones, and use zones, which must be issued as a Diploma Ministerial Conjunto.

Artigo 16.º

Demarcation of protected areas

1. The border of each protected area and the boundaries of each zone and connectivity corridor must be marked on the ground, in freshwater and wetland ecosystems, on the coast, and in the sea as appropriate to the protected area, using easily identifiable border markers or signs that made of materials and posted in languages that are appropriate to the protected area.
2. The national government department responsible for administering protected areas must prepare guidelines for the demarcation of protected areas, which must be issued as a Diploma Ministerial.

Artigo 17.º

Protected area management plans and co-management agreements

1. Each protected area must have a management plan, which must be integrated with national and local government land use plans/*cadastro*, and a co-management agreement.
2. The Ministry responsible for protected areas must coordinate the preparation of all protected area management plans and co-management agreements in consultation and collaboration with the Protected Area Management Committee, the ministries and state secretariats responsible for environment, tourism, cultural heritage, and land and property, the authorities of special administrative and economic regions as applicable, and local government authorities.
3. Each management plan must, at a minimum:
 - a) be prepared in consultation with all communities in and adjacent to the protected area;
 - b) be harmonized with national, special administrative and economic region as applicable, and local government development and land use plans/*cadastro* for the area and with plans for development of tourism and protection of cultural heritage;
 - c) specify that it will be implemented on the basis of a co-management agreement;
 - d) establish the category and management objectives for the protected area;
 - e) establish the zoning for the protected area and specify the activities that will be permitted and prohibited in each zone;
 - f) include a detailed map of the protected area which indicates the zones and any internal connectivity corridors;
 - g) specify the measures to be implemented and the activities to be carried out to achieve the management objectives for which the protected area was established;
 - h) specify that introduction of any alien species into the protected area is strictly prohibited and specify any other activities that will not be permitted in any part of the protected area;
 - i) identify any *lisuk*, *lisan*, and any action of *tara bandu* that apply to any part of the protected area and specify how these traditional measures are to be taken into account in managing the protected area;
 - j) identify any cultural resources within the protected area and specify the measures to be taken to appropriately conserve them;

- k) indicate the services and infrastructure that will need to be developed for the protected area;
- l) identify the tourism-related activities that will be allowed in the protected area and how those activities will be coordinated with the authorities responsible for tourism;
- m) specify how scientific, cultural and social research may be carried out;
- n) specify the measures to be taken to sustainably manage the growth of any community located within the protected area;
- o) establish fees and charges that will apply in the protected area;
- p) specify activities to be carried out to raise awareness of the values and importance of the protected area;
- q) any other provision particular to the protected area, as identified by the Protected Area Management Committee; and
- r) include rules for the protected area that are consistent with the management plan.

4. Each co-management agreement must, at a minimum:

- a) specify the responsibilities of each group of stakeholders in the management of the protected area as described in the management plan;
- b) specify the responsibilities for implementing any *lisuk*, *lisan*, and any action of *tara bandu* that applies to the protected area;
- c) specify the responsibilities for *nahe biti bot*;
- d) any other provision consistent with the management plan that may be agreed by the Protected Area Committee; and
- e) be signed by each member of the Protected Area Committee.

5. The national government department responsible for administering protected areas must submit protected area management plans and co-management agreements to the Minister responsible for protected areas, who must transmit them to the ministers responsible for environment, tourism, cultural heritage, and land and property for joint review and approval.

6. Protected area management plans and co-management agreements must be issued as [a Diploma Ministerial Conjunto] [a Government Resolution].

7. A provisional management plan must address each of the items in clause 2 of this Article, in the form of a simple statement of fundamental understandings for each item.

8. The Ministry responsible for protected areas and the Protected Area Management Committee must update the management plan every five (5) years from the date it is first issued.

9. The national government department responsible for administering protected areas, in coordination and collaboration with the national government department responsible for marine and coastal resources and the national directorate responsible for cultural heritage, must prepare guidelines for preparing and socializing management plans and co-management agreements for individual protected areas, which must be issued as a Diploma Ministerial Conjunto.

Artigo 18.º

Activities permitted in a protected area

1. Until such time as a management plan and co-management agreement are approved for a protected area, the following activities must be permitted in the use zone or zones of protected areas:
 - a) household subsistence hunting of non-protected species;
 - b) household subsistence fishing of non-protected species;
 - c) household subsistence agriculture in household gardens that are recognized by the local leaders of the community where the household gardens are located; and
 - d) cutting and removing wood of non-protected species, only from land that is below 1,500 meters elevation and which has a slope of less than 25 per cent, for the purposes of household subsistence and other domestic, traditional or cultural uses, construction of traditional houses, and construction of religious buildings.

2. Until such time as a management plan and co-management agreement are approved for a protected area, certain activities that do not involve the provision of infrastructure and services are permitted in a protected area, subject to a permit and payment of a fee. Such activities may include, nomeadamente:
 - a) commercial photography in any format, including film and video;
 - b) expeditions for purposes other than scientific research, education or commercial photography; and
 - c) any other activity that may be specified by Diploma Ministerial.

3. Any person wishing to carry out scientific research in a protected area must have a permit and shall be exempt from payment of a permit fee.

4. A management plan and provisional management plan must specify the activities that are permitted in each zone of a protected area.

5. A management plan and a provisional management plan may permit any activity that is allowed under other laws, if that activity is consistent with the category and zone of the protected area.

6. A provisional management plan may permit an activity that may be subsequently prohibited under the management plan.

Artigo 19.º

Activities prohibited in a protected area

1. The following activities, whether carried out negligently or with intent, and taking into account the subsistence exemption in Artigo 18.1 of this Decreto Lei, are prohibited at all times in all provisional conservation areas and protected areas:
 - a) directly or indirectly introducing pollutants of any kind in any way, disposing of waste of any kind, extracting or excavating;
 - b) burning and any other destruction of forest;
 - c) cutting, burning, uprooting, or collecting protected flora;
 - d) introducing alien species of flora or fauna;

- e) hunting or fishing wild species or carrying out any activity that interferes with their development, reproduction or migration;
- f) using fire arms, explosives, toxic substances or any other methods that destroy marine fauna;
- g) burning and any other destruction of grasslands;
- h) using explosives, toxic substances or any other methods that destroy marine flora;
- i) using fire arms of any kind for any purpose except law enforcement;
- j) mutilating, defacing or destroying natural, historic, cultural or artistic property or removing such objects; and
- k) any other activity that may be specified by Ministry responsible for protected areas.

2. The following activities may be permitted, prohibited, or regulated in the use zone or zones, and any internal connectivity corridors of a protected area:

- a) occupying land;
- b) carrying out agricultural activities and grazing animals;
- c) setting a controlled fire;
- d) constructing or maintaining any kind of temporary or permanent, private or communal structure, including fences and enclosures;
- e) building a road or other access place for vehicles and transportation;
- f) using motorized equipment, excluding permitted vehicles, of any kind;
- g) damaging protected area infrastructure and facilities, including roads and trails;
- h) altering, removing, destroying or defacing boundary marks or signs and/or any signs or markers placed for management purposes whether outside or in the interior of the protected area; and
- i) any other activity that may be specified by the Ministry responsible for protected areas.

3. Activities that are permitted, prohibited or controlled in a buffer zone or zones must be specified in the management plan.

4. A management plan or provisional management plan may prohibit or restrict an activity that is otherwise legal outside of the protected area or conservation area.

5. A management plan or provisional management plan may not permit any activity that is illegal under other laws.

Artigo 20.º

Connectivity corridors

1. Connectivity corridors linking protected areas must be integrated into the National Protected Area System Plan.

2. Connectivity corridors linking core zones inside a protected area must be indicated on the map of the protected area that must be included in the management plan.

3. The Ministry responsible for protected areas, in collaboration with the ministries responsible for environment and land use planning/*cadastro*, must identify the areas where terrestrial, freshwater and wetland, coastal, and marine connectivity corridors are required to combat ecosystem and habitat fragmentation and to provide suitable habitat that allows or stimulates species migration.

4. The Ministry responsible for protected areas must coordinate the preparation of a proposal to create a connectivity corridor linking protected areas, which must, at a minimum, include the following information:

a) an overall justification for creating the connectivity corridor, which includes a description of the natural characteristics of the proposed connectivity corridor and of the land use changes which will be required of those living and having interests in the area of the proposed connectivity corridor;

b) species distribution characteristics, movement and migration patterns, and an assessment of the impact on the species if a connectivity corridor is not created;

c) degree of fragmentation of ecosystems and habitats;

d) current land use status and land use plans;

e) an assessment of potential negative impacts from climate change on the protected areas to be linked by the connectivity corridor;

f) an assessment of potential ecosystem services that may be provided by the connectivity corridor; and

g) any other information that may be required for a particular connectivity corridor.

5. The Ministry responsible for protected areas must give public notice of any process to identify and plan for any connectivity corridor linking protected areas and must provide opportunity for all persons living or having interests in the proposed connectivity corridor to participate, as stipulated in Article 12.

6. A connectivity corridor agreement, specifying the land use changes to be implemented by each stakeholder in the area of a connectivity corridor linking protected areas must be signed by the stakeholders living and having interests in the area of the connectivity corridor, who must create a committee to monitor the connectivity corridor.

7. The Ministry responsible for protected areas must submit the proposal to create a connectivity corridor linking protected areas to the Council of Ministers for its review and approval.

8. Connectivity corridors linking protected areas may only be created by Resolução do Governo.

9. Connectivity corridors linking protected areas must be recorded in land use plans and on land use maps.

10. Connectivity corridors linking protected areas must be monitored by the ministries responsible for protected areas, environment and land use/*cadastro*, in consultation with the connectivity corridor monitoring committee created by the stakeholders who signed the connectivity corridor agreement.

11. The location and extent of connectivity corridors linking protected areas must be reviewed and updated every five (5) years when the National System of Protected Areas Plan is updated, and adjusted as necessary to adapt to or mitigate any alterations caused by climate change or other processes.

Chapter IV – Operations

Artigo 21.º

Head of a protected area

1. The Head of a protected area must be a civil servant employee of the Ministry responsible for protected areas and shall be the chief operational officer of the protected area.
2. The Head of a protected area must have appropriate qualifications and experience in natural resource management, cultural resource management, community leadership, and/or law enforcement.
3. The Head of a protected area must administer the protected area consistently with the management plan, the co-management agreement, the annual budget, and this Decreto Lei.
4. The functions of the Head of a protected area shall be, in addition to the functions set out in Lei No. 8/2004 Estatuto da Função Pública, to:
 - a) participate in the preparation and periodic review of the management plan and co-management agreement;
 - b) prepare an annual operations plan and budget that are consistent with the management plan;
 - c) ensure implementation of the management plan and the co-management agreement;
 - d) serve as Secretary of the Protected Area Management Committee and establish and maintain regularly scheduled meetings of the Committee;
 - e) ensure that the Protected Area Management Committee is appropriately represented in any consultations carried out as part of any environmental impact assessment process for any development that will potentially affect the protected area;
 - f) enter into agreements for joint patrolling with communities in and adjacent to the protected area;
 - g) coordinate surveys and monitoring of the natural and cultural resources of the protected area, maintain records of the data compiled, and submit the data at least three (3) times per year to the national protected areas database;
 - h) establish and maintain procedures for visitor safety, including an action plan for rescue and evacuations;
 - i) oversee the establishment of visitor facilities including managed camp sites and other shelter, water, food, waste disposal and toilets at suitable locations;
 - j) establish all operational routines and supervise staff to be sure that they are implemented;
 - k) monitor the implementation of integrated conservation and development projects, ensure that they are consistent with the approved management plan, and ensure the participation of protected area staff as required;

- l) maintain continuous contacts with communities adjacent to and resident in the protected area, ensure their effective participation in the management of the protected area, and coordinate programs providing alternative income sources for them;
- m) oversee all activities carried out under licenses and permits in the protected area;
- n) establish and maintain regular radio communication schedules;
- o) coordinate enforcement of the rules of the protected area and the activities of the protected area guards;
- p) submit to the Ministry responsible for protected areas operational and financial reports as required;
- r) facilitate inspections of any aspect of the operations of the protected area that the Ministry responsible for protected areas may require; and
- s) any other function that may be delegated by the Ministry responsible for protected areas.

Artigo 22.º

Protected area staff

1. Protected area staff, including protected area guards, must be civil servant employees of the Ministry responsible for protected areas.
2. Protected area guards must coordinate with the police to enforce this Decreto Lei and the rules of the protected area in which they are posted.
3. The functions of protected area guards shall be to:
 - a) coordinate and cooperate with local government authorities, authorities of special administrative and economic regions as applicable, and the Protected Area Management Committee;
 - b) sensitize communities within and adjacent to the protected area to ensure that all persons are aware of the protected area rules set out in the approved management plan and co-management agreement and to prevent any violations of those rules;
 - c) support communities in the enforcement of protected area rules and *tara bandu* in cooperation and coordination with *suco* councils and local government authorities;
 - d) take immediate action to stop any violation of this Decreto Lei and protected area rules;
 - e) immediately report any violation of protected area rules and any enforcement actions to the police and the Head of the protected area;
 - f) ensure the safety of visitors and provide information for them;
 - g) eradicate and control alien species;
 - h) respond to emergencies, including but not limited to firefighting;
 - i) maintain protected area facilities; and
 - j) any other function that may be assigned by the Ministry responsible for protected areas.
4. The Ministry responsible for protected areas must coordinate with appropriate national and international partners to develop and deliver training for staff of the National System of Protected Areas on implementing the ecosystem approach and other skills required in protected area management.

Artigo 23.º

Licenses and permits

1. Any person who wishes to provide infrastructure or services for a protected area must obtain a license from the Ministry responsible for protected areas.
2. Any person who wishes to carry out specified activities in a protected area, as provided in Artigo 18.º, other than providing infrastructure or services, must obtain a permit from the Ministry responsible for protected areas.
3. The Ministry responsible for protected areas, in coordination and collaboration with the Ministry responsible for finance, must issue, as a Diploma Ministerial Conjunto, guidelines for public tenders for licenses to provide infrastructure and services in protected areas and specify the range of fees that may be charged.
4. The Ministry responsible for protected areas must prepare and issue guidelines for license and permit conditions and the range of fees that may be charged.
5. Licenses and permits must not grant any rights to do anything within a protected area that is not explicitly authorized in the approved management plan for the protected area.
6. Licenses and permits to provide services and carry out activities in a protected area are in addition to licenses and permits that may be required by the ministries responsible for cultural heritage, tourism, and environment.

Artigo 24.º

Fees and other sources of revenue

1. Any person who wishes to enter a protected area, or obtain a license or permit to carry out an activity in a protected area must pay a non-refundable administrative fee.
2. The Ministry responsible for protected areas must establish administrative fees and issue them as a Diploma Ministerial.
3. The Ministry responsible for protected areas may exempt students and other groups from payment of entry fees or may stipulate a reduced entry fee for such groups visiting protected areas.
4. The Ministry responsible for protected areas, in coordination with the Protected Area Committees and the Heads of protected areas must annually review, and, as appropriate, revise fees charged for each protected area, and must issue the revised fees as a Diploma Ministerial.
5. The Ministry responsible for protected areas may enter into agreements for payment for ecosystem services provided by protected areas.
6. The State may accept donations and gifts from national and international, public and private sources on behalf of the National System of Protected Areas .

Chapter V – Dispute resolution and enforcement

Artigo 25.º

Dispute resolution

1. Prior to commencing any civil court proceedings on a dispute related to a protected area or the National System of Protected Areas, all persons must make efforts to resolve the dispute through alternative dispute resolution mechanisms outside of court, including the use of *nahe biti bot* or other traditional or community-based dispute resolution mechanisms, as appropriate.
2. The Protected Area Management Committee must determine whether *nahe biti bot* or other customary mechanisms are appropriate to resolve disputes that arise among people living in and adjacent to the protected area and that are related to issues governed by the management plan or co-management agreement for the protected area.
3. In the event that the Protected Area Management Committee determines that *nahe biti bot* or other customary mechanisms are not appropriate to resolve a dispute, the Protected Area Management Committee must advise the parties to the dispute to take their dispute to the appropriate administrative authority or court of competent jurisdiction.

Artigo 26.º

Enforcement officers

1. The Ministry responsible for protected areas must appoint qualified enforcement officers, including but not limited to the Heads of protected areas and protected area guards, to serve both the National Protected Areas System and individual protected areas.
2. Enforcement officers appointed by the Ministry responsible for protected areas must coordinate with the police in carrying out their responsibilities under this Decreto Lei.
3. The Ministry responsible for protected areas must issue to all enforcement officers an official identification card which the enforcement officers must at all times carry, and present, when carrying out their responsibilities under this Decreto Lei.

Artigo 27.º

Monitoring and enforcement powers and procedures

1. Enforcement officers must monitor and investigate compliance with this Decreto Lei, protected area management plans and rules, co-management agreements, and any other regulations issued under this Decreto Lei.
2. Enforcement officers, without a warrant or court order and at any reasonable time, may, after showing official identification:
 - a) Enter any premises or land that the enforcement officer reasonably believes must be entered to prevent a violation of this Decreto Lei;
 - b) Make reasonable inquiries of any person, whether verbally or in writing;

- c) Stop and inspect any vehicle that the enforcement officer reasonably believes is transporting any specimens, documents, materials, equipment, funds, or any other objects in violation of this Decreto Lei;
 - d) Require any person to surrender any documents required under this Decreto Lei or any other laws and regulations in force;
 - e) Confiscate any specimens, documents, materials, equipment, vehicles, funds, and any other objects used or gained in committing a violation of this Decreto Lei; and
 - f) Carry out any other action reasonably required to enforce this Decreto Lei.
3. Enforcement officers must immediately:
- a) inform the police of all violations and any confiscation;
 - b) turn over to the police any confiscated specimens, documents, materials, equipment, vehicles, funds, and any other objects used or gained in committing the violation; and
 - c) provide the police with all available information that will facilitate the detention of the person or persons who committed the violation.

Artigo 28.º

Administrative violations and sanctions

1. The Ministry responsible for protected areas is the government entity that has the authority to apply sanctions for administrative violations of this Decreto Lei.
2. The following shall be considered administrative violations of this Decreto Lei:
 - a) Carrying out in a protected area any of the activities specified in **Article 19.1.g)** **k)**;
 - b) Carrying out in a protected area any of the activities specified in **Article 19.2** until such time as a management plan is approved for the protected area;
 - c) Intentionally or negligently making a statement that is false or misleading for the purposes of obtaining a license or permit under this Decreto Lei;
 - d) Intentionally or negligently concealing from enforcement officers any information related to a violation of this Decreto Lei;
 - e) Providing or attempting to provide any infrastructure or service in a protected area without a license issued by the Ministry responsible for protected areas;
 - f) Carrying out any activity in a protected area without a permit issued by the Ministry responsible for protected areas; and
 - g) Breaching the conditions of any license or permit granted under this Decreto Lei.
3. When an approved management plan and co-management agreement are in effect for a protected area, carrying out in the protected area any of the activities specified in **Article 19.2** must be sanctioned as provided in the management plan and co-management agreement and any disputes must be resolved as provided in Artigo 25.º of this Decreto Lei.
4. For a first administrative violation, the Ministry responsible for protected areas may issue a written warning in lieu of applying an administrative sanction.
5. Written warnings may not be issued for any subsequent administrative violation by the same person.

6. The Ministry responsible for protected areas must specify the minimum and maximum administrative fines/coimas for each violation listed in **Articles 19.1.g)-k), 19.2 and 27.3** of this Decreto Lei, must issue the administrative fines as a Diploma Ministerial, and must review and, as appropriate, revise the fines at least once every five (5) years.

7. Without prejudice to the maximum administrative fines/coimas established as provided in **clause 6** of this Article, administrative fines/coimas must, to the extent possible, exceed any economic benefit the violator gained in committing the violation.

8. Minimum and maximum administrative fines/coimas for violations by collective persons and legal entities must be at least five times greater than minimum and maximum fines for individual persons.

9. In determining whether to issue a written warning as well as in determining the amount of the administrative fine/coima to be applied for a violation, the Ministry responsible for protected areas must take into account the gravity of the violation, the value of the damage caused to the protected area, and the economic capacity of the violator.

10. In addition to an administrative fine/coima, the Ministry responsible for protected areas may apply one or more of the following accessory sanctions/sanções acessórias:

a) Confiscate any specimens, documents, materials, equipment, vehicles and other means of transportation, and funds used or gained in the conduct of the violation;

b) Require the violator to restore, in totality and at the violator's own cost, the situation of the protected area as it was before the violation and, if restoration is not possible, to take all necessary measures to reduce or compensate for the damage caused by the violation; and

c) Modificar, suspender, ou revogar any license or permit issued under this Decreto Lei.

11. Any person who wishes to appeal any sanction applied under this Decreto Lei may do so in accordance with the procedure stipulated in Decreto Lei No. 32/2008 on Administrative Procedure and its subsequent amendments.

12. In the event that a person simultaneously commits an administrative violation and a crime in a protected area, the person must be prosecuted for the crime and appropriate administrative sanctions must also be applied.

13. The application of any administrative sanction under this Decreto Lei does not prevent any person from bringing a civil suit in accordance with the Civil Code, after following the procedure set out in Artigo 25.^o of this Decreto Lei.

Artigo 29.º

Criminal penalties

1. Any violation of Article 19.1.a) of this Decreto Lei is punished by imprisonment of up to three years or a fine, as stipulated in Article 215.1 of the Penal Code.

2. Any violation of Article 19.1.b) of this Decreto Lei is punished by imprisonment of up to two years for an intentional act and up to one year for a negligent act, or a fine, as stipulated in Article 221 of the Penal Code.
3. Any violation of Article 19.1.c) of this Decreto Lei is punished by imprisonment of up to three years or a fine, as stipulated in Article 217.1 of the Penal Code.
4. Any violation of Article 19.1.d) of this Decreto Lei is punished by imprisonment of up to three years or a fine, as stipulated in Article 217.2 of the Penal Code.
5. Any violation of Article 19.1.e) of this Decreto Lei is punished by imprisonment of up to five years or a fine, as stipulated in Article 218 of the Penal Code.
6. Any violation of Article 19.1.f) of this Decreto Lei is punished by imprisonment of up to five years or a fine, as stipulated in Article 220 of the Penal Code.

Chapter VI – Final and transitory provisions

Artigo 30.º

Revogação

É revogada section 2 of UNTAET Regulation No. 2000/19 on Protected Places e toda a legislação contrária ao estabelecido na presente Decreto Lei.

Artigo 31.º

Entrada em vigor

O presente Decreto Lei entra em vigor no dia seguinte ao da sua publicação.

Aprovada em __ de _____ de 2013

The Prime Minister,

Kay Rala Xanana Gusmão

Promulgada em __ de _____ de 2013

Publique-se.

Anexo I

Anexo II

Protected Area Management Categories

The following shall be the management categories for protected areas in the National System of Protected Areas:

Ia. Strict nature reserve: which protects biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are strictly controlled and limited to ensure protection of the conservation values. The areas in this category may be *lulik* sites and must have only very limited human visitation.

Ib. Wilderness area: which protects large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, which are protected and managed so as to preserve their natural condition.

II. National park: which protects large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities.

III. Natural monument or feature: which protects *lulik* sites and specific natural monuments, which can be a landform, sea mount, submarine cavern, geological feature such as a cave, and a living feature such as an ancient grove, among other natural features.

IV. Habitat/species management area: which protects particular species or habitats through regular, active interventions to address the requirements of particular species or to maintain habitats.

V. Protected landscape/seascape: which conserves ecosystems where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value, and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.

VI. Protected area with sustainable use of natural resources: which conserves ecosystems and habitats, together with associated cultural values and traditional natural resource management systems. The areas in this category must be in natural conditions, with internal areas under sustainable natural resource management and with low-level non-industrial use of natural resources that is compatible with nature conservation.