

Scanned and roughly translated from Portuguese by La'o Hamutuk

GOVERNMENT RESOLUTION No. 11/2013 of 13 March

About the Need to Ensure Supply of Fuel for EDTL and the Appointment of the EDTL TIMOR GAP, EP to provide High Speed Diesel

Whereas the Government of Timor-Leste is determined and committed to create the necessary conditions for the socio-economic development of the country in all sectors of the economy, notably through ensuring national distribution of electricity, as an important part of the Strategic Development Plan.

Recognizing that the country currently has a very small number of fuel suppliers and that this is an obstacle to guarantee electricity distribution in the country and the full utilization of available infrastructure in Hera Power Station;

Whereas TIMOR-GAP - TIMOR GAS & PETROLEUM, EP, hereinafter "TIMOR GAP, EP", was created as a public company by Decree-Law no. 31/2011 of 27 July, with the power to pursue any of storage, refining, processing, import, export, transport, distribution, marketing and sale of petroleum and its derivatives, as well as natural gas and other hydrocarbons, including construction, operation and maintenance of infrastructure, such as pipelines, terminals and storage infrastructure, transportation, distribution, marketing and other oil-related activities;

Whereas TIMOR GAP, EP has the material means and expertise to ensure the provision of High Speed Diesel to EDTL at competitive prices and favorable terms;

Whereas the existing contractual relationship to supply fuel for the Hera power station with the Government ends its term next April and the need for fuel for the following months justifies the urgent conclusion of contracts which can maintain this supply steadily and smoothly;

Whereas the technical specificities of fuel supply contracts require that between the date of contract signing and the date of delivering the fuel there should be a minimum period of two months to ensure the availability and allocation of fuel in refineries or "traders";

Whereas, under Article 30 of the Organic Law of the Fifth Constitutional Government, approved by Decree-Law no. 41/2012 of 7 September, the Ministry of Public Works is the Government department responsible to design and implement the policy adopted by the Council of Ministers for the area of electricity, and it shall in particular ensure the distribution of electricity at the national level;

Whereas the Ministry of Public Works has budgeted an amount specifically for this purpose;

The Government resolves, in accordance with paragraphs k) and o) of Article 115.1 of the Constitution of the Republic, the following:

1. Supporting the provision of High Speed Diesel to EDTL by TIMOR GAP, EP.
2. Designate the Ministry of Public Works as the Government agency responsible to promote and conduct the necessary negotiations to effecting this supply.
3. Authorize his excellency the Minister of Public Works to negotiate with TIMOR GAP, EP, on a commercial basis, the specific terms and conditions to supply High Speed Diesel to EDTL, to be presented to the Council of Ministers for approval.
4. This Resolution shall enter into force on the day following date of its publication.

Approved by the Council of Ministers on March 5, 2013.

To be published.

The Prime Minister,
Kay Rala Xanana Gusmão