



**DECREE LAW N. 6/2015  
of 11 March**

**ORGANIC LAW OF THE VI CONSTITUTIONAL GOVERNMENT**

Given the rapid growth, Timor-Leste is facing new challenges, including the need to ensure that all people enjoy economic development, through better provision of services.

To this end it is important to combat a high bureaucratization culture in government, making it more efficient and effective, through a more functional and technically capable structure, where its members are absolutely committed to the aspirations of the population.

A new structure of the Government will thus respond to this imperative, allowing a greater focus on provision of basic services to the Timorese, while at the same time giving continuity to on going programs and reforms, to the improvement of methodologies and operational administration and management, and also, to the implementation of the Strategic Development Plan.

Therefore, the new hierarchical composition of the government, and its organizational structure of the VI Constitutional Government seeks, first, to encourage the improvement of service delivery to the people, and, second, make lighter the state's machine, without losing sight of the goals of efficiency, effectiveness and accountability.

Thus,

The Government, under paragraph 3 of Article 115 of the Constitution, decrees as law, the following:

**CHAPTER I  
STRUCTURE OF THE GOVERNMENT**

**Article 1  
Object**

The present decree-law regulates the organic law of the VI Constitutional Government.

## **Article 2 Structure**

The Government is composed by the Prime Minister, by the Ministers of State, by the Ministers, Vice Ministers and Secretariats of State.

## **Article 3 Ministers**

1. The Government has the following Ministers of State:
  - a) Minister of State and of the Presidency of the Council of Ministers;
  - b) Minister of State, Coordinator of Social Affairs;
  - c) Minister of State, Coordinator of Economic Affairs;
  - d) Minister of State, Coordinator of State Administration and Justice Affairs.
2. In addition to the Ministers of State referred too in the previous number, the following Ministers are also part of the Government:
  - a) Minister of Education;
  - b) Minister of Agriculture and Fisheries;
  - c) Minister of State Administration;
  - d) Minister of Foreign Affairs and Cooperation;
  - e) Minister of Finance;
  - f) Minister of Justice;
  - g) Minister of Health;
  - h) Minister of Social Solidarity;
  - i) Minister of Trade, Industry and Environment;
  - j) Minister of Tourism, Arts and Culture;
  - k) Minister of Public Works, Transports and Communications;
  - l) Minister of Petroleum and Mineral Resources;
  - m) Minister of Defence;
  - n) Minister of the Interior;
  - o) Minister of Planning and Strategic Investment.

## **Article 4 Remaining members of Government**

The Ministers referred to in the previous article are assisted in their functions by the following Vice Ministers and Secretaries of State:

- a) The Minister of State and the Presidency of the Council of Ministers, by the Secretary of State for the Council of Ministers, Secretary of State for Parliamentary Affairs and Secretary of State for Social Communication;

- b) The Minister of State, Coordinator of Social Affairs and Minister of Education, by the Vice Minister of Education I and the Vice Minister of Education II, the State Secretary for Socio-economic support and promotion of Women and Secretary of State for Youth and Sports;
- c) The Minister of State, Coordinator of Economic Affairs and Minister of Agriculture and Fisheries, by the Vice Minister of Agriculture and Fisheries and the Secretary of State for Vocational Training and Employment Policy;
- d) The Minister of State, Coordinator of the State Administration and Justice Affairs and Minister of State Administration, by the Vice Minister of State Administration, the Secretary of State for Institutional Strengthening and the Secretary of State for State Administration;
- e) The Minister of Foreign Affairs and Cooperation, by the Vice Minister for Foreign Affairs and Cooperation;
- f) The Minister of Finance, by the Vice Minister of Finance;
- g) The Minister of Justice, by the Secretary of State for Land and Property;
- h) The Minister of Health, by the Vice Health Minister;
- i) The Minister of Social Solidarity, by the Vice Minister of Social Solidarity;
- j) The Minister of Trade, Industry and Environment, by the Vice Minister of Trade, Industry and Environment;
- k) The Minister of Tourism, Arts and Culture, by the Secretary of State for Arts and Culture;
- l) The Minister of Public Works, Transports and Communications, by the Vice Ministers of Public Works, Transports and Communications I and Vice Ministers of Public Works, Transports and Communications II.

## **Article 5**

### **Council of Ministers**

1. The Council of Ministers is presided over by the Prime Minister, and apart from him, it is composed by the Ministers of State and the remaining Ministers.
2. The Secretary of State of the Council of Ministers 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 up to the Council of Ministers to approve, through resolution, the rules regarding its operation and functioning, as well as for the coordination meetings.
5. It is also up to the Council of Ministers to decide upon the creation of permanent or temporary committees for the analysis of legislative or political projects, or for the presentation of recommendations to the Council.

## **CHAPTER II COMPETENCY OF THE MEMBERS OF GOVERNMENT**

### **Article 6 Prime Minister**

1. The Prime Minister has his own competence and competence that is delegated upon him by the Council of Ministers pursuant to the terms of 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) Represent the Government and the Council of Ministers in their relationship with the President of the Republic and the National Parliament;
  - d) To direct the general policy of the Government in its external relations and represent the Government to the international community;
  - e) To guide the general policy of the Government regarding the CPLP and ASEAN;
  - f) To direct and guide the overall policy of the Government in the areas of defence and security and national intelligence;
  - g) Coordinate the Integrated System of National Security;
  - h) To direct the general policy of the Government in the area of financial management, including the banking sector, the tax system and the investment of the Petroleum Fund;
  - i) To appoint, according to the terms of law, counsel to represent the State in cases of litigation in which it is a party;
  - j) To manage the system of information technologies of the Government and ensure the respective services are rendered, as well as implementing computer systems in the national territory;
  - k) Coordinate with the Authorities of the Special Administrative Region of Oé-Cusse Ambeno in respect of the administrative autonomy of the region;
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 are legally bestowed upon him.
6. In his absences or impediments, the Prime Minister shall be replaced by the member of Government that follows in the Government's hierarchy, successively.

**Article 7**  
**Minister of State**

1. Ministers of State coordinate the activities of various ministries grouped in sectorial areas of governance or coordinate crosscutting issues to various areas of governance and placed in terms of hierarchy, immediately after the Prime Minister and above other ministers and other members of the Government.
2. In addition to the sectorial coordination of other ministries, the Ministers of State may hold a ministerial portfolio.
3. Ministers of State are functionally dependent on the Prime Minister or his substitute, and are subject to their political supremacy.
4. Applies also to the Ministers of State in terms of the following article.

**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, if they are impeded or there is none, by the Secretary of State which is appointed.
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.
4. Ministers may delegate the authority regarding the services, agencies, entities, and activities which depends on them, to the Vice-Ministers and Secretaries of State that assist him, with sub-delegation authority, when it is legally allowed and expressly mentioned in the instrument of delegation.

**Article 9**  
**Vice Ministers and Secretaries of State**

1. The Vice Ministers and Secretaries of State do not have their own competences, except in what regards to the respective offices they hold in which they exercise, in each case, competences delegated upon them by the respective Minister.
2. The Vice Ministers and Secretaries of State are functionally dependent on their respective Minister, and are subject to their political supremacy.
3. The Prime Minister and the Ministers retain political responsibility and the power to call back on delegated matters whether by law or administrative act.

**Article 10**  
**Solidarity and Confidentiality**

1. All members of the government are bound by the decisions taken by the Council of Ministers, and the duty of confidentiality on the agenda, the content of the debate and the positions taken there.

2. Except for the purposes of public consultation, hearing or trading prescribed by law or decided by the Council of Ministers, is not allowed to disclose the materials submitted or to be submitted to the Council of Ministers or the preparatory meetings of these.

**CHAPTER III  
ORGANIC LAW OF THE GOVERNMENT**

**SECTION I  
Presidency of the Council of Ministers**

**Article 11  
Services and bodies under the Prime Minister**

1. The Presidency of the Council of Ministers is the central service of the Government whose mission is to provide support to the Council of Ministers, the Prime Minister and other members of the Government incorporated in it, as well as promote the coordination of various government departments.
2. The services, entities, organizations and structures integrated in the Presidency of the Council of Ministers, are the responsibility of the Prime Minister, unless otherwise provided by law, being able to delegate the respective competency to the members of Government referred to in paragraph. <sup>o</sup>1 of Article 3.
3. The bodies and services that make up the Presidency of the Council of Ministers are those defined in its organic law.
4. The following departments and agencies are directly under the Prime Minister:
  - a) National Intelligence Service;
  - b) Council for the definite delimitation of the Maritime Borders;
  - c) Civil Service Commission;
  - d) AMTR – Archive and Museum of the Timorese Resistance
  - e) ITC (e-government);
  - f) Support Office for the Civil Society.

**Article 12  
Minister of State and the Presidency of the Council of Ministers**

1. The Minister of State and the Presidency of the Council of Ministers shall assist the Prime Minister in the Presidency of the Council of Ministers and in the coordination of the Government and assumes the functions of Government spokesman.
2. The Minister of State and the Presidency of the Council of Ministers main competencies are to:
  - a) Coordinate the preparation and organization of government work, as well as the monitoring and evaluation of the decisions taken by the Council of Ministers and the Prime Minister;

- b) Coordinate the work meetings of the various Ministers of State and Coordinator of the respective areas with the Prime Minister for the performance of the joint evaluation of the different government agencies;
  - c) Coordinate and implement reforms to government institutions in accordance with the decisions taken by the Council of Ministers and the Prime Minister;
  - d) To coordinate the reform of the justice and judiciary sector;
  - e) To coordinate the support and legal advice to the Council of Ministers, Prime Minister, Ministers of State and other members of Government integrated into the Presidency of the Council of Ministers.
3. In addition to the functions referred to in the preceding paragraph and other functions as may be delegated by the Council of Ministers and the Prime Minister, the Minister of State and of the Presidency of the Council of Ministers is also responsible for the following:
- a) To coordinate and centralize the legislative and regulatory process of the Government;
  - b) To perform further study on the reform of laws in the formal aspect, in the standardization and harmonization of laws, as well as, in assessing the need for government intervention or the National Parliament;
  - c) To promote the modernization of the legislative procedure, including through the use of instruments of 'e-government', the disclosure of actions and measures of the Government and organize the way for public intervention thereof;
  - d) To review and prepare the draft laws and regulations of the Government, in coordination with the proposing ministries;
  - e) To ensure litigation services for the Presidency of the Council of Ministers;
  - f) To coordinate the representation of the State by legal representatives, in cases where the State is a party;
  - g) To respond, in collaboration with the respective ministry, to review procedures of constitutionality and legality;
  - h) To ensure regular coordination with the National Parliament;
  - i) To Translate or accompany the translation of legal documents or other documents necessary for the action of the Council of Ministers or the Prime Minister.
  - j) To represent the Council of Ministers and the Prime Minister, when they so decide, in ad hoc committees;
  - k) To propose the policy and draft the necessary legislation in the area of social communication;
  - l) Be responsible for the media of the State;
  - m) To coordinate the dissemination of information on government programs and actions;
  - n) To be the spokesperson for the Council of Ministers.
4. The following Secretaries of State are under the Minister of State and of the Presidency of the Council of Ministers:
- a) The Secretary of State for the Council of Ministers;

- b) Secretary of State for Parliamentary Affairs;
  - c) Secretary of State for Social Communication.
5. The following entities are under the supervision of the Minister of State and of the Presidency of the Council of Ministers:
- a) RTTL - Radio and Television of Timor-Leste, EP
  - b) National Printers.

### **Article 13**

#### **Minister of State, Coordinator for Social Affairs**

1. The Minister of State, Coordinator of Social Affairs assists the Prime Minister in supervising the general policy for areas of Social Affairs, taking specific responsibility for the work and activities as regards to the provision of services of the following Ministries and Secretaries of State:
- a) Ministry of Education, which he is the Minister;
  - b) Ministry of Health;
  - c) Ministry of Social Solidarity;
  - d) Secretary of State for the Socio-economic support and promotion of Women;
  - e) Secretary of State for Youth and Sports;
  - f) Children's Rights Commission;
  - g) National Liberation Combatants;
  - h) Commission to Combat HIV-AIDS.
2. The main competences of the Minister of State for Social Affairs are:
- a) To coordinate the preparation and organization of government work in the social area;
  - b) To monitor and evaluate the work and the provision of services provided for in paragraphs a) to h) above;
  - c) To propose and develop public policies in social areas that contribute to improving the delivery of services to citizens;
  - d) To ensure coordination with relevant organizations, to contribute to social development.
3. The following entities are under the supervision of the Minister of State, Coordinator of Social Affairs:
- a) National Sports Commission (CND);
  - b) Regulatory Commission of Martial Arts (CRAM).
4. It is obligatory that the Minister of State, Coordinator of Social Affairs, meet with the members of the Government of the area of governance that it is responsible for once a month.



5. After this meeting of coordination and performance evaluation of the different Ministries and Secretaries of State, the Minister of State, Coordinator of Social Affairs will inform the Prime Minister.

#### **Article 14**

##### **Minister of State, Coordinator of Economic Affairs**

1. The Minister of State, Coordinator of Economic Affairs assists the Prime Minister in supervising the general policy for areas with predominantly economic nature, taking specific responsibility for the work and activities as regards to the provision of services of the following Ministries and Secretaries of State:
  - a) Ministry of Agriculture and Fisheries, which he is the Minister;
  - b) Ministry of Trade, Industry and Environment;
  - c) Ministry of Tourism, Arts and Culture;
  - d) Ministry of Public Works, Transports and Communications;
  - e) Secretary of State for Vocational Training and Employment Policy;
  - f) Agro industry, livestock and fisheries;
  - g) Cooperative Sector;
2. The main competences of the Minister of State, Coordinator of Economic Affairs, are the following:
  - a) To coordinate the preparation and organization of government work in the economic area;
  - b) To monitor and evaluate the work and the provision of services provided for in paragraphs a) to g) above;
  - c) To propose and develop public policies of economic nature that contribute to improving the delivery of services to citizens;
  - d) To propose policies, legislation and establish mechanisms related to the promotion of private investment, national and international, in conjunction with relevant stakeholders;
  - e) To promote the development of the domestic private sector and formulate policies and support mechanisms and incentives for the development of the sector;
  - f) To promote dialogue with the domestic private sector for the country's development and fight against unemployment;
  - g) To ensure coordination with relevant stakeholders to contribute to economic development.
3. The following entities are under the supervision of the Minister of State, Coordinator of Economic Affairs:
  - a) Tibar National Centre for Vocational Training and Employment;
  - b) Becora National Centre for Vocational Training;
  - c) National Institute of Labour Development;

- d) General Labour Inspectorate;
  - e) SERVE - Registration and Company Verification Service;
  - f) Institute for Supporting Business Development;
  - g) AEI - Specialized Investment Agency;
  - h) National Trade Bank of Timor-Leste, SA;
  - i) Bamboo Research, Development, Training and Promotion Institute, IP.
4. It is obligatory that the Minister of State, Coordinator of Economic Affairs, meet with the members of the Government of the area of governance that it is responsible for once a month.
  5. After this meeting of coordination and performance evaluation of the different Ministries and Secretaries of State, the Minister of State, Coordinator of Economic Affairs will inform the Prime Minister.

### **Article 15**

#### **Minister of State, Coordinator of the State Administration and Justice Affairs**

1. The Minister of State, Coordinator of the State Administration and Justice Affairs, assists the Prime Minister in supervising the general policy for areas related to the administration of the State and Justice, taking specific responsibility for the work and activities as regards to the provision of services for the following Ministry, Secretaries of State and institutions:
  - a) Ministry of State Administration, of which he is Minister;
  - b) Ministry of Justice;
  - c) Secretary of State for Institutional Strengthening;
  - d) Administrative Decentralization;
  - e) INAP – National Institute of Public Administration;
  - f) State Inspectorate General.
2. The main competences of the Minister of State, Coordinator of Administrative Affairs are the following:
  - a) To coordinate the preparation and organization of government work in the area of management of the administration of the State and Justice;
  - b) To monitor and evaluate the work and the provision of services provided for in paragraphs a) to f) above;
  - c) To propose and develop public policies in state administration that contribute to improving the delivery of services to citizens;
  - d) To support the training and continued permanent assistance conducive to the process of devolution and administrative decentralization, in coordination with relevant ministries and institutions;
  - e) To promote the de-bureaucratisation and develop the capacity, transparency and efficiency of state administration services;

- f) To promote and supervise the bodies responsible for training and development of civil servants;
  - g) To develop and implement a competitive and transparent scholarship grant policy;
  - h) To ensure coordination with relevant stakeholders to contribute to the development of the public administration.
3. It is obligatory that the Minister of State, Coordinator of Administrative Affairs, meet with the members of the Government of the area of governance that it is responsible for once a month.
4. After this meeting of coordination and performance evaluation of the different Ministries and Secretaries of State, the Minister of State, Coordinator of Administrative Affairs will inform the Prime Minister.

## **SECTION II**

### **Ministries**

#### **Article 16**

#### **Ministries**

The Ministers referred to in subparagraphs a) to o) in paragraph 2 of Article 3 are, respectively, the heads of the ministries with the following designations:

- a) Ministry of Education;
- b) Ministry of Agriculture and Fisheries;
- c) Ministry of State Administration;
- d) Ministry of Foreign Affairs and Cooperation;
- e) Ministry of Finance;
- f) Ministry of Justice;
- g) Ministry of Health;
- h) Ministry of Social Solidarity;
- i) Ministry of Trade, Industry and Environment;
- j) Ministry of Tourism, Arts and Culture;
- k) Ministry of Public Works, Transports and Communications;
- l) Ministry of Petroleum and Mineral Resources;
- m) Ministry of Defence;
- n) Ministry of Interior;
- o) Ministry of Planning and Strategic Investment.

**Article 17**  
**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 qualification, as well as for the areas of science and technology, namely to:
  - a) Propose and ensure policies on pre-school and school education, comprising primary and secondary education and integrating the special arrangements for education, for the promotion of recurrent education and learning throughout life;
  - b) Participate in the definition and implementation of qualification and vocational training policies;
  - c) Ensure the right to education and ensure compulsory education in order to promote inclusion and equal opportunities;
  - d) Strengthening the conditions of teaching and learning, contributing to the qualification of the population and improving the educational attainment and employment;
  - e) To determine the national curriculum in the various levels of education and the evaluation system for students and approve educational programs as well as the guidelines for its implementation;
  - f) To promote and manage the development and upgrading of schools of public establishments of non-higher education, and support initiatives within the private and cooperative education;
  - g) Designing the policy measures in the areas of higher education, science and technology, as well as their organization, financing, implementation and evaluation;
  - h) To promote equal opportunities in access to higher education;
  - i) To promote the development, modernization, quality, competitiveness and international recognition of higher education and scientific and technological education methods;
  - j) To promote the link between institutions of higher education and science and technology, and between them and the production system;
  - k) To promote the permanent assessment and inspection of higher education, science and technology establishments;
  - l) To promote the evaluation of education professionals;
  - m) To plan a system of analysis and monitoring in order to evaluate the results and impact of education and training policies.
  
2. The following departments and agencies are under the responsibility of the Minister of Education:
  - a) National University of Timor Lorosa'e;
  - b) National Institute of Science and Technology;
  - c) National Commission of UNESCO;
  - d) National Institute for Training Teachers and Education Professionals (INFORDEPE);

- e) National Agency for Academic Evaluation and Accreditation (ANAAA).
- 3. The bodies and services that make up the Ministry of Education are those defined in its organic law.

**Article 18**  
**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 livestock, namely to:
  - 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 Trade, Industry and Environment, the Ministry of State Administration and the government's entity responsible for vocational training and employment;
  - c) Create technical assistance centres for farmers;
  - d) Manage agro-technical education;
  - e) Promote agricultural research;
  - f) To control the use of land for agricultural and livestock production purposes;
  - g) Promote and monitor animal health;
  - h) Promote the industries of agriculture, livestock and fisheries;
  - i) Promote and oversee food production, including seed production;
  - j) Ensure Quarantine Services;
  - k) Implementing a cooperative system for the production and trading of agricultural produce;
  - l) Carry out feasibility studies for the installation of irrigation systems, water storage, as well as building the respective installations;
  - m) Manage, in coordination with the Ministry of Trade, Industry and Environment the forest resources and watersheds;
  - n) Promote the production of industrial plants, namely, coffee culture;
  - o) Manage the water resources meant for agricultural purposes;
  - p) Control and oversee the fisheries and aquaculture sector;
  - q) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas;
  - r) Manage National Parks and Protected Areas;
  - s) Ensure the protection and conservation of nature and biodiversity, supervising the implementation of the policy and supervising activities detrimental to the integrity of the national fauna and flora, in collaboration with the related entities.
2. The bodies and services that make up the Ministry of Agriculture and Fisheries are those defined in its organic law.

**Article 19**  
**Ministry of State Administration**

1. The Ministry of State Administration 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 local government, administrative decentralization, organization and execution of the electoral and referendum process, promotion of hygiene and urban planning and classification and conservation of the official documents with historical value, namely to:
  - a) Promote and guide the administrative decentralization process and creation of the institutions and services of the Local Government;
  - b) Support the training and on going assistance leading to the deconcentration and administrative decentralization, in coordination with the Ministries and other relevant entities;
  - c) Coordinate and supervise the activities of peripheral services of the Ministry;
  - d) Establish and operate mechanisms for collaboration and coordination with other bodies from the Public Administration responsible for related areas;
  - e) Propose public policy and legislative initiatives relating to the areas they are responsible for;
  - f) To propose and implement legislation for the promotion of hygiene and urban public order;
  - g) To propose and apply the legal standards relating to place names;
  - h) Ensure technical support to electoral and referendum processes;
  - i) To promote local and rural development policy, to reduce economic and social inequalities, in cooperation with other government agencies for their implementation;
  - j) Establish and operate mechanisms for collaboration and technical support to traditional community leaders;
  - k) To propose and develop standards and technical instructions for the classification, handling and archiving of historical documents and government documents;
  - l) To promote the recovery, preservation and proper custody of historical documents and government documents.
2. The following departments and agencies are under the responsibility of the MSA:
  - a) Technical Secretariat for Electoral Administration;
  - b) National Archives;
  - c) National Institute of Public Administration.
3. The bodies and services that make up the Ministry of State Administration are those defined in its organic law.

**Article 20**  
**Ministry of Foreign Affairs and Cooperation**

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 international cooperation, consular functions, and promotion and defence of the interests of the Timorese living abroad, namely:
  - a) To plan, propose and implement the foreign policy of Timor-Leste and ensure its unity and coherence;
  - b) Develop laws and regulations in their respective areas of responsibility;
  - c) Negotiate and propose the signing of international treaties and agreements in accordance with the priorities of foreign policy of Timor-Leste;
  - d) Promote the interests of Timor-Leste abroad and ensure the protection of Timorese citizens abroad;
  - e) Ensure the representation of Timor-Leste in other States and International Organizations and manage the network of embassies, missions, permanent and temporary representations and consular posts, according to the priorities of foreign policy;
  - f) Plan and execute the preparation for the accession of Timor-Leste to the Organization of Southeast Asian Nations (ASEAN) and ensure representation of the country in their meetings and activities;
  - g) Propose and implement the policy of international cooperation, in coordination with the Ministry of Finance and other relevant government institutions;
  - h) Coordinate, along with the Ministry of Finance and other relevant departments of the government, the relations of Timor-Leste with development partners;
  - i) To perform the functions as may be assigned for economic diplomacy issues;
  - j) To establish collaboration and coordination mechanisms with other Government bodies responsible for related areas of activity.
2. The ACTL - Timor-Leste Cooperation Agency is under the authority of the Minister of Foreign Affairs and Cooperation.
3. The bodies and services that make up the Ministry of Foreign Affairs and Cooperation 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 to:
  - a) Propose the monetary and exchange policies, in collaboration with the Central Bank;
  - b) Propose the necessary policy and draft the regulation projects relating to macroeconomics, 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) Coordinate projects and programs in Timor-Leste and the development partners, in conjunction with the Ministry of Foreign Affairs and Cooperation;
  - 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) To promote the State's management policy regarding its movable assets, in collaboration with other competent public authorities;;
  - h) To manage the supply of goods procured for all ministries;
  - i) To negotiate, sign and manage the implementation of public-private partnerships contracts, ensuring their financial assessment to the appropriate sharing of risks between the state and the private partner and the sustainability of each project;
  - j) To promote the creation of the National Development Bank;
  - k) Draft and publish official statistics;
  - l) 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;
  - m) Look after the good management of the financing from the State General Budget by the State indirect administration bodies and by the local governance bodies, through audits and monitoring;
  - n) Coordinate the national and international technical assistance in terms of technical advisory for the State bodies, except for the areas of human resource training;
  - o) Develop financial management information systems in all services and public administration bodies in conjunction with the development of the 'e-government' process;
  - p) 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 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, land and property, law and human rights, namely:
  - a) Propose the policy and draft the regulation projects required for the areas under its responsibility;



- b) To propose measures on the definition of traditional justice regulatory mechanisms and their interaction with the formal system;
  - c) To propose and implement measures for extending the judiciary map;
  - d) To propose the definition of criminal policy and ensure its implementation and the proper administration of justice;
  - e) To regulate and manage the Judicial Training Centre and the training of human resources for the different areas of activity of the justice sector;
  - f) Regulate and manage the prison system, the execution of the penalties and the social reinsertion services;
  - g) Ensure appropriate mechanisms for access to the law and the courts, particularly for the most disadvantaged citizens in the fields of legal information and legal advice and legal aid, including through the Public Defenders' Office and other entities and structures of Justice;
  - h) Create and ensure the proper mechanisms for ensuring citizenship rights and promoting the divulgation of applicable laws;
  - i) Organize the cartography and cadastre of lands and buildings and the registry of immovable assets;
  - j) Ensure a specialized service of legal translation responsible for the use of official languages in the areas of law and justice, as a measure to promote access to the law by citizens;
  - k) Manage and oversee the registry and notary service system;
  - l) Administrate and manage the intangible assets of the State;
  - m) Promote and guide the judicial training for the judicial careers and other remaining civil servants;
  - n) Ensure relations at the international level in the field of Justice policy, in particular with other governments and international organizations, without prejudice to the specific competencies of the Ministry of Foreign Affairs and Cooperation;
  - o) 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 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 following services are under the responsibility of the Ministry of Health:
    - a) Health National Service Hospitals,
    - b) Autonomous Service for Drugs and Medical Equipment, EP (SAMES)
  3. The bodies and services that make up the Ministry of Health are those defined in its organic law.

**Article 24**  
**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 security, social assistance, natural disasters 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;
  - c) To propose and develop policies and strategies in disaster risk management;
  - d) Develop and implement programs in disaster risk management in particular in civic education, prevention, mitigation, emergency response and recovery after disaster;
  - e) Promote programs of demobilization, retirement and pensions for the former National Liberation fighters;
  - f) Monitor the community insertion by veterans and the former National Liberation fighters;
  - g) Carry out the monitoring, protection and reinsertion in the community of other vulnerable groups;
  - h) Set up collaboration and coordination mechanisms with other Government bodies responsible for connected areas.
2. It is under the authority and supervision of the Minister of Social Solidarity the National Rehabilitation Centre.
3. The bodies and services that make up the Ministry of Social Solidarity are those defined in its organic law.

**Article 25**  
**Ministry of Trade, Industry and Environment**

1. The Ministry of Trade, Industry and Environment 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 commercial and industrial economic activities and the cooperative sector, as well as the environment, namely to:
  - a) Propose policies and draft the regulation projects required for the areas under its responsibility;
  - b) Develop, implement and evaluate trade, industry and the environment policies;
  - c) Contribute to the promotion of economic activity, including in relation to national and international competitiveness;
  - d) Support the activities of economic agents, promoting the necessary steps to recovery solutions that enable a simpler and quicker bureaucratic procedure;
  - e) Consider and license plans for installations and operation of commercial and industrial enterprises;
  - f) Inspect and supervise the activities and commercial and industrial enterprises, under the law;
  - g) Maintain and manage a centre of information and documentation on companies;
  - h) Propose the qualification and classification of industrial enterprises in accordance with applicable law;
  - i) Promote the development of the cooperative sector, particularly in rural areas and in the agricultural sector, in coordination with the Ministry of Agriculture and Fisheries;
  - j) To disseminate the importance of the cooperative economic sector and micro and small businesses and promote training in the creation, organization, management and accounting of cooperatives and small enterprises;
  - k) To organize and manage a register of cooperatives;
  - l) To organize and manage the registration of industrial property;
  - m) To promote the domestic and international rules of standardization, metrology and quality control, measurement standards units and physical magnitude;
  - n) To implement environmental policy and evaluate the results achieved;
  - o) To promote, monitor and support environmental integration strategies in sectorial policies;
  - p) Carry out strategic environmental assessment of policies, plans, programs and legislation and coordinate the environmental impact assessment process projects at national level;
  - q) Ensure, in general terms and in the environmental licensing office, the adoption and enforcement of the measures of prevention and integrated pollution control by the installations subject to it.
2. The National Logistics Centre is under the authority of the Minister of Commerce, Industry and Environment.

3. The bodies and services that make up the Ministry of Trade, Industry and Environment are those defined in its organic law.

## **Article 26**

### **Ministry of Tourism, Arts and Culture**

1. The Ministry of Tourism, Arts and Culture 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, arts and culture, namely to:
  - a) Propose the policy and draft the regulation projects required for the areas under its responsibility;
  - b) Design, execute and assess the tourism policy;
  - c) Contribute to the promotion of the tourism sector and propose measures and public policies relevant to their development;
  - d) Support the activities of economic operators in the tourism sector by promoting the necessary steps to recovery solutions that enable a simpler and quicker bureaucratic procedure of approval for the respective licencing process;
  - e) To advise on requests for information prior to the establishment of tourism businesses;
  - f) Consider, license projects facilities and supervise the operation of tourism enterprises;
  - g) To supervise, inspect and monitor recreational games and tourist developments, under the law;
  - h) Maintain and manage a centre of information and documentation of companies and activities in the tourism sector;
  - i) Suspend and revoke the license for carrying out tourist activities, in accordance with the law;
  - j) To qualify and classify the tourist enterprises, in accordance with applicable law;
  - k) To prepare the annual plan of promotional activities for the development of tourism with the respective cost estimate;
  - l) implement and enforce legislation on the installation, licensing and verification of the operational conditions of tourism equipment;
  - m) Establish mechanisms of collaboration with other government departments and agencies responsible for related areas, namely the services for spatial and physical development of the territory, with a view to promoting strategic areas for national tourism development;
  - n) Collaborate with relevant bodies and public institutions in the promotion and dissemination of Timor-Leste, with investors and tour operators, ensuring the dissemination of information required;
  - o) To oversee the tourist and cultural events;
  - p) Develop policy and regulations for the conservation, protection and preservation of historical and cultural heritage;

- q) To propose policies for the definition and development of arts and culture;
  - r) Establish cooperative policies and cultural exchange with CPLP countries and cultural organizations and countries in the region;
  - s) Establish policies of cooperation with UNESCO;
  - t) Promote the creation of the National Library and the National Museum;
  - u) Develop programs, in coordination with the Ministry of Education, for the introduction of arts education and culture in the education curricula of Timor-Leste;
  - v) To promote the creative industries and artistic creation in Timor-Leste, in its various areas;;
  - w) Ensure the proper preservation of official and historical documents;
  - x) Promote the creation of the Academy of Cultural Arts and Creative Industries of Timor-Leste;
  - y) Protect the rights to artistic and literary creation.
2. The following are under the authority of the Ministry of Tourism, Arts and Culture:
- a) Dili Convention Centre –DCC;
  - b) Food Courts (Metiaut)
  - c) Tourism and Tourist Information Centres
  - d) Implementation Unit of the Academy of Arts, Culture and Cultural Creative Industries;
  - e) Monitoring Commission of the Academy of Arts, Culture and Cultural Creative Industry.
3. The bodies and services that make up the Ministry of Tourism, Arts and Culture are those defined in its organic law.

### **Article 27**

#### **Ministry of Public Works, Transports and Communications**

1. The Ministry of Public Works, Transports and Communications 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, housing, supply, distribution and management of water, sanitation and electricity, transports and communications, namely:
- a) For proposing and executing the policy of the Ministry for the areas of civil works, housing, water supply, management of water resources, sanitation and electricity;
  - b) For proposing and executing the policy of the Ministry for the areas of transports and communications;
  - c) For ensuring the implementation and execution of the legal and regulatory framework for the activities related to the activities of the ministry;
  - d) For creating and implementing the legal and regulatory framework for civil works activities and the investigation of construction materials;
  - e) For studying and executing works for the protection, maintenance and repairing of bridges, roads, and river and sea banks, namely for controlling floods;

- f) For promoting the study and execution of new infrastructural networks related to the supply of water and water resources, as well as for basic sanitation, and oversee their operation and exploration, without prejudice to the powers granted to other bodies in these domains;
  - g) Establish the coordination and promote the physical quality of the projects executed by the State;
  - h) For promoting the construction, maintenance and repair of public buildings, monuments and special facilities, whenever they are under its responsibility;
  - i) For licensing and overseeing all urban constructions, namely private, municipal or belonging to autonomous bodies, according to the applicable legislation;
  - j) 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;
  - 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) To ensure coordination of the renewable energy sector and stimulate complementarity between its various modes, as well as their competitiveness in order to better satisfy the users.
  - m) To regulate, in coordination with other ministries, operators in the electricity production area;
  - n) Establishing collaboration and coordination mechanisms with other Government bodies responsible for related areas;
  - o) Develop and regulate the communications activity as well as optimize the means of communication;
  - p) 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;
  - q) To promote the management as well as the adoption of technical standards and regulations concerning the public use of communications services;
  - r) To ensure the provision of public telecommunications services and of the use of radio electric spectrum through public companies or the concession of the provision of the public service to private entities;
  - s) For maintaining and developing the national meteorological and seismological information and surveillance systems, including the construction and maintenance of the respective infrastructures;
  - t) For promoting and coordinating scientific research and technological development within the domains of civil land, air and sea transportation.
2. The following are under the authority of the Ministry of Public Works, Transports and Communications:
- a) Port Administration of Timor-Leste – APORTIL,

- b) Airports and Aerial Navigation Administration of Timor-Leste – ANATL EP,
  - c) Civil Aviation Authority of Timor-Leste – AACTL,
  - d) ARC – Communications Regulation Authority;
  - e) Equipment Management Institute– IGE.
3. The bodies and services that make up the Ministry of Public Works, Transports and Communications are those defined in its organic law.

**Article 28**  
**Ministry of Petroleum and Mineral Resources**

1. The Ministry of Petroleum and Mineral Resources is the central Government body responsible for the design and execution of the energy policy and of the management of mineral resources, including petroleum and other strategic minerals, approved by the Council of Ministers, as well as the licensing and regulation of the extraction activity, and industrial activity of improvement of oil and minerals, including petrochemical and refining, namely:
- a) To draft and propose the policy and laws of the sector;
  - b) To establish the sectorial administration and management system and regulate the sector's activities;
  - c) To ensure the maximum participation of Timor-Leste in the oil sector activity and mineral resources through the appropriate legal, administrative and technical instruments;
  - d) Promote national opportunities in the sector in order to attract and retain foreign investment devoted to it;
  - e) Monitoring the implementation of the Treaties and follow the sectorial implementation of the relevant instruments;
  - f) In coordination with the ministries and other relevant stakeholders, conduct the negotiation process on the development model of the field '*Greater Sunrise*' or other matters relating to the exercise of jurisdiction in the Timor Sea;
  - g) To coordinate the implementation of the project 'Tasi Mane' and license and monitor the activities undertaken in territorial areas dedicated to the project 'Tasi Mane';
  - h) To determine, in accordance with the general conditions prescribed by law, the specific contractual terms of exploration and exploitation of petroleum resources and mining licenses;
  - i) To ensure minimum reserve requirements for fuel and its regular supply to the public energy production units;
  - j) To regulate, authorize and control 'downstream' activities, in particular, export, transport, storage, distribution and marketing, wholesale and retail, including imports of crude oil, oil derivatives and minerals;

- k) To authorize and license downstream of mining projects of manufacturing industry for the processing, beneficiation, processing, conversion or processing of crude oil, oil products and minerals in particular refineries, liquefaction units, gas or petrochemical;
  - l) To consider the complexity and technical expertise of the oil and mineral resources, approving environmental licenses in that sector, in coordination with the competent authorities in the area of environment;
  - m) To exercise the oversight powers and protection over the indirect administration of the sector, institutional and corporate of the state;
  - n) Develop knowledge and research of geological structure of the soil and subsoil and national hydrogeological resources.
2. The following agencies are under the responsibility of the Ministry of Petroleum and Mineral Resources:
- a) National Petroleum and Minerals Authority;
  - b) Timor Gap, EP;
  - c) Institute of Petroleum and Geology, IP;
  - d) Mines of Timor, SA.
3. The bodies and services that make up the Ministry of Petroleum and Mineral Resources are those defined in its respective organic law.

## **Article 29**

### **Ministry of Defence**

1. The Ministry of Defence 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 and military cooperation, namely:
- a) To propose and execute the policy regarding the military component of the national defence;
  - b) To draft the legislation for the necessary regulation of the Defence sector;
  - c) To promote strategic military diplomacy, coordinating and guiding the activities arising from military commitments under instruments of international law and Bilateral and Multilateral Agreements, as well as relations with the States and international organizations of a military nature, without prejudice to the attributions of Ministry of Foreign Affairs and Cooperation;
  - d) To ensure maintenance of relations in the field of defence policy with other countries and international organizations, without prejudice to the duties of the Ministry of Foreign Affairs and Cooperation, under the objectives set for the Timorese foreign policy;
  - e) To coordinate and monitor, in coordination with the Ministry of Foreign Affairs and Cooperation, cooperation activities undertaken by international organizations, State or Defence forces of other countries to support the development of their areas of



responsibility, under international agreements referred to in the previous subparagraph;

- f) Manage and supervise the Timor-Leste Defence Force;
  - g) Promote the adequacy of military means and monitor and inspect their use;
  - h) To supervise, manage and monitor the Maritime Authority;
  - i) Monitoring the air and sea transport for military purposes;
  - j) To establish collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The National Defence Institute is under the authority of the Ministry of Defence.
  3. The bodies and services that make up the Ministry of Defence are those defined in its respective organic law.

### **Article 30** **Ministry of Interior**

1. The Ministry of Interior 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 internal security of migration and border control, of the civil protection and of the police cooperation, namely:
  - a) To propose, coordinate and implement internal security policies and civil protection;
  - b) To participate in the definition, coordination and implementation of national security policy;
  - c) To prepare the regulation required for the areas under its responsibility;
  - d) To supervise, manage and monitor the security forces and services of Timor-Leste;
  - e) To supervise, manage and monitor the Civil Protection Authority, which includes the Fire Department;
  - f) To ensuring and maintaining public order and tranquillity;
  - g) To ensure the protection of freedom and the security of persons and their property;
  - h) To ensure the security of tangible and intangible assets of the State;
  - i) To prevent and combat crime;
  - j) To control the movement of persons across borders, the entry, stay and residence, exit and removal of foreigners from national territory;
  - k) To monitor the activities of import, manufacture, marketing, licensing, ownership and use of weapons, ammunition and explosives, without prejudice to the duties of other government agencies;
  - l) To regulate, monitor and control the exercise of private security activity;
  - m) To monitor maritime and air navigation for civilian purposes;

- n) To prevent disasters and serious accidents and provide protection and relief to the affected populations in the event of fires, floods, landslides, earthquakes and in all situations that may endanger them;
  - o) To develop, in coordination with other competent authorities, civic education programs to respond to natural disasters or others caused by human action, consolidating social solidarity;
  - p) To coordinate and monitor the Municipal Security Councils;
  - q) To promote the development of the strategy of prevention, mediation and resolution of community conflicts;
  - r) To promote the adequacy of police means and monitor and inspect their use;
  - s) To maintain relations in the field of internal security policy with other countries and international organizations, without prejudice to the duties of the Ministry of Foreign Affairs and Cooperation, under the objectives set for the Timorese foreign policy;
  - t) Negotiate, under the leadership of the President and the Prime Minister and in coordination with the Ministry of Foreign Affairs and Cooperation, international agreements on matters within its competence, particularly in the context of internal security, criminal investigation, migration and border control and civil protection;
  - u) To coordinate and monitor, in coordination with the Ministry of Foreign Affairs and Cooperation, cooperation activities carried out by international organizations, States or forces and security services of other countries, to support the development of their areas of responsibility, under International agreements referred to in the previous paragraph;
  - v) Establishing collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Interior are those defined in its respective organic law.

### **Article 31**

#### **Ministry of Planning and Strategic Investment**

1. The Ministry of Planning and Strategic Investment is the central Government body responsible for designing, coordinating and assessing the policy as defined and approved by the Council of Ministers for the promotion of areas of economic and social development of the country through the strategic and integrated planning and the rationalization of available financial resources, taking specific responsibility for the integrated planning for the implementation of the Strategic Development Plan, namely:
- a) Infrastructure and Urban Planning;
  - b) Petroleum and Mineral Resources;
  - c) Territorial Planning and Organization.
2. The Ministry of Planning and Strategic Investment is also responsible for the quality of the work and execution activities of physical projects in regards to the:
- a) Special Funds and other construction works;

- b) National Procurement Commission - CNA ;
  - c) National Development Agency– ADN;
3. The Ministry of Planning and Strategic Investment under the preceding paragraphs and with the statistical data and the register made available by the relevant departments have, in particular, the following specific duties:
- a) Evaluate the capital development projects, based on careful analysis of the viability of projects and the respective value for money;
  - b) Supervise, monitor and ensure the implementation and execution of projects, contributing to the rationalization of the financial resources available and to the economic development and economic activity at national, district and local levels;
  - c) Plan and control costs and quality of capital development projects;
  - d) Promote transparency and quality by providing procurement services for the capital development projects;
  - e) Develop studies, opinions and technical and sectorial analyses to assess the impact and economic viability of development projects;
  - f) Analyse and select investment proposals for the country;
  - g) Ensure coordination and implementation of the Integrated District Development Planning, in coordination with relevant stakeholders;
  - h) Ensure coordination and implementation of the National Program for Sucos Development;
  - i) Develop and implement policies and mechanisms to support community development and of the Sucos;
  - j) Develop the Sucos Millennium Development Objectives Program (MDG Sucos);
  - k) Study, plan and propose sectorial development policies;
  - l) Study, plan, and propose the national housing policy and spatial planning;
  - m) Study, plan and propose urban planning, throughout the territory;
  - n) Propose and develop a national policy for natural and mineral resources;
  - o) Support to develop the legal and regulatory framework for activities related to renewable energy resources;
  - p) To support studies regarding the ability of renewable energy resources and alternative energy sources;
  - q) Keep a file of information on operations and renewable energy resources;
  - r) Help develop the national transports and communications policy;
  - s) Help prepare and develop, in cooperation with other public services, the implementation of the road plan for the national territory;
  - t) Support the coordination and promotion of a management, maintenance and modernization system of airport infrastructures, air navigation, motorways, roads, ports and related services.

- u) Propose and develop the human resources capacitation policy, taking into account the needs in the short, medium and long term, and the areas crucial to the country's development.
4. The following services and entities are under the supervision of the Ministry of Planning and Strategic Investment:
    - a) National Procurement Commission - CNA;
    - b) National Development Agency– ADN;
    - c) Secretariat of Major Projects;
    - d) Mission Unit for Integrated Regional Development - TIA
  5. The bodies and services that make up the Ministry of Planning and Strategic Investment are those defined in its respective organic law.

### **SECTION III Other Entities and Institutions**

#### **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, is defined in a specific statute.

### **CHAPTER IV FINAL AND TRANSITORY FEATURES**

#### **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 Ministers of the State, on the remaining Ministers and on the Secretaries of States directly dependent on him;
- b) The Ministers, on the Vice-Ministers and on the Secretaries of State integrated in their respective ministry.

#### **Article 35**

##### **Transition of services**

1. All services, bodies and entities that have their ministerial framework changed maintain the same legal 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. It is transferred to the Ministry of Public Works, Transports and Communications the entire document archive and the officials of the extinct Ministry of Public Works and Ministry of Transports and Communications.
4. It is transferred to the Office of the Minister of State, Coordinator of Economic Affairs, the entire collection of documents and the officials of the former Secretary of State for the Support and Promotion of the Private Sector.
5. It is transferred, respectively, for the Ministry of Defence and the Interior Ministry the entire document archive and the officials of the former Ministry of Defence and Security and their Secretaries of State.
6. It is transferred to the Ministry of Planning and Strategic Development the National Directorate of Housing and Planning of the extinct Ministry of Public Works.
7. It is transferred to the Presidency of the Council of Ministers, being left directly dependent on the Prime Minister, the National Directorate of Technologies and Information of the extinct Ministry of Transports and Communications.
8. 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.

#### **Article 37**

##### **Organic Laws**

1. The Ministries that are newly created or that may see its responsibilities and authority altered, as well as the Secretariats of State dependent on the Ministers of State and

coordinators, shall, within 60 days of the entry into force of this law, establish or amend the respective organic law.

2. With the entry into force of the new organic laws it will extinguish every directory and management positions, remaining in office the holders of such positions that are not extinct, temporarily, until their renewal or replacement.

**Article 38**  
**Repeal**

Decree-Law no. 41/2012, of 7 September, is hereby repealed.

**Article 39**  
**Entry into force**

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

Approved in the Council of Ministers, on 17 of February, 2015

The Prime-Minister,

---

Rui Maria de Araújo

Promulgated in 11 - 03 - 2015

To be published.

The President of the Republic,

---

Taur Matan Ruak