



**DEMOCRATIC REPUBLIC OF TIMOR-LESTE  
GOVERNMENT**

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OF**

**STRUCTURE OF THE IV CONSTITUTIONAL GOVERNMENT**

The IV Constitutional Government of Timor-Leste is the result of a broad consensus by various parties on the need to operate changes in governance and to start a new cycle in the political life of the country. Indeed, the result of the elections for the National Parliament has shown that most of the population was not satisfied with the path the country was on and, consequently, it reflects a hope, a wish to change the policies that regulated the development of Timor-Leste.

Such changes must, first of all, be reflected in the organization of the Government.

In order to reflect the existing will to opt for different paths with a view to meeting the expectations of the population in settling the problems of the country, the present Government takes on a different approach as compared to the previous governments, moving on to a reform of the very management of the State, as reflected in this structure.

Thus,

Pursuant to article 115(3) of the Constitution, the Government enacts the following to have the force of law:

**CHAPTER I  
GOVERNMENT STRUCTURE**

**Article 1  
Composition**

The Government is composed of the Prime Minister, one Deputy Prime Minister, the Ministers, Deputy Ministers and Secretaries of State.

**Article 2  
Deputy Prime Minister**

The Government includes a Deputy Prime Minister, who depends directly on the Prime Minister and follows him in the hierarchy.

**Article 3  
Ministers**

1. The Government has the following ministers:
  - a) Minister of Defence and Security;

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

#### **Article 4**

#### **Presidency of the Council of Ministers**

1. The Prime Minister is assisted in his functions by the following members of Government, who are part of the Presidency of the Council of Ministers:
  - a) Deputy Prime Minister;
  - b) Secretary of State for the Council of Ministers;
  - c) Secretary of State for Youth;
  - d) Secretary of State for Natural Resources;
  - e) Secretary of State for Energy Policy;
  - f) Secretary of State for Vocational Training and Employment;
  - g) Secretary of State for the Promotion of Gender Equality.
2. The Ministers are assisted in their functions by the following Deputy Ministers and Secretaries of State:
  - a) The Minister of Defence and Security, by the Secretary of State for Defence and the Secretary of State for Security;
  - b) The Minister of Foreign Affairs, by the Secretary of State for International Cooperation and the Secretary of State for Migrations and Timorese Communities Abroad;
  - c) The Minister of Health, by the Deputy Minister of Health;
  - d) The Minister of Education, by the Deputy Minister of Education and the Secretary of State for Culture;
  - e) The Minister of State Administration and Territorial Planning, by the Secretary of State for the Region of Oe-cusse and the Secretary of State for Administrative Reform;
  - f) The Minister of Economy and Development, by the Deputy Minister of Economy and Development and the Secretary of State for Rural Development and Cooperatives.
  - g) The Minister of Social Solidarity, by the Secretary of State for Former National Liberation Combatants Affairs, the Secretary of State for Social Assistance and Natural Disasters, and the Secretary of State for Social Security;
  - h) The Minister of Infrastructures, by the Secretary of State for Public Works, the Secretary of State for Transport, Equipment and Communications, and the Secretary of State for Power, Water and Urbanization;
  - i) The Minister of Tourism, Trade and Industry, by the Secretary of State for Tourism;

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

**Article 5**  
**Council of Ministers**

1. The Council of Ministers consists of the Prime Minister, the Deputy Prime Minister and the Ministers.
2. Unless otherwise established or determined, Secretaries of State directly under the Prime Minister shall take part in the Council of Ministers without the right to vote.
3. Deputy Ministers and other 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 where they are substituting the respective minister.
4. It shall be incumbent upon the Council of Ministers to approve, through a resolution, the rules regarding its organisation and functioning.
5. It shall also be incumbent upon the Council of Ministers to decide on the creation of permanent or temporary commissions for the analysis of drafts of legislative or political acts, or for the presentation of recommendations to the Council.

**CHAPTER II**  
**COMPETENCES OF THE MEMBERS OF GOVERNMENT**

**Article 6**  
**Prime Minister**

1. The Prime Minister has his own competences and others that are delegated under the Constitution and the law.
2. It is particularly incumbent upon to the Prime Minister:
  - a) To lead the Government and preside over the Council of Ministers;
  - b) To direct and guide the overall policy of the Government and the governing action;
  - c) To represent the Government and the Council of Ministers in their relations with the President of the Republic and the National Parliament;
3. As head of the Government, the Prime Minister has the power to issue instructions to any member of the Government and to make decisions on subjects falling in the areas of responsibility of any ministry or office of secretary of State, as well as to establish permanent or temporary commissions or workgroups to deal with issues under the competence of the Government.
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 the Government that are part thereof.
5. The Prime Minister may delegate on any member of the Government the competence bestowed on the previous paragraph, as well as competences legally attributed to him.
6. In his absences or impediments, the Prime Minister shall be replaced by the Deputy Prime Minister and by the members of the Government that follow in the hierarchy on a successive order.

**Article 7**

## **Deputy Prime Minister**

1. The Deputy Prime Minister coordinates, through delegation by the Prime Minister, other members of the Government, in specific areas of the governing activity.
2. The following competences are delegated to the Deputy Prime Minister:
  - a) To take responsibility for the area of Social Affairs, always in coordination with the Minister of Social Solidarity;
  - b) To take responsibility for interministerial coordination in case of natural disasters,;
  - c) To take responsibility for the area of civil society, in coordination with the Prime Minister, concerning the policies to be established;
  - d) To take responsibility for the committees or workgroups to be created, in coordination with the Prime Minister, concerning the policies to be established;
  - e) To ensure the supervision of the activities in the Districts and Sub-districts, as well as establish contacts with the more isolated and/or deprived communities, in accordance with the programmes set up by the Minister of State Administration;
  - f) To monitor and be the focal point in the contacts with the National Parliament and the respective parliamentary groups, in coordination with the Office of the Secretary of State for the Council of Ministers;
3. The Deputy Prime Minister also has all other competences that the Prime Minister or Council of Ministers delegate upon him.
4. The Deputy Prime Minister coordinates the Government, in the absences and impediments of the Prime Minister.

## **Article 8 Ministers**

1. Ministers have their own competences 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 Deputy Minister or Secretary of State.
3. Should no substitution be possible within the Ministry, the substitution shall be done by another Minister, designated by the Prime Minister, under proposal of the Minister to be replaced.

## **Article 9 Deputy Ministers and Secretaries of State**

The Deputy Ministers and Secretaries of State do not have own competence, except insofar as their offices are concerned, and shall carry out the competences delegated upon them by the present statute by the Prime Minister or the respective minister.

## **CHAPTER III STRUCTURE OF THE GOVERNMENT**

### **SECTION I PRESIDENCY OF THE COUNCIL OF MINISTERS**

**Article 10**  
**Services and bodies under the Prime Minister**

1. The following bodies are directly dependent upon the Prime Minister:
  - a) National State Security Service;
  - b) Office of the Inspector General;
2. According to its statute, the Banking and Payments Authority is also dependent upon the Prime Minister.

**Article 11**  
**Presidency of the Council of Ministers**

The Presidency of the Council of Ministers includes, besides the Prime Minister and Deputy Prime Minister, the following Secretaries of State:

- a) The Secretary of State for the Council of Ministers;
- b) The Secretary of State for Youth and Sports;
- c) The Secretary of State for Natural Resources;
- d) The Secretary of State for Energy Policy;
- e) The Secretary of State for Vocational Training and Employment;
- f) The Secretary of State for the Promotion of Gender Equality.

**Article 12**  
**Secretary of State for the Council of Ministers**

1. The Secretary of State for the Council of Ministers takes on the competences necessary for the work of the Office of the Secretary of State for the Council of Ministers.
2. The Office of the Secretary of State for the Council of Ministers is the Government's main body for providing judicial support and consultation to the Council of Ministers and Prime Minister, being responsible for:
  - a) Coordinating the legislative procedures within the Government, ensuring the internal judicial coherence and harmony of the legislative acts approved in Council of Ministers;
  - b) Studying and drafting the Government's laws and regulations, in coordination with the proposing ministries;
  - c) Providing technical and administrative support to the Council of Ministers;
  - d) Ensuring litigation services for the Presidency of the Council of Ministers;
  - e) Responding, in collaboration with the respective ministry, to procedures aiming to verify constitutionality and legality;
  - f) Coordinating the implementation of the decisions by the Council of Ministers;
  - g) Ensuring the publication of Government's legislation in the official gazette, *Jornal da República*;
  - h) Representing the Council of Ministers and the Prime Minister, when he so decides it, in especially created commissions;
  - i) Ensuring compliance with the rules and procedures of the Council of Ministers;
  - j) Translating or accompanying the translation of legal statutes or other documents necessary for the action of the Council of Ministers or the Prime Minister;

- k) Acting as spokesperson for the Council of Ministers;
  - l) Being responsible for the State-owned media.
3. The Secretary of State for the Council of Ministers is also responsible for the Capacity Development Coordination Unit.
  4. The bodies and services that compose the Office of the Secretary of State for the Council of Ministers are those defined in the respective organic law.

### **Article 13**

#### **Secretary of State for Youth**

1. The Secretary of State for Youth takes on the competences necessary for the work of the Office of the Secretary of State for Youth.
2. The Office of the Secretary of State for Youth is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the promotion of the well-being and development of youth. It is incumbent upon the Office of the Secretary of State for Youth:
  - a) To design policies and draft the necessary laws and regulations for youth and sports;
  - b) To ensure the implementation and execution of the legal and regulatory framework for the activities related to youth and sports;
  - c) To promote activities meant for young people, especially in the fields of sports, art and culture;
  - d) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
3. The bodies and services that make up the Office of the Secretary of State for Youth are those defined in the respective organic law.

### **Article 14**

#### **Secretary of State for Natural Resources**

1. The Office of the Secretary of State for Natural Resources is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of mineral and natural resources, including oil and gas, as well as the activities of the mining, petroleum and chemical industries. It is incumbent upon the Office of the Secretary of State for Natural Resources:
  - a) To design policies and draft the necessary laws and regulations for the areas under its responsibility;
  - b) To set up contacts with international investors so as to attract investment to the national territory, in the areas under its responsibility;
  - c) To draft laws and regulations on matters pertaining to its area of responsibility;
  - d) To monitor the implementation of international treaties in its area of responsibility;
  - e) To determine, in view of market trends, the conditions for the exploration of resources;
  - f) To ensure a transparent management of resources, in line with international practice;

- g) To manage oil resources and the activities of the petroleum industry according to the legislation on oil;
  - h) To authorize and supervise production sharing contracts, licenses and approvals;
  - i) To promote new explorations of oil resources and develop those already in existence;
  - j) To maintain an information databank on oil operations and resources;
  - k) To measure and verify oil production and reserves;
  - l) To set up a monitoring and inspection program to ensure that the operators perform according to the terms of their licences, and according to the law and the regulations;
  - m) To licence mining operators;
  - n) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services included in the Office of the Secretary of State for Natural Resources are those defined in the respective organic law.

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

1. The Office of the Secretary of State for Energy Policy is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of energy resources. It is incumbent upon the Office of the Secretary of State for Energy Policy:
- a) To define and propose to the Government guidelines on energy policy;
  - b) To execute and ensure the implementation of the policy approved by the Government under the previous sub-paragraph;
  - c) To develop the legal and regulatory framework for the activities connected with energy resources;
  - d) To promote contacts with international investors so as to attract external investment to the areas under its responsibility;
  - e) To regulate, in coordination with other ministries, operators in the area of power generation;
  - f) To develop studies on the capacity of energy resources and alternative energies;
  - g) To maintain an information databank on energy operations and resources;
  - h) To coordinate and promote the management and updating of the infrastructures in the areas of power generation;
  - i) To ensure the coordination of the energy sector and stimulate complementarity among its various modes, as well as their competitiveness, so as to better satisfy the users;
2. The bodies and services included in the Office of the Secretary of State for Natural Resources are those defined in the respective organic law.

**Article 16**  
**Secretary of State for Vocational Training and Employment**

1. The Secretary of State for Vocational Training and Employment takes on the competences necessary for the work of the Office of the Secretary of State for Vocational Training and Employment.
2. The Office of the Secretary of State for Vocational Training and Employment is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of labour, vocational training and employment. It is incumbent upon the Office of the Secretary of State for Vocational Training and Employment:
  - a) To propose policies and draft laws and regulations for the areas of labour, vocational training and employment;
  - b) To promote and regulate vocational training;
  - c) To encourage the hiring of Timorese workers abroad;
  - d) To regulate and oversee the work performed by foreigners in Timor-Leste;
  - e) To oversee the compliance with the legal provisions regarding labour;
  - f) To promote and oversee Health, Safety and Hygiene in the work;
  - g) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
3. The bodies and services included in the Office of the Secretary of State for Vocational Training and Employment are those defined in the respective organic law.

#### **Article 17**

#### **Secretary of State for the Promotion of Gender Equality**

1. The Secretary of State for the Promotion of Gender Equality takes on the competences necessary for the work of the Office of the Secretary of State for the Promotion of Gender Equality.
2. The Office of the Secretary of State for the Promotion of Gender Equality is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of promotion and defence of gender equality. It is incumbent upon the Office of the Secretary of State for the Promotion of Gender Equality:
  - a) To support the design of global and sectoral policies regarding the promotion of gender equality and the strengthening of the role of Timorese women in society;
  - b) To draft proposals, issue opinions and intervene, according to the law, in all areas connected with the promotion of gender equality, establishing mechanisms for the revision of Government laws, policies, budget and programs in the areas under their respective responsibility;
  - c) To coordinate with the various ministries joint actions for promoting gender equality and strengthening the role of women;
  - d) To develop partnerships and provide support to women organizations involved in the promotion and defence of gender equality, ensuring consultation mechanisms with civil society and international organizations;
  - e) To promote initiatives aimed at raising public awareness, as well as actions for the adoption of good practices concerning gender equality, equal participation in the economic, social, political and family life, and the fight against situations of discrimination and violence against women;



- f) To maintain the public opinion informed about and attentive to issues concerning equality and the rights of women, using the media, publications and other means considered to be appropriate;
  - g) To ensure that institutions and non-governmental organizations contributing towards the implementation of gender equality policies are duly involved in such processes, as well as to bestow technical competences and certify skills acquired by people and entities involved in the promotion and defence of gender equality;
  - h) To cooperate with community and international organizations, as well as with foreign counterparts, in order to pursue major international guidelines regarding gender equality and to promote their national implementation.
3. The bodies and services included in the Office of the Secretary of State for the Promotion of Gender Equality are those defined in the respective organic law.

## **SECTION II MINISTRIES**

### **Article 18 Ministries**

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

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

### **Article 19 Ministry of Defence and Security**

1. The Ministry of Defence and Security is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of national defence, military cooperation, public security, criminal investigation and immigration. It is incumbent upon the Ministry of Defence and Security:
- a) To propose policies and draft the necessary laws and regulations for the areas under its responsibility;
  - b) To sign international agreements on defence and military cooperation, in coordination with the Ministry of Foreign Affairs,;
  - c) To administer and oversee the armed forces of Timor-Leste;
  - d) To promote the adequacy of military means;
  - e) To oversee military maritime and aerial navigation;

- f) To be responsible for the police forces of Timor-Leste;
  - g) To promote the adequacy of police means;
  - h) To be responsible for the Immigration Services;
  - i) To oversee civil maritime and aerial navigation;
  - j) To look after the safety of people and goods in case of fires, floods, landslides, earthquakes and any other hazardous situations;
  - k) To develop civic education programs to respond to natural disasters or others caused by human action, thereby cementing social solidarity;
  - l) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The competences listed in subparagraphs a) to e) and l) of the previous paragraph are delegated to the Secretary of State for Defence.
  3. The competences listed in subparagraphs a) and f) to l) of paragraph 1 are delegated to the Secretary of State for Security.
  4. The bodies and services that make up the Ministry of Defence and Security are those defined in the respective organic law.

**Article 20**  
**Ministry of Foreign Affairs**

1. The Ministry of Foreign Affairs is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of international diplomacy and cooperation, consular functions, and the promotion and defence of the interests of the Timorese living abroad.
2. It is incumbent upon the Ministry of Foreign Affairs to coordinate, in collaboration with the Ministry of Finance, the relations between Timor-Leste and the Development Partners.
3. The bodies and services that make up the Ministry of Foreign Affairs are those defined in its organic law.

**Article 21**  
**Ministry of Finance**

1. The Ministry of Finance is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of budget and finance annual planning and monitoring. It is incumbent upon the Ministry of Finance:
  - a) To propose macroeconomic, monetary and exchange-rate policies, in collaboration with the central bank;
  - b) To propose policies and draft laws and regulations on tax and non-tax revenues, budgetary framework, procurement, public accounting, public finance, auditing and control of the State treasury, issuing and management of the public debt;
  - c) To administer the petroleum fund of Timor-Leste;
  - d) To work in cooperation with the Ministry of Foreign Affairs, so as to coordinate the relationship of Timor-Leste with the donors;
  - e) To manage the external public debt, the State's stakes in companies and external assistance, coordinating and defining its financial and tax aspects;

- f) To manage the State's assets, without prejudice to the powers of the Ministry of Justice in terms of real estate assets;
  - g) To compile and publish official statistics;
  - h) To take on the responsibility for the implementation of the budget allocated from the State Budget;
  - i) To draft the necessary regulations and perform financial control over the expenses of the State Budget that are allocated to other ministries, in view of pursuing a policy of granting greater financial autonomy to the services;
  - j) To look after the good management of the funds transferred from the State Budget to bodies that are indirectly administered by the State and by the local government bodies, through audits and monitoring;
  - k) To administer and promote international technical assistance in terms of technical advisory for State bodies, except for the areas of human resources training;
  - l) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The Capacity Development Coordination Unit is placed under the responsibility of the Ministry of Finance.
  3. The bodies and services that make up the Ministry of Finance are those defined in its organic law.

## **Article 22**

### **Ministry of Justice**

1. The Ministry of Justice is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of justice and human rights. It is incumbent upon the Ministry of Justice:
  - a) To propose policies and draft laws and regulations required for the areas under its responsibility;
  - b) To regulate and manage the prison system, the execution of sentences and the social reinsertion services;
  - c) To ensure mechanisms of representation and legal aid for the most underprivileged citizens, through the Public Defender's Office;
  - d) To create proper mechanisms for securing citizen's rights and disseminating information on applicable laws;
  - e) To organize the cadastre of rural and urban buildings and the registry of immovable assets;
  - f) To manage and oversee the registries and notaries' system;
  - g) To manage State properties on a day-by-day basis;
  - h) To promote and guide the judicial training of legal operators and the remaining civil servants;
  - i) To issue opinions, upon request from other ministries, on the compliance of any draft legislative diploma with the guiding principles of the democratic rule of law, the values of Justice and Law, and the rights, liberties and guarantees;
  - j) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The Office of the Advisor on Human Rights is placed under the Ministry of Justice.

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

### **Article 23** **Ministry of Health**

1. The Ministry of Health is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of health and pharmaceutical activities. It is incumbent upon the Ministry of Health:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To ensure access to health care for all citizens;
  - c) To coordinate activities relating to epidemiological surveillance;
  - d) To provide health inspections of products with have a bearing on human health;
  - e) To promote the training of health care staff;
  - f) To 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 related areas.
2. The bodies and services that make up the Ministry of Health are those defined in its organic law.
3. The Minister of Health may delegate on the Deputy Minister the competences regarding the bodies and services under him.

### **Article 24** **Ministry of Education**

1. The Ministry of Education is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of education and culture, as well as science and technology. It is incumbent upon the Ministry of Health:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To ensure education for children, literacy and teaching;
  - c) To regulate the mechanisms for equating academic degrees and propose the curricula for the various education degrees;
  - d) To develop and implement a competitive and transparent policy for granting scholarships;
  - e) To protect the rights concerning artistic and literary creation;
  - f) To promote the knowledge of science and the implementation of new technologies in Timor-Leste;
  - g) To define a policy and draft the necessary regulations for the conservation, protection and preservation of the historic and cultural heritage;
  - h) To propose policies for the definition and development of culture;
  - i) To establish policies of cooperation and cultural exchange with CPLP countries, cultural organizations and countries in the region;
  - j) To set up cooperation policies with UNESCO;
  - k) To promote the creation of a National Library and a National Museum;

- l) To develop programs for the introduction of culture in education curricula;
  - m) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Education are those defined in its organic law.
  3. The Minister of Education and Culture may delegate on the Deputy Minister and the Secretary of State the competences concerning the bodies and services under him.

## **Article 25**

### **Ministry of State Administration and Territorial Planning**

1. The Ministry of State Administration and Territorial Planning is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of public administration, local and regional power, and territorial planning. It is incumbent upon the Ministry of State Administration and Territorial Planning:
  - a) To propose policies and draft the necessary laws and regulations pertaining to the status of civil servants, social security of civil servants and staff in agencies under direct and indirect administration by the State and respective administrative procedures;
  - b) To propose and promote measures aimed at cutting red tape and improving the efficiency of the Civil Service;
  - c) To promote the training and improvement of human resources in the Civil Service, aimed at enhancing the professional skills in the Civil Service, improving the efficiency and rationalization of administrative activities;
  - d) To promote the correct publication and ensure the proper preservation of official and historic documents;
  - e) To ensure the proper preservation of the official and historic records;
  - f) To ensure the proper support to the electoral process, according to the law and the regulations of CNE;
  - g) To coordinate and oversee the activity of the services and bodies of regional and local government, as well as promote and lead the process of administrative decentralization;
  - h) To define the procedures for the drafting and approval of territorial management instruments, ensuring at the same time the administrative reform mechanisms for a proper coordination and collaboration between public entities, as well as the necessary arrangements for citizens' participation;
  - i) To define the material and documentary content of strategic and sectoral policies, as well as of territorial planning instruments;
  - j) To carry out other acts of supervision regarding the measures taken regarding physical development and territorial planning;
  - k) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of State Administration and Territorial Planning are those defined in its organic law.
3. The Minister of State Administration and Territorial Planning may delegate on the Secretaries of State the competences regarding the bodies and services under him.

## **Article 26**

## **Ministry of Economy and Development**

1. The Ministry of Economy and Development is the Government's main body responsible for the design, execution, coordination and assessment of policies defined and approved by the Council of Ministers for the development of microfinance schemes and cooperatives, as well as the environment. It is incumbent upon the Ministry of Economy and Development:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To draft studies in view of the preparation of the five-year national development plan;
  - c) To make recommendations to the other members of the Government regarding the implementation of the five-year national development plan;
  - d) To propose policies and legislation related to the promotion of private investment and partnerships between the State and private investors;
  - e) To promote the development of the cooperative sector and of microfinance schemes, particularly in rural areas and in the agricultural sector;
  - f) To publicize the importance of the cooperative sector and of micro- and small-sized companies, and to promote training in the establishment, organization, management and financial management of cooperatives and small companies;
  - g) To organize and manage a register of cooperatives;
  - h) To draft an environmental policy and monitor and evaluate its implementation;
  - i) To promote, follow-up and support strategies for integrating environmental issues in sectoral policies;
  - j) To carry out strategic environmental assessments of plans and programmes, and coordinate the processes to assess the environmental impact of national-level projects, including public consultation procedures;
  - k) To ensure the adoption of pollution prevention and control measures when issuing environmental licences to production facilities;
  - l) To manage National Parks and protected areas;
  - m) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The Ministry of Economy and Development will be responsible for:
  - a) Institute for Business Development Support;
  - b) Institute for the Promotion of External Investments and Exports;
  - c) Microfinance Institute of Timor-Leste.
3. The bodies and services that make up the Ministry of Economy and Development are those defined in its organic law.
4. The Minister of Development may delegate on the Deputy Minister or Secretary of State the competences regarding the bodies and services under him.

## **Article 27**

### **Ministry of Social Solidarity**

1. The Ministry of Social Solidarity is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of social assistance, social security and community reinsertion. It is incumbent upon the Ministry of Social Solidarity:

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

## **Article 28**

### **Ministry of Infrastructures**

1. The Ministry of Infrastructures is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of civil works, urbanization, water and power supply, land, sea and air transportation, auxiliary communications services, including postal, telegraphic and telephonic services, as well as the other telecommunications, use of radio frequencies, meteorological services and computers, besides the management of State equipment, heavy machinery and vehicles. It is incumbent upon the Ministry of Infrastructures:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To ensure the implementation of the legal and regulatory framework for the activities pertaining to the ministry;
  - c) To coordinate and promote the management, maintenance and refurbishment of airport, aerial navigation, road and port infrastructures.
  - d) To propose and implement the Ministry's policy guidelines regarding urban planning, infrastructures, road networks, buildings and public works;
  - e) To define and implement a legal and regulatory framework for civil construction works, including their licensing and the investigation of construction materials;
  - f) To study and carry out works for the protection, maintenance and repairing of bridges, roads, river banks and coastal areas, namely for controlling floods;
  - g) To promote the study and building of new infrastructural networks related to water and power supply, as well as basic sanitation, and oversee their operation and exploration, without prejudice to the powers granted to other bodies in these domains;
  - h) To promote construction, maintenance and repairing works of public buildings, monuments and special facilities, where such buildings and facilities are under its responsibility;

- i) To promote the adoption of technical standards and regulations for the materials used in civil works, as well as to develop laboratory tests to ensure the safety of the constructions;
  - j) To licence and oversee all urban constructions, namely private and municipal buildings or those belonging to autonomous bodies, according to the applicable legislation;
  - k) To maintain 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 infrastructures;
  - l) To prepare and develop, in cooperation with other public services, the implementation of a national road network plan and national urbanization plans;
  - m) To develop and regulate communications activities, as well as optimize the use of means of communication;
  - n) To ensure the coordination of the transport sector and stimulate complementarity between different transport modes, as well as the competitiveness of the sector, with a view to providing a better service to users;
  - o) To promote the management of radio frequencies, as well as the adoption of technical standards and regulations concerning the public use of communications services;
  - p) To ensure the provision of public telecommunications services and the use of the radio spectrum through State-owned companies, or by granting the provision of such public service to private entities;
  - q) To manage the vehicle fleet of the State, as well as their use and that of heavy machinery allocated to the Ministry;
  - r) To maintain and develop the national meteorological and seismological information and surveillance systems, including the construction and maintenance of the respective infrastructures;
  - s) To manage the information technology system of the Government and ensure the provision of relevant services, as well as implement computer systems throughout the national territory;
  - t) To promote and coordinate scientific research and technological development in the domains of land, air and sea transportation;
  - u) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The following will be under the responsibility and supervision of the Minister of Infrastructures:
- a) Equipment Management Institute;
  - b) Port Authority of Timor-Leste;
  - c) Civil Aviation Authority of Timor-Leste;
  - d) Aerial Navigation and Airports of Timor-Leste, a State-owned company;
  - e) Communications Regulation Authority.
3. The bodies and services that make up the Ministry of Infrastructures are those defined in its organic law.
4. The Minister of Infrastructures may delegate on the Secretaries of State the competences regarding the bodies and services under him.

**Article 29**  
**Ministry of Tourism, Trade and Industry**



1. The Ministry of Tourism, Trade and Industry is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of tourism and economic, commercial and industrial activities. It is incumbent upon the Ministry of Tourism, Trade and Industry:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To design, implement and evaluate a policy on trade;
  - c) To contribute towards the improvement of trade, including in what regards its internal and international competitiveness;
  - d) To analyse commercial activities and propose measures and public policies for their development;
  - e) To support the activities of economic operators in the commercial sector, by making the necessary provisions to establish streamlined administrative procedures;
  - f) To issue opinions upon receiving requests for information prior to the setting up of commercial companies;
  - g) To assess and approve projects concerning facilities and the operation of commercial and industrial undertakings;
  - h) To inspect and oversee commercial activities and undertakings, according to the law;
  - i) To design, execute and evaluate the policies for the industrial sector;
  - j) To inspect and oversee industrial activities and undertakings according to the applicable legislation;
  - k) To maintain and manage an information and documentation centre on companies and activities in the industrial sector;
  - l) To propose the revocation of licences for carrying out industrial activities, when the situation so requires;
  - m) To propose the certification and classification of business undertakings, according to the applicable legislation;
  - n) To organize and manage a register of patents;
  - o) To promote internal and international rules regarding standardization, metrology, quality control, as well as standards for units and physical measurements;
  - p) To design, implement and evaluate a national tourism policy;
  - q) To draft an annual plan of promotional activities for the development of tourism, with the respective cost estimate;
  - r) To implement and execute the legislation regarding the installation, licensing and supervision of the operation conditions of tourism facilities;
  - s) To set up collaboration and coordination mechanisms with other Government services and bodies responsible for related areas, namely the services in charge of physical development and territorial planning, in view of the promotion of strategic areas for national tourism development;
  - t) To cooperate with relevant public bodies and institutions in the promotion and dissemination of information on Timor-Leste, together with investors and tour operators;
  - u) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.

2. The bodies and services that make up the Ministry of Tourism, Trade and Industry are those defined in its organic law.
3. The Minister of Tourism, Trade and Industry may delegate on the Secretaries of State the competences regarding the bodies and services under him.

**Article 30**  
**Ministry of Agriculture and Fisheries**

1. The Ministry of Agriculture and Fisheries is the Government's main body responsible for the design, execution, coordination and assessment of policies defined and approved by the Council of Ministers for the areas of agriculture, forestry, fisheries and environment. It is incumbent upon the Ministry of Agriculture and Fisheries:
  - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
  - b) To ensure the implementation and continuity of rural development programs, in coordination with the Ministry of Economy and Development;
  - c) To create technical assistance centres for farmers;
  - d) To manage technical and agricultural education;
  - e) To promote agricultural research;
  - f) To control the use of land for agricultural and animal farming purposes;
  - g) To promote animal health and operate a surveillance mechanism;
  - h) To promote animal production and fisheries industries;
  - i) To oversee food production;
  - j) To ensure Quarantine Services;
  - k) To promote rural development, in coordination with the Ministry of Economy and Development, implementing a cooperative system for the production and trading of agricultural produce;
  - l) To carry out feasibility studies for the installation of irrigation systems;
  - m) To manage forest resources and catchment basins;
  - n) To manage water resources for agricultural purposes;
  - o) To control and oversee the fisheries and aquaculture sector;
  - p) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Agriculture and Fisheries are those defined in its organic law.
3. The Minister of Agriculture and Fisheries may delegate on the Secretaries of State the competences regarding the bodies and services under him.

**SECTION III**  
**OTHER ENTITIES AND INSTITUTIONS**

**Article 31**  
**Equalization with Secretaries of State for pay purposes**

The following are considered equivalent to Secretaries of State, for pay purposes:

- a) The Chief of the Defence Force;
- b) The Commander General of the PNTL;
- c) The head of the National State Security Service.

**Article 32**  
**Indirect administration**

1. Under article 115 paragraph 3 of the Constitution of the Republic, the Government may create, through decree-law, public legal persons, with administrative, financial and patrimonial autonomy, under supervision of the relevant member of Government, with the view to meeting collective needs, when the modality of indirect administration has proven to be the most adequate to the pursuit of the public interest and the satisfaction of the abovementioned 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 statutes.
3. The regulatory framework for the various modalities of public legal persons, including the scope and the limits of their administrative and financial autonomy, shall be defined in a specific regulation.

**CHAPTER IV**  
**FINAL AND TRANSITORY PROVISIONS**

**Article 33**  
**Delegation of competences**

1. The delegation of competences shall be done from higher ranked officers to lower ranked officers, pursuant to the law.
2. Competences determined by the Constitution cannot be delegated.
3. In the remaining cases, the delegation of competences is permitted as long as it is not expressly forbidden by law, and must be set down in a written document that indicates its scope and duration.
4. The delegating entity maintains the responsibility for the acts carried out in the exercise of the delegated powers by the party that received the delegation.

**Article 34**  
**Delegable competences**

The following may delegate competences:

- a) The Prime Minister, on the Deputy Prime Minister, on the Ministers and on the Secretaries of State in their direct dependence;
- b) The Ministers, on the Ministers and Secretaries of State that are part of the respective ministry.

**Article 35**  
**Transition of services**

1. All services, bodies and entities that have their ministerial framework changed maintain the same judicial nature, changing only, as the case may dictate, the hierarchic superior or the body that holds the powers of oversight.
2. The alterations in the structure resulting from the present statute are accompanied by the consequent movement of staff, without depending from any formality and without any loss of acquired rights.

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

**Article 36**  
**Extinction of services**

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

**Article 37**  
**Organic laws**

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

**Article 38**  
**Revocation**

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

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

The present diploma enters into force on the day immediately following its publication.

**Article 40**  
**Effectiveness**

The present diploma is effective from 8 August 2007. All the acts that were enforced in the meantime and whose legality depended on their conformity with this diploma are hereby considered ratified.

Approved in Council of Ministers on 17 August 2007

The Prime Minister,

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(Kay Rala Xanana Gusmão)

Promulgated on 29 August 2007

To be published.

The President of the Republic,

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(José Ramos-Horta)