

Jornal da República, Série I, no. 5
Wednesday, February 18, 2009

DECREE LAW NO. 10/2009

of February 24

Salary Scheme for the National Police of Timor-Leste

The national police force of Timor-Leste has undergone significant modifications as a result of the deep social and economic change occurred in recent years.

There is a growing belief that security forces must face the challenge of modernisation, as a pre-requisite for improving the security services provided to citizens. The National Police of Timor-Leste (PNTL) therefore needs to be structured so as to be able to ensure a high level of effectiveness while performing their key function of preventing crime and securing public order.

This significant modernisation drive of PNTL involves the development, in a logical consistent fashion, of a sustained process that carries forward its strategy of improvement in the operational strand.

At this stage a new compensation scheme needs to be approved for vitalising the action of the police force, which simultaneously creates the conditions required for ensuring a full-fledged quality response to the challenges of the future, insofar as the security and peaceful living of citizens is concerned.

In line with this rationale PNTL shall be governed by a salary scheme that more appropriately fits the nature of the public service it provides to the community.

In fact this decree law establishes the salary scheme for the staff performing police functions at PNTL and develops principles governing the base salary and bonuses, taking into account the specific functional reality of this security force.

The Government, pursuant to Article 115, number 3, of the Constitution of the Republic, therefore establishes the following to be enforced as law.

CHAPTER ONE

General Provisions

SECTION ONE

Common Principles

Article 1

Object

This decree law establishes the rules of the salary scheme of the staff performing police functions at the National Police of Timor-Leste (hereafter PNTL) and the structure of the base compensation of the grades that compose the police officer career.

Article 2

Scope

This decree law shall apply to the staff referred to in the previous article, as well as to second-level entry cadets and recruits from the PNTL Training Academy.

Article 3

Entitlement to compensation

1. The right to monthly compensation paid to the PNTL staff performing police functions shall exist as from the moment of appointment to the entry grade.
2. As regards recruits from the PNTL Training Academy and second-level entry cadets, the right to compensation shall exist as from the moment of their admission to the PNTL Training Academy.
3. The right to compensation shall be extinguished when any of the causes for terminating the legal bond to PNTL, as laid down in the legislation in force, is observed.

Article 4

Compensation system

The PNTL compensation system shall consist of a base salary, plus grants, bonuses and allowances.

Article 5

Base salary

1. Staff performing police functions shall receive the monthly salary due to staff on active duty, save in those situations entailing loss of compensation, according to the legal provisions in force.
2. Base salary shall correspond to the grade and step in which the staff performing police functions is positioned, as laid down in the annex attached to this decree law and fully belonging to it.

Article 6
Salary of the Commander General and the Deputy Commander General

The base salary of the Commander General and of the Second Commander General shall be equivalent to the base salary of a Minister and a Secretary of State, respectively.

Article 7
Indexing structure

1. The monthly base salary corresponding to each grade and step in the careers of staff performing police functions shall be established as a function of indices, determined by way of a compensation scale attached to this decree law and fully belonging to it.
2. Monthly base salary is calculated according to the following formula:
 - a. $S = In \times Va$
in which
 $S = \text{Salary}$, $In = \text{Index}$, $Va = \text{variable}$
3. The variable (Va) shall be established by Government decree.

SECTION THREE
Allowances, Bonuses and Grants

Article 8
Allowances, Bonuses and Grants

1. Staff performing police functions at PNTL shall be entitled to allowances, bonuses and grants, as long as they perform functions or duties which, due to their characteristics or specificity, ensure such entitlement.
2. Bonuses shall be granted as a function of particular specificities of service provision and may only be considered those arising of:
 - a) Duty performed in conditions of risk, hardship or insalubrities;
 - b) Duty performed in isolated areas, which are difficult to access.
3. Bonuses may be granted for offsetting expenses made in the line of duty, namely those arising of:
 - a) Duty performed outside the normal place of work, which entitle a person to per diem allowances, or other allowances related to travel on duty;
 - b) Representation expenses.
4. Police Training Academy recruits and second-level entry cadets shall not be entitled to allowances, bonuses and grants, unless otherwise provided for by law.

5. Allocation of allowances, bonuses and grants shall be decided by the Government.

Article 9 Luncheon Allowance

1. PNTL staff performing police functions shall be entitled to luncheon allowance, save those persons whose meals are provided for by their service.
2. Luncheon allowance shall be paid by day of active duty actually performed.
3. Luncheon allowance shall not be paid when a person is sick, or serving a disciplinary sentence of suspension, or under preventive suspension, for the duration of such event.
4. Luncheon allowance shall be paid together with the monthly salary.
5. The value of daily allowance shall be established by Government decree.

Article 10 Transport Allowance

1. On-duty PNTL staff performing police functions are entitled to transport allowance, to offset expenses incurred while travelling from home to the workplace.
2. Transport allowance amounting to USD 15 shall be paid on monthly basis.

Article 11 Isolation Bonus

1. PNTL staff performing police functions shall be granted an isolation bonus, for rewarding service provided at border inspection posts in the border with Indonesia and in the maritime frontier with Australia.
2. The isolation bonus shall be calculated as a percentage of 25 percent of the base salary of a level-one Agent.
3. Isolation bonus shall be paid on monthly basis for the duration of duty performed in such border posts.

Article 12 Command Bonus

1. Command bonus is compensation for rewarding the responsibilities inherent to the operational command functions performed by PNTL officers duly appointed as commander, a position defined in the organic framework of PNTL.
2. The bonus shall be paid on monthly basis, as a function of whether the officer is actually performing his command functions.
3. When a PNTL officer is absent on annual leave, sick leave or any other leave of absence, he shall not be entitled to the command bonus.

4. Command bonus shall be calculated as a percentage of 15 percent of the base salary of level-one PNTL officers.

Article 13

Per-diem allowance

1. PNTL staff travelling within the national territory shall be entitled to per-diem allowance, when as a result they must leave the district where they perform active duty and have to sleep outside it.
2. In case of temporary transfer, when there is the need to strengthen the police force of another district due social unrest, calamity or events that, due to their nature, require a higher number of police officers to ensure security, the district command shall be responsible for providing accommodation and meals for the duration of such temporary transfer and therefore no per-diem allowances will be paid.
3. The regulation required shall be the object of a decree law issued by Government.
4. Per Diem allowances due in connection with travels abroad shall be governed by decree-law no. 23/2008, of July 21, 2008.

SECTION FOUR

Compensation Schedule

Article 14

Compensation schedule

1. The compensation schedule of PNTL staff performing police functions is attached to this decree law as annex and is fully part of it.
2. The base salary of second-level cadets corresponds to 75 percent of the salary of the first step in the grade of Assistant-Inspector.
3. Recruits of the Police Training Academy shall have a base salary of USD eighty five.

Article 15

Effects of Promotion on Compensation

Promotion of staff performing police functions to the immediate grade in the respective career shall take place according to the legal provisions in force and produces the following effects on the compensation schedule:

- a) To step 1 of the grade covered by the promotion;
- b) To the step which, in the compensation framework of the grade covered by the promotion, corresponds to the least salary increase, in those cases where a base salary identical or higher than that of step 1 is already being paid;

Article 16

Progression

1. Staff on active duty shall be entitled to progression in its grade, which takes place by moving to the upper step.
2. An Agent can step up in his grade, provided that all statutory and regulatory provisions in force governing seniority and merit have been complied with, if he has stayed in the step immediately below for a period of three years.

Article 17

Progression formalities

1. Progression is automatic and unofficial.
2. An Agent shall be entitled to receive compensation according to the upper step on day 1 of the month immediately following compliance with the requirements established in the previous article.
3. The PNTL Personnel Department shall be responsible for informing the respective division of the staff performing police functions that made progress to the upper step, for the purpose of allowance allocation.

CHAPTER TWO

Final and Transitional Provisions

Article 18

Transitional scheme

1. Integration into the new compensation scheme requires that the PNTL staff be positioned in the corresponding steps, according to the rules laid down in Article 16 and Article 17 of this decree law.
2. PNTL staff with the Agent rank promoted to the rank of Chief-Agent, in line with the promotion rules established by law, shall have their time in the rank counted for the purpose of progression as from the date in which they should have been promoted.
3. Payment of compensation shall begin to produce effect as from the date in which promotions produce effect.

Article 19

Final provisions

1. All laws previously in force that contradict this decree law are hereby revoked.
2. Payment of the command bonus shall begin to be made after the PNTL structure is set up, by way of ministerial order issued by the Government member responsible for its oversight.

3. The regulations listed below shall no longer be applicable, in what concerns PNTL, as from the day this decree law enters into force:
- a) Government decree no. 3/2006, of October 11 2006;
 - b) Government decree no. 5/2007, of December 31 2007;
 - c) Government decree no. 1/2008, of February 15 2008.

Article 20

Entry into force

This decree law shall enter into force on the day following its publication.

Approved by the Council of Ministers,
on December 13, 2008

The Prime-Minister

(Kay Rala Xanana Gusmão)

The Minister for Defence and Security

(Kay Rala Xanana Gusmão)

The Finance Minister

(Emília Pires)

Promulgated on February 10, 2009

To be published.

The President of the Republic

(José Ramos-Horta)

ANNEX
Compensation schedule of staff performing police functions, as laid down in
Article 14, number 1

Grade	1	2	3	4	5	6	7	8
Commissioner	850							
Chief-Superintendent	572	592	613	634				
Superintendent	516	534	553	572	592			
Assistant-Superintendent	465	481	498	516	534			
Chief-Inspector	413	430	447	465	483	502	523	
Inspector	367	382	397	413	429	447	464	
Assistant-Inspector	339	353	367					
Chief-Sergeant	297	310	324	339	354	370		
First-Sergeant	260	272	284	297	310	324	339	
Sergeant	238	249	260					
Chief-Agent	206	216	227	238				
Senior Agent	187	196	206	216				
Agent	170	179	187	196				

