

DECREE-LAW NO. 10/2012  
OF 29 FEBRUARY

SPECIAL CAREER REGIME AND STATUTE OF PRISON GUARD STAFF

The need for a specific structure and development of the prison guard staff pertaining to the National Directorate of Prison Services and Social Reinsertion on the one hand, and the recognition of the particular nature of their functions on the other hand prompts the establishment of a special career regime, distinct from the general civil service career regime, pursuant to Decree-Law No. 27/2008 of 11 August, as amended by Decree-Law No. 20/2011 of 8 June, which establishes the Regime for the Careers and Senior and Middle-Level Management positions in Public Administration.

Prison guards have to face the limitations, the restrictions, the responsibilities and the aggravated risks inherent to the exercise of their functions in the framework of security and surveillance of inmates and maintenance of order and tranquillity within prisons.

The complexity of the situations faced daily by the surveillance staff requires increased attention to the training programmes both for new entrants and middle-level management staff. This is the reason why being successful in training courses to enable enter the career and have access to higher categories constitutes an imperative.

Moreover, this statute will allow the specific and on-going training of prison guard staff along their career, thereby enabling the development of their professional capabilities and, consequently, the improvement of the services provided in the prisons.

The need therefore arises to adapt the career regime of the prison guard staff of the National Directorate of Prison Services and Social Reinsertion and respective legal regime to the current realities and challenges.

Thus,

Pursuant to subparagraph p) of article 115.1 of the Constitution of the Republic, the Government enacts the following to have the force of law:

## CHAPTER I

### Object and scope

1. This law establishes the special career regime for the prison guard staff and approves the Statute of the Prison Guard Staff.
2. The staff integrated in the career of the prison guard staff shall be subject to the legal regime applicable to the functionaries of the public administration, with the professional specialties contained in this law.

### Article 2

#### Scope

This law is applicable to functionaries of the public administration integrating the career of the prison guard staff of the National Directorate of Prison Services and Social Reinsertion (hereinafter referred to as DNSPRS).

## CHAPTER II

### Nature and powers

### Article 3

#### Functional content

1. It shall be incumbent upon the staff integrated in the career of the prison guard staff to guarantee security and order in the prisons, ensure respect for the law and prison regulations, exercise custody over detainees outside of the prisons but under the care of the prison administration, and participate in social reinsertion programmes for inmates.
2. In addition to the functions referred to in the preceding paragraph, prison guard staff duly trained for that purpose may be entrusted to conduct training activities.

### Article 4

#### General powers of prison guard staff

It shall be incumbent upon the prison guard staff:

- a) To exercise surveillance over all areas of the facilities assigned to the prison services during the day or night shift falling under their work periods, and not abandon their workplace without being authorised by their superiors;

- b) Discreetly monitor inmates from their workplace, prison yards or residential areas so as to detect situations attempting against the order and security of the services or against the physical and moral integrity of all those in the prison;
- c) Keep a fair, firm and humane relationship with the inmates, seeking simultaneously, and through exemplary conduct, exert a beneficial influence, particularly as regards women and children or young adults;
- d) Collaborate with other services and functionaries in tasks of common interest, notably by providing precise, detailed and impartial information deemed adequate to the realization of the purposes of the enforcement of the penalty, preventive detention and security measures;
- e) Immediately convey to the relevant hierarchical superior any petitions and claims from inmates;
- f) Inform the hierarchical superiors, as soon as possible, of any breach of discipline that comes to their knowledge;
- g) Follow-up and take custody of inmates who have been transferred to another prison or who, for some reason, go outside the prison.
- h) Capture and escort to the nearest prison any evaded inmate or inmates found outside the prison without authorization, whenever possible in coordination with the public security forces;
- i) Provide assistance and maintain security and vigilance during the period of visit to inmates, as well as monitor the products or items belonging or bound to them;
- j) Undertake necessary or useful activities for an initial reception of the inmates, clarifying them on the legal and regulatory provisions in force in the prison.

## Article 5

### Permanent service

1. Services provided by the prison guard staff are of a permanent and mandatory nature.

2. Day and night shifts along the week-days, including Saturdays, Sundays and holidays, shall be considered normal working days.
3. Staff pertaining to the prison guard career shall be structured in accordance with the hierarchical form established in the respective career.

#### Article 7

##### Prison guard staff senior- and middle-level management

1. The staff of the prison guard in each prison shall be headed by an element with the category of chief prison guard to be appointed by the Director of DNSPRS.
2. In the absence or impediment of staff with the category referred to in the preceding paragraph, a member of the prison guard staff in the category of prison guard sub-chief shall be appointed to exercise the respective functions on a substitution basis.
3. The appointment on a substitution basis shall be made by taking into account the seniority in the respective category and, in case of equality of circumstances, the classification of service.
4. During the period of substitution, the member appointed pursuant to paragraph 2 shall be entitled to the respective remuneration plus the remaining supplements pertaining to the category of chief prison guard.
5. The substitution provided for in paragraph 2 shall have a duration of 3 months, renewable for equal periods, so long as the position is not fulfilled by somebody having the category chief prison guard, and where the person appointed shows capacity to exercise the corresponding functions.

Article 8  
Powers of the prison guard middle-level management

It shall be incumbent upon the middle-level management referred to in article 7 above:

- a) To organise the security and surveillance service and distribute the respective tasks in a rational and equitable manner and in accordance with the instructions and guidelines of their hierarchical superiors;
- b) To instruct the subordinates to the effect of accomplishing their respective functions and guide them in the performance of such functions;
- c) To monitor the execution of the work of the subordinates so as to ensure full compliance with the laws and prison regulations, as well as with international treaties and conventions on the treatment of prisoners;
- d) To assist the hierarchical superiors in the on-going improvement of the services and discipline of the prison guard staff, promoting the strengthening of their professional quality and the team spirit;
- e) To immediately inform the relevant hierarchical superior of every incident or fact that may jeopardise order and security at the prison;
- f) To inform the relevant hierarchical superior of any praiseworthy or reprehensible conduct of their subordinates;
- g) To provide opinions, whenever so requested, in cases of leave of absence from the prisons, paroles and open regimes for inmates, as well as in other cases expressly provided for in law;
- h) To provide opinions, whenever so requested, on disciplinary sanctions to be applied to inmates;
- i) To make suggestions and provide opinions on the changes to the functioning of the prison on matters of security and surveillance;
- j) To take special security measures in the of absence or impediment of the district prison manager or their replacement whenever such absence or impediment jeopardises the order and security of the prison and attempt to

obtain as immediately as possible the approval by the replacement of the adopted measures.

- k) To collaborate in the distribution among the inmates of the activities deemed to be more adjusted to their abilities, characteristics and interests;
- l) To collaborate in the drafting or amendment of the internal regulations;
- m) Make statements or take part in situations where such a stance is required from it, pursuant to the law.

### CHAPTER III Staffing table, career and competitions

#### SECTION I Staffing table and career

##### Article 9 Staffing table

The prison guard staff shall form a single staffing table and it shall be incumbent upon the Director of DNSPRS to prepare the annual appropriation proposal for each prison or service.

##### Article 10 Career

1. The career of the prison guard staff shall have the following categories:
  - a) Prison guard chief;
  - b) Prison guard sub-chief;
  - c) Prison guard officer;
  - d) Prison guard.
2. The remuneration scale for the categories of the prison guard staff shall be the one contained in Map I of Annex I to this statute, which is an integral part thereof.

Article 11  
Regime for hiring trainee-guards

1. Candidates applying for prison guard positions admitted in the respective training course shall be hired as trainee-guards.
2. Trainees approved in the training course referred to in the preceding paragraph shall be placed in the category of prison guard, in accordance with the classification obtained in such training course and the existing vacancies on a provisional appointment regime for the period of one year.
3. Upon completion of the provisional appointment period referred to in the preceding paragraph, the trainees shall be either appointed on a definite basis or dismissed, depending on whether or not they have shown an aptitude for the exercise of the respective functions.

Article 12  
Promotion and progression

1. Prison guard career development shall take place by promotion and progression.
2. Promotion in the prison guard career shall consist in the access to a higher category, pursuant to this law, and shall take place by internal competition for accessing the immediately superior category, depending on the cumulative verification of the following requirements:
  - a) Availability of vacancy in the staffing table;
  - b) Permanence in a lower category for a minimum period of four years;
  - c) Last annual service classification equal to or higher than “*Good*”; and
  - d) Approval in the required specific competition tests, pursuant to this statute.
3. Progression shall take place in the same category and shall consist in the change of remuneration scale, depending on the time of permanence in the scale immediately lower and on the performance assessment, pursuant to the general law.

4. The time of service provided during which a worker's performance appraisal is rated "insufficient" shall not be computed for purposes of promotion and progression, without any prejudice to other consequences provided for by law.

### Article 13 Distribution and transfer of staff

1. In assigning prison guard staff to their respective functions, consideration shall be given to the existing vacancies, the classification they obtained in the training course, and the preference expressed by the interested parties.

2. Where the services so require, transfer of prison guard staff within prison services shall take place at the request of the interested prison guard party, at the initiative of the Director of DNSPRS, or following a proposal by the relevant organic unit.

3. Prison guard staff may only request the transfer referred to in the preceding paragraph after having completed one year of service in the prison or service where they have been assigned to.

4. Whenever temporarily reassigned for urgent service needs to an establishment or service distinct from the one where they have been assigned, prison guard staff shall be entitled to allowances, pursuant to the general law.

## SECTION II Public competition and selection methods

### Article 14 Competitions

1. Filling of positions in the prison guard staffing table shall take place in accordance with the existing vacancies and through a public competition for admission followed by an internal competition.

2. The positions of prison guard chief shall be filled, by appointment, in accordance with the existing vacancies, after candidates participating in an internal competition succeed in a specific training course.



Article 15  
Requirements for admission

In addition to the requirements demanded in the general law, the following shall also be necessary requirements for participating in the public competition for accessing the prison guard staff career:

- a) To have completed 18 years of age at the time of the end of the deadline for applying and not to be over 35 years of age at the end of the year in which the public competition is open;
- b) To be at least 1,55 m or 1,60m tall respectively for female and male candidates;
- c) To be physically and psychologically fit for exercising the relevant functions;
- d) Not to have been the object of a criminal sentencing;
- e) To have completed at least the 9<sup>th</sup> year of scolarity.

Article 16  
Selection methods for accessing the prison guard staff career

1. The following methods shall be used in public competitions for fulfilling positions in the prison guard staff career;

- a) Proof of knowledge intended to demonstrate the degree of intellectual background of the applicant;
- b) Medical examination to be undertaken by physicians appointed by order of the Director of DNSPRS;
- c) Proof of physical fitness intended to demonstrate the degree of physical fitness of the applicant;
- d) Interview and psychological examination, which may be conducted together, in separate, or in an isolated manner.

2. Applicants approved in the public competition shall be invited to undergo a training course in accordance with the graduation as reflected in the list of final classification and the existing vacancies.

#### Article 17

##### Selection methods for the positions acceding to higher categories

1. Internal competitions leading for promotion and access to higher categories shall be open to prison guards of immediately lower categories and the following selection methods shall be used:

- a) For the category of Prison Guard Officer, curricular assessment, proof of physical fitness, proof of knowledge and interview;
- b) For the category of Prison Guard Sub-chief, curricular assessment, proof of knowledge, interview and approval in a specific training course;
- c) For the category of Prison Guard Chief, curricular assessment, proof of knowledge, interview and approval in a specific training course.

2. Where more than one selection method is used, the final classifications shall result from the simple or pondered arithmetic average of the classifications obtained in each of the methods, in accordance with the criteria defined in the notice of the respective competition.

3. The approved applicants shall be invited to attend a training course, in accordance with the existing vacancies and the classification obtained in the curricular assessment, in the proof of knowledge and in the interview.

#### CHAPTER III

##### Rights and duties

The rights and duties of the prison guard staff shall be those contained in the Civil Service Statute in all that is not specifically defined in the present decree-law.

SECTION I  
Rights of the prison guard staff

Article 19  
Identification

Prison guard staff shall be entitled to use the identification card approved by order of the Minister of Justice.

Article 20  
Legal representation

1. A member of the prison guard staff who becomes a defendant in a judicial proceeding for acts committed or occurred in the exercise, and on account, of their functions, shall have the right to be assisted by a defender and be entitled to transport and allowances where the location of the tribunal or of the police entities so justifies.
2. The judicial and legal assistance referred to in the preceding paragraph shall be provided pursuant to the law regulating the access to courts.
3. The time spent in the displacements referred to in the preceding paragraph shall be considered as time spent in effective service.

Article 21  
Compliance of freedom-depriving measures

The situation of preventive imprisonment and the compliance of freedom-depriving penalties by the prison guard staff shall take place in common prisons separated from the other detainees or inmates.

Article 22  
Leave

1. Where a transfer of a prison guard staff entails an effective change of residence to a distant place and where the circumstances so justify, the Chief Prison Guard of the relevant prison shall propose the manager of the respective prison to grant the prison guard staff a leave of absence of up to a maximum of ten days.

2. In case of transfer for urgent service needs, the granting of the benefit referred to in the preceding paragraph may be postponed to an ulterior date and granted by the manager of the prison where the staff has been transferred to.

3. The days of leave of absence referred to in this article shall not imply loss of any rights or privileges.

### Article 23 Distinctions and prizes

1. Members of the prison guard staff who distinguish themselves in the exercise of their functions by exemplary conduct or by any act of special merit or bravery may be awarded, separately or cumulatively, prizes, commendations and decorations.

2. Prizes and commendations referred to in the preceding paragraph shall be awarded by the Director of DNSPRS on proposal of prison managers, pursuant to, and in accordance with, the general regime of the civil service.

3. Distinctions and prizes awarded shall be registered in the individual file of the awardee.

4. The decorations shall be established by Ministerial Statute of the Minister of Justice, who shall establish their species as well as the conditions for awarding, including the competent entity for awarding them.

### Article 24 Right to remuneration

1. Members of the prison guard staff shall have the right to a monthly remuneration for the work carried out from the date of their appointment.

2. The monthly remuneration of the prison guard staff shall comprise the salary, which may be complemented with allowances, supplements and benefits, pursuant to the general terms.

3. Trainee-guards in the category of prison guard under provisional appointment, for the period of one year, shall have the right to remuneration from the date of admission into the training course.

## Article 25

### Salary

1. The basic remuneration for prison guard staff shall be obtained on the basis of the salary scales and indexes of the general regime of the civil service for each category and degree, added by a 40% remuneratory complement.
2. The remuneratory complement referred to in the preceding paragraph is intended to compensate the prison guards for the specific manner in which they provide their services, notably for the permanent and mandatory character of the service they are subject to and for the special functional duties.
3. Trainee-guards shall be entitled to 75% of the salary of a prison guard in the 1<sup>st</sup> echelon at the category of prison guard, as well as to the respective supplements granted.
4. The salary shall be determined by the category index occupied by the prison guard, as per the salary index table of the prison guard staff contained in map 1 of Annex 1.

## Article 26

### Risk and middle-level management allowances

1. Prison guards shall be entitled to a risk allowance corresponding to 15% of the basic remuneration, obtained pursuant to paragraph 1 of article 25 above.
2. The risk allowance shall only be payable to prison guard staff providing effective in prisons or with regular contact with inmates by virtue of their activities.
3. Prison guard staff exercising senior- and middle-level management functions in prisons pursuant to article 7 shall be entitled to a middle-level management allowance corresponding to 15% of the basic remuneration index provided for in the 1<sup>st</sup> echelon of the category of Prison Guard Chief, obtained pursuant to paragraph 1 of article 25 above.

Article 27  
Other supplements

Without prejudice to paragraph 4 of article 26 above, prison guard staff shall also be entitled to other remuneratory supplements, pursuant to the general terms, the end of which are not covered by the remuneratory complement provided for in paragraph 2 of article 25.

Article 28  
Uniform and badges

1. Prison guard staff shall be entitled to use uniform and badges adequate to their category.
2. The technical characteristics of the uniforms and badges shall be defined by order of the Minister of Justice.

Article 29  
Use and carrying of weapons

Prison guard staff shall be entitled, exclusively during the exercise of their functions, to use batons and other non-lethal weapons to be defined by ministerial statute of the Minister of Justice.

2. The use of any weapon shall be made conditional upon attendance of a specific training.

SECTION II  
Duties of prison guard staff

1. The following shall be, among others, duties of prison guard staff:
  - a) Perform their functions with assiduity, dedication and competence;
  - b) Under no circumstance accept gifts or favors from inmates, relatives thereof, or from other people as a result of the their profession;
  - c) Not purchase, sell, lend or borrow any item or cash values from inmates or relatives thereof without superior authorisation;

- d) Not allow the entrance to or exit from the prison of items or cash values pertaining to inmates or intended to them without superior authorisation;
- e) Not allow the entrance to or exit from the prison, nor allow or facilitate any transaction in weapons, stupeficients or other substances prohibited by law, as well as any item susceptible of jeopardising the security of the prison or of anybody inside it;
- f) Not allow the establishment of communication between inmates and people strange to the prison without superior authorisation;
- g) Not assign inmates to their personal service nor utilise their workforce without superior authorisation;
- h) Not influence inmates in the selection of their defenders;
- i) Avoid to exert any influence on the exercise of their respective profession, religious creeds and ideological or political options embraced by them;
- j) Keep secrecy on service matters and protect the identity and privacy of the inmates;
- k) Not disclose information or make statements to the media on service matters without prior superior authorisation;
- l) Be polite in their relations with inmates both in terms of correct language and affability or courteousness of treatment, particularly in the case of women and children or young adults, without ceasing to keep a serene and firm attitude and total independence of action;
- m) Inform the hierarchical superiors with objectivity and readiness any event occurred while on duty;
- n) Keep good working relations with workmates with a view to rendering the undertaking of common tasks more efficient;
- o) Report to service, irrespective of being summoned, whenever situations of urgent necessity require their presence;
- p) Not abandon the workplace without superior authorisation;

- q) Ensure the maintenance of the uniform, security materials and other materials under their custody;
- r) Report to service in a clean and well-presented manner, dressed in the approved uniform model;
- s) Salute the hierarchical superiors;
- t) Contribute, through their exemplary conduct, towards the good reputation of the prison services and the public administration.

#### Article 31

##### Subjection to medical examinations or to other means of proof

Where a member of the prison guard staff reports to work in apparent state of alcoholic intoxication or of stupefaction, the prison manager or their substitute shall order the immediate medical examination of such member or subject them to tests or to other available technical means of proof.

#### Article 32

##### Prevention against infectious diseases

Prison guard staff may be subjected to vaccination to prevent themselves against infectious diseases.

#### Section III

##### Disciplinary responsibility

Prison guard staff shall be subject to the disciplinary regime provided for in the Civil Service Statute and to the provisions specifically provided for in this statute.

#### Section IV

##### Penalties

#### Article 34

##### Disciplinary penalties

1. Without prejudice to the provisions of the Statute of the Civil Service, prison guard staff shall also be subject to disciplinary penalties pursuant to this statute.



2. A fine penalty shall apply to a prison guard staff who:

- a) Is not correct towards their hierarchical superiors, workmates and subordinates or violates the duty of correctness and humanity towards the inmates;
- b) Absent themselves from the workplace without being duly authorised by their hierarchical superiors or before being replaced;
- c) Does not convey petitions and claims submitted by inmates to their hierarchical superiors;
- d) Negligently allows the establishment of communication between inmates and people strange to the prison without superior authorisation;
- e) Influences the inmates in the selection of public defenders or lawyers;

3. A penalty of suspension shall apply to a prison guard staff who:

- a) With gross negligence, allows the entry into or exit from the prison of items or cash values pertaining to inmates without authorisation from their hierarchical superiors;
- b) With gross negligence, allows the establishment of communication between inmates and people strange to the prison without authorisation from their hierarchical superiors;
- c) Fails to inform the relevant authorities of serious infractions that come to their knowledge committed by prison guard staff in the exercise of their functions;
- d) Fails to report to the workplace, irrespective of being summoned, whenever situations of urgent necessity require their presence.

4. A penalty of inactivity shall apply to a prison guard staff who:

- a) Use weapons outside working hours or without due authorisation, pursuant to this statute;

- b) Assigns inmates to their personal service or use their workforce for private purposes;
  - c) Accepts gifts or favors from inmates, relatives thereof or other people as a result of the exercise of their profession;
  - d) Purchases, sells, lends or borrows items or cash values from inmates or relatives thereof without authorisation from their superiors;
  - e) Even when not on duty, detect an evaded inmate and, lacking the necessary means to capture them and drive them back to the prison, fails to immediately inform the relevant authorities of the occurrence;
  - f) Negligently allows the entry into or exit from the prison, enables or facilitates transaction in weapons, stupefacients or other substances prohibited by law.
5. A penalty of compulsory retirement and dismissal shall apply to a prison guard staff who:
- a) Commits or attempts to commit an act that is harmful or contrary to the superior interests of the State;
  - b) Intentionally allows the entry into or the exit from prison, allows or facilitates transaction in weapons, stupefacients or other substances prohibited by law:
  - c) Allows any person to unlawfully take hold of weapons assigned to them or under their custody;
  - d) Although not on duty, fails to capture evaded inmates and to drive them back to the prison notwithstanding having the means to do so.

Article 35  
Aggravating circumstances

Without prejudice to other consequences provided for in the Statute of the Civil Service, any infraction committed by the prison guard staff while there is a riot or a serious disturbance in the prison shall constitute an aggravating circumstance of the disciplinary responsibility.

## CHAPTER IV

### Training

#### Article 36

##### Objective of training provided

The objective of the training provided for the prison guard corps is to maintain security in prisons, improve the quality of services provided therein, develop the career, and bring about opportunities to the prison guard staff, including the training of inmates.

#### Article 37

##### Training course for admission

1. Candidates applying for prison guard staff positions who are admitted to the training course provided for in paragraph 2 of article 16 of this law shall be hired, pursuant to the general law, as trainee-guards.
2. The training course referred to in the preceding paragraph shall have the nature of an admission training programme and the respective regulation shall be the object of a Ministerial Statute of the Minister of Justice.

#### Article 38

##### Training course for promotion

1. Candidates applying to the higher categories of the prison guard career approved in the respective competitions shall be invited to attend the corresponding training courses, with the duration of 3 to 6 months, depending on the classification sequence, up to the number established or up to the number of existing vacancies.
2. The regulation of the courses referred to in the preceding paragraph shall be attended by the staff proposed by the Director of DNSPRS taking into account the needs of the services, the will expressed by the candidates and their respective aptitudes.
3. The Director of DNSPRS may determine the mandatory nature of the training course attendance of, and approval in, training courses and seminars considered essential to the performance of the functions of prison guard staff.

CHAPTER V  
Final and transitional provisions

Article 40  
Annual Commemoration

The day of the prison services staff shall be designated by the Minister of Justice.

Article 41  
Professional requalification and integration of permanent staff

1. Professional requalification of the current staff exercising prison guard functions shall take place through a special public competition for admission into the prison guard career.
2. For the purposes of the preceding paragraph, staff members exercising prison guard functions may apply for the categories of the special career corresponding to the categories and degrees of the general regime, pursuant to the following:
  - a) Assistants, Grades F and G, may apply to the category of Prison Guard Staff;
  - b) Administrative technicians, Grade E, may apply for the category of Prison Guard Officer;
  - c) Professional technicians, Grade D, may apply for the category of Prison guard Sub-Chief;
  - d) Professional technicians, Grade C, may apply for the category of Prison Guard Chief.
3. Functionaries admitted into the special career pursuant to the preceding paragraphs shall be integrated in the echelon and salary index of the respective category corresponding to the one they are in at the time of the termination of the contract.
4. Re-qualified prison guards pursuant to the preceding paragraphs shall undergo professional training courses commensurate to their respective categories lasting more than one month but up to three months, to be defined by instruction of the Director of DNSPRS.

5. Functionaries exercising prison guard functions who are not admitted into the special career shall remain in the career of the general regime and shall maintain their category, grade and echelon, as well as the wage.

Article 42  
Non reduction of salary

No reduction in the current salary of any functionary exercising functions as prison guards shall result from the enforcement of this statute.

Article 43  
Transitional period

1. Functionaries of DNSPRS currently exercising functions as prison guards shall keep exercising their functions until such time as the first prison guards admitted into the special career pursuant to the special public competition for accessing the prison guard career referred to in article 43.1 start working.

2. This statute shall not apply to the functionaries referred to in the first part of paragraph 1 above, who shall continue to benefit from the terms, conditions and regime currently in force, notably as regards remuneration, risk subsidies, rights, duties and disciplinary regime.

Article 44  
Revocatory norm

1. The following is hereby revoked:
  - a) Articles 4 and 7 of UNTAET Regulation No. 2001/23 of 28 August;
  - b) Order No. 026/VII/MJ/2006 of 24 august, which approves the Code of Ethics and Conduct of Prison Guards;
  - c) Government Decree No. 4/2010 of 26 august, which establishes the risk supplement to be granted to prison guards;
2. Revocation referred to in the preceding paragraph shall enter into force following the entry into service of the prison guards admitted to the special career pursuant to the terms of the public competition provided for in article 43.1.

Article 45  
Entry into force

This statute shall enter into force on the day after its publication.

Approved by the Council of Ministers on 14 December 2011.

The Prime Minister,

Kay-Rala Xanana Gusmão

The Minister of Justice,

Lúcia M. B. F. Lobato

Promulgated on 17/2/2012

For publication.

The President of the Republic,

José Ramos-Horta

**ANNEX I**  
**Remuneration Table referred to in article 25.4**

**REMUNERATION TABLE – PRISON GUARD STAFF SPECIAL CAREER**

CATEGORIES General Regime	GRADE	CATEGORIES Special Regime	Salary Regime	WAGE ECHELON AND INDEX						
				1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>
Professional Technician	C	Prison Guard Chief	Civil Service General Regime	298	310	323	336	349	361	374
			Complem ent (40%)	119. 20	124	129. 20	134. 40	139. 60	144. 40	149. 60
			Basic Remuner ation	<b>417. 20</b>	<b>434</b>	<b>452. 50</b>	<b>470. 40</b>	<b>488. 60</b>	<b>505. 40</b>	<b>523. 60</b>
	D	Prison Guard Sub-Chief	Civil Service General Regime	221	230	238	247	255	264	272
			Complem ent (40%)	88.4 0	92	95.2 0	98.8 0	102	105. 60	108. 80
			Basic Remuner ation	<b>309. 40</b>	<b>322</b>	<b>333. 20</b>	<b>345. 80</b>	<b>357</b>	<b>369. 60</b>	<b>380. 80</b>
Administr ative Technician	E	Prison Guard Officer	Civil Service General Regime	166	174	183	191	200	208	217
			Complem ent (40%)	66.4 0	69.6 0	73.2 0	267. 40	80	83.2 0	86.8 0
			Basic Remuner ation	<b>232. 40</b>	<b>243. 60</b>	<b>256. 20</b>	<b>267. 40</b>	<b>280</b>	<b>291. 20</b>	<b>303. 80</b>
Assistant	F	Prison Guard	Civil Service General Regime	136	140	145	149	153	157	162
			Complem ent (40%)	54.4 0	56	58	59.6 0	61.2 0	62.8 0	64.8 0
			Basic Remuner ation	<b>190. 40</b>	<b>196</b>	<b>203</b>	<b>208. 60</b>	<b>214. 20</b>	<b>219. 20</b>	<b>226. 80</b>

1. Prison guards with Prison Guard Chief category exercising middle-level management functions over prison guard staff of a given prison, as well as those with the category of Prison guard Sub-Chief replacing them pursuant to article 7.2, shall benefit from a middle-level management allowance corresponding to 15% of the basic remuneration of the index provided for in the 1<sup>st</sup> echelon of the Prison guard Chief category, in accordance with article 26.3.

2. Prison guards meeting the requirements provided for in article 26.2 shall benefit from a risk allowance corresponding to 15% of the basic remuneration of their respective wage echelon and index, pursuant to article 26.1.