

DECREE-LAW NO.16/2009
of March 18, 2009

Promotions System of the National Police of Timor-Leste (PNTL)

According to the Constitution of the Democratic Republic of Timor-Leste, the PNTL is responsible for upholding the democratic rule of law and ensuring citizens' security at home.

This law has the purpose of creating and consolidating in PNTL a spirit of autonomous body, which shall express the specific nature of a public-service providing Security Force. It also creates the favourable conditions for streamlining the administration of staff and their careers, leading to an increased effectiveness and efficiency of PNTL while performing its functions.

In view of the current situation of PNTL, a transition period is necessary for promotions to be accompanied by the required training and the appropriate period of adaptation.

Article 42 of the Framework Law on the National Police of Timor-Leste, approved by Decree-Law no. 9/2009, of February 18, 2009, establishes that the career and promotions system shall be ruled by specific regulations.

The Government, pursuant to Article 116, paragraph d), of the Constitution of the Republic, therefore establishes the following to be enforced as law.

CHAPTER ONE
General Provisions

Article 1
Objective

1. This decree law establishes the rules for the career and promotions system of the National Police of Timor-Leste (PNTL), based on aptitude, behaviour, commitment and professional conduct.
2. PNTL members shall be selected for promotion irrespective of their ancestry, gender, Race, place of birth, political, religious or ideological beliefs, economic status or social condition.

Article 2
Scope

1. This decree-law shall apply to career and promotions within the National Police of Timor-Leste (PNTL).
2. Appointments and discharges of the Commander-General and the Second Commander-General shall be governed by specific provisions, notwithstanding the previous number.

Article 3

Ranks and grades

1. PNTL members shall be grouped, by decreasing hierarchical importance, into the following ranks:
 - a) Officers;
 - b) Sergeants;
 - c) Agents.
2. Officers' rank shall be divided into the following sub-ranks:
 - a) Superior Officers;
 - b) Inspecting Officers.
3. Grade is the position occupied by the PNTL member in terms of police career in the respective rank or sub-rank.
4. Ranks, sub-ranks and grades shall be those listed on Annex I and Annex II of this Decree-Law, which are a full part of it.

Article 4

Entry into the ranks

1. Permanent staff performing police functions shall enter the ranks in the grade of agent after successfully attending the agents' training course at the PNTL Training Academy, or at any other foreign police training establishment with who Timor-Leste has signed co-operation agreements.
2. As he attends the training course referred to in the previous number, the trainee shall have the student status, defined in specific regulations, and shall not have any bond to PNTL.
3. Notwithstanding the provisions of the previous numbers, PNTL members shall enter the career in the officers' rank and in the grade of assistant-inspectors whenever they have successfully graduated from an official course, in Timor-Leste or in any foreign police academy with who Timor-Leste has signed co-operation agreements.
4. Conditions governing admission and the access to training courses and internships shall be laid down in regulations approved by ministerial order of the Minister in charge of the Security portfolio.

CHAPTER TWO

On Qualifications of PNTL Members for Promotion

Article 5

Promotion

1. PNTL members shall access each grade in the police career by promotion.
2. Promotion consists in moving to the upper grade in the respective rank, or to the first grade in the upper rank.
3. Promotions shall take effect in accordance with the rules of the PNTL Permanent Staff, namely as regards the existence of vacant positions in each grade, save in those exceptions provided for in this decree-law.

4. Both the promotion and the temporary performance of functions shall be determined by an order issued by the PNTL Commander-General.
5. The order mentioned in the previous number, when concerning the promotion and temporary performance of functions in the officers' rank, shall be sent by the Commander-General, after being signed, to the Minister in charge of the Security portfolio, for publication in the official journal.

Article 6

Promotion requirements

1. A PNTL member, in order to be promoted, must meet the general and special requirements for promotion, save in those exceptions provided for in this decree-law.
2. All documents required as grounds for promotion shall be attached to the process.

Article 7

Modalities of promotion

1. Modalities of promotion shall be the following:
 - a) Seniority;
 - b) Merit;
 - c) Appointment;
 - d) Exception.
2. Notwithstanding the provisions of Article 2, number 2, of this decree-law, and the cases of promotion by exception, the applicable modalities of promotion shall be those laid down in Annex II of this decree-law, of which it is a full part.

Article 8

Promotion by seniority

Promotion by seniority consists in accessing the next upper grade, irrespective of the existence of any vacant position, as long as the requirements for promotion are met, after hearing advice from the PNTL Council of Promotions.

Article 9

Promotion by merit

1. Promotion by merit shall aim to select the PNTL members considered the most competent and fittest to perform the functions inherent to the next upper grade.
2. Promotion by merit consists in accessing the next upper grade to fill an existing vacancy, meeting the promotion requirements in the terms of this decree-law, on the basis of a previous competition or an ordered list of service members to be promoted to the next upper grade, submitted by the PNTL Council of Promotions to the PNTL Commander-General and ratified by him.
3. Promotions by merit take immediate effect as soon as there is a vacancy in the grade.

Article 10

Promotion by appointment

1. Promotion by appointment takes place in special situations, namely to meet specific requirements of PNTL.
2. Promotion by appointment consists in accessing the grade of Commissioner to fill an existing vacant position, meeting the promotion requirements in the terms of this decree-law.
3. Promotions by appointment are made at the initiative of the Minister in charge of the Security portfolio, after reception of favourable advice from the Higher Council of PNTL.

Article 11

Promotion by exception

1. Promotion by exception consists in accessing the next upper grade, regardless the existence of any vacant position. It applies particularly to the following cases:
 - a) By qualification as PNTL disabled member, when provided for by special legislation;
 - b) By rehabilitation, following a successful appeal in a criminal or disciplinary process;
2. Promotion by exception can be posthumous.

Article 12

General requirements for promotion

General requirements for promotion applicable to all PNTL members are the following:

- a) Compliance with the respective duties;
- b) Efficient performance of the respective grade functions;
- c) Personal, intellectual and professional qualities and skills required to be promoted to the next upper grade;
- d) Appropriate physical and psychic fitness.

Article 13

Compliance with general requirements

1. Compliance with general requirements for promotion is checked through:
 - a) Individual evaluation, carried out at the different levels of command;
 - b) Disciplinary records;
 - c) Other documents included in the individual record of the PNTL member, or subsequently incorporated in it, after superior decision.
2. No matter pending any suit of any nature can be appraised, until a final decision is made on such suit.
3. Rules and instructions complementary to this decree-law shall establish the methods to be adopted for evaluating promotion factors, namely those Competences for checking that general requirements for promotion have been met are those defined in this decree-law.
4. Rules and instructions complementary to this decree-law shall establish the procedures to be adopted for assessing promotion factors, namely those necessary to the good performance of the PNTL Council of Promotions.

Article 14

General requirements unmet

1. Competence for deciding that the general requirements for promotion have not been met, as laid down in Article 12, belongs to:
 - a) The PNTL Commander-General, after hearing the advice from the PNTL Council of Promotions on the requirements mentioned in paragraphs a), b) and c) of the said article;
 - b) The medical councils competent for the matters laid down in paragraph d) of the said article.
2. The PNTL Council of Promotions shall issue their advice based on the data mentioned in Article 13. In case the general requirements for promotion are not met, the Council shall hear the PNTL member concerned and other people whose opinion is considered relevant to draft the respective advice.
3. The decision referred to in number 1, above, shall take into account the advice given by the entities also referred to in the said number. It should be adequately founded and it shall be reported to the concerned PNTL member.

Article 15

Special requirements

1. Special requirements for promotion specific to each grade are those indicated in Annex IV to this decree-law, of which they are a full part, including:
 - a) Serving a minimum time in that grade;
 - b) Performing certain functions, or holding certain positions;
 - c) Successfully completing a promotion course.
2. In the framework of training or promotion courses, the factor relevant to appraise promotions shall be the final score.

Article 16

Temporary exclusion

PNTL members may be temporarily excluded from promotion and given the Delayed or Pretermitted status.

Article 17

Delayed promotion

1. Promotions are delayed,
 - a) When PNTL members await a decision by the PNTL Commander-General on advice given by the PNTL Council of Promotions;
 - b) When promotions depend upon a court decision becoming a sentence in rem iudicatam;
 - c) When promotions depend upon the completion of investigations in the framework of a disciplinary or criminal case;
 - d) When verification of physical and psychic fitness depends upon clinical examination, treatment and convalescence, or advice from the competent medical council.

2. Delayed PNTL members should not serve under the orders of more junior PNTL members who have been promoted in the meantime.
3. Delayed PNTL members shall be promoted as soon as the reasons for their delayed promotion cease to exist, regardless the existence of any vacant position, rising to their new grade in the same position they would hold if the promotion had not been delayed.

Article 18

Pretermitted promotion

1. Promotions are pretermitted whenever:
 - a) The PNTL member does not meet one of the general requirements for promotion laid down in Article 12;
 - b) The PNTL member is on leave, having lost the right to receive pay;
 - c) In those cases expressly defined in special legislation.
2. PNTL members, as soon as the reasons for pretermision cease to exist, shall be appraised for the purpose of promotion to the next upper grade, on equal foot with other PNTL members of the same grade.

Article 19

Organisation of promotion processes

Staff management bodies have the responsibility of organising, for all ranks and grades, the promotion processes, which should include all elements required for meeting the promotion requirements.

Article 20

Confidentiality in promotion processes

Promotion processes are confidential, but each PNTL member concerned has the right to consult his individual process, provided that he requests it.

Article 21

Temporary performance of functions

1. A lower grade officer may exceptionally and temporarily be upon to perform functions in the rank of inspecting officer and superior officer, when no officer with the legally appropriate grade for performing such functions is available.
2. Officers referred to in the previous number shall continue to perform their functions up to the moment their grades are filled in, according to the terms of this decree-law.
3. These officers shall be appointed by order of the Commander-General, after appraisal of their curriculum vitae appraisal and by proposal of their immediate hierarchical superior, having received favourable advice from the PNTL Promotions Council.
4. Temporary performance of functions shall not entail opening a vacancy in the position of the officer assigned to such functions.

5. Officers appointed to temporarily performing functions in upper grades shall be paid the salary, allowances and other benefits inherent to the position in which they actually perform functions.
6. Temporary performance of functions is not subject to time limits nor to minimum qualifications, save the need to meet extraordinary service requirements, but an effort should be made to look for the person with the best qualifications in the universe of PNTL officers potentially able to perform the new functions.

Article 22

Seniority

1. Seniority of PNTL members, in each grade, reports back to the date written on the respective official document of promotion. More recently promoted PNTL members are considered less senior, unless otherwise provided for by this decree-law or special legislation.
2. All periods served by upgraded PNTL members are counted for establishing seniority in the grade, except the following:
 - a) Periods in which the PNTL member was placed in a status whereby he had no right to receive pay;
 - b) Periods that should not be considered, according to the applicable disciplinary legislation;

CHAPTER THREE

On Appointments

Article 23

PNTL Commander-General

1. The PNTL Commander-General shall be appointed, after curriculum vitae appraisal, among the PNTL superior officers with the grade of Commissioner or Chief-Superintendent, having served at least two years in the grade and revealed an exemplary conduct.
2. The PNTL Commander-General shall be appointed for a four-year service commission, renewable for equal terms, by decision of the Council of Ministers, following advice from the PNTL Superior Council and proposal by the Minister in charge of the Security portfolio.
3. A Chief-Superintendent appointed to the position of PNTL Commander-General shall be immediately promoted to the grade of Commissioner.
4. Intention to renew the service commission should be communicated to the person concerned at least sixty days in advance before the four-year term expires. The said commission shall automatically expire at the end of the said term if the competent authority has not expressly declared its intention to renew.
5. Whenever the PNTL Commander-General does not wish to renew his service commission, he should communicate this to the Minister in charge of the Security portfolio in writing, at least sixty days in advance before such service commission expires.

6. Any decision to terminate the service commission due to behaviour, action or omission that puts the stability of PNTL at jeopardy shall be taken by resolution of the Council of Ministers, following a proposal by the Minister in charge of the Security portfolio.

Article 24

PNTL Second Commander-General

1. The PNTL Second Commander-General shall be appointed, after curriculum vitae appraisal, among the PNTL superior officers with the grade of Chief-Superintendent, having served at least two years in the grade and revealed an exemplary conduct.
2. The PNTL Second Commander-General shall be appointed for a four-year service commission, renewable for equal terms, by decision of the Council of Ministers, following advice from the PNTL Superior Council and proposal by the Minister in charge of the Security portfolio.
3. The Chief-Superintendent appointed to the position of PNTL Second Commander-General shall be immediately promoted to the grade of Commissioner.
4. Intention to renew the service commission should be communicated to the person concerned at least sixty days in advance before the four-year term expires. The said commission shall automatically expire at the end of the said term if the competent authority has not expressly declared its intention to renew.
5. Whenever the PNTL Second Commander-General does not wish to renew his service commission, he should communicate this to the Minister in charge of the Security portfolio in writing, at least sixty days in advance before such service commission expires.
6. Any decision to terminate the service commission due to behaviour, action or omission that puts the stability of PNTL at jeopardy shall be taken by resolution of the Council of Ministers, following a proposal by the Minister in charge of the Security portfolio.

Article 25

Unit and Service Commanders

Unit and Service Commanders shall be appointed among PNTL officers of the appropriate grade, with a record of exemplary conduct, by order of the PNTL Commander-General.

Article 26

District Commanders

District commanders and second commanders shall be appointed among PNTL officers of the appropriate grade, with a record of exemplary conduct, by order of the PNTL Commander-General following proposal by the PNTL Second Commander-General.

Article 27

Operations Commander, Administration Commander, PNTL Training Academy Commander and PNTL Inspector-General

The Operations Commander, the Administration Commander, the PNTL Training Academy Commander and the Inspector-General shall be appointed, after curriculum vitae appraisal, among PNTL officers of the appropriate grade, with a record of exemplary conduct, by order of the PNTL Commander-General.

Article 28

Appointment to other commander or chief positions

1. Chiefs of departments and subunits shall be appointed by order of the PNTL Commander-General.
2. Precinct commanders shall be appointed by order of the PNTL Second Commander-General, following proposal by the respective District Commander.
3. Appointments referred to in numbers 1 and 2 above shall be made without time limit and the nominees may cease to perform their functions by decision of the entity who appointed them.

CHAPTER FOUR ON COMPETENCE

Article 29

Competence of the PNTL Promotions Committee

The Promotions Committee is the PNTL Commander-General's advisory body for promotions and has the following competences:

- a) State whether the general requirements for promotion laid down in Article 12, paragraphs a), b) and c) have been met, in all modalities of promotion, save promotion by exception;
- b) Order, pursuant to this decree-law, the list of PNTL members to be promoted by merit to the next upper grade;
- c) Give individual advice on PNTL members in the course of promotion and being appointed for performing functions temporarily;
- d) In cases of failure to meet the general requirements for promotion of one PNTL member, hear that service member and other people whose opinion is considered valuable to give its advice.

Article 30

Membership of the PNTL Promotions Committee

Membership of the PNTL Promotions Committee may vary as a function of the universe of grades being appraised, pursuant to Annex V of this decree-law of which it is a full part.

Article 31

Functioning of the PNTL Promotions Committee

1. The Promotions Committee shall meet as often as required, at least once a year.
2. The Promotions Committee shall draft an ordered list of PNTL members to be promoted by seniority, as provided for by law.
3. The ordered list referred to in the previous number shall be made public in a way that appropriately ensures that all persons concerned are informed.
4. Persons concerned may appeal to the PNTL Commander-General within the eight working days after the list is made public.
5. Following the phase of appeal the Promotions Committee shall draft the final list, which is appraised and ratified by the PNTL Commander-General.
6. Promotions by merit to the first grades of each rank shall comply with the selection rules laid down in the competition regulations to be approved by the Minister in charge of the Security portfolio.
7. The list of promotions by merit to the remaining grades, as indicated in Annex III, shall be drafted by the Promotions Committee and submitted to the PNTL Commander-General for appraisal and ratification.
8. If the latter fails to agree with the said list, the Promotions Committee shall meet again within eight days to submit a new list.
9. General procedures governing the functioning of the Promotions Committee are laid down in Annex VI to this decree-law, of which it is a full part.

Article 32

Competent authorities

1. The Council of Ministers shall have the power to appoint and discharge, by proposal of the Minister in charge of the Security portfolio, the PNTL Commander-General and Second Commander-General.
2. Irrespective of the PNTL member's original grade, the PNTL Commander-General shall have the exclusive power to appoint for temporary performance of functions or promote, whichever the promotion modality, all PNTL members up to the grade of Chief-Superintendent, inclusive.

Article 33

PNTL Superior Council

The PNTL Superior Council shall have the powers laid down in the law regarding promotions to the grade of Commissioner.

Article 34

Competence of the PNTL Second Commander-General

1. The PNTL Second Commander-General shall remain informed at all times of all instances of temporary performance of functions and promotions within PNTL.
2. The PNTL Second Commander-General shall submit the promotion processes to the PNTL Commander-General for clearance.
3. The PNTL Second Commander-General shall have the power to direct and co-ordinate the tasks assigned to the PNTL Promotions Committee.

Article 35

Competence of the Chief of the PNTL Human Resource Department

1. The Chief of the PNTL Human Resource Department shall remain informed of all cases of temporary performance of functions and promotions under way or being planned. He shall be technically responsible for controlling the vacant positions in each grade in the entire framework of PNTL.
2. The Chief of the PNTL Human Resource Department shall submit to the PNTL Second Commander-General all promotion processes, in order to ensure their timely delivery to the PNTL Commander-General for clearance.
3. The Chief of the PNTL Human Resource Department shall have the power to perform, within the PNTL Promotions Committee, the tasks assigned pursuant to this decree-law.

CHAPTER FIVE TRANSITIONAL SYSTEM

Article 36

Transitional system

1. The Sub-Inspector grade is hereby extinguished and the respective holders shall be transferred to the grades created by this decree-law, as provided for in the following articles.
2. The Minister in charge of the Security portfolio shall establish the number of positions in each grade, taking into account the PNTL organic framework and its current requirements, according to this definition.
3. Promotions to the grades created by this decree-law will take effect according to the provisions of the following articles.

Article 37

General rules

During the transitional period, all PNTL members shall be subjected to disciplinary evaluation in order for their promotion to be considered, in line with the following rules:

- a) Any PNTL member who, on the date of entry into force of the regulations referred to in Article 46, is punished after disciplinary procedure with a penalty of fine or higher, shall not be considered for promotion, unless the date of his last punishment occurred more than one year ago;

- b) Any PNTL member who, on the date of entry into force of the regulations referred to in Article 46, is sentenced to serve time in prison in a criminal suit shall not be considered for promotion;
- c) PNTL members need to be provisionally certified, or to be holders of the final UNMIT certificate.

Article 38

Pending suits

1. Any PNTL member who, after the rules established in the previous article have been applied, is considered for promotion but has a pending criminal or disciplinary suit, shall be included in the promotion lists but given a delayed status, until the suit has been completed.
2. Any PNTL member who has been found not guilty in a criminal suit by a court of law, or had his case filed by the Public Prosecution, or has not been found guilty in a disciplinary procedure, shall be promoted and the time served in such grade shall be counted from the actual date of promotion.
3. Any PNTL member who has been found guilty in a criminal suit by a court of law shall not be promoted.
4. Any PNTL member who has been found guilty in a disciplinary procedure and given a penalty less serious than a fine shall be promoted to the proposed grade and the time served in such grade shall be counted from the actual date of promotion.
5. Any PNTL found guilty in a disciplinary procedure with a penalty equal to, or more serious than, a fine shall not be promoted.

Article 39

Professional Evaluation

1. PNTL members considered for promotion shall be subjected to professional evaluation, consisting of a written test.
2. PNTL members shall be ordered by grade and, within each grade, starting with the member who obtained the highest score down to the member who obtained the lowest.

Article 40

Interview

1. PNTL members who obtained a fairly good score shall be interviewed with a view to checking their ability to perform functions in the new grade.
2. Interview shall be mandatory for PNTL members considered for promotion in grades of the superior officer's rank and in the grades of Inspector and Chief-Inspector.
3. In other promotions, the Promotions Committee shall interview the applicants whenever deemed necessary.

Article 41

Promotion to Senior Agent

PNTL members with the grade of Agent who served for at least 6 years in this grade and are not covered by Article 38, having complied with the general rules of Article 37, shall be promoted to the grade of Senior Agent.

Article 42

Promotion to superior grades

1. The promotion of a PNTL member considered for promotion and currently performing commander, supervisor or chief functions, shall take effect in accordance with the table in Annex II to this decree-law, which is a full part of it.
2. PNTL members with the grade of Inspector shall be the first to be considered for promotion and may be promoted within the grade range from Inspector to Chief-Superintendent.
3. PNTL members with the grade of Sub-Inspector shall be the second to be considered for promotion and may be promoted within the grade range from First-Sergeant to Superintendent.
4. PNTL members with the grade of Agent and Senior Agent who served in commander, supervisor or chief functions for at least one year in the last four years, since the date of entry into force of the regulations anticipated in Article 46, may be promoted to the grades corresponding to the functions currently performed, in accordance with the table of Annex II to this decree-law, of which it is a full part, up to the grade of Chief-Inspector.

Article 43

Promotion of Officers with higher education background

1. Any PNTL member with a higher education degree considered for promotion, currently holding the grade of Agent, Senior Agent or Sub-Inspector, shall be considered for promotion in the grade of Assistant-Inspector.
2. PNTL members shall be subjected to a general knowledge test, a professional test and an interview.
3. PNTL members shall be ranked in a decreasing order, starting with the member with the highest score down to the lowest.
4. The number of promotions shall be determined by service requirements, being published by ministerial order.

Article 44

PNTL duties

1. The Human Resources Department of PNTL shall have the duty of:
 - a) Drafting the staff lists, with the positions currently held by each member;
 - b) Drafting the lists of members who meet the requirements in Article 41;
 - c) Providing the personal files of all PNTL members considered for promotion;
 - d) Drafting a staff list, as current status of certification.
2. The Department of Justice shall have the duty of:

- a) Providing a detailed list of all punished PNTL members, indicating dates of punishment and specific reasons for punishment;
- b) Providing the list of members who, on the date of entry into force of the regulations anticipated in Article 46, were under criminal investigation or awaiting court decision;
- c) Providing the list of members who, on the date of entry into force of the regulations anticipated in Article 46, were under disciplinary investigation.

Article 45

Promotions Committee

1. The Promotions Committee, composed of seven members, shall be approved by the Council of Ministers, by proposal of the Minister in charge of the Security portfolio.
2. Under the transitional system, the mission of the Promotions Committee shall consist in selecting PNTL members and recommending them for promotion to the grades defined in this decree-law.
3. Its decisions shall be taken according to the procedures established in this decree-law.

Article 46

Selection procedure

Procedures required to carry out promotions during the transitional period shall be the object of regulations approved by order of the Minister in charge of the Security portfolio.

Article 47

Promotions under the transitional system

1. Upon finishing its work, the Promotions Committee shall recommend to the Secretary of State for Security the names of the PNTL members fit for promotion.
2. Such recommendation shall specify to which grade is each PNTL member promoted.
3. The Secretary of State for Security shall have the power to accept or change the recommendations of the Promotions Committee.
4. Promotions shall take effect as from the moment of their publication on Jornal da República.

Article 48

Appointment of the Commander-General and of the Second Commander-General

1. Under the transitional system, exceptionally, a fit citizen born in Timor-Leste may be appointed, preferably a Magistrate or a jurist with acknowledged merit, to hold office as PNTL Commander-General.
2. Under the transitional system, exceptionally and notwithstanding the provisions of Article 24 number 1, a Chief-Superintendent with less than two years in the grade may be appointed PNTL Second Commander-General.

Article 49

Duration of the transitional period

The transitional system shall remain in force for a period of two years, counted as from the date of entry into force of this decree-law, or until the grades have been filled pursuant to this decree-law.

CHAPTER SIX FINAL PROVISIONS

Article 50

On complementary rules and instructions

The Minister in charge of the Security portfolio, on his own initiative or by proposal of the PNTL Commander-General, may issue an order to establish the complementary rules or instructions required to implement this decree-law.

Article 51

On Insignia

The insignia worn by PNTL members are hereby approved, as laid down in Annex VII to this decree-law, of which it is a full part.

Article 52

Revoked rules

All rules contrary to this decree-law are hereby revoked.

Article 53

Entry into force

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

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

Prime Minister

(Kay Rala Xanana Gusmão)

Defence & Security Minister

(Kay Rala Xanana Gusmão)

Finance Minister

(Emília Pires)

Enacted on the 9 March 2009

To be published.

President of the Republic

(José Ramos-Horta)

ANNEX I

Ranks and grades (referred to in Article 3)

Ranks	Grades (in decreasing order)
Superior Officer	Commissioner Chief-Superintendent Superintendent Assistant-Superintendent
Inspecting Officer	Chief-Inspector Inspector Assistant-Inspector
Sergeant	Chief-Sergeant First-Sergeant Sergeant
Agent	Chief-Agent Senior Agent Agent

ANNEX II

Key functions performed by PNTL members (referred to in Article 3)

Grades	Functions
Commissioner	Grade awarded to Chief-Superintendents appointed PNTL Commander-Generals or Second Commander-Generals
Chief-Superintendent	Command and control of highly complex units. Operations Commander and Administration Commander. Commander of the PNTL Training Academy, Commander of the PNTL Special Unit, Chief of the Criminal Investigation Service, Chief of the PNTL Intelligence Service, Inspector-General, District Commander of the Díli, Baucau and Bobonaro Districts
Superintendent	Command and control of complex units. Commander of the Border Patrol Unit, Commander of the Maritime Unit, District Commanders & Chiefs of the Operations Command and Administration Command Departments, Second Commander of the PNTL Special Unit, Sub-Chief of the Criminal Investigation Service, Sub-Chief of the PNTL Intelligence Service, Second Commander of the PNTL Training Academy, Second District

	<p>Commanders of the Díli, Baucau and Bobonaro Districts.</p> <p>General inspection functions.</p> <p>Instructors at the PNTL Training Academy.</p>
Assistant-Superintendent	<p>Command and control of sub-units.</p> <p>Chiefs of the Operations Command and Administration Command Departments, Second District Commanders, Sub-Unit Commanders (Battalion level), Second Commanders of the Maritime Unit and of the Border Patrol Unit.</p> <p>Instructors at the PNTL Training Academy.</p> <p>General inspection functions.</p>
Chief-Inspector	<p>Sub-Unit Commanders (Company level).</p> <p>Company Commander, Precinct Commander, Section Commanders at the Operations Command and Administration Command,</p> <p>Instructors at the PNTL Training Academy.</p> <p>General inspection functions.</p> <p>Technical functions.</p>
Inspector and Assistant-Inspector	<p>Sub-Unit Commanders (Platoon level).</p> <p>Precinct Commanders.</p> <p>Commanders of Platoon or similar sub-unit.</p> <p>Section Commanders at District Commands.</p> <p>Instructors at the PNTL Training Academy.</p> <p>Technical functions.</p>
Chief-Sergeant	<p>Administrative and logistic functions.</p> <p>Precinct Commanders and Deputy Commanders of Precinct and Section. Commanders of PNTL sub-precincts and of platoon sections.</p> <p>Operational functions and internal duties.</p> <p>Coaches at the PNTL Training Academy.</p>
First-Sergeant and Sergeant	<p>Administrative and logistic functions.</p> <p>Precinct commanders and deputy commanders.</p> <p>Platoon section commanders.</p> <p>Operational functions and internal duties.</p> <p>Coaches at the PNTL Training Academy.</p>
Chief-Agent, Senior Agent and Agent	<p>Operational, administrative and logistic functions.</p>

ANNEX III

Modalities of promotion (referred to in Article 7)

Ranks	Grades (in decreasing order)	Modality of promotion
Superior Officer	Commissioner	Appointment
	Chief-Superintendent	Merit
	Superintendent	Merit
	Assistant-Superintendent	Merit
Inspecting Officer (second point of entry)	Chief-Inspector	Merit
	Inspector	Seniority
	Assistant-Inspector	Merit
	Chief-Sergeant	Merit
	First-Sergeant	Seniority
	Sergeant	Merit
	Chief-Agent	Seniority
	Senior Agent	Seniority
	Agent	Merit

ANNEX IV

Special Requirements for promotion (referred to in Article 15)

Ranks	Grades (in decreasing order)	Special requirements and conditions for promotion to the grade
Superior Officer	Commissioner	To have been appointed PNTL Commander-General or Second Commander-General
	Chief-Superintendent	To have served for 4 years in the Superintendent grade, provided there is a vacant position
	Superintendent	To have served for 4 years in the Assistant-Superintendent grade, provided there is a vacant position
	Assistant-Superintendent	To have served for 5 years in the Chief-Inspector grade. To have been selected by merit in previous competition. To have successfully attended a course for superintendent officers. Existence of vacant position.
Inspecting Officer (second point of entry)	Chief-Inspector	To have served for 5 years in the Inspector grade, provided there is a vacant position

	Inspector	To have served for 5 years in the Assistant Inspector grade, irrespective of a vacant position
	Assistant-Inspector	To have been previously selected by competition. To have successfully attended a training course for inspecting officers, or To be a Sergeant having served for 4 years in the grade and have successfully attended a training course for inspecting officers. Existence of vacant position.
	Chief-Sergeant	To have served for 6 years in the First-Sergeant grade, provided there is a vacant position
	First-Sergeant	To have served for 6 years in the Sergeant grade, irrespective of a vacant position
	Sergeant	To have served for 6 years in the Agent grade. To have been previously selected by competition. To have successfully attended a training course for sergeants. Existence of vacant positions.
	Chief-Agent	To have served for 6 years in the Senior Agent grade.
	Senior Agent	To have served for 6 years in the Agent grade.
	Agent	To have successfully attended a training course for agents.

ANNEX V

Membership of the PNTL Promotions Committee (referred to in Article 30)

1. The PNTL Promotions Committee shall have the following members:
 - a) The PNTL Second Commander-General
 - b) The Chief of the PNTL Human Resource Department
 - c) Four Chief-Superintendents for promotions to Chief-Superintendent
 - d) Um Chief-Superintendent and three Superintendents for promotions to Superintendent
 - e) One Superintendent and three Assistant-Superintendents for promotions to Assistant-Superintendent

- f) Two Superintendents and three Assistant-Superintendents for promotions to grades ranging from Chief-Inspector to Senior Agent
2. The PNTL Promotions Committee shall be appointed by order of the PNTL Commander-General, by proposal of the PNTL Second Commander-General.
3. The PNTL Second Commander-General shall in all cases chair the Committee and the Chief of the PNTL Human Resource Department shall serve as Secretary without the right to vote.

ANNEX VI

General Functioning Procedures for the PNTL Promotions Committee (referred to in Article 31)

The following main rules shall govern the functioning of the PNTL Promotions Committee:

1. The PNTL Promotions Committee requires a minimum attendance quorum of 4/5 (four fifths) to hold legitimate meetings.
2. Absence from meetings of members of the PNTL Promotions Committee constitutes breach of discipline.
3. All members of the PNTL Promotions Committee have the right to one (1) vote.
4. Members may vote Aye, Nay or Abstain.
5. Abstentions should also be recorded in the Proceedings of PNTL Promotions Committee meetings.
6. Members shall vote by secret ballot.
7. If, as a result of the PNTL Promotions Committee work, there is a tie in member ordering, the Committee shall have the power to give extra points to the members considered deserving so as to break the tie. Extra points may vary from 0 to 1. Score reductions are absolutely forbidden.

ANNEX VII

PNTL Insignia (referred to in Article 51)

- A. Rank: **SUPERIOR OFFICER**
Total Grades: Four (4) Grades

Grade 1: COMMISSIONER

Description: Black background - Gilded five-tipped star – Black sword on gilded bloom – Rice-plant fabric and gilded cotton – Gilded brim – PNTL initials

Grade 2: CHIEF-SUPERINTENDENT

Description: Black background – Black sword on gilded bloom – Rice-plant fabric and gilded cotton – Gilded brim – PNTL initials

Grade 3: SUPERINTENDENT

Description: Black background – Two-dot white bloom – Black sword on gilded bloom with PNTL initials

Grade 4: ASSISTANT-SUPERINTENDENT

Description: Black background – One-dot white bloom – Black sword on gilded bloom with PNTL initials

B. Rank: **INSPECTING OFFICER**

Total Grades: Three (3) Grades

Grade 1: CHIEF-INSPECTOR

Description: Black background – Three-stripe yellow badge – Black sword on yellow bloom – Yellow brim – PNTL initials

Grade 2: INSPECTOR

Description: Black background – Two-stripe yellow badge – Black sword on yellow bloom – Yellow brim – PNTL initials

Grade 3: ASSISTANT-INSPECTOR

Description: Black background – One-stripe yellow badge – Black sword on yellow bloom – Yellow brim – PNTL initials

C. Rank: **SERGEANT**

Total Grades: Three (3) Grades

Grade 1: CHIEF-SERGEANT

Description: Dark-blue background – Three-wedge yellow badge, with third wedge linked across from below – PNTL initials in yellow – Black sword on yellow bloom – Yellow brim

Grade 2: FIRST-SERGEANT

Description: Dark-blue background – Two-wedge yellow badge, with second wedge linked across from below – PNTL initials in yellow – Yellow brim

Grade 3: SERGEANT

Description: Dark-blue background – Yellow badge with single-wedge linked across from below – PNTL initials in yellow – Yellow brim

D. Rank: **AGENT**
Total Grades: Three (3) Grades

Grade 1: CHIEF-AGENT

Description: Dark-blue background – Three V-shaped yellow lines with their tip turned up – PNTL initials in yellow – Blue brim

Grade 2: SENIOR AGENT

Description: Dark-blue background – Two V-shaped yellow lines with their tip turned up – PNTL initials in yellow – Blue brim

Grade 3: AGENT

Description: Dark-blue background – Single V-shaped yellow line with tip turned up – PNTL initials in yellow – Blue brim