

**DECREEE LAW No. 30/2011
of 27th of July**

**Conditions and Procedures to be Observed in
relation to the Import of Motor Vehicles**

four tons.

**Article 3
Exceptions**

The import of vehicles shall help promote economic development. For this reason it is essential to define the features of the vehicles to be imported to Timor-Leste, to ensure both consumer and the environment are protected.

On the other hand, the establishment of a prior authorisation system regarding the import of vehicles will help accomplish efficient control of import operations and establish a system which verifies whether the vehicles brought into the Country fulfil the technical specifications defined by law.

It is therefore with the aim to regulate conditions and procedures concerning the import of vehicles that the present Decree Law shall be approved.

The Government, under the terms of subparagraph o) of no. 1 of article 116 of the Constitution of the Republic, hereby declares the following as law:

CHAPTER I

**Article 1
Object**

The present diploma shall regulate the conditions and procedures to be observed in relation to the import of mixed and light passenger vehicles.

**Article 2
Prohibition**

1. Without prejudice to the exceptions drawn up in the following article, it shall be forbidden to import mixed and light passenger vehicles of over five years old, as of date of manufacture.
2. For the purposes of the present of Decree-Law mixed and light passenger vehicles, recreational vehicles, vans, minivan, passenger transport vehicles with 1a seating capacity of no more than 20 places, light commercial vehicles and trucks with a cargo capacity of less than

Imports of mixed and light passenger vehicles of over five years old as of date of manufacture shall be authorised, under the following conditions:

a) Motor vehicles imported by residents in the national territory over the age of 18 years old , after a period of twelve months abroad, as long as the vehicle was brought, registered in the name of the person importing it and has remained in the possession of such person abroad, at least twelve months before being imported to Timor-Leste;

b) Heavy passenger vehicles with a seating capacity of over 20 places;

c) Heavy goods vehicles, including vans and trucks with load capacity of over four tons, farm, construction and material handling vehicles;

d) Motor vehicles imported under the scope of international agreements;

e) Motor vehicles imported for personal use identified as collector's items, notably;

“Veteran” motor vehicles (collector's item) built before 1909;

“Era” motor vehicles (collector's item) built before 1930;

“Classic” motor vehicles (collector's item) built before 1980;

f) Motor vehicles classified by the Revenues and Customs Directorate-General as being of public utility and donated to registered charitable organisations, aimed at assisting the community.

**Article 4
Import of Commercial Vehicles**

Importers of commercial vehicles, notably for sale, leasing, hiring or exchange shall obtain the written approval from the Foreign Trade Department and Land Transport Department,

before having the vehicle despatched.

2. The imported vehicle shall correspond to the vehicle for which such approval was given.
3. The lack of approval referred to in paragraph 1 above or the cases referred to in the preceding paragraph shall result in the re-exporting of the vehicle within a period of 30 days, the costs of the whole process being borne by the importer.
4. In the case of non-fulfilment of the penalty mentioned in the preceding paragraph, the vehicle shall be considered as belonging to the State, the customs procedures being duly fulfilled.

Article 5

Authorisation to Import Vehicles for Private Use

1. Importers of vehicles of private use shall not obligatorily require to obtain written approval from the Foreign Trade Department and the Land Transport Department, but shall ascertain before import that the vehicle fulfils all the vehicle requirements defined by law for such import.
2. The non-fulfilment of the requirements defined for the import of vehicles shall result in the re-export of such vehicles within a period of thirty days, the costs of such process being borne by the importer.
3. In the case of non-fulfilment of the penalty mentioned in the preceding paragraph, the vehicle shall be considered as belonging to the State, the customs procedures being duly fulfilled.

Article 6

Falsification of documents and vehicle parts

1. In the event the import has falsified or forged documents with the purpose of bypassing the rules regarding the import of vehicles, the imported merchandise shall be seized by the customs authorities and shall become the property of the State, fulfilling the necessary customs procedures, besides the criminal liability to be established in relation to the importer.
2. In the event the import has falsified or

forged vehicle parts with the purpose of bypassing the rules regarding the import of vehicles, the imported merchandise shall be seized by the customs authorities and shall become the property of the State, fulfilling the necessary customs procedures, besides the criminal liability to be established in relation to the importer.

3. In the event of having been considered State property, as a result of the application of the penalty, the vehicle shall be dismantled and the parts shall be sold by public auction, in accordance with the customs procedure.

Article 7

Competent Authority

1. The National Customs Department of the Finance Ministry shall be the authority responsible for the verification of the fulfilment of the prior import authorisation and for the verification of the technical characteristics of the vehicles upon their delivery in Timor-Leste.
2. The Revenues and Customs Director-General may, for reasons of storage convenience, order the removal of vehicles from the customs area to another location defined for the effect.

Article 8

Settlement of Irregularities by the Importer or Intermediary

Irregularities concerning the import of vehicles shall not be resolved by the importer or any intermediary.

Article 9

The rules set out in the Timor-Leste Customs Code shall in a suppletive capacity apply to these procedures defined in the present diploma.

Article 10

Entry into Force

The present Decree Law shall enter into force on the day immediately following that of its

publication.

Approved in Council of Ministers on 25 May
2011

The Prime Minister

Kay Rala Xana Gusmão

Promulgated on 21/07/11

To be published

The President of the Republic

José Ramos-Horta