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of 20 June

STRUCTURE OF THE III CONSTITUTIONAL GOVERNMENT

The III Constitutional Government of Timor-Leste will be a short-lived government. It is being formed in the wake of the election for President of the Republic whose outcome led to the inevitable resignation of the Prime Minister of the II Constitutional Government. On the other hand, a date has already been set for the parliamentary election which shall take place quite soon.

Because the Government's lifespan will in all likelihood be very short, it makes no sense to define a structure for the Government that differs from that of the previous Government. Thus, the adjustments made reflect only minor changes and have to do with the individuals involved. Generally speaking, the structure of the previous Government remains intact.

Thus,

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

CHAPTER I GOVERNMENT STRUCTURE

Article 1 Composition

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

Article 2 Deputy Prime Minister

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

Article 3 Ministers

1. The Government has the following ministers:

- a) Minister of Defence;
- b) Minister of Health;
- c) Minister of State Administration;
- d) Minister of Planning and Finance;
- e) Minister of Foreign Affairs and Cooperation;
- f) Minister of the Interior;
- g) Minister at the Presidency of the Council of Ministers;
- h) Minister of Education and Culture;
- i) Minister of Justice;
- j) Minister of Labour and Community Reinsertion;

- k) Minister of Agriculture, Forestry and Fisheries
 - l) Minister of Development
 - m) Minister of Public Works;
 - n) Minister of Natural Resources, Mineral Resources and Energy Policy;
 - o) Minister of of Transport and Communications.
2. The Prime Minister also performs the functions of Minister of Defence.
 3. The Deputy Prime Minister also performs the functions of Minister of Health.

Article 4

Deputy Ministers and Secretaries of State

1. The Prime Minister is assisted in his functions by the following members of Government:
 - a) Deputy Prime Minister;
 - b) Minister at the Presidency of the Council of Ministers;
 - c) Secretary of State for the Council of Ministers;
 - d) Secretary of State for Youth and Sports;
 - e) Secretary of State for Environmental Coordination, Territorial Planning and Physical Development;
 - f) Secretary of State for the Coordination of Region I (Lautém, Viqueque and Baucau);
 - g) Secretary of State for the Coordination of Region II (Manatuto, Manufahi and Ainaro);
 - h) Secretary of State for the Coordination of Region III (Díli, Aileu and Ermera);
 - i) Secretary of State for the Coordination of Region IV (Liquiçá, Bobonaro and Covalima); and
 - j) Resident Secretary of State in Oe-cusse.
2. The Ministers are assisted in their functions by the following Deputy Ministers and Secretaries of State:
 - a) The Minister of Health, by the Deputy Minister of Health;
 - b) The Minister of State Administration by two Deputy Ministers of State Administration;
 - c) The Minister of Planning and Finance by the Deputy Minister of Planning and Finance;
 - d) The Minister of Foreign Affairs and Cooperation by the Deputy Minister of Foreign Affairs and Cooperation;
 - e) The Minister of the Interior by the Deputy Minister of the Interior;
 - f) The Minister of Education and Culture by the Deputy Minister of Education for Technical and Higher Education and the Deputy Minister of Education for Primary and Secondary Education;
 - g) The Minister of Labour and Community Reinsertion by the Secretary of State for the Affairs of Veterans and Former Combatants;
 - h) The Minister of Development by the Deputy Minister of Development;
 - i) The Minister of Public Works by the Deputy Minister of Public Works.

Article 5
Council of Ministers

1. The Council of Ministers consists of the Prime Minister, the Deputy Prime Minister and the Ministers.
2. Unless otherwise established or determined by the Prime Minister, the following shall take part in the Council of Ministers without the right to vote.
 - a) The Secretary of State for the Council of Ministers;
 - b) The Secretary of State for Youth and Sports;
 - c) The Secretary of State for Environmental Coordination, Territorial Planning and Physical Development.
3. Deputy Ministers and other Secretaries of State called upon by indication of the Prime Minister may also take part in the Council of Ministers, without the right to vote, except where they are substituting the respective minister.
4. It shall be incumbent upon the Council of Ministers to approve, through a resolution, the rules regarding its organisation and functioning.
5. It shall also be incumbent upon the Council of Ministers to decide on the creation of permanent or temporary commissions for the analysis of drafts of legislative or political acts, or for the presentation of recommendations to the Council.

CHAPTER II
COMPETENCES OF THE MEMBERS OF GOVERNMENT

Article 6
Prime Minister

1. The Prime Minister has his own competences and others that are delegated under the Constitution and the law.
2. It is particularly incumbent upon to the Prime Minister:
 - a) To lead the Government and preside over the Council of Ministers;
 - b) To direct and guide the overall policy of the Government and the governing action;
 - c) To represent the Government and the Council of Ministers in their relations with the President of the Republic and the National Parliament.
3. As head of the Government, the Prime Minister has the power to issue instructions to any member of the Government and to make decisions on subjects falling in the areas of responsibility of any ministry or office of secretary of State, as well as to establish permanent or temporary commissions or workgroups to deal with issues under the competence of the Government.
4. The Prime Minister also has powers regarding the services, bodies and activities under the Presidency of the Council of Ministers that are not the responsibility of the other ministers or secretaries of State that are part thereof.
5. The Prime Minister may delegate on any member of the Government the competence bestowed on the previous paragraph, as well as competences legally attributed to him with respect to Public Administration.

6. In his absences or impediments, the Prime Minister shall be replaced by the Deputy Prime Minister and by the members of the Government that follow in the hierarchy on a successive order.

Article 7
Deputy Prime Minister

1. The Deputy Prime Minister coordinates, through delegation by the Prime Minister, other members of the Government, in specific areas of the governing activity.
2. The Deputy Prime Minister coordinates the Government, in the absences and impediments of the Prime Minister.

Article 8
Ministers

1. Ministers have their own competences and the competence that is delegated unto them, under the law, by the Prime Minister or by the Council of Ministers.
2. Each minister is replaced, in his absences or impediments, by the respective Deputy Minister or Secretary of State.
3. Should no substitution be possible within the Ministry, the substitution shall be done by another Minister, designated by the Prime Minister, under proposal of the Minister to be replaced.

Article 9
Deputy Ministers and Secretaries of State

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

CHAPTER III
STRUCTURE OF THE GOVERNMENT

SECTION I
PRIME MINISTER AND PRESIDENCY OF THE COUNCIL OF MINISTERS

Article 10
Services and bodies under the Prime Minister

1. The following bodies are directly dependent upon the Prime Minister:
 - a) National State Security Service;
 - b) Office of the Inspector General;
 - c) Timor Sea Office
 - d) Office of the Advisor on Human Rights;
 - e) Office of the Advisor on the Promotion of Equality;
 - f) Capacity Development Unit;
 - g) Institute for the Promotion of Investments and Exports

2. According to its statute, the Banking and Payments Authority is also dependent upon the Prime Minister.

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

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

- a) The Secretary of State for the Council of Ministers;
- b) The Secretary of State for Youth and Sports;
- c) The Secretary of State for Environmental Coordination, Territorial Planning and Physical Development
- d) Secretary of State for the Coordination of Region I (Lautém, Viqueque and Baucau);
- e) Secretary of State for the Coordination of Region II (Manatuto, Manufahi and Ainaro);
- f) Secretary of State for the Coordination of Region III (Díli, Aileu and Ermera);
- g) Secretary of State for the Coordination of Region IV (Liquiçá, Bobonaro and Covalima); and
- h) Resident Secretary of State in Oe-cusse.

Article 12 **Minister at the Presidency of the Council of Ministers**

It is incumbent upon the Minister at the Presidency of the Council of Ministers to assist the Prime Minister in the following areas:

- a) To define policies, draft programmes and laws of a general nature;
- b) To define policies and a regulatory framework for the media in general and to provide overall-guidance to State owned media;
- c) To follow parliamentary activities on a daily basis, on behalf of the Government;
- d) To act as the Government's spokesperson.

Article 13 **Secretary of State for the Council of Ministers**

1. The Secretary of State for the Council of Ministers takes on the competences necessary for the work of the Office of the Secretary of State for the Council of Ministers.
2. The Office of the Secretary of State for the Council of Ministers is the Government's main body for providing judicial support and consultation to the Council of Ministers and Prime Minister, being responsible for:
 - a) Coordinating the legislative procedures within the Government, ensuring the internal judicial coherence and harmony of the legislative acts approved in Council of Ministers;
 - b) Providing technical and administrative support to the Council of Ministers;

- c) Ensuring litigation services for the Presidency of the Council of Ministers;
 - d) Responding, in collaboration with the respective ministry, to procedures aiming to verify constitutionality and legality;
 - e) Coordinating the implementation of the decisions by the Council of Ministers;
 - f) Representing the Council of Ministers and the Prime Minister, when he so decides it, in especially created commissions;
 - g) Ensuring compliance with the rules and procedures of the Council of Ministers;
 - h) Translating or accompanying the translation of legal statutes or other documents necessary for the action of the Council of Ministers or the Prime Minister;
 - i) Acting as spokesperson for the Council of Ministers;
 - j) Being responsible for the implementation of the budget allocated to him/her through the State Budget.
3. The bodies and services that compose the Office of the Secretary of State for the Council of Ministers are those defined in the respective organic law.

Article 14
Secretary of State for Youth and Sports

1. The Secretary of State for Youth and Sports takes on the competences necessary for the work of the Office of the Secretary of State for Youth and Sports.
2. The Office of the Secretary of State for Youth and Sports is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the promotion of the well-being and development of youth, physical education and sports. It is incumbent upon the Office of the Secretary of State for Youth and Sports:
 - a) To design policies and draft the necessary laws and regulations for youth and sports;
 - b) To promote activities meant for young people, as well as sporting activities;
 - c) To be responsible for the implementation of the budget allocated to him/her through the State Budget;
 - d) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
3. The bodies and services that make up the Office of the Secretary of State for Youth are those defined in the respective organic law.

Article 15
Secretary of State for Environmental Coordination, Territorial Planning and Physical Development

1. Without prejudice to the inherent competencies of each Minister in the area of infrastructure, it shall be incumbent upon the Secretary of State for Environmental Coordination, Territorial Planning and Physical Development to assist the Prime

Minister in coordinating and monitoring measures taken in the areas of environment, infrastructure, housing policy and territorial planning.

2. The Secretary of State for Environment Coordination, Territorial Planning and Physical Development shall be delegated the competence:
 - a) To lead the sectoral working group for infrastructure;
 - b) To establish mechanisms of collaboration and coordination with other governmental organs responsible for related areas;
 - c) To carry out other monitoring activities of the measures taken in the fields of environment coordination, physical development and territorial planning, as per instructions of the Prime Minister;
 - d) To encourage environmental protection;
 - e) To support the Secretaries of State for Regional Coordination and for the Resident Secretary of State in Oecusse in the implementation of programmes and projects of physical and environmental development;
 - f) To take on the responsibility for implementing the budget appropriated through the State Budget.

Article 16

Secretaries of State for Regional Coordination and for the Resident Secretary of State in Oecusse

1. The Secretaries of State for the Coordination of Regions I, II, III and IV and the Resident Secretary of State in Oecusse shall be delegated competencies to:
 - a) Execute the Government programme in their respective territorial areas, in coordination with the relevant Ministries and Secretariats of State and under the guidance of the Prime Minister;
 - b) Establish and preside over the regional executive council in their respective territorial areas, involving the district administrators and the district representatives of the relevant Ministries and Secretariats of State;
 - c) Establish and preside over the coordinating regional council in their respective territorial areas, involving the members of the regional executive council and the sub-district administrators.
2. The Resident Secretary of State in Oecusse shall be further delegated the competence to:
 - a) Promote the process of attributing a special status to that territory;
 - b) Establish and preside over a consultative council involving the district administrator as secretary, the sub-district administrators and the representatives of the relevant Ministries and Secretariats of State.
3. The Secretaries of State referred to in subarticle 1 above must reside in the territorial area where they exercise their competencies.
4. The appointment of the Secretaries of State for Regional Coordination and the Resident Secretary of State in Oecussi shall not have as an effect the abolishment of the

posts of any district administrators.

SECTION II MINISTRIES

Article 17 Ministries

The ministers listed in article 3(1) are, respectively, the heads of the following ministries:

- a) Ministry of Defence;
- b) Ministry of Health;
- c) Ministry of State Administration;
- d) Ministry of Planning and Finance;
- e) Ministry of Foreign Affairs and Cooperation;
- f) Ministry of the Interior;
- g) Ministry of Education and Culture;
- h) Ministry of Justice;
- i) Ministry of Labour and Community Reinsertion;
- j) Ministry of Agriculture, Forestry and Fisheries;
- k) Ministry of Development;
- l) Ministry of Public Works;
- m) Ministry of Natural Resources, Mineral Resources and Energy Policy;
- n) Ministry of Transport and Communications.

Article 18 Ministry of Defence

1. The Ministry of Defence is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of national defence and military cooperation. It is incumbent upon the Ministry of Defence:
 - a) To propose policies and draft the necessary laws and regulations for the areas under its responsibility;
 - b) To sign international agreements on defence and military cooperation, in coordination with the Ministry of Foreign Affairs,;
 - c) To administer and oversee the armed forces of Timor-Leste;
 - d) To promote the adequacy of military means;
 - e) To oversee military maritime and aerial navigation;
 - f) To take on the responsibility for the implementation of the budget allocated to it through the State Budget;
 - g) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Defence and Security are those defined in the respective organic law.

Article 19

Ministry of Health

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

Article 20

Ministry of State Administration

1. The Ministry of State Administration is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of public administration, local and regional power. It is incumbent upon the Ministry of State Administration:
 - a) To propose policies and draft the necessary laws and regulations pertaining to the status of civil servants, social security of civil servants and staff in agencies under direct and indirect administration by the State, administrative procedures, electoral systems and public archives;
 - b) To coordinate and oversee the activity of the services and bodies of regional and local government;
 - c) To propose and promote measures aimed at cutting red tape and improving the efficiency of the Civil Service;
 - d) To ensure the proper publication of official acts in the Official Gazette;
 - e) To take on the responsibility for the implementation of the budget allocated to it through the State Budget;
 - f) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of State Administration are those defined in its organic law.
3. The Minister of State Administration may delegate on the Deputy Ministers the competences regarding the bodies and services under him/her.

Article 21
Ministry of Planning and Finance

1. The Ministry of Planning and Finance is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of planning, budget and finance. It is incumbent upon the Ministry of Planning and Finance:
 - a) To propose macroeconomic, monetary and exchange-rate policies, in collaboration with the central bank;
 - b) To propose policies and draft laws and regulations on tax and non-tax revenues, budgetary framework, procurement, public accounting, public finance, auditing and control of the State treasury, issuing and management of the public debt;
 - c) To administer the petroleum fund of Timor-Leste;
 - d) To work in cooperation with the Ministry of Foreign Affairs, so as to coordinate the relationship of Timor-Leste with the development partners;
 - e) To manage the external public debt, the State's stakes in companies and external assistance;
 - f) To manage the State's assets, without prejudice to the powers of the Ministry of Justice in terms of real estate assets;
 - g) To compile and publish official statistics;
 - h) To take on the responsibility for the implementation of the budget allocated to it from the State Budget;
 - i) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Planning and Finance are those defined in its organic law.
3. The Minister of Planning and Finance may delegate on the Deputy Minister the competences regarding the bodies and services under him/her.

Article 22
Ministry of Foreign Affairs and Cooperation

1. The Ministry of Foreign Affairs and Cooperation is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of international diplomacy and cooperation, consular functions, and the promotion and defence of the interests of the Timorese living abroad.
2. It is incumbent upon the Ministry of Foreign Affairs to coordinate, in collaboration with the Ministry of Planning and Finance, the relations between Timor-Leste and the development partners.
3. It is also incumbent upon the Ministry of Foreign Affairs and Cooperation to take on the responsibility for the implementation of the budget allocated to it from the State Budget
4. The bodies and services that make up the Ministry of Foreign Affairs and Cooperation are those defined in its organic law.

5. The Minister of Foreign Affairs and Cooperation may delegate on the Deputy Minister the competences regarding the bodies and services under him/her

Article 23
Ministry of the Interior

1. The Ministry of the Interior is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of public security, criminal investigation, civil protection and immigration, as defined and approved by the Council of Ministers, and it shall be responsible for the following:
 - (a) Proposing policies and formulating necessary draft regulations for its areas of purview;
 - (b) Assuming the responsibility for implementing the budget appropriated through the State Budget;
 - (c) Establishing collaboration and coordination mechanisms with other governmental organs responsible for related areas.
2. The organs and services that comprise the Ministry of the Interior shall be those defined in its organic law.
3. The Ministry of the Interior may delegate to the Deputy Minister the competencies relating to the organs and services under his or her purview.

Article 24
Ministry of Education and Culture

1. The Ministry of Education and Culture is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of education and culture, as well as science and technology. It is incumbent upon the Ministry of Education and Culture:
 - a) To propose policies and draft the laws and regulations required for the areas under its responsibility;
 - b) To ensure education for children, literacy and teaching;
 - c) To regulate the mechanisms for equating academic degrees and propose the curricula for the various education degrees;
 - d) To look after, preserve and protect Timor-Leste's historic-cultural heritage;
 - e) To protect the rights concerning artistic and literary creation;
 - f) To propose policies for the definition and development of culture;
 - g) To promote scientific knowledge and the implementation of new technologies in Timor-Leste;
 - h) To take on the responsibility for the implementation of the budget allocated to it from the State Budget;
 - i) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Education are those defined in its organic law.

3. The Minister of Education and Culture may delegate on the Deputy Ministers and the Secretary of State the competences concerning the bodies and services under him.

Article 25 **Ministry of Justice**

1. The Ministry of Justice is the Government's main body responsible for the design, execution, coordination and assessment of the policies defined and approved by the Council of Ministers for the areas of justice. It is incumbent upon the Ministry of Justice:
 - a) To propose policies and draft laws and regulations required for the areas under its responsibility;
 - b) To regulate and manage the prison system, the execution of sentences and the community reinsertion services;
 - c) To ensure mechanisms of representation and legal aid for the most underprivileged citizens, through the Public Defender's Office;
 - d) To create proper mechanisms for securing citizen's rights and disseminating information on applicable laws;
 - e) To organize the cadastre of rural and urban buildings and the registry of immovable assets;
 - f) To manage and oversee the registries and notaries' system;
 - g) To manage State properties on a day-by-day basis;
 - h) To promote and guide the judicial training of legal operators and the remaining civil servants;
 - i) To take on the responsibility for the implementation of the budget allocated to it from the State Budget;
 - j) To set up collaboration and coordination mechanisms with other Government bodies responsible for related areas.
2. The bodies and services that make up the Ministry of Justice are those defined in its organic law.

Article 26 **Ministry of Labour and Community Reinsertion**

1. The Ministry of Labour and Community Reinsertion is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of labour, employment and community reinsertion, as defined and approved by the Council of Ministers, and it shall be responsible for the following:

- (a) To propose policies and formulate necessary draft regulations for the areas of work and employment, safety, hygiene and health in the workplace, and for the establishment of the minimum wage;
- (b) To design and implement social security systems for the workers;
- (c) To ensure the insertion of veterans and former combatants into the community;
- (d) To ensure the protection and community reinsertion of other vulnerable groups;

- (e) To promote and regulate professional training;
- (f) To encourage the hiring of Timorese workers overseas as well as to regulate and monitor the work of foreigners in Timor-Leste;
- (g) To monitor compliance with legal provisions on labour;
- (h) To take on the responsibility for implementing the budget allocated to it from the State Budget;
- (i) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas.

2. The organs and services that comprise the Ministry of Labour and Community Reinsertion shall be those defined in its organic law.
3. The Ministry of Labour and Community Reinsertion may delegate to the Secretary of State for Veterans and Former Combatants the competencies relating to the organs and services under his or her purview.

Article 27

Ministry of Agriculture, Forestry and Fisheries

1. The Ministry of Agriculture, Forestry and Fisheries is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of agriculture, forestry and fisheries, as defined and approved by the Council of Ministers, and it shall be responsible for the following

- (a) To propose policies and formulate necessary draft regulations for its areas of purview;
- (b) To manage techno-agricultural training;
- (c) To promote agrarian research;
- (d) To monitor land use for the agricultural and cattle-breeding industries;
- (e) To promote and inspecting animal health;
- (f) To promote the agricultural, cattle-breeding and fisheries industries;
- (g) To inspect food production;
- (h) To manage the Quarantine Services;
- (i) To inspect and investigate irrigation systems;
- (j) To manage forest resources and hydrographic basins;
- (k) To manage National Parks and protected areas
- (l) To monitor and inspect the fisheries and aquaculture sectors;
- (m) To take on the responsibility for implementing the budget allocated to it through the State Budget;
- (n) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas;.

2. The organs and services that comprise the Ministry of Agriculture, Forestry and Fisheries shall be those defined in its organic law.

Article 28

Ministry of Development

1. The Ministry of Development is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of development of the private and cooperative sectors, as well as for the promotion of

tourism, as defined and approved by the Council of Ministers, and it shall be responsible for:

- (a) To propose policies and formulate the necessary draft regulations for its areas of purview;
- (b) To monitor and regulate the economic activities geared towards the provision of goods and services;
- (c) To promote domestic and foreign trade;
- (d) To promote national and international rules of standardisation, metrology and quality control, as well as standard units of measurement and of physical magnitude;
- (e) To promote and regulate appropriate tourism in Timor-Leste;
- (f) To promote and regulate the protection of industrial property;
- (g) To take on the responsibility for implementing the budget allocated to it through the State Budget;
- (h) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas.

2. The organs and services that comprise the Ministry of Development shall be those defined in its organic law.

3. The Ministry of Development may delegate to the Deputy Minister the competencies relating to the organs and services under his or her purview.

Article 29

Ministry of Public Works

1. The Ministry of Public Works is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of public works, civil construction, building of roads and bridges, flood control, housing, and territorial planning, as defined and approved by the Council of Ministers, and it shall be responsible for the following:

- (a) To propose policies and formulate the necessary draft regulations for its areas of purview;
- (b) To take on the responsibility for implementing the budget appropriated through the State Budget;
- (c) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas.

3. The organs and services that comprise the Ministry of Public Works shall be those defined in its organic law.

3. The Minister of Public Works may delegate to the Deputy Minister the competencies relating to the organs and services under his or her purview.

Article 30

Ministry of Natural Resources, Mineral Resources and Energy Policy

1. The Ministry of Natural Resources, Mineral Resources and Energy Policy is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of energy, mineral and natural resources, including

oil, gas and water, as well as the activities of the electrical, mining, oil and chemical industries, as defined and approved by the Council of Ministers, and it shall be responsible for:

- (a) To propose policies and formulate the necessary draft regulations for its areas of purview;
- (b) To take on the responsibility for implementing the budget allocated to it through the State Budget;
- (c) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas.

2. The organs and services that comprise the Ministry of Natural Resources, Minerals and Energy Policy shall be those defined in its organic law.

Article 31

Ministry of Transport and Communications

1. The Ministry of Transport and Communications is the governmental department responsible for designing, executing, coordinating and assessing the policies for the areas of land, maritime and aerial transports of a civil nature, including ancillary services, and of communications, including postal, telegraphic, telephone and other telecommunication services, the use of radio-electrical spectrum, computer and meteorological services, as defined and approved by the Council of Ministers, and it shall be responsible for:

- (a) To propose policies and formulate the necessary draft regulations for its areas of purview;
- (b) To take on the responsibility for implementing the budget allocated to it through the State Budget;
- (c) To establish collaboration and coordination mechanisms with other governmental organs responsible for related areas.

2. The organs and services that comprise the Ministry of Transport and Communications shall be those defined in its organic law.

SECTION III

OTHER ENTITIES AND INSTITUTIONS

Article 32

Equivalence to Secretaries of State

For remuneration purposes, the following dignitaries shall have the rank of a Secretary of State:

- (a) The Commander of FALINTIL-FDTL;
- (b) The General Commander of the PNTL;
- (c) The Director-General of the State Security Services;
- (d) The Director-General of the Banking and Payments Authority.

Article 33

Indirect Administration

1. Pursuant to Subsection 115(3) of the Constitution of the Republic, the Government may establish, by decree-law and under the purview of the competent member of Government for the respective area, public corporate bodies endowed with administrative, financial and proprietary autonomy for the purpose of meeting collective needs, once it is ascertained that the modality of indirect administration is more appropriate to the pursuit of the public interest and to the satisfaction of the above-mentioned collective needs.
2. The public corporate bodies referred to in subarticle 1 above may assume the modality of public institutes, public establishments, public foundations and public companies, as defined by their organic statutes.
3. The regime of the various modalities of public corporate bodies, including the scope and limits of their administrative and financial autonomies, shall be defined by specific statutes.

Article 34 Public Institutes

Pursuant to the provisions of Article 32 above, the following public institutes shall be established by specific statutes:

(a) The Institute for the Promotion of Investment and Export, under the purview of the Prime Minister;

1. The Institute for the Management of State Assets, established by Decree-Law no. 11/2006 of 12 April shall be under the joint purview of the Minister of Planning and Finance and the Minister of Transport and Communications.

2. The following institutions shall be under the purview of the Minister of Development:

(a) The Institute for the Promotion of Foreign Investment and Exports, established by Decree-Law no. 7/2005 of 27 July;

(b) The Institute for Business Development, established by Decree-Law no. 5/2005 of 27 July.

CHAPTER IV FINAL AND TRANSITIONAL PROVISIONS

Article 35 Delegation of Competencies

1. The delegation of competencies must proceed from leaders of higher ranking to leaders of lower ranking, in accordance with the law.
2. Constitutionally established competencies shall not be delegable.
3. For all other cases, the delegation of competencies shall be permitted whenever not expressly prohibited by law and shall require a written document defining its scope and duration.
4. The delegating organ shall be held responsible for the acts performed by the organ to which the competencies are delegated.

Article 36
Delegable Competencies

The following may delegate the exercise of inherent competencies:

- (a) The Prime Minister to the Deputy Prime Minister, Ministers and Secretaries of State who fall under his or her direct purview;
- (b) Ministers to Deputy Ministers and to Secretaries of State of their Ministries.

Article 37
Repeal

Decree-law no.13/2009, of 9 August is hereby repealed.

Article 41
Effectiveness of this decree-law

The legal effects of the present decree-law report back to 19 May 2007.

Approved by the Council of Ministers on 28 May 2007..

The Prime Minister

(Estanislau Aleixo da Silva)

Promulgated on 20 June 2007.

To be published.

The President of the Republic

(José Ramos-Horta)