

**Decree-Law No. 9/2009
of 18 February**

ORGANIC LAW OF TIMOR-LESTE'S NATIONAL POLICE (PNTL)

The crisis that devastated the country in May 2006 had extremely serious consequences within the Timor-Leste's National Police (PNTL), with cleavages among a major part of its members and the temporary abandonment of several of them from its ranks.

In the wake of the establishment of PNTL, the existence of a police model that is clearly maladjusted to the Timorese reality points to the need for a profound revision of its Organic Law with a view to providing the police with a greater operational capability and an efficient chain of command, based on a clearly defined hierarchy.

While maintaining community policing as the guiding principle in the PNTL approach to policing, where proximity patrolling is given preference, an effort is also made now to ensure that PNTL acquires a more robust organisation, discipline, training and staff status. In these domains, and only in them, the nature of PNTL will be identical to that of a military institution.

This new approach is not intended to turn PNTL into a military force. On the contrary, PNTL's mission will remain distinct from that of F-FDTL with specificities that are particular to a police force whilst F-FDTL will remain the sole military institution in Timor-Leste.

On the other hand, the attacks of 11 February 2008, which put at stake the legitimately established rule of law, as well as the subsequent coordinated response by the defense and security forces of the country, with extremely meritorious results, justify the pressing need for the legislator to consider an enhanced coordination between PNTL and F-FDTL, as well as with other security services, in the accomplishment of common missions.

The Organic Law of PNTL has to contemplate this new reality and guide the police towards its full integration into the Integrated National Security System to be established within the framework of the Law on National Security.

The Organic Law also envisages the full integration of PNTL into the Maritime Authority System with the powers of a specialised maritime police to enforce the authority of the State together with other State entities and agents.

Thus, pursuant to article 115.3 and article 116(d) of the Constitution of the Republic, the IV Constitutional Government enacts the following to have the force of law:

CHAPTER I GENERAL PRINCIPLES

Article 1 Nature and mission

1. Timor-Leste's National Police, hereinafter referred to in short as PNTL, is a security force whose mission is to defend democratic legality, guarantee people's security and property, and safeguard citizens' rights in accordance with the Constitution and the Law.
2. Whereas, with regard to its strategy and approach to policing, PNTL shall have the characteristics of a community police, its nature shall be identical to that of the military insofar as its organisation, discipline, training and personal status are concerned without however constituting a force of a military nature.
3. PNTL shall be strictly non-partisan and shall exercise its activities exclusively at the service of the State.
4. PNTL shall have its own legal personality, shall be directly subordinated to the Ministry of Defense and Security, and shall have a single system of organisation for the whole national territory.
5. PNTL shall be hierarchically organised at all levels of its structure and its members shall obey the command hierarchy.

Article 2 Powers

1. The powers of PNTL shall be those deriving from legislation on national security and internal security, except in exceptional cases related to State of Siege and State of Emergency, as provided for in the Constitution, and in those cases resulting from legislation on national defense.

2. Within the framework of the Permanent Objectives as defined in the Law on National Security and within the framework of the internal security policy, and without prejudice to the legal powers resulting from other legislation, the fundamental objectives of PNTL shall be:

- a) To promote security conditions that will ensure the normal functioning of democratic institutions and the exercise of rights, liberties and guarantees by citizens;
- b) To ensure maintenance of order, security and public tranquillity;
- c) To prevent crime and other actions that is contrary to the law and the regulations;
- d) To fight organised crime and terrorism in coordination with the other security and defence forces and services, namely F-DFTL and the National Intelligence Service (*Serviço Nacional de Inteligência*, SNI);
- e) To ensure the surveillance and monitoring of land and maritime borders as well as the control of the movement of people and goods in coordination with other relevant structures, namely the F-FDTL and the Migration Service;
- f) To ensure and monitor the compliance with laws and regulations within the maritime areas under national jurisdiction, without prejudice to the powers assigned to other entities within the framework of the competences of the Maritime Authority System, in accordance with International Law and other applicable legislation;
- g) To promote the execution of administrative acts emanating from the competent authorities;
- h) To exercise the competences ascribed to it by law on matters of criminal proceeding and, namely to collect notices on crimes,

prevent their consequences and find their perpetrators, acting under the tutelage of the competent judicial authority, pursuant to the criminal procedure law;

- i) To collect, process and disseminate information relevant to the prevention and combat of crime by actively cooperating with SNI and the F-FDTL Military Intelligence Services;
- j) To act as the national INTERPOL desk;
- k) To ensure road safety by planning, monitoring and directing traffic in coordination with the Ministry for Infrastructure;
- l) To ensure security at sporting and similar events;
- m) To participate in the provision of security at airports, ports and maritime security in coordination with the Ministry of Infrastructure, pursuant to the law;
- n) To ensure the personal security of eminent persons and dignitaries, both national and foreign, paying visits to Timor-Leste;
- o) To provide help to members of the public and assist victims of accidents;
- p) To participate in international missions, under the terms defined by the Government;
- q) To cooperate with the security and defence forces and services that are part of the Integrated National Security System, provided for in the Law on National Security, with a view to promoting security;
- r) To contribute towards the training and information on matters of citizens' security;
- s) To ensure the security of people and property in case of fires, floods, landslides, earthquakes as well as in all situations susceptible of jeopardising people and property;

- t) To collaborate in the presentation of State honours;
- u) To collaborate with and support SNI in preventing and combating subversive actions against the institutionally established order and the democratically elected organs;
- v) To collaborate with and support F-FDTL in defending national sovereignty and territorial integrity;
- x) To fulfil all the other responsibilities as determined by law.

Article 3

Police measures

1. Within the framework of its powers, PNTL shall make exclusive use of police measures established by law and applicable under the terms of the Constitution and the law, namely:

- a) to demand the identification of any person finding himself or herself, or circulating, in a public place or that is under police surveillance;
- b) to keep watch over people, buildings and establishments for defined periods of time;
- c) to temporarily seize weapons, ammunition and explosives.

2. In its capacity as criminal investigation body and in accordance with the law, PNTL shall act under the tutelage of the competent judicial authority.

Article 4

Use of force

1. In cases of disturbances of public order and tranquillity and where other means reveal themselves to be insufficient to oppose illegitimate resistance against PNTL members, the latter shall be authorised to use force in the exercise of their functions, pursuant to the law.

2. Force may only be used in self-defence or in defence of third parties, to repel an actual and unlawful aggression against the physical integrity of PNTL members or other citizens.
3. The force to be used shall always be the minimum deemed necessary for re-establishing legitimate order and has to be proportional to the threat.
4. PNTL shall not impose restrictions or use coercive means beyond those that are strictly necessary.
5. PNTL may use weapons in accordance with their concept of employment of weapons and their respective operational requirements. The models and calibres of weapons shall be defined by a statute to be approved by the Government.
6. PNTL members shall not be allowed to possess weapons in their capacity as private citizens.

Article 5 Weapons and uniforms

1. In fulfilling their missions, PNTL members shall use the weapons distributed to them to that end.
2. When off-duty, PNTL members shall not be allowed to carry and use the weapons distributed to them, which must be collected and warehoused in appropriate places in the police units and stations to which the PNTL members have been assigned.
3. PNTL members shall be entitled to use distinctive uniforms and insignia, in accordance with the relevant regulations.

Article 6 Hierarchy

The following shall be the categories, sub-categories and ranks in which PNTL members are hierarchically ordered:

- a) Officers, covering senior officers, with the grades of Commissioner, Chief Superintendent, Superintendent and

Assistant Superintendent; inspectors, covering the grades of Chief Inspector, Inspector and Assistant Inspector;

- b) Sergeants, covering the grades of Chief-Sergeant, First-Sergeant and Sergeant;
- c) Agents, covering the grades of Chief Agent, Senior Agent and Agent.

Article 7 **Police authorities and bodies**

1. Within their legal sphere of competence, police authorities shall be those elements within the police force who exercise functions of command, namely:

- a) The PNTL General Commander;
- b) The PNTL Deputy General-Commander;
- c) The PNTL District Commanders;
- d) The commander of the Special Police Unit;
- e) The commander of Maritime Unit;
- f) The commander of the Boarder Patrol Unit;
- g) The PNTL Commander of Operations;
- h) The Head of the Criminal Investigation Service;
- i) The Head of the Police Intelligence Service;

2. Without prejudice to the preceding paragraph, law enforcement and criminal investigation officials shall include all PNTL members exercising police functions.

3. As a criminal investigation body, PNTL shall act under the direction of the competent judicial authority in accordance with the rules of criminal procedure.

4. The functional dependence referred to in the preceding paragraph shall take place without prejudice to the hierarchical organisation of PNTL.

Article 8 Duty to attend

Any person who has been notified or summoned by PNTL has the obligation to appear on the designated date, time and place on pain of disciplinary and criminal liability pursuant to the law.

CHAPTER II ORGANIC STRUCTURE

SECTION I PNTL COMMAND

Article 9 Organisation

The PNTL Command shall comprise the following:

- a) The General Commander;
- b) The Deputy General Commander;
- c) The advisory and inspection bodies;
- d) The General Command;
- e) The Units and Services;
- f) The District Commands;
- g) The Police Training Centre.

Article 10

General-Commander

1. The PNTL General Commander shall be a Commissioner, appointed by a resolution of the Council of Ministers acting on a proposal from the Minister in charge of Security and having sought the opinion of the Superior Council of the Police.
2. The General Commander shall be responsible for the fulfilment of the general missions assigned to PNTL.
3. It shall be incumbent upon the General Commander, in particular:
 - a) To command, manage, administer, control and inspect all PNTL bodies, commands and services;
 - b) To represent PNTL;
 - c) To preside over the Superior Council of the Police;
 - d) To ensure the execution of all the activities related to the organisation, means and capabilities, operations, instructions as well as the technical, logistical and administrative services of PNTL;
 - e) To assign and reassign personnel with police and civilian functions in accordance with PNTL needs and in compliance with its regulations;
 - f) To exercise disciplinary powers in accordance with PNTL's Disciplinary Regulation;
 - g) To order of inspections, inquiries and investigations into PNTL bodies and services;
 - h) To promote or propose promotions for PNTL officers in accordance with the Regime for Careers;
 - i) To take on the responsibility for PNTL's operational activities with a view to ensuring public order and tranquillity;

- j) To execute the orders issued by the Minister in charge of Security;
 - k) To exercise the powers delegated by the Minister in charge of Security in accordance with the law;
 - l) To exercise any other powers inherent to the General Commander which are provided by law.
4. The General Commander shall be accountable to the Minister in charge of Security.

Article 11

Deputy General Commander

1. The Deputy General Commander shall be a Commissioner, appointed by a resolution of the Council of Ministers acting on a proposal from the Minister in charge of Security and having sought the opinion of the Superior Council of the Police.
2. It shall be incumbent upon the Deputy General Commander:
- a) To assist the General Commander in the exercise of his/her functions;
 - b) To replace the General Commander when he/she is absent or prevented from attending;
 - c) To propose the promotion of PNTL officers in accordance with the Regime of Careers;
 - d) To propose the transfer of the deputy district commanders and other subordinate officers;
 - e) To exercise the responsibilities delegated or sub-delegated to him/her by the General Commander;
 - f) To report to the General Commander.

SECTION II
ADVISORY AND INSPECTION BODIES

Article 12
Composition

The following shall be advisory and inspection bodies:

- a) The Superior Council of the Police;
- b) The Office of General Inspection.

Article 13
Superior Council of the Police

1. The Superior Council of the Police shall be the advisory body of the General Commander and shall have no powers to make any decisions.
2. The Police Superior Council shall comprise the following:
 - a) The General Commander, who presides it over;
 - b) The Deputy General Commander;
 - c) The Inspector-General;
 - d) The PNTL Commander of Operations;
 - e) The PNTL Commander of Administration;
 - f) The Commander of the Special Police Unit;
 - g) The Commander of the Maritime Unit;
 - h) The Commander of the Border Patrol Unit;
 - i) The Head of Police Intelligence Service;
 - j) The Head of the Criminal Investigation Service;

- k) The Commander of the Police Training Centre;
- l) The District Commanders.

3. The Superior Council of the Police shall meet ordinarily on a six-month basis and extraordinarily whenever so convened by the General Commander or at the request of one third of its members to discuss disciplinary matters or matters relating to the professional status of PNTL members.

4. Abridged versions of the proceedings of the meetings of the Superior Council of the Police shall be prepared containing a summary of the issues presented for consideration and the decisions made as well as a record of the members in attendance who took part in the deliberations and the outcome of any votes where decisions were not been made by unanimity.

5. The Superior Council of the Police shall be responsible for issuing opinions on the following:

- a) The appointment of the General Commander and the Deputy General Commander;
- b) Any issues relating to working conditions and personnel, namely insofar as the definition of the professional status and the pay system are concerned;
- c) The conditions for exercising policing activities insofar as providing services to the populations is concerned;
- d) Training plans, needs and objectives of any training courses to be developed by the Police Training Centre;
- e) The application of disciplinary sanctions of compulsory retirement and dismissal of PNTL members;
- f) The granting of awards and decorations;
- g) Any other relevant disciplinary issues or relating to PNTL at the request of the Minister in charge of security;

6. The Superior Council of the Police shall be able to deliberate when at least two thirds of its members are present at a meeting and a simple majority shall suffice for its decisions to be binding.

7. In case of a draw, the chairperson shall have a casting vote.

8. It shall be incumbent upon the Superior Council of the Police to draft its internal rules of procedure for approval by the Minister for Defence and Security.

Article 14 **Office of the General Inspectorate**

1. The Office of the General Inspectorate shall be directly accountable to the General Commander and it shall be incumbent upon it to conduct internal audits into operational, administrative, financial, disciplinary and technical matters and to verify, evaluate, investigate and report on the performance of all services and activities of PNTL.

2. The responsibilities of the Office of the General Inspectorate shall include:

- a) To conduct inspections and audits into all activities of PNTL;
- b) To evaluate the legality, regularity, efficacy and efficiency of operational activities;
- c) To evaluate the legality and administrative regularity of staff in the area of management;
- d) To check the compliance with work plans and any internal decisions;
- e) To initiate inquiries and disciplinary proceedings resulting from its inspection activities;
- f) To study, propose and coordinate the measures relating to acts of discipline and evaluations requiring standard procedures;

- g) To organise and provide information on proceedings related to the granting of awards and decorations and evaluations pursuant to the relevant regulations;
 - h) To implement the decisions of the General Commander relating to ethics and discipline;
 - i) To evaluate and inform the General Commander on any files relating to disciplinary offenses, including appeals that does not fall under the competence of the District and Unit Commanders;
 - j) To evaluate and inform the General Commander on any accidents resulting in injuries or death of PNTL members where such accidents occur while on duty or as a consequence thereof;
3. The Office of the Inspectorate-General shall be headed by a Chief Superintendent appointed by the General Commander.
4. The Office of the General Inspectorate shall liaise and coordinate its activities with the Inspection and Audit Office, established by article 38 of Decree-Law No. 31/2008 of the Organic Law of the Ministry of Defence and Security.

SECTION III THE GENERAL COMMAND

Article 15 Location and composition

The General Command shall be located in Dili and shall comprise the following:

- a) The Operational Command;
- b) The Administrative Command;
- c) The Office of the General Commander;
- d) The Interpol Desk;

- e) The Department of Justice.

Article 16

Operational Command

1. The Operational Command shall comprise the following bodies:
 - a) The National Operations Centre;
 - b) The Department of Community Policing;
 - c) The Department of Traffic and Road Safety
 - d) The Department of Weapons and Explosives.
2. The Commander of the Operational Command shall be a Chief Superintendent, appointed by the General Commander, to whom he/she shall report directly, and shall have the following competences:
 - a) To lead and coordinate the activities of the bodies referred to in paragraph 1 of this article;
 - b) To coordinate, through the National Operations Centre, the operational activities at the national level or that involve more than one District Command or Unit;

Article 17

National Operations Centre

1. The National Operations Centre is the structure of the General Command in charge of the permanent communications centre and the planning of police operations.
2. The National Operations Centre shall have the following mission:
 - a) To liaise with the district operation centres;
 - b) To plan and conduct police operations at national level or that involve more than one district command or unit;

- c) To collect and analyse data related to operational activities;
- d) To undertake technical studies deemed relevant for police activities;
- e) To take on responsibility for the security and integrity of the information transmitted through the PNTL communications network;
- f) To liaise with the Integrated Crisis Management Centre.

Article 18
Department of Community Policing

The Department of Community Policing is part of the General Command and has the following specific functions:

- a) To define the needs and the special training programmes for community policing together with the Police Training Centre,;
- b) To prepare studies, opinions, programmes and activities to be developed by the district commands among the populations;
- c) To publicise the role and mission of PNTL among the community;
- d) To provide support to district commands in the establishment of relationships with the community structures;
- e) To perform any other tasks falling within the purview of its mission.

Article 19
Department of Traffic and Road Safety

The Department of Traffic and Road Safety is part of the General Command and has the following specific functions:

- a) To define the needs and the special training programmes for traffic and road safety together with the Police Training Centre;
- b) To prepare studies, opinions, programmes and activities related to road safety and to disseminate them among the district commands;
- c) To develop road safety campaigns and to educate the citizens to respect road-traffic laws;
- d) To collaborate with the competent authorities in defining road signs and road markings and to ensure that they are duly applied;
- e) To perform any other tasks falling within the purview of its mission.

Article 20
Department of Weapons and Explosives

The Department of Weapons and Explosives is part of the General Command and has the following specific functions:

- a) To advise on the probity of individuals applying for licences to use and carry weapons in accordance with the applicable law;
- b) To ensure the control and custody of weapons, ammunition and explosives seized under the applicable legislation;
- c) To provide support to the conduct of inspections that will guarantee compliance with relevant laws and regulations, namely on the manufacturing, import, export, commerce, transportation and use of weapons and explosives;
- d) To examine and investigate places and equipment where incidents involving weapons and explosives have occurred in coordination with the local police forces;
- e) To organise and maintain a register of licensed weapons;

- f) To perform any other tasks that falling within the purview of its mission.

Article 21

Administrative Command

1. The Administrative Command is the body within the General Command whose mission is to undertake PNTL administrative, financial, logistic, and disciplinary and human resources management activities.
2. The Commander of the Administrative Command shall be a Chief Superintendent, appointed by the General Commander, to whom he/she shall report directly.
3. The Administrative Command shall comprise the following departments:
 - a) The Department of Administration and Planning;
 - b) The Department of Finance and Budget;
 - c) The Department of Logistics;
 - d) The Department of Human Resources.
4. The Departments shall be divided into different sections and sub-sections for the benefit of a better efficacy in the provision of its services.
5. The detailed description of the functions of each Department, Section and Sub-Section shall be contained in the internal rules of procedure of the Administrative Command, to be approved by the Minister in charge of Security acting on a proposal from the General Commander after consultation with the Commander of Administration.

Article 22

Office of the General Commander

The Office of the General Commander shall provide direct support to the General Commander in the tasks determined by the latter and shall comprise a chief of staff as well as secretaries and administrative assistants.

Article 23
Interpol Desk

1. The Interpol Desk shall depend directly on the General Commander and its main mission shall be to facilitate the cooperation and mutual support between PNTL and the police forces from other countries in coordination with the Ministry for Foreign Affairs.

2. The Interpol Desk shall be the focal point for the Secretariat-General of Interpol, the regional offices and other countries in need of support in international investigations and in locating and capturing fugitives.

Article 24
Department of Justice

The PNTL Department of Justice shall depend directly on the General Commander and its main mission shall be to provide legal support and assistance in the preparation of legal proceedings involving Units, Services and Commands of PNTL without prejudice to the disciplinary powers granted to the commanders of the various echelons.

SECTION IV
UNITS AND SERVICES

Article 25
Composition

PNTL shall have the following Units and Services:

- a) The Special Police Unit;
- b) The Maritime Unit;
- c) The Border Patrol Unit;
- d) The Police Intelligence Service;
- e) The Criminal Investigation Service.

Article 26

Special Police Unit

1. The Special Police Unit shall be a reserve unit under the General Commander who retains its operational command, and shall have the following specific missions:

- a) To maintain and re-establish public order;
- b) To solve and manage critical incidents;
- c) To intervene tactically in situations of concentrated violence and of heightened danger, complexity and risk;
- d) To provide security to sensitive facilities and major events; to protect dignitaries;
- e) To dispose of explosives;
- f) To protect and rescue;
- g) To prepare for and deploy forces with international missions.

2. The Commander of the Special Police Unit shall be a Chief Superintendent appointed by the General Commander and the Special Police Unit shall be comprised of PNTL members with specialised training.

3. The Special Police Unit shall assist the district commands in the performance of their duties whenever their capacity is exhausted or whenever the nature of the threat or conflict so demand.

4. The Special Police Unit shall collaborate with the Defence Forces in missions provided for in the Integrated National Security System as defined in the Law on National Security Law, namely in the surveillance and control of land borders, response to natural disasters and calamities and in other situations that justify the combined employment of the two forces, particularly in the face of subversive threats that could jeopardize the Rule of Law.

5. The Special Police Unit, in collaboration with the Police Training Centre, shall define the needs and the special training programmes for its sub-units.

Article 27 **Organisation of the Special Police Unit**

The PNTL Special Police Unit shall have its headquarters in Dili and shall be organised as follows:

- a) Commander;
- b) Deputy Commander;
- c) Public Order Battalion;
- d) Close Protection Company;
- e) Special Operations Company;
- f) Support and Services Platoon.

Article 28 **Public Order Battalion**

The Public Order Battalion is a sub-unit composed of two operational companies and its main mission is to respond to serious disturbances of public order, provide security to sensitive facilities and locations and support other police units throughout the national territory.

Article 29 **Close Protection Company**

The Close Protection Company is a sub-unit and its main mission is to provide close protection to both national and foreign dignitaries and high-profile individuals visiting Timor-Leste.

Article 30 **Special Operations Company**

1. The Special Operations Company is a sub-unit specifically established to deal with situations of extreme violence, respond to acts of terrorism or armed actions, rescue of hostages and clearance of facilities occupied by highly dangerous groups.
2. The Special Operations Company has a section that deals with the disposal of explosive devices.

Article 31 **Support and Services Platoon**

The main mission of the Support and Services Platoon is to provide any services of an administrative nature and to support the functioning of the Unit.

Article 32 **Maritime Unit**

1. The Maritime Unit is a force with the specialised skills and powers of a Maritime Police. It is part of the Maritime Authority System and is specifically established to provide surveillance and monitor coastal areas and the so-called maritime public domain.
2. The Maritime Unit is commanded by a Superintendent appointed by the General Commander. It is composed of PNTL members with specialised and integrated training and has the following missions in the framework of the maritime authority:
 - a) To prevent and combat crime, including drug-trafficking, illegal fishing, trafficking in human beings, terrorism and piracy;
 - b) To prevent and combat clandestine immigration;
 - c) To provide security to coastal areas and to the maritime public domain;
 - d) To monitor, preserve and protect the marine environment, natural resources and underwater heritage and resources;

- e) To prevent and combat marine pollution;
- f) To safeguard human life on the sea and to provide maritime rescue services;
- g) To provide civil protection on the sea and in coastal areas;
- h) To protect public health;
- i) To provide surveillance along the maritime borders, in coordination and cooperation with other authorities and entities integrating the Maritime Authority System, particularly the naval component of the F-FDTL;
- j) To define the needs and the special training programmes together with the Police Training Centre;
- k) To perform other tasks that is in line with the nature of its mission and legitimately assigned to it, namely those falling within the purview of the Maritime Authority System.

Article 33

Border Patrol Unit

1. The Border Patrol Unit is specifically established to ensure the surveillance of the border and to control people and goods.
2. The Border Patrol Unit shall be headed by a Superintendent appointed by the General Commander and shall be composed of members of the police force deployed throughout the territory who shall be called to serve on a rota basis for periods of time to be determined by the Minister in charge of security.
3. The rota system shall also apply to the Commander of the Border Patrol Unit.
4. The Border Patrol Unit shall have the following specific missions:
 - a) To conduct patrolling and surveillance along the land border in coordination and cooperation with F-FDTL;

- b) To cooperate with the Migration Service in controlling the entry and exit of people and goods through the land border;
- c) To cooperate with the other administrative authorities with a view to ensuring compliance with fiscal, customs and sanitary laws;
- d) To undertake any other tasks in line with the mission legitimately entrusted to it.

Article 34

Police Intelligence Service

1. The Police Intelligence Service shall have the specific mission of designing and ensuring the development and maintenance of the PNTL operational intelligence system.

2. The Police Intelligence Service shall be headed by a Chief Superintendent appointed by the General Commander and shall have the following mission:

- a) To define the needs and special training programmes in intelligence gathering together with the Police Training Centre;
- b) To define technical standards relating to the research, collection and processing of news and data that are of interest to PNTL;
- c) To undertake studies, selection, processing and archiving of news that are of interest to the police;
- d) To prepare, together with other police authorities, studies and reports on crime and delinquency rates;
- e) To cooperate at international level, in coordination with the Ministry for Foreign Affairs, with other services and police forces in exchanges of intelligence on security;
- f) To cooperate with the National Intelligence Service and the F-FDTL Military Intelligence Service, pursuant to the Law on the

National Intelligence System of the Democratic Republic of Timor-Leste;

- g) To undertake other tasks in line with the nature of its mission and that are legitimately entrusted to it.
3. It shall be incumbent upon the Police Intelligence Service to organise and maintain a database and a centre that shall be subject to monitoring pursuant to the law.

Article 35

Criminal Investigation Service

1. The Criminal Investigation Service shall have the specific mission to investigate and prevent crime and execute the instructions of the competent judicial authority, pursuant to the law, without prejudice to its dependence from the PNTL hierarchy.
2. The Criminal Investigation Service shall be headed by a Chief Superintendent appointed by the General Commander and shall execute the following tasks:
 - a) To define the needs and special training programmes on criminal investigation together with the Police Training Centre;
 - b) Investigate and gather evidence in inquiries relating to common criminal offenses;
 - c) To investigate and gather evidence in inquiries or to collaborate in those activities related to other crimes whenever so requested, or delegated by the competent investigating entity;
 - d) To conduct surveillance on suspicious individuals as well as watch over and control suspicious activities and locations believed to be used for or suited to the preparation or execution of crimes, for using the proceeds thereof or that serve as hiding places for criminals;
 - e) To conduct any other tasks in line with the nature of the mission legitimately entrusted to it.

3. Investigation authorities and agents may freely enter premises where public performances are held, port areas, ships at berth or anchored in national territorial waters, airports and aircrafts parked in the national territory, headquarters of associations and, in general, all places where public meetings are held or to which the public is granted access against the payment of a fee or presentation of a ticket that can be bought by anyone.

4. While conducting criminal investigation activities, police authorities and agents may, enter, without the need for any formalities, commercial, industrial, prison or social assistance establishments, including hotels, boarding houses, warehouses, public offices or any facilities other than private dwellings, provided that they identify themselves before entering.

5. Police authorities and agents on a criminal investigation mission shall act under the direction of the competent judicial authority in accordance with the rules of criminal procedure.

SECTION V DISTRICT COMMANDS

Article 36 Command and Mission

1. District Commands are PNTL territorial units based in the districts and directly under the command of the General Commander.

2. District Commands shall be headed by a Chief Superintendent or Superintendent appointed by the General Commander acting on a proposal from the Deputy General Commander.

3. District Commanders shall be assisted by a Deputy District Commander with the rank of Superintendent or Assistant Superintendent appointed by the General Commander acting on a proposal from the Deputy General Commander.

4. The mission of the District Commands shall generally be that of PNTL in their respective areas of activity.

Article 37

Organisation

1. District Commands shall comprise the following:
 - a) Operations and Information Section;
 - b) Administrative Section;
 - c) Road Traffic and Safety Section;
 - d) Criminal Investigation Section;
 - e) Justice Section;
 - f) Reserve Force.

2. District Commands shall have Police Stations at sub-district level whenever the size and characteristics of the latter warrant their establishment. They shall be headed by PNTL members from the ranks of Inspector or Sergeant, depending on their dimension and complexity, who shall be appointed by the Deputy General Commander acting on a proposal from their respective District Commanders.

3. The staff at Police Stations shall comprise staff engaged in community policing, which shall be supported or reinforced by the remaining sections that make up the District Command whenever the circumstances so require.

4. The Police Stations shall establish Police Posts within Sucos whenever the size and characteristics of the latter warrant their establishment.

Article 38 Powers

1. The following shall be the powers of the District Commands:
 - a) To represent PNTL at the district level;
 - b) To exercise command over all PNTL forces in the framework of the respective area of activity;

- c) To propose the appointment of police station commanders and appoint the police post commanders and the section commanders as well as the commanders of other services that make up the district command;
- d) To exercise disciplinary powers pursuant to the Disciplinary Regulation;
- e) To transfer and deploy PNTL members within district commands depending on the needs and in accordance with internal regulations;
- f) To promote administrative and operational planning in the district commands in accordance with PNTL's national plan;
- g) To lead and supervise all financial activities in accordance with the law;
- h) To establish contingency plans for possible risks or threats to public order and security;
- i) To establish contingency plans for disasters and public calamities together with other competent authorities;
- j) To collaborate, in the framework of PNTL's powers, with the administrative, judicial, military and security authorities;
- k) To cooperate with community structures and religious authorities in the promotion of public order and security;
- l) To exercise the powers delegated to it by the General Commander.

2. The Deputy District Commander shall have the following powers:

- a) To replace the District Commander when he/she is absent or prevented from attending;

- b) To exercise the powers delegated to him/her by the District Commander, while keeping him/her permanently informed of his/her activities.

SECTION VI POLICE TRAINING CENTRE

Article 39 Mission and powers

1. The Police Training Centre shall be the PNTL School specifically geared towards the moral, cultural, physical and technical/professional training of officers, sergeants and agents and also towards the updating, specialisation and valorisation of their knowledge.
2. The Police Training Centre shall be headed by a Chief Superintendent appointed by the General Commander.3. The Police Training Centre shall be responsible for designing a teaching system for PNTL which includes training courses, specialist courses, refresher courses and promotion training courses for the various ranks and posts.
4. The Police Training Centre shall be responsible for organising and imparting the training courses referred to in the preceding paragraph and, to that end, it shall develop the respective curricula and teaching programmes.
5. It shall be incumbent upon the Police Training Centre to propose and prepare the annual training plan taking into consideration the objectives and the general and specific needs of the various PNTL units.
6. The Police Training Centre shall coordinate with the Ministry of Justice the design of training programmes on criminal investigation.
7. The Police Training Centre shall have its own internal regulation, to be approved by the Council of Ministers, which shall define the structure of the teaching staff, curricula, certification of training programmes and the evaluation and validation thereof. The Police Training Centre shall also liaise with the Ministry of Education and the Ministry of State Administration on issues relating to the contents of the courses that may get civilian accreditation.

CHAPTER III MISCELLANEOUS PROVISIONS

Article 40 Regulation

The regulation of the general service and the remaining regulations necessary to the functioning of the bodies integrating the structure of PNTL shall be adopted by means of instructions issued by the Minister in charge of security,

Article 41 Rules on organisation and procedure

1. Matters relating to technical and administrative procedures to be adopted by PNTL that do not affect the rights of citizens and are not regulated in a specific statute shall be the object of Standard Operational Procedures (*Normas de Organização e Procedimento*, NOPs) to be adopted by the General Commander.

2. The Standard Operational Procedures shall be mandatory for all members and staff of PNTL and are included in Annex 1 of the present law of which they are an integral part.

Article 42 Other regulations

The disciplinary as well as the career and remuneration regimes shall be regulated by specific statutes to be approved by the Council of Ministers.

Article 43 Civilian personnel

The civilian personnel serving within PNTL shall be subject to the regime provided for in the general law for civil servants.

Article 44 Identification card

1. Officers, sergeants and agents of PNTL shall use special identification cards whose model shall be approved by an instruction issued by the Minister in charge of security and their use shall be mandatory both on-duty and off-duty.
2. The identification card shall not replace any other mandatory identification document pursuant to the applicable legislation.

Article 45
National flag and symbols

1. PNTL and its units shall be entitled to use the national flag, which may only display the awards and decorations granted to it.
2. The General Commander shall be entitled to use a pennant.

Article 46
Commemorative date

PNTL Day shall be commemorated on 27 March in remembrance of the date on which it was established in the year 2000.

CHAPTER IV
FINAL PROVISIONS

Article 47
Repeal

Decree-Law No. 8/2004 Of 5 May is hereby repealed.

Article 48
Entry into force

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

Approved by the Council of Ministers on December 2008

The Prime Minister

Kay Rala Xanana Gusmão

The Minister of Defense and Security

Kay Rala Xanana Gusmão

Promulgated on 10 / 2 / 2009

For publication

The President of the Republic

(José Ramos-Horta)