

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

THE GOVERNMENT

DECREE LAW NO. 03 /2007

EXTENDING THE TIME LIMIT FOR THE INTEGRATION OF CIVIL SERVANTS IN THE REGIME FOR THE CAREERS AND SENIOR AND MIDDLE MANAGEMENT POSITIONS IN PUBLIC ADMINISTRATION

Whereas the 90 days deadline for the transition of civil servants to the careers provided for in article 50 of Decree-Law no. 19/2006 of 15 November was found to be insufficient in the face of the ability of the departments of human resources of several ministries and other public bodies and institutions to process such transitions and to draw up the respective staff charts;

Whereas the Regime for the Careers and the Senior and Middle Management Positions in Public Administration that was adopted pursuant to the aforementioned decree-law provides a system that is fairer and more transparent for all the civil servants and other agents of Public Administration, the complexity of the transition process requires its implementation to take place uniformly across all public bodies so that their respective civil servants or agents of Public Administration do not suffer unfairness or inequality;

Besides, because the computer system that manages the human resources of Public Administration and that is being implemented in the Ministry of State Administration hasn't as yet a comprehensive database with the details of each and every civil servant and agent so as to make the transition easier, it is important to extend the deadline;

However, as the timeframe for the transition process will most likely be different in different ministries and other public bodies and institutions, and to avoid integrating civil servants and agents at different moments in time, with the risk of causing unfairness or inequality because of such differences in time, it is important to ensure that the legal consequences of the Regime for the Careers and the Senior and Middle Management Positions in Public Administration remain the same for all civil servants and agents across Public Administration.

Thus, pursuant to the provisions in article 18 of Decree-Law no. 13/2006 of 9 August combined with those of article 2 of Decree-Law no. 20/2006 of 22 November and of article 36 of Law no. 8/2004 of 16 June and articles 115(p) and 116(d) of the Constitution of the Republic, the Government enact the following that shall have the force of law:

Article 1
Extension of the time limit

The time limit set in article 50(1) of Decree-Law no. 19/2006 of 15 November is extended by a further 180 days.

Article 2
Legal effects

1. Without prejudice to the provisions in article 1 above, the transition of civil servants and agents of Public Administration shall have effect as from 15 February 2007.

2. In those cases where as a result of the integration in the career regime a back payment is due, such payment shall be processed and paid in accordance with the budgetary constraints of the State Budget.

Article 3
Entry into force

This decree-law shall come into force the day after its publication.

Approved by the Council of Ministers on 1 March 2007

The Prime Minister

[signed]

José Ramos-Horta

The Minister of State Administration

[signed]

Ana Pessoa Pinto

The Minister of Planning and Finance

[signed]

Madalena Boavida

Promulgated on 15 March 2007.

To be published.

The President of the Republic

[signed]

Kay Rala Xanana Gusmão