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ORGANIC STRUCTURE OF THE MINISTRY OF INFRASTRUCTURE

The Programme of the 4th Constitutional Government has established the reform of Public Administration as one of its strategic development instruments, not only to ensure the population is guaranteed essential public services, but also to orient and boost the economic and social progress of the Country. Therefore, the overall guidelines, defined for the reorganisation of Ministries' central services to support governance, determine the introduction of an organisational model based on the rationalisation of the Public Administration structure, including public institutes and public companies, with the ultimate goal of a better and more efficient management of public resources at the service of the population.

The activity of the Ministry of Infrastructure covers a vast number of

essential areas of public intervention: housing, public works, transports and means of communication, telecommunications, electricity, water and basic sanitation in the whole Country, as well as contractual relations with builders and consultants resulting from public procurement tenders.

As infrastructures obviously play an important role within the framework of the economic development of Timor-Leste, the Government understands that the Ministry of Infrastructure should have an organisational and operational structure which will allow it to perform its duties with gains in efficiency in terms of the management of existing services and human resources. Therefore, the organic structure of the Ministry of Infrastructure will follow the same matrix as defined for other Ministries, with the exception that the specific nature of this Ministry justifying specific options will be taken into account.

As a result, the present diploma aimed at the approval of the Organic Structure of the Ministry of Infrastructure in which is defined the organisation structure of the Ministry, and powers and duties of each one of its services and bodies in full compliance with the Constitution and Decree-Law no. 7/2007 of 5th of September, in its most recent wording as set out in Decree-Law no. 14/2009 of 4th of March, which approved the Organic Structure of the 4th Constitutional Government.

Therefore,

The Government hereby decrees, within the scope of the provisions set out in no 3

of article 115 and of sub-paragraph d) of article 116 of the Constitution of the Republic, the following to prevail as law:

CHAPTER ONE

NATURE AND ATTRIBUTES

Article One

Nature

The Ministry of Infrastructure, hereinafter referred to as MI, is the central body of the Government responsible for the design, implementation, coordination and evaluation of the policy defined and approved by the Council of Ministers for public works, urban planning, distribution of water and electric energy, land, sea and air transport of a civil nature, as well as auxiliary services, communications, including postal services, telephone services and other telecommunications, of the use of the radio-electric spectrum, meteorological and computer services.

Article Two

Attributes

In order to pursue its mission, the MI shall be responsible for:

- a) Putting forward policy and drawing up regulatory projects necessary for its areas of competence;
- b) Guaranteeing the implementation and execution of the legal and regulatory framework of activities related to the Ministry;
- c) Coordinating and promoting the management, maintenance and modernisation of airport, navigation, air, road, and port infrastructures;
- d) Proposing and implementing the political lines of the Ministry in the areas of urban and rural planning, infrastructures, road networks, buildings, housing, and public works;
- e) Creating and implementing the legal and regulatory framework covering civil construction, including the licensing of its practice and research on construction materials;
- f) Studying and carrying out protection, conservation and repair work on bridges, roads, river banks and maritime coasts; notably with a view to controlling floods;
- g) Promoting the study and implementation of the new systems of infrastructures networks built for the distribution of water and electric energy, and basic sanitation, as well as inspecting its operation and exploitation, without prejudice to the responsibilities allocated to other bodies working in this area;
- h) Promoting the undertaking of construction works, conservation and repair of public buildings, monuments and special facilities, whenever they are under its responsibility;
- i) Promoting the adoption of technical standards and regulations for the materials used in civil works, as well as developing laboratory tests to ensure the security of buildings and structures;
- j) Licensing and overseeing all urban constructions, namely private, municipal or belonging to autonomous bodies, according to the applicable legislation;
- k) Maintaining and developing a national information and surveillance system on the condition of works and on the materials for civil construction works, including the effect of floods on the infrastructures;
- l) Preparing and developing, in cooperation with other public services, the implementation of the road network plan for the national territory and the national urban plans;
- m) Developing and regulating communications activities, as well as optimizing the means of communication;
- n) Ensuring the coordination of the sector of transportation and stimulate

complementarity between its various modes, as well as competitiveness, towards the provision of a better service to its users;

- o) Promoting the management of the radio-electric spectrum, as well as the adoption of technical and regulation rules concerning the public use of the communications services;
- p) Ensuring the provision of public telecommunications services and the use of the radio-electric spectrum by public companies, or the granting of the provision of public service to private entities;
- q) Managing the use of equipment and heavy machinery belonging to the State and allocated to the Ministry;
- r) Maintaining and developing the national meteorological and seismological information and surveillance systems, including the construction and maintenance of the respective infrastructures;
- s) Managing the information technology system of the Government and ensuring the provision of services, as well as for implementing computer systems throughout the national territory;
- t) Promoting and coordinating scientific research and technological development within the domains of civil land, air and sea transportation;
- u) Setting up collaboration and coordination mechanisms with other Government bodies responsible for related areas;
- v) Carrying out other functions under the responsibility of the Ministry.

CHAPTER TWO

RESPONSIBILITY AND OVERSIGHT

Article Three

Responsibility and Oversight

1. The MI shall be under the responsibility of the Minister for Infrastructures who

shall oversee it and be accountable for it to the Prime Minister.

2. The Minister of Infrastructures shall be assisted by the Deputy Minister and by State Secretaries.

3. The Deputy Minister and the Secretary of State shall perform the duties allocated to them by order of the Minister of Infrastructures, under the applicable law.

CHAPTER THREE

ORGANIC STRUCTURE

Article Four

Overall Structure

The MI shall perform his/her duties by way of the services which are part of the direct and indirect administration of the State.

Article Five

Direct and Indirect Administration of the State

1. The following central internal services shall be part of the direct administration of the State:

- a) Inspection and Auditing Office;
- b) Directorate-General of Corporate Services;
- c) Directorate-General of Public Works;
- d) Directorate-General of Transports and Communications;
- e) Department of Electricity, Water and Sanitation.

2. The following indirect administration services shall be under the responsibility and oversight of the MI.

- a) Timor-Leste Ports Administration;
- b) Timor-Leste Airports and Air Navigation Administration (Administração de

Aeroportos e Navegação Aérea de Timor-Leste, E.P.);

- c) Timor-Leste Civil Aviation Authority;
- d) Communications Regulatory Authority;
- e) Equipment Management Institute.

3. The services referred to in subparagraphs a) to e) of number 2 above shall be bodies with a legal personality, administrative and financial autonomy, and shall be regulated by their own By-laws, already approved under the terms of the Law.

CHAPTER FOUR

CENTRAL SERVICES

Article Six

Inspection and Auditing Office

1. The Inspection and Auditing Office, hereinafter referred to as IAO, shall be the internal control service of the MI responsible for inspecting and auditing internal services and autonomous bodies under the responsibility and oversight of the MI.
2. Within the scope of its inspection work, the IAO shall perform the following duties:
 - a) Evaluate and inspect the administrative, financial and asset management of the MI services;
 - b) Initiate, conduct and prepare administrative inquiry proceedings and investigations on the internal services of the MI;
 - c) Propose, using well-grounded arguments, to the competent authorities that disciplinary proceedings be brought against employees and agents of the MI whenever violations against the general and special duties of the public service are detected;

- d) Undertake other activities which are allocated under the terms of the law.

The Head of the IAO shall be, for all legal purposes, equivalent to a Director-General.

Article Seven

Directorate-General of Corporate Services

1. The Directorate-General of Corporate Services, hereinafter referred to as DGCS, shall be the central control service of the MI responsible for the overall orientation and the integrated coordination of the other internal services of the Ministry with powers in the areas of administration and finances, budget, public procurement, asset management, human resources, information and press relations, and relations with the documentation and archive services.
2. The DGCS shall pursue the following areas of responsibility:
 - a) Guarantee the overall orientation of the services in accordance with the Government's programme and the overall guidelines of the Minister;
 - b) Devise the annual and multi-annual activities plan and the draft sectoral investment programme of the Ministry, as well as proceed to monitor and evaluate its implementation, in cooperation with all internal services in accordance with the overall guidelines;
 - c) Coordinate the implementation and control of the budgetary allocations attributed to the projects of the internal services of the Ministry, without prejudice to the existence of other means of control and evaluation undertaken by other competent authorities;
 - d) Monitor, in coordination with the Foreign Ministry and the Ministry of Finance, the

implementation of international cooperation and foreign assistance projects and programmes and to proceed to their internal evaluation, without prejudice to the existence of other evaluation mechanisms used by other competent authorities;

- e) Ensure the administrative proceedings of public procurement, including expenditure proceedings authorised by the competent superior authorities under the applicable terms of the law;
- f) Coordinate and control the collection of revenues and other amounts collected by the internal services of the MI under the terms of the law;
- g) Secure and coordinate human resource management in cooperation with the other internal services of the Ministry, including the promotion of training and technical and professional development for the different areas of competence of the MI;
- h) Guarantee the inventorying, maintenance and preservation of State property allocated to the MI;
- i) Secure and coordinate the dissemination of information for the public, press and other public bodies, as well as to guarantee the conservation of documents and archives of the MI;
- j) Fulfil and enforce the fulfilment of the laws, regulations and other administrative and financial legal provisions;
- k) Monitor the preparation of draft laws and regulations of the MI;
- l) Undertake any other tasks attributed to it under the terms of the law.

3. The following departments shall work directly under the Directorate-General of Corporate Services:

- a) National General Administration Department;
- b) National Budget and Finances Department;

- c) National Public Procurement Department;
- d) National Planning Department.

Article Eight

National Administration Department

1. The National General Administration Department is the internal service of the MI which provides technical and administrative support to the Directorate-General of Corporate Services and to the other services of the MI, in the areas of general administration, human resources, assets and logistics, press relations and relations with the documentation and archive services.

2. The specific functions of the National General Administration Department are the following, namely:

- a) To provide technical and administrative support in all areas in accordance with the overall guidelines;
- b) To guarantee the management of MI human resources, notably the collection, storage and conservation of the personal files of public employees, promote recruitment and training plans and capacity building and monitor the evaluation and promotion of employees;
- c) To guarantee the inventorying, maintenance and preservation of the State assets allocated to the MI and coordinate the execution and distribution of material and other equipment to all the departments in the MI;
- d) To guarantee a procedural system of in-house communication common to all services of the MI and to guarantee the dissemination of information to the public and press and other bodies in accordance with the overall guidelines;
- e) To guarantee the collection, storage, conservation and processing of documents concerning the MI, notably to secure and despatch the correspondence;
- f) To undertake the other tasks allocated to it.

Article Nine

National Budget and Finances Department

The National Budget and Finances Department is the internal service of the MI which provides technical support to the Directorate-General of Corporate Services and the other services of the MI, in the areas of budget and finances.

2. The specific functions of the National Budget and Finances Department are, namely:

- a) To prepare the draft annual budget of the MI in accordance with the overall guidelines;
- b) To secure the implementation and control of the budgetary allocations attributed to the projects of the different internal services of the MI, without prejudice to the existence of other means of control and evaluation by other competent authorities;
- c) To ascertain the legality of expenses and proceed to their payment in accordance with the overall guidelines;
- d) To ascertain the legality of revenues and other amounts collected by the internal services of the MI and proceed to their bookkeeping in the MI budget under the terms of the applicable law;
- e) To ensure the budgetary implementation of the annual and multiannual plans in relation to the needs defined by superiors;
- f) To undertake any other tasks attributed to it.

Article Ten

National Public Procurement Department

1. The National Public Procurement Department is the internal service of the MI which provides technical support to the Directorate-General of Corporate Services and the other services of the MI, in the area of public procurement.

2. The specific functions of the National Public Procurement Department are, notably:

- a) To guarantee the implementation of the administrative public procurement procedures of the MI in accordance with the overall guidelines;
- b) To ascertain the legality of goods and services supply contracts and works contracts of the MI and to coordinate their implementation in accordance with the overall guidelines;
- c) To ascertain the necessary expenditure for public contracts within the scope of public procurement under the terms of the law;
- d) Coordinate and harmonise the implementation of public procurement in accordance with the overall guidelines of the MI and other competent public authorities;
- e) To secure, register and archive all MI public procurement contracts;
- f) To undertake any other tasks attributed to it.

Article Eleven

National Planning Department

1. The National Planning Department is the internal service of the MI which provides technical support to the Directorate-General of Corporate Services and the other services of the MI, in the area of planning.

2. The specific functions of the National Planning Department are, notably:

- a) To prepare and devise, in collaboration with the other services, the draft Annual Activity Plan of the MI and to proceed to monitor and evaluate its implementation in accordance with the overall guidelines;
- b) To promote and monitor the drafting of sectoral plans in collaboration with other MI services;

- c) To participate in the formulation of the measures and policies relevant for the MI's areas of competence;
- d) To collaborate in the drafting of the MI's annual draft budget;
- e) To undertake any other tasks attributed to it.

Article Twelve

Directorate-General of Public Works

1. The National Public Procurement Department, hereinafter referred to as NPPD, is the central internal service of the MI responsible for the orientation, pursuance and integrated implementation of the national policy for public works, all strands of civil construction, roads, bridges and flood control, buildings and structures, housing and urban planning.
2. The NPPD undertakes the following functions:
 - a) To secure the execution and integrated implementation of the national policy for its areas of intervention in accordance with the Government's programme and the overall guidelines of the Minister;
 - b) To improve the legal and regulatory framework of all the strands of civil construction, including the promotion of and research in construction materials;
 - c) To promote and secure the construction, maintenance and management of road infrastructures, including bridges and other public works;
 - d) To study and execute protection, conservation and repair work on bridges, roads, river banks and maritime coasts, notably with the aim of controlling floods;
 - e) To license and supervise a,, buildings and structures under the terms of the law, namely the licensing of any works and the application of fines in case of violation of the applicable law or regulations;
 - f) To certify and supervise the activities of companies and professional individuals of

all strands of the building and construction sector;

- g) To prepare and develop, in collaboration with other services an competent public authorities, the drafting and implementation of urban plans and detailed urban plans, road network plans and the national spatial plan, to be duly approved;
- h) To develop and propose the adoption of technical and regulatory construction standards, namely technical safety standards and others to guarantee the quality and safety of the works;
- i) To coordinate and evaluate the implementation of the national housing policy, in coordination with services and the public competent authorities;
- j) To fulfil and enforce the fulfilment of regulations and other legal provisions governing all strands of the construction sector;
- k) To undertake any other tasks attributed to it.

3. The following departments work directly under the Directorate-General of Public Works:

- a) National Roads, Bridges and Flood Control Department;
- b) National Buildings and Structures Department;
- c) National Housing and Urban Planning Department;
- d) National Research and Development Department.

Article Thirteen

National Roads, Bridges and Flood Control Department

1. The National Roads, Bridges and Flood Control Department is the internal technical service of the MI providing support to the Directorate-General of Public Works in the areas of construction and remodelling of infrastructures,

including the conservation and repair of roads, bridges and other public works.

2. The specific functions of the National Roads, Bridges and Flood Control Department are, notably:

- a) To draft or promote the drafting of projects concerning extension, construction and remodelling works on roads, bridges and other infrastructures;
- b) To secure the construction, conservation and maintenance of roads and bridges belonging to the national network, including other protection and flood control works;
- c) To prepare and develop, in collaboration with other services and competent public authorities, the drafting and implementation of urban plans and detailed urban plans, road network plan and national spatial plan;
- d) To prepare, in collaboration with other services and competent public authorities, draft legislation and regulations for the public works sector, including those to improve road safety and safety on other means of communication;
- e) To keep an updated record of all the conditions regarding the state of conservation of roads, bridges and other means of communication;
- f) To promote, in collaboration with other services and competent public authorities, articulation between the road network and other modes of transport;
- g) To undertake any other tasks attributed to it.

Article Fourteen

National Buildings and Structures Department

1. The National Buildings and Structures Department is the internal technical service of the MI providing support to the Directorate-General of Public Works in the area of all strands of buildings and

structures, including the appraisal and approval of projects, regardless of their final goal.

2. The specific functions of the National Buildings and Structures Department are, notably:

- a) To draw up, plan and coordinate activities aimed at the construction, extension, remodelling and conservation of buildings and facilities pertaining to the public sector of the State, including those aimed at the defence and security forces, prison and customs services and other buildings and structures, as well as the appraisal and approval of their corresponding projects;
- b) To proceed to the evaluation and supervision of the construction and maintenance of buildings and other public and private sector facilities;
- c) To develop the legal and regulatory framework covering the activities of the building and construction sector, including technical safety standards for the construction of buildings and promotion of and research on construction materials;
- d) To appraise and approve buildings and structures projects and projects of other installations and to authorise the onset of the works, to license, inspect and supervise all construction, remodelling, extension, demolition works or those of any other nature;
- e) To collaborate with other services and competent public authorities in the drafting and implementation of the urban plans or detailed urban plans, in the road network plan and national spatial plan, to be duly approved;
- f) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing all strands of the construction sector;
- g) To undertake any other task attributed to it.

Article Fifteen

National Housing and Urban Planning Department

1. The National Housing and Urban Planning Department is the internal technical service of the MI providing support to the Directorate-General of Public Works in the areas of housing and urban planning, including detailed plans of surrounding areas, gardens and other public spaces.

2. The specific functions of the National Housing and Urban Planning Department are, notably:

- a) To devise the national housing plan and to monitor the implementation of the duly approved social housing programmes;
- b) To prepare and develop, in collaboration with other services and competent public authorities, the drafting of urban plans and detailed urban plans, the road network plan and national spatial plan, to be duly approved;
- c) To prepare, in collaboration with other services and competent public authorities, draft legislation and regulations in the area of urban planning, including expropriation for reasons of public interest, under the terms of the law;
- d) To secure and maintain archives of all documents regarding urban plans;
- e) To undertake any other task attributed to it.

Article Sixteen

National Research and Development Department

1. The National Research and Development Department is the internal service of the MI providing support to the Directorate-General of Public Works in the areas of scientific research and technological development of materials in the building and construction sector, including other activities and technologies necessary for advancement and good civil engineering practices.

2. The specific functions of the National Research and Development Department are, notably:

- a) To draw up studies and prepare proposals for technical cooperation with national and international authorities and bodies for the building and construction sector to be duly approved;
- b) To prepare and draft the necessary rules for good practices in the area of civil engineering, including technical rules governing the construction of buildings to guarantee the quality and safety of the works and environmental protection;
- c) To promote scientific research and the participation of Timor-Leste in national and international bodies belonging to the construction and civil engineering sector;
- d) To undertake any other task attributed to it.

Article Seventeen

Directorate-General of Transports and Communications

1. The Directorate-General of Transports and Communications, hereinafter referred to as DGTC, is the internal service of the MI responsible for the orientation, pursuance and integrated implementation of the national policy for the areas of land transport, meteorology and geophysics, postal services and computer networks of the MI and the Government.

2. The DGTC undertakes the following functions:

- a) To secure the execution and integrated implementation of the national policy for its areas of intervention in accordance with the Government's programme and the overall guidelines of the Minister;
- b) To improve the legal and regulatory framework of land transport, meteorological services, postal services and computer communication networks, including the promotion and definition of the rules and technical standards of these areas;

- c) To collaborate with the competent public authorities to draw up the national road network plan;
- d) To license and supervise all activities pertaining to the land transport network, including the licensing of private driving schools;
- e) To maintain and manage the national vehicle registration system, including the allocation of a licence number;
- f) To collaborate with the political authorities in the supervision of, implementation and compliance with road legislation;
- g) To collaborate with the competent public authorities in the promotion and intermodal articulation of land transports with other modes of transport, notably the Timor-Leste Port Administration and the Aeroportos e Navegação Aérea de Timor-Leste, E.P.;
- h) To draw up, in collaboration with other competent public services, the national and international information and meteorological and seismological supervisory system, as well as to secure the provision of public services in these areas;
- i) To draw up and manage, in collaboration with other competent public services, the information technologies and computer networks system of the MI and other Government public authorities in accordance with overall government decisions;
- j) To promote and secure the postal services in all the territory, as well as to support the implementation of national policies in this area;
- k) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing the areas of its responsibility;
- l) To undertake any other task attributed to it.

3. The following departments work directly under the Directorate-General of Transports and Communications:

- a) National Land Transportation Department;

- b) National Meteorology and Geophysics Department;
- c) National Information and Technology Department;
- d) National Postal Services Department.

Article Eighteen

National Land Transportation Department

1. The National Land Transportation Department is the internal service of the MI providing support to the Directorate-General of Transports and Communications in the area of land transportation.

2. The specific functions of the National Land Transportation Department are, notably:

- a) To prepare and develop, in collaboration with other services and competent public authorities, the drafting and implementation of the national road plan, to be duly approved;
- b) To develop the legal and regulatory framework of the activities pertaining to the land transportation sector, including the technical safety standards which shall be observed in the transportation of goods and passengers;
- c) Maintain and manage the national vehicle registration system, including the allocation of a licence number;
- d) To appraise and approve the requests to open private driving schools, as well as to license, inspect and supervise all the activities of the land transportation sector under the terms of the law;
- e) To collaborate with the political authorities in the supervision of, implementation and compliance with road legislation, including vehicle inspection;
- f) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing the area of land transportation;
- g) To undertake any other task attributed to it.

Article Nineteen

National Meteorology and Geophysics Department

1. The National Meteorology and Geophysics Department is the internal service of the MI providing support to the Directorate-General of Transports and Communications in the area of meteorology and geophysics.

2. The specific functions of the National Meteorology and Geophysics Department are, notably:

- a) To prepare and develop, in collaboration with other services and competent public authorities, the drafting and implementation of national information and meteorological and seismological supervisory systems, as well as the national civil protection plan, to be duly approved;
- b) To secure the provision of meteorological and seismological information services to autonomous civil aviation and maritime navigation bodies, as well as to any public or private bodies;
- c) To promote scientific research and the participation of Timor-Leste in national and international bodies belonging to the area of meteorology and geophysics and to support the adoption of the transposition of international rules in this area to national legislation;
- d) To undertake any other tasks attributed to it.

Article Twenty

National Information and Technology Department

1. The National Information and Technology Department is the internal service of the MI providing support to the Directorate-General of Transports and Communications in the area of MI and Government information technologies.

2. The specific functions of the National Information and Technology Department are, notably:

- a) To prepare and develop, in collaboration with other services and competent public authorities, the drafting and implementation of the information technologies system of the MI and the Government, to be duly approved;
- b) To secure the provision of computer network assistance services to the internal services of the MI and other public authorities of the MI in accordance with the overall guidelines;
- c) To promote cooperation in the area of information technologies, notably with ARCOM and other national and international bodies, in accordance with the overall guidelines;
- d) To undertake any other tasks attributed to it.

Article Twenty-One

National Postal Services Department

1. The National Postal Services Department is the internal service of the MI providing support to the Directorate-General of Transports and Communications in the area of the postal services.

2. The specific functions of the National Postal Services Department are, notably:

- a) To secure and guarantee the provision of postal services on all national territory, as well as international postal services with national origin or destination;
- b) To develop the legal and regulatory framework of the activities pertaining to the postal services sector, as well as to promote the participation of Timor-Leste in national and international bodies belonging to the area of postal services and to support the MI so that international rules in this area shall be introduced in national law;
- c) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing the area of the postal services;
- d) To undertake any other task attributed to it under the terms of the law.

Article Twenty-Two

Directorate-General of Electricity, Water and Sanitation

1. The Directorate-General of Electricity, Water and Sanitation, hereinafter referred to as DGEWS is the internal service of the MI responsible for the orientation, pursuance and integrated implementation of the national policy for the distribution of water and electric energy and basic sanitation.
2. The DGEWS undertakes the following functions:
 - a) To secure the implementation and integrated execution of the national policy for its areas of intervention in accordance with the Government programme and overall guidelines of the Minister;
 - b) To secure and implement a universal water distribution service for public consumption in safe and healthy conditions;
 - c) To plan and adopt concerted strategies with other public authorities to ensure all citizens have access to drinking water, notably by way of the development and management of water supply and basic sanitation networks in all national territory;
 - d) To propose draft laws and regulations on its areas of responsibility, notably technical standards concerning the energy distribution electric grid, water quality, sanitation and waste water treatment for the protection of public health and the environment;
 - e) To license and inspect activities pertaining to the water and electricity sector, notably by preventing illegal connections to the water distribution public network and public electricity grid;
 - f) To develop studies, in collaboration with other competent public services, studies on the use of water and energy resources and to promote the development of a regulatory framework in these areas;

- g) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing its areas of intervention;
- h) To undertake any other task attributed to it under the terms of the law.

3. The following departments work directly under the Directorate-General of Electricity, Water and Sanitation:

- a) National Electricity Services Department;
- b) National Water Services Department;
- c) National Basic Sanitation Department;
- d) National Water Control and Quality Department.

Article Twenty-Three

National Electricity Services Department

1. The National Electricity Services Department is the internal service of the MI providing support to the Directorate-General of Electricity, Water and Sanitation in the area of the distribution of electric energy to the population on all national territory.
2. The specific functions of the National Electricity Services Department are, notably:
 - a) To secure the provision of services aimed at guaranteeing the supply of electricity in the best conditions of quality, continuity and regularity in all national territory, in accordance with the principle of equal treatment of users of the public electricity service, under the terms of the law;
 - b) To develop the legal and regulatory framework of the public electricity grid and to support the MI so that international rules in this area may be introduced in national law;
 - c) To license and supervise the distribution of electricity, notably by preventing illegal connections to public electricity grids;
 - d) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing the area of electricity services;

- i) To undertake any other task attributed to it under the terms of the law.

Article Twenty-Four

National Water Services Department

1. The National Water Services Department is the internal service of the MI providing support to the Directorate-General of Electricity, Water and Sanitation in the area of the distribution of drinking water to the population in all national territory.
2. The specific functions of the National Water Services Department are, notably:
 - a) To secure the provision of services aimed at guaranteeing the supply of drinking water in the best conditions of quality, continuity and regularity in all national territory, in accordance with the principle of equal treatment of users of the public drinking water supply service, under the terms of the law;
 - b) To develop the legal and regulatory framework of the public drinking water supply network and to support the MI so that international rules in this area may be introduced in national law;
 - c) To license and supervise the distribution and supply of drinking water, notably by preventing illegal connections to public water distribution networks;
 - d) To develop studies, in collaboration with other competent public services, studies on the use of water resources and to promote the development of a national water plan;
 - e) To fulfil and enforce the fulfilment of the laws, regulations and other legal provisions governing water distribution services;
 - f) To undertake any other task attributed to it under the terms of the law.

Article Twenty-Five

National Department of Basic Sanitation Services

1. The National Basic Sanitation Services Department is the internal service of the

MI providing support to the Directorate-General of Electricity, Water and Sanitation in the areas of basic sanitation and waste water treatment.

2. The specific functions of the National Basic Sanitation Services Department are, notably:

- a) To secure, in collaboration with other competent public authorities, the implementation and integrated execution of the public drainage network and the connections to users of the public sanitation services;
- b) To develop studies, in collaboration with other competent public services, studies on the obligation of a public drainage network, including the management of public and private waste and industrial water drainage networks;
- c) To develop the legal and regulatory framework of the public drainage network, namely concerning the administrative and technical provisions governing the execution, maintenance and use of public and private networks, tariffs, penalties and others;
- d) To license and supervise the use of the public drainage networks and their connections, notably by preventing the illegal discharge of waste water sewers and drains;
- e) To develop, in collaboration with other competent public services, the legal and regulatory framework governing waste water treatment and to support the MI so that international rules in this area may be introduced in national law;
- f) To undertake any other task attributed to it under the terms of the law.

Article Twenty-Six

National Water Control and Quality Department

1. The National Water Control and Quality Department is the internal service of the MI providing support to the Directorate-General of Electricity, Water and Sanitation

in the areas of the scientific research and technological development of water quality, including other activities and lab techniques required to guarantee the quality of drinking water.

2. The specific functions of the National Water Control and Quality Department are, notably:

- a) To draw up studies and proposals of technical cooperation with national and international bodies for the water quality sector to be duly approved, including water resource management;
- b) To test the water in laboratories and prepare and develop technical rules for waste water treatment to guarantee the quality of drinking water and to protect the environment;
- c) To promote scientific research and the participation of Timor-Leste in national and international bodies addressing this topic;
- d) To undertake any other tasks attributed to it under the terms of the law.

CHAPTER V

AUTONOMOUS BODIES

Article Twenty-Seven

Timor-Leste Ports Administration

1. The Timor-Leste Ports Administration, hereinafter referred to as APORTIL, is the public institute whose mission and functions cover all dimensions of maritime and port management and administration, notably navigation safety and assistance, and holds the powers of a port authority necessary for the integral fulfilment of its duties.

2. APORTIL is governed by its own By-laws, approved by Decree-Law no. 3/2003, of 10th March.

Article Twenty-Eight

Timor-Leste Airports and Air Navigation Administration (Administração de

Aeroportos e Navegação Aérea de Timor-Leste, E.P.)

1. The Timor-Leste Airports and Air Navigation Administration, hereinafter referred to as ANATL, E.P., is the public company whose mission and functions cover all dimensions of the management and administration of national airports, notably air navigation assistance, and holds the powers of an authority necessary for the integral fulfilment of its duties.

2. ANATL is governed by its own By-laws, approved by Decree-Law no. 8/2005, of 16th November.

Article Twenty-Nine

Timor-Leste Civil Aviation Authority

1. The Timor-Leste Civil Aviation Authority, hereinafter referred to as AACTL, is the public institute whose mission and functions concern the regulation, supervision, oversight and inspection of all dimensions of the civil aviation sector, notably the certification and licensing of commercial air transport activities and the inspection of aircraft to guarantee the safety of passengers and civil aviation, and holds the powers of an authority necessary for the integral fulfilment of its duties.

2. AACTL is governed by its own By-laws, approved by Decree-Law no. 8/2005, of 16th November.

Article Thirty

Communications Regulatory Authority

1. The Communications Regulatory Authority, hereinafter referred to as ARCOM, is the public institute whose mission and functions concern the regulation, supervision, oversight and inspection of all dimensions of the communications sector, notably the licensing and supervision of telecommunications operators, the guaranteeing of the radio electric spectrum and the regulation of the communications sector.

2. ARCOM is governed by its own By-laws, approved by Decree-Law no. 12/2003, of 29th July.

Article Thirty-One

Equipment Management Institute

1. The Facilities Management Institute Authority, hereinafter referred to as IGE, is the public institute whose mission and functions are to guarantee the good management, operation and conservation of heavy vehicles, machines and other equipment in the appropriate condition to be made best use of.

2. IGE is governed by its own By-laws, approved by Decree-Law no. 11/2006, of 12th April.

CHAPTER VI

ADVISORY BODY AND REGIONAL DELEGATIONS

Article Thirty-Two

Advisory Board

1. The Advisory Board is the collegial body of consultation of the Ministry of Infrastructure, the purpose of which is to conduct a regular evaluation of the activities of the MI.

2. The MI Advisory Board is responsible for, notably:

- a) Appraising the decisions of the Minister taking into account their implementation by the central services and autonomous bodies and evaluating the results achieved in terms of their impact on the execution of the duties of the MI;
- b) Evaluating the activity plans and MI programmes;
- c) Periodically analysing the activities of the MI and the results achieved and proposing measures for the improvement of the efficiency of its services;
- d) Promoting the exchange of experiences and the communication between all

services to improve the integrated coordination of their activities;

- e) To undertake any other tasks attributed to it.

3. The Advisory Body consists of the following members:

- a) The Minister, who chairs;
- b) Deputy-Minister;
- c) Secretaries of State;
- d) Directors-General;
- e) Representatives of the autonomous bodies.

4. Whenever it is considered convenient, the Minister may invite other public or private authorities to take part in the meetings of the Advisory Board.

5. The Advisory Board ordinarily meets once a month and extraordinarily, whenever the Minister so determines.

Article Thirty-Three

Regional Departments

1. By well-founded ministerial order issued by the Minister of Infrastructures, regional or district departments of MI services may be created.

2. The purpose of the regional or district departments of such services is to carry out specific activities to design measures of local sectoral policies, as well as to monitor and control the overall guidelines defined by the Minister for certain activities.

CHAPTER VII

TRANSITORY AND FINAL PROVISIONS

Article Thirty-Four

Transitory Norm

1- The current National Directors of the Civil Aviation, Maritime Transport, Communications Regulatory Authority and Equipment Management Services shall be transferred to the autonomous bodies under the following terms:

- a) National Civil Aviation Director for ANATL E.P.;
- b) National Maritime Transportation Director for APORTIL;
- c) National Communications Regulatory Authority Director for ARCOM;
- d) National Equipment Management Director for IGE.

2. Until the members of the Boards of Directors of these autonomous bodies are appointed and take office, the National Directors mentioned in paragraph 1 above shall perform their duties directly under the Minister of Infrastructures.

Article Thirty-Five

Planning and Integration of Services

- 1. The internal services of the MI and the autonomous bodies under its responsibility operate by objectives as set out in the activity plans approved by the Minister.
- 2. The internal services and autonomous bodies pursue their activities in an articulated and united manner, and should work together for the full implementation of the strategic policies defined in the Government programme for the MI.

Article Thirty-Six

Provision covering all National Departments

- 1. The internal functional organisation of the National Departments may integrate departments of specific services in order to perform their duties more efficiently.
- 2. The National Departments, when performing their duties, shall be hierarchically accountable to their respective Director-General.

Article Thirty-Seven

Complementary Organic Diplomas

Within 30 days from the entry into force of the present Decree-law the Minister of

Infrastructures shall approve the ministerial orders concerning the organic and functional structure of the Directorates-General.

Article Thirty-Eight

Entry into Force

The present diploma shall enter into force on the day immediately following its publication.

Approved in Council of Ministers on 18th of November 2010.

Prime Minister

Kay Rala Xanana Gusmão

Minister of Infrastructures

Pedro Lay da Silva

Promulgated on 12/01/2011

To be published

The President of the Republic

José Ramos-Horta