

*Thursday, June 19, 2008*

*Series I, No. 24*

**JORNAL DA REPÚBLICA**  
OFFICIAL PUBLICATION OF THE DEMOCRATIC REPUBLIC OF EAST TIMOR

**DECREE-LAW No. 18/2008**  
**of June 19**  
**CHARTER OF THE MINISTRY OF AGRICULTURE AND FISHERIES**

The Ministry of Agriculture and Fisheries was created by Decree-Law No. 7/2007, of September 5, which approved the Charter of the 4<sup>th</sup> Constitutional Government, providing in its Article 30 for the definition, in a charter, of the terms under which this government department is responsible for the conception, execution, coordination and assessment of the policy, approved by the Council of Ministers, for the areas of agriculture, forestry, livestock breeding and fisheries.

For that purpose, and taking into consideration the broad political choices established in accordance with the National Development Plan, we are hereby proceeding with the creation of the Ministry's agencies and services, as well as defining its respective incumbencies, in an integrated, evolutive and functional manner, subject to the technical and normative authority of the central services, and allowing for the decentralization of operational interventions of district services and institutions that operate in the sector of agriculture, forestry, livestock breeding and fisheries.

With this structure, we seek to provide the Ministry of Agriculture and Fisheries with the means for enhancing the impartiality, efficacy and efficiency of its services so as to achieve secure food supply and generate national economic growth.

Thus:

The Government decrees, pursuant to Article 115, item 3 of the Constitution of the Republic and Article 37 of Decree-Law No. 7/2007 of September 5, that the following is valid as law:

**CHAPTER I**  
**NATURE AND POWERS**

**Article 1**

## **Nature**

The Ministry of Agriculture and Fisheries, abbreviated as MAF, is the central agency of Government that has as its mission to conceive, execute, coordinate, and assess the policy, defined and approved by the Council of Ministers, for the agricultural sector, specifically the fields of agrarian investigation and technical assistance to farmers, irrigation systems, and management of forestry, livestock breeding and fishery resources.

## **Article 2**

### **Powers**

In pursuing its mission, the following are powers of the MAF:

- a) To propose policy and draw up the proposed regulations necessary for its areas of oversight;
- b) To manage agricultural and forestry resources and watersheds;
- c) To manage National Parks and Protected Areas;
- d) To ensure the implementation and continuity of programs for rural development, in coordination with the Ministry of the Economy and Development;
- e) To control the use of land for agricultural and livestock breeding purposes;
- f) To promote and monitor animal health;
- g) To promote the agricultural and livestock breeding and fishing industries;
- h) To inspect food production;
- i) To manage Quarantine services;
- j) In coordination with the appropriate Ministries, to promote rural development, encouraging a cooperative system for the production and sale of agricultural production;
- k) To carry out feasibility studies for the installation, rehabilitation, and improvement of irrigation systems;
- l) To manage the water intended for agricultural purposes;

- m) To control and inspect the fisheries and aquaculture sector;
- n) To manage technical agricultural education, in integration with the national educational system, and create centers for technical support to farmers;
- o) To promote agricultural investigation;
- p) To establish mechanisms for collaboration and coordination with other Government agencies having oversight of related areas.

## **CHAPTER II**

### **OVERSIGHT AND SUPERINTENDENCY**

#### **Article 3**

##### **Oversight and Superintendency**

The MAF is directed and advised at the highest level by the Minister, who is responsible to the Prime Minister for it.

## **CHAPTER III**

### **ORGANIZATION STRUCTURE**

#### **Article 4**

##### **Overall Structure**

1. The MAF exercises its powers through integrated services within the central public administration, its advisory board, and the territorial delegations.
2. Territorial delegations of the MAF may be created by means of a substantiated ministerial document issued by the members of Government responsible for the areas of Agriculture and Fisheries, Finance, and State Administration.

#### **Article 5**

##### **Central Public Administration**

The following central services are part of the central public administration, within the scope of the MAF:

- a) The Director General;
- b) The Office of Legal Counsel;
- c) The Office of Inspection and Auditing;
- d) The Office of Protocol and Communications;
- e) The National Directorate of Support to Agricultural Community Development;
- f) The National Directorate of Administration and Finance;
- g) The National Directorate of Policy and Planning;
- h) The National Directorate of Agriculture and Horticulture;
- i) The National Directorate of Irrigation and Water Use Management
- j) The National Directorate of Forests;
- k) The National Directorate of Industrial and Agribusiness Plants
- l) The National Directorate of Fisheries and Aquaculture;
- m) The National Directorate of Livestock Breeding and Veterinary Medicine;
- n) The National Directorate of Quarantines;
- o) The National Directorate of Research and Specialist Services;
- p) The National Directorate of Agricultural Education.

## **Article 6**

### **Territorial Delegations**

The district directorates of the MAF are territorial delegations.

## **Article 7**

### **Advisory Board**

The Advisory Board on Agriculture, Forestry, Livestock Breeding and Fisheries is the consulting agency for the MAF.

**CHAPTER IV**  
**SERVICES, ADVISORY AGENCIES AND TERRITORIAL DELEGATIONS**  
**SECTION I**  
**CENTRAL PUBLIC ADMINISTRATION SERVICES**

**Article 8**

**The Director General**

1. The Director General has the mission of ensuring overall guidance for all services.
2. The Director General has the following incumbencies:
  - a) To ensure overall guidance for all services in accordance with the Government program and the higher-level guidelines provided by the Minister;
  - b) To propose to the Minister the most appropriate measures for accomplishing the incumbencies mentioned in the item above;
  - c) To participate in the development of policies and regulations relating to its area of activity;
  - d) To ensure the overall general administration of the Ministry and its services, in accordance with the annual and pluri-annual programs;
  - e) To plan measures for public investment, draw up the project, and implement the respective budget;
  - f) To control implementation of the operating budget;
  - g) To monitor implementation of projects and programs involving international cooperation and provide for their internal assessment, without prejudice to the existence of assessment mechanisms of their own, in coordination with the Foreign Business and Finance Ministries;
  - h) To verify the legality of expenses and provide for their payment, after authorization by the Minister;
  - i) To coordinate human resources;
  - j) To promote the technical and professional education and development of the personnel of the agencies and services;

- k) To coordinate preparation of the activities of the Advisory Board;
- l) In conjunction with the National Directorates, to draw up the annual report on activities of the Ministry;
- m) To analyze, schedule and coordinate application of measures that tend to promote innovation, modernization, and a quality policy for services within the scope of the Ministry, without prejudice to the incumbencies attributed by law to other services, as well as ensuring joint action with agencies having inter-ministerial incumbencies in these areas;
- n) To assess the effects of national and international macro-economic policy on agrarian production and provide data that would allow for monitoring and support to the development of the system for agrarian production;
- o) To advise, coordinate and monitor the implementation of policy measures that are the responsibility of the Ministry, specifically the dissemination of studies, publications and information concerning the MAF;
- p) To guarantee Ministry activities in the area of communication and public relations, without prejudice to the powers of the MAF agency responsible for information and communication technologies;
- q) To present an annual report of activities;
- r) To perform the other activities that may be lawfully assigned to him/her.

## **Article 9**

### **Office of the Legal Counsel**

1. The Office of the Legal Counsel, abbreviated as OLC, is the Ministry's support agency for legal matters.
2. It is incumbent upon the Office to:
  - a) Coordinate the development and preparation of legal projects and legislative instruments;
  - b) Participate in the preparation of dossiers for the accession of the country as a member of international and regional organizations, within the scope of MAF incumbencies;

- c) Assist Ministry services in the negotiation and closing of accords and agreements pertaining to the sector;
  - d) Provide all technical and legal assistance to the Minister and other members of the Government, as well as services integrated with the Ministry;
  - e) Inform the members of government and Ministry employees regarding legislation that affects the Ministry's activities;
  - f) Maintain up to date the register of national legislation pertaining or relevant to the sector;
  - g) Ensure performance of other tasks pertinent to the Ministry's incumbencies, within the legal area;
  - h) Present an annual report of activities.
3. The Office of the Legal Counsel is equivalent for all legal effects to a Department.

## **Article 10**

### **The Office of Inspection and Auditing**

1. The Office of Inspection and Auditing of the Ministry of Agriculture and Fisheries has as its mission disciplinary action and auditing of MAF services.
2. It is incumbent on the Office of Inspection and Auditing, specifically, to:
  - a) Monitor essential aspects regarding the legality, good standing, and operational quality of services;
  - b) Conduct management audits;
  - c) Gather information on the functioning of the services, proposing recommended corrective measures;
  - d) Document investigative, inquiry, and disciplinary proceedings whenever ordered by the proper authorities to commence legal action and for the appointment of a head investigator;
  - e) Document fact-finding proceedings ordered by the Ministry;
  - f) Provide support to MAF services, collaborating with its leaders in exercising disciplinary powers.

3. The Office of Inspection and Auditing is headed by an Inspector General, who is on an equal footing for all legal purposes with a Director General.

## **Article 11**

### **The Office of Protocol and Communications**

1. The Office of Protocol and Communications is the support service to the MAF on matters of protocol and the production and disclosure of information to the public.

2. It is incumbent on the Office to:

- a) Organize the protocol for official ceremonial events organized by the Ministry and other events where the Ministry is represented;
- b) Support the Minister and state Secretaries in terms of protocol;
- c) Organize an efficient information and communications system within the Ministry and in relation to civil society, in close cooperation with the other services and agencies having a similar function.
- d) Organize public relations for the Ministry and respective state Secretaries, specifically their communications contacts;
- e) Coordinate all Ministry publications and their respective disclosure;
- f) Present an annual report of activities.

3. The Office of Protocol and Communications is equivalent for all legal purposes to a Department.

## **Article 12**

### **The National Directorate of Support to Agricultural Community Development**

1. The National Directorate of Support to Agricultural Community Development, abbreviated as NDSACD, has as its mission to implement extension programs and the agricultural community development fund.

2. The NDSACD has the following incumbencies:

- a) To support definition of the national extension policy, formulation of its strategies, priorities and objectives, and to participate in drawing up plans, programs and projects for the respective area;



- b) In collaboration with all Ministry services, to establish a network of extension workers at the local level;
- c) Within the scope of rural extension, disseminate relevant information developed by the MAF Technical Directorates to farmers;
- d) To ensure implementation and continuity of rural development programs, in joint action with the Ministry having oversight;
- e) To establish mechanisms for coordination and implementation of the Agricultural Community Development Fund;
- f) To guarantee technical support for proposals approved within the scope of the Agricultural Community Development Fund and, in coordination with local authorities, follow up and monitor the implementation of projects;
- g) To present an annual report of activities;
- h) To perform the other tasks that may be assigned to it.

### **Article 13**

#### **The National Directorate of Administration and Finance**

1. The National Directorate of Administration and Finance, abbreviated as NDAF, has as its mission to ensure technical and administrative support to the Ministry, the Offices of the State Secretaries, the Director General and the other Ministry services, within the fields of general administration, human resources, documentation and filing, and property management.
2. The NDAF has the following incumbencies:
  - a) To provide technical and administrative support to the Ministry, the Offices of the State Secretaries, the Director General and the other Ministry directorates;
  - b) To guarantee the inventorying, maintenance and conservation, and management of Government property, as well as the inventorying and maintenance of agreements for the supply of goods and services to the Ministry;

- c) To coordinate the execution and control of distribution of supplies to all directorates comprising the Ministry;
- d) To ensure a system of internal communication procedures that is common to Ministry agencies and services;
- e) In collaboration with all Ministry services and in accordance with guidelines from higher levels, to draw up an Annual Plan of Activities and the proposal for the Ministry's Sectoral Investment Program;
- f) To participate in drawing up sectoral plans together with the various services comprising the Ministry;
- g) In collaboration with other appropriate bodies, to draw up a draft annual budget for the Ministry;
- h) To coordinate distribution of the budgetary allotments attributed to the various services comprising the Ministry, without prejudice to the existence of other means of control and assessment carried out by other appropriate bodies;
- i) To coordinate and harmonize the execution of annual and pluri-annual plans based on the needs defined at higher levels of government;
- j) To perform procurement functions for the Ministry;
- k) To comply with and enforce compliance with laws, regulations, and other legal provisions of an administrative and financial nature;
- l) To provide for the recruiting, hiring, follow-up, assessment, promotion and retirement of employees;
- m) To ensure the management of human resources assigned to the Ministry;
- n) To issue expert opinions and other information for the purpose of proposing to higher levels of government administrative measures for improving human resources management and, in collaboration with the National Directorate of Policy and Planning (NDPP) to promote, propose and provide support to courses for the professional training, enhancement and recognition of personnel;

- o) To ensure the processing of earnings, bonuses, salaries, and other compensation due to employees, as well as the processing of deductions and respective lists;
- p) To ensure the gathering, safeguarding, preservation and handling of Ministry documentation, specifically the personnel files of employees;
- q) To comply with and enforce compliance with the legislation applicable to civil service workers, proposing to the higher levels of government the commencement of inquiries and disciplinary proceedings and providing for the documentation of those that are ordered by the higher levels of government;
- r) To carry out the actions necessary to comply with standards on environmental conditions for occupational health and safety;
- s) To maintain a filing system and draw up statistics regarding the Ministry, as well as an up-to-date information system for property assets allotted to the MAF;
- t) To carry out the actions necessary to ensure the maintenance of internal and external communication networks, as well as the good working order and use of computer resources;
- u) In collaboration with the NDPP and other appropriate departments, draw up annual and pluri-annual programs for the construction, acquisition, maintenance and repair of agricultural and fishery infrastructure and equipment, based on the sector's needs and perspectives for development;
- v) To study proposals and schemes for the construction, acquisition or rental of infrastructure, equipment and other assets necessary to carry out the functions and policies defined by the Ministry;
- w) To ensure the accomplishment of procedures required for the construction and acquisition of buildings and other infrastructure, vehicles and other movable assets intended for use by the Ministry's agencies and services;
- x) To present an annual report of activities;
- y) To perform the other tasks assigned to it by law.

## **Article 14**

### **The National Directorate of Policy and Planning**

1. The National Directorate of Policy and Planning, abbreviated as NDPP, has as its mission to support the setting of the strategic directions, priorities and objectives for MAF policies, as well as coordinating, following up, and assessing their application, and ensuring the Ministry's relationships for national and international cooperation.
2. The NDPP has the following incumbencies:
  - a) To assist the Minister in conceptualizing policies and strategies for the sector;
  - b) To support the MAF's actions in defining objectives and strategies and formulating policies, as well as the measures that underpin them;
  - c) To ensure the coordination and preparation, in collaboration with other MAF services, of plans and programs within the scope of district structural interventions and other forms of planning depending upon the context, to ensure the functioning of appropriate instruments of sectoral planning;
  - d) To monitor the development of policies and programs and assess their effects by utilizing well-defined objectives and indicators;
  - e) To draw up studies on the national, sectoral, and district levels and publish results of the studies and assessments of the effects of the policy measures;
  - f) To ensure coordination and dissemination of the information produced, specifically statistical information pertinent to the MAF, within the framework of the national statistical system, that will make it possible to follow up, assess, and monitor the agrarian production system, as well as ensuring MAF relationships with national and regional frameworks within such fields.
  - g) To ensure documentary support to other MAF services;
  - h) To propose the drafting of legislation or other instruments required for the proper functioning of the sector;
  - i) In coordination with other authorized services and, when applicable, with those services responsible for the environmental area, to participate in preparing dossiers for the country's accession as a member of regional and

international organizations, as well as participating in international accords and conventions affecting the sector;

- j) To maintain records of accords, conventions and other national, bilateral, regional or international instruments ratified by East Timor or of relevance to the country that relate to MAF's sphere of influence.
- k) To develop a geographical information system on agriculture and arable lands.
- l) To collect information and develop a database for internal use;
- m) To collect agro-meteorological information and provide for its analysis and dissemination;
- n) To contribute towards guaranteeing a secure food supply;
- o) To coordinate integration of matters germane to the plans and policies of the sector;
- p) To present an annual report of activities.

## **Article 15**

### **The National Directorate of Agriculture and Horticulture**

1. The National Directorate of Agriculture and Horticulture, abbreviated as NDAH, has as its mission to carry out policies within the fields of agriculture and horticulture, genetic plant resources, materials for multiplying plant and vegetable varieties, training rural agents, and providing for the enhancement and economic diversification of rural areas.
2. It is incumbent on the NDAH to:
  - a) Contribute to formulating strategy, priorities and objectives and participate in drawing up plans, programs and projects within its areas;
  - b) To support the socio-economic development of farmers with new cultivation techniques and policies for the sustainability of natural resources;
  - c) To promote education and training in new farming techniques;

- d) To establish efficient technical support services and new technologies aimed at providing assistance to agricultural communities and targeting an increase in the production of foodstuffs, especially rice and corn;
- e) To promote and develop diversification in agriculture;
- f) To promote and support an increase in, and improved quality of, horticultural products, specifically through the introduction of improved or more productive seeds;
- g) To support farmers with new techniques and methods for raising fruit crops, as well as teaching modern techniques for treating and handling fruit crop production;
- h) To promote the use of mechanized equipment and post-harvest technologies;
- i) To impose sanctions for the commission of violations in the agricultural and horticultural sector;
- j) To perform other tasks that derive from the Ministry's incumbencies in the area of agriculture and horticulture;
- k) To present an annual report on activities.

## **Article 16**

### **The National Directorate of Irrigation and Water Use Management**

1. The National Directorate of Irrigation and Water Use Management, abbreviated as NDIWUM, has as its mission to carry out policies in the fields of irrigation and management of water use for farming, proposing policy measures and instruments, promoting their application and participating in monitoring and assessment; the service is empowered to function as the national irrigation authority.
2. It is incumbent on the NDIWUM to:
  - a) Contribute to the formulation of strategies, priorities, and objectives, and participate in drawing up plans, programs, and projects for its areas;
  - b) Promote measures that ensure efficacious irrigation schemes and the rehabbing of existing ones;

- c) Ensure the implementation of measures for the construction of reservoirs for agriculture and the rational and optimized use of water;
- d) Carry out the functions of national irrigation authority, representing the MAF on matters relating to the use of water for agriculture;
- e) Participate in setting national water policy and draw up, follow up, and assess implementation of, the National Irrigation Plan;
- f) Create and maintain updated an information system on irrigation and the hydro-agricultural infrastructure that underpins it;
- g) Ensure the maintenance and improvement of current irrigation systems for rice, as well as other crops including horticultural and leguminous crops;
- h) Perform other tasks that derive from the Ministry's incumbencies in the area of irrigation and water management;
- i) Present an annual report on activities.

## **Article 17**

### **The National Directorate of Forests**

1. The National Directorate of Forests, abbreviated as NDF, has as its mission to draw up, follow up, implement and enforce forestry policy, specifically in the fields of sustainable development of forest resources and their associated spaces and, additionally, hunting, beekeeping, and aquatic resources in inland waters, guaranteeing their protection, conservation and management; the service is empowered to function as the national forestry authority.
2. It is incumbent on the NDF to:
  - a) Participate in setting and applying policy for forests, hunting, beekeeping, and aquatic resources in inland waters, and propose the measures necessary for realizing it;
  - b) Coordinate and support the execution of forestry policy, within the context of the National Forestry Strategy, specifically in the fields of forestry regulation and protection, production, transformation and marketing of forestry products, as well as beekeeping, hunting, and aquatic resources in inland waters;

- c) Coordinate, gather, and analyze forestry data and information for use in planning and decision-making;
- d) In collaboration with the NDPP and other services, prepare the national plan for forest management and the adoption of legislation on the matter;
- e) Ensure and enforce execution of forestry legislation and of the national forestry management plan;
- f) Encourage measures, within the context of the national forestry management plan, for reforestation and the protection of endangered or weakened forest species, with the objective of expanding forested space and the production of commercially valuable trees for the wood industry;
- g) Promote campaigns to raise awareness of the population, local communities, and the public at large concerning the need to conserve the country's forestry assets;
- h) Promote structural prevention, in the aspects of information and education; the prevention, contention and fighting of forest fires; and the deployment of actions and programs aimed at appropriate protection of forests against fire, contributing to minimizing burned areas and the number of occurrences, especially by deploying prevention systems;
- i) Assist in conceptualizing and defining parks and forest reserves and promoting legislation for their management;
- j) Participate, in coordination with other services, in drawing up the National Plan for Water Resource Management;
- k) Take measures and oversee the rational use of water resources;
- l) In coordination with other services, ensure the quality of water resources, taking effective measures, in cooperation with the appropriate services, to prevent and eliminate factors that cause their defilement and pollution;
- m) Draw up a manual on watershed management and one on agro-forestry;
- n) Impose sanctions for the commission or omission of contraventions in the forestry and water resource sector;



- o) In conjunction with the Ministry having oversight of the environmental area, define and designate parks, reserves and protected areas, as well as following through on their implementation;
- p) Establish accountability of the various agents and an appropriate organization of forestry services;
- q) Promote improvements in the competitiveness of the industries making up the various forestry segments;
- r) Perform the other tasks that derive from the Ministry's incumbencies in the area of forestry, watersheds and water resources;
- s) Present an annual report on activities.

## **Article 18**

### **The National Directorate of Industrial Plants and Agribusiness**

1. The National Directorate of Industrial Plants and Agribusiness, abbreviated as NDIPA, has as its mission to draw up, follow up, implement and enforce policy on coffee and industrial plants, as well as assessing the effects of national and international macro-economic policy on agrarian production.
2. It is incumbent on the NDIPA to:
  - a) Participate in defining and applying policy on the production of coffee, perennial crops and herbs, as well as proposing the measures required for its protection and realization;
  - b) Coordinate, gather, and analyze data and information on coffee, perennial crops and herbs for use in planning and decision-making;
  - c) Ensure the adoption, enforcement and implementation of legislation on industrial crops;
  - d) In cooperation with other services having jurisdiction, foment with the private sector, cooperatives and NGOs the increased production and quality of coffee, by introducing new plants of the Arabica species and new growing, treatment and harvesting techniques;

- e) Foment expansion and development of industrial plants and medicinal or similar plants by the introduction of new plants or of new and more productive species;
- f) Promote the establishment of, and operate or monitor nurseries for industrial plants as a way of assisting and supporting growers in increasing and expanding the cultivation of such plants;
- g) Promote the education of farmers in modern farming techniques and methods;
- h) Identify, formulate, monitor and assess strategic programs and projects of interest to the MAF and issue opinions on their technical and economic feasibility;
- i) Collaborate with government agencies in the formulation of guidelines, policies, and strategies for action in the areas of rural credit and tax incentives;
- j) Identify and facilitate the promotion of new agribusiness products and promote the search for new markets for such products;
- k) Guarantee the gathering and handling of information from agro markets;
- l) Produce technical and economic information from agricultural undertakings;
- m) Assist in the productive and industrial development of the agrarian sector;
- n) Monitor and propose appropriate measures for the development of the agricultural and food-producing sector;
- o) Perform other tasks that derive from the Ministry's incumbencies within its sphere of authority;
- p) Present an annual report on activities.

## **Article 19**

### **The National Directorate of Fisheries and Aquaculture**

1. The National Directorate of Fisheries and Aquaculture, abbreviated as NDFA, has as its mission to draw up, coordinate, schedule, execute and enforce policies, plans, programs and projects for fishing, aquaculture, the transformation industry and others allied with it, as the service invested with authority over fisheries on the national level.
2. It is incumbent on the NDFA to:
  - a) Provide support in defining the national policy for fisheries, on the internal and regional levels and in terms of international cooperation, and guarantee its implementation;
  - b) Encourage the sustained development of the fishing industry aimed at internal and foreign markets;
  - c) Define, together with the NDPP, the adoption of legislation for the fishery sector;
  - d) Ensure, through management and regulation, the proper exploitation of live marine resources available within the areas of national jurisdiction and bodies of water amenable to the development of aquaculture;
  - e) Implement protective and conservationist measures in relation to marine species, in cooperation with other services, agencies and entities;
  - f) In conjunction with the Ministry having oversight of the environmental area, define and designate parks and marine reserves and follow through on their implementation;
  - g) Define the principal fishing areas in the country and maximum authorized catch limits;
  - h) Promote the technical education of personnel in new and modern techniques for fishing activities;
  - i) Develop sanitary conditions for the handling, transport, warehousing, processing and marketing of fish and seafood;
  - j) Grant fishing licenses in accordance with the provisions of law;
  - k) Comply with and enforce compliance with the principle of caution in the exploitation of fishery resources;

- l) Implement a system for exploitation of fishery resources that benefits both commercial fishing and subsistence and artisanal fishing;
- m) Guarantee the involvement of fishing communities in the drafting of policy for and management of fishery resources;
- n) Encourage the aquaculture industry in freshwaters, brackish waters and seawater, with the aim of increasing food safety and the achievement of export revenues;
- o) In collaboration with the other services involved, ensure the definition of quality standards for fishery products;
- p) In conjunction with the Ministry of Foreign Business, support the process of negotiating international covenants with respect to the fisheries sector, as well as relationships with international organizations in the fisheries sector;
- q) Together with the NDPP, manage the fisheries statistics system, within the context of the national statistical system, so as to ensure the expansion and development of a National Fisheries Database (NFD);
- r) Perform the functions of spokesperson for the fisheries sector, whether at the national or international level;
- s) Carry out the inspection of fishing vessels and fishing practices, as well as catches, in accordance with the law;
- t) Enforce compliance with standards governing the use and management of fishing practices;
- u) Determine and designate fishing ports for the inspection and unloading of catches;
- v) Enforce compliance with standards on health conditions, both on board fishing boats and at seafood markets and fishing ports, as well as enforcing quality standards for fish and seafood;
- w) Control catches and apply practical and effective measures to guarantee compliance with maximum catch limits;
- x) Provide technical opinions, implement and enforce the rules and standards applicable to parks and marine reserves;

- y) Oversee the inspection of fishing activities, coordinating the activities of fishing inspectors;
- z) Impose or provide for the imposing of fines for violations of the applicable fishing laws and regulations and document the respective legal proceedings;
- aa) Manage the system for ongoing monitoring and information on fishing vessels (SIMOCEP) as regards national coverage and the interconnect with the authorized national and international agencies in the field of fishing;
- bb) Gather, handle and keep statistical data up to date, in coordination with the other services having jurisdiction, specifically in relation to licensed fishing vessels, catches, types of fishing carried out, species caught and methods and equipment utilized for fishing in the country's maritime waters;
- cc) Perform other tasks that derive from the Ministry's incumbencies in the area of fisheries and the inspection of fishing activities;
- dd) Present an annual report on activities.

## **Article 20**

### **The National Directorate of Livestock Breeding and Veterinary Medicine**

1. The National Directorate of Livestock Breeding and Veterinary Medicine, abbreviated as NDLBVM, has as its mission to draw up, follow up, implement and enforce policies, plans, programs, projects, or any other matters relating to production, animal reproduction, and livestock breeding technologies and industry, as well as issues relating to veterinary medicine and the protection of public health and animal health, being the service invested with authority over national veterinary health functions.
2. It is incumbent on the NDLBVM to:
  - a) Support the setting of national livestock breeding and veterinary policy for the domestic sphere, and in coordination with the Ministry of Foreign Business for the international sphere, and ensure its implementation, control and enforcement;
  - b) Participate in defining and applying policies for improving animal feeding practices, livestock breeding technologies and industry, sanitation, protection, and veterinary and public health;

- c) Foment production, artificial insemination, and animal reproduction;
- d) Improve livestock feeding practices and take measures for improved redistribution;
- e) Coordinate, gather and analyze data and information on livestock breeding for use in planning and decision-making;
- f) In collaboration with the NDPP and other services having jurisdiction, draw up the national plan for animal management and the adoption of legislation on the matter;
- g) Promote the introduction and the development of new and adaptable technologies aimed at increasing animal production;
- h) Assist farmers in developing and improving animal production, including cattle, buffalos, swine, goats and poultry;
- i) License establishments within the livestock breeding industry and perform periodic sanitary control, in coordination with the other services having jurisdiction;
- j) Create and maintain up to date a registry of the number of animals existing and of vaccinated animals in the country;
- k) Work to defend and protect the health of animal contingents, including pets, exotic animals, wild animals and species for hunting, providing sanitary oversight of their production and commercialization;
- l) Ensure sanitary control and certification for animals and animal-based products intended for exchange with other countries, in conjunction with other agencies;
- m) Assign, and inspect conditions for the maintenance of, health stamps, marks of identification, and export approval numbers to establishments and operators processing products of animal origin or intended for the feeding of animals;
- n) Develop and implement wide-reaching vaccination campaigns and animal health campaigns for prevention and the management of sick animals and for improvements to animal production;

- o) Jointly with the Health Ministry, to accredit organizations, services and persons in the area of veterinary-medical interventions;
- p) Ensure official hygiene and health control, and control of conditions for activities involving production, transformation, and storage in processing farm and livestock products, including veterinary drugs;
- q) Ensure, in coordination with the agency responsible for veterinary investigation, the functioning of support centers for actions in the field of animal health and hygiene and other matters relating to the diagnosis of animal diseases and the inspection of wastes;
- r) Provide for the assessment, authorization, control and inspection of the sale and use of veterinary pharmacological and immunological drugs, pre-mixed medications, homeopathic remedies and others, and their raw materials, as well as products for veterinary use;
- s) Oversee the licensing of slaughterhouses and agro-industries, in coordination with the other services having jurisdiction;
- t) Ensure measures to promote animal health in slaughterhouse environments and locations where meat is sold;
- u) Impose sanctions for the commission of contraventions in the livestock breeding sector;
- v) Perform other tasks that derive from the Ministry's incumbencies in the area of livestock breeding and veterinary medicine;
- w) Present an annual report on activities.

## **Article 21**

### **The National Directorate of Quarantines**

1. The National Directorate of Quarantines, abbreviated as NDQ, has as its mission to coordinate and implement measures, laws, and regulations on quarantines and sanitary controls on the import and export of animals and plants, animal and plant products, merchandise, assets, or objects, as well as sanitary control of vehicles, ships, and aircraft.

2. It is incumbent on the NDQ to:

- a) Implement and enforce the application of laws, regulations and measures concerning quarantines and sanitary controls on animals, plants, animal and plant products, merchandise or objects, as well as sanitary control of vehicles, ships, and aircraft;
- b) Impose sanctions for the commission of contraventions of the laws and regulations on quarantines and sanitary controls on the import and export of animals and plants, animal and plant products, merchandise, assets, or objects, as well as sanitary control of vehicles, ships, and aircraft;
- c) Perform the functions and incumbencies assigned them by the Minister or by the applicable laws and regulations;
- d) Handle the administrative aspects of payments of service fees and costs incurred by users, as well as the fines imposed;
- e) Present an annual report on activities.

## **Article 22**

### **The National Directorate of Research and Specialist Services**

1. The National Directorate of Research and Specialist Services, abbreviated as NDRSS, has as its mission to coordinate and implement research and laboratory activities, specifically in the fields of agricultural and agro-forestry crops, soils, veterinary medicine and food production, in order to equip the Ministry services with the information and data required for the better and more efficient management of resources.

2. It is incumbent on the NDRSS to:

- a) Provide information and the transfer of agricultural knowledge and techniques;
- b) Develop specific programs to provide information to farmers;
- c) Support Ministry services with information on soil utilization and tendencies in agricultural production;
- d) Formulate educational and training programs tailored to extension learners;



- e) Perform other tasks that derive from the Ministry's incumbencies in the area of research and laboratories;
- f) Present an annual report on activities.

## **Article 23**

### **The National Directorate of Agricultural Education**

1. The National Directorate of Agricultural Education, abbreviated as NDAE, has as its mission to coordinate schools offering technical and professional education, integrated with the national educational system.
2. The schools making up the NDAE are public establishments by nature and are governed by their own internal bylaws to be approved by ministerial certification.
3. It is incumbent on the NDAE to:
  - a) Coordinate the proper functioning of technical and professional schools in the field of agriculture;
  - b) Reformulate and adapt the curriculum of technical and professional schools in the field of agriculture, in coordination with the Ministry of Education;
  - c) Promote the training of teachers with the aim of enhancing their academic qualifications;
  - d) Support the schools in establishing and operating libraries;
  - e) Collaborate with similar foreign institutions in promoting the interchange of experience, through the signing of protocols;
  - f) Establish a close collaboration with the Timor Lorosae National University and other domestic institutions that work in the area of agrarian education;
  - g) Promote the professional placement of graduating students in the field of agriculture;
  - h) Perform other tasks that derive from the Ministry's incumbencies in the area of education and training in agriculture;
  - i) Present an annual report on activities.

## **SECTION II**

### **ADVISORY BOARD**

#### **Article 24**

##### **The Advisory Board**

1. The Advisory Board on Agriculture, Forestry, Livestock Breeding and Fisheries, referred to in short as the Advisory Board, is the Ministry's consulting body on the wider issues of policy for agriculture, forestry, livestock breeding and fisheries and their relationship with policy for national development.
2. It is incumbent on the Advisory Board, specifically, to voice its position on:
  - a) MAF decisions, with the aim of implementing them;
  - b) Work plans and programs;
  - c) The formulation and conduct of the Government's policy in relation to agriculture, forestry, livestock breeding and fisheries;
  - d) The balance sheet of MAF activities, assessing the results achieved and proposing new objectives;
  - e) The interchange of experiences and information among all the MAF services and bodies and among their respective leaders;
  - f) Legislative instruments of interest to the MAF or any other documents originating from its services or constituent bodies;
  - g) Other activities referred to it.
3. The Advisory Board shall have the following composition:
  - a) The Minister, who is the chairperson;
  - b) The State Secretaries;
  - c) The Director-General;
  - d) The National Directors or those in equivalent positions;
  - e) The District Directors.

4. The Minister may call in other entities, staffs, or individuals, from within the Ministry or outside it, to participate in Advisory Board meetings whenever considered necessary.
5. The organization and function of the Advisory Board are defined by a ministerial ruling issued by the Minister of Agriculture and Fisheries.

### **SECTION III**

#### **TERRITORIAL DELEGATIONS**

##### **Article 25**

###### **District Directorates**

1. The District Delegations are services that, in each one of the districts, further the MAF incumbencies in terms of orientation, coordination and support to farmers and farm laborers, as well as promoting the development of community-based farming and fishing.
2. The District Directorates are headed by a District Director who reports hierarchically to the Director-General and functionally to the National Directors of the central services.

### **CHAPTER V**

#### **TEMPORARY AND FINAL PROVISIONS**

##### **Article 26**

###### **Operational functioning of the services**

1. The services of the MAF must function based on objectives formalized in annual and pluri-annual plans of activities approved by the Minister.
2. The services and organisms to which the item above refers must collaborate with each other and inter-coordinate their respective activities so as to promote the unified and integrated implementation of sector policies.

## **Article 27**

### **Complementary Legislation**

Without prejudice to the provisions of this document, it is incumbent on the Ministry of Agriculture and Fisheries to approve by means of its own ministerial ruling the regulation of the organizational and functional structure of the national directorates and services of the MAF.

## **Article 28**

### **Staffing**

The staffing and the number of directorate and department-head staffs are approved by ministerial ruling issued by the members of Government responsible for the areas of agriculture and fisheries, finance and public administration.

## **Article 29**

### **Revocation**

Decree No. 4/2003, of November 13, and any other legislation that conflicts with this decree-law are hereby revoked.

## **Article 30**

### **Effective Date**

**This decree-law takes effect on the day after its publication.**

Approved in Cabinet Meeting on April 16, 2008

The Prime Minister,

Kay Rala Xanana Gusmão

The Minister of Agriculture and Fisheries

Mariano Assanami Sabino

Promulgated on 04-June-2008.

To be published.

The President of the Republic

José Ramos Horta