



DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

DECREE LAW NO.01/2007

**ORGANIC STATUTE OF THE TECHNICAL SECRETARIAT OF
ELECTORAL ADMINISTRATION**

The Technical Secretariat of Electoral Administration, hereinafter called “STAE”, was created by Government Decree no. 2/2003 of 23 July as the Ministry of State Administration body responsible for organizing and executing State electoral procedures.

In view of the Ministry of State Administration’s new organic structure, which asserts that the STAE’s structure, organization, composition and operation shall be determined by a separate law, the institutional legislative conditions needed for the STAE to properly perform its duties in the electoral domain must be amended.

Now, therefore, pursuant to the provisions of Article 115, Paragraph 3 and Article 116 of the Constitution, together with the provisions of Article 12, Paragraph 2 of Decree Law no. 20/2006 of 22 November, and of Article 18 of Decree Law no. 13/2006 of 9 August, the Government hereby decrees the following, which shall have the force of law:

**CHAPTER I
GENERAL
PROVISIONS**

**Article 1
Name and legal nature**

The Technical Secretariat of Electoral Administration, hereinafter called “STAE”, shall be a subsidiary body to the Ministry of State Administration, endowed with legal status and technical and administrative autonomy.

Article 2

Ministerial Authority

1. The STAE shall be subject to the authority and oversight of the Minister of State Administration.
2. The Minister of State Administration shall be responsible for:
 - a) Defining the STAE's strategic and policy guidelines;
 - b) Approving the budget, together with its revisions and amendments in supplementary budgets;
 - c) Approving the STAE's management report and accounts;
 - d) Approving the STAE's annual and multi-annual financial plans;
 - e) Approving the STAE's internal regulations and staffing;
 - f) Approving the opening and closing of domestic and foreign STAE offices;
 - g) Approving cooperation agreements with other domestic and foreign entities;
 - h) Appointing and dismissing members of STAE bodies.

Article 3

Headquarters and territorial scope

1. The STAE shall be headquartered in Dili, where the electoral register database shall be located, and shall carry out its activities throughout the national territory; the STAE may open regional offices or voter service centres to update the electoral register, referenda or elections.
2. The creation of regional offices and voter service centres shall be subject to authorization by the ministry in charge.

Article 4

Legal system

The STAE shall be governed by the provisions of this law, and by the legal provisions that are specifically applicable to the STAE.

CHAPTER II

PURPOSES AND RESPONSIBILITIES

Article 5

Purposes

The purpose of the STAE shall be to ensure the organization and execution of electoral procedures, referenda and the electoral register, together with the support, consultation and distribution of studies and other data in the electoral domain.

Article 6 Responsibilities

The STAE shall have the following responsibilities:

- a) To ensure fulfilment of the strategic guidelines handed down to the STAE;
- b) To approve the appropriate directives for achieving the objectives established in the strategic guidelines and activity plan;
- c) To ensure and carry out the actions needed to complete electoral processes, referenda and electoral register updates in a timely manner;
- d) To propose the appropriate clarifying, educational and informative measures for citizen involvement in electoral processes, referenda and the electoral register, and to ensure the proper actions of various administrative electoral agents and the functioning of departments;
- e) To plan, carry out and provide technical support for elections, referenda and electoral register updates, both nationally and locally, through cooperation with existing administrative structures to this end;
- f) To ensure statistics involving the electoral register, electoral processes and referenda, and to publish their results;
- g) To organize the registry of citizens elected to sovereign and local bodies;
- h) To support and cooperate with the National Electoral Commission, hereinafter called "CNE", under the terms of applicable legal provisions;
- i) To organize and update the electoral register, under the supervision of the CNE, by proposing and carrying out the respective technical procedures and organizing, maintaining and managing the respective central database of registered voters;
- j) To create the STAE's internal regulations and staffing for ministerial approval;
- k) To propose the opening and closing of domestic and foreign STAE offices to the ministry in charge;
- l) To propose cooperation agreements with other domestic and foreign entities to the ministry in charge;
- m) To perform other duties as provided for by applicable laws and regulations.

CHAPTER III ORGANIZATION, DUTIES AND OPERATION

Article 7 General Direction

1. The STAE shall be run by a Director, who shall be responsible for managing and directing the respective departments.
2. The Director of the STAE shall be assisted by a Deputy Director in the performance of his duties.

Article 8 Organization

The STAE shall be comprised of the following departments:

- a) Office of the Director and Deputy Director;
- b) Department of General Support, Training and Electoral Education;
- c) Department of Information Technologies and Voter Database Management;
- d) Department of Administration, Finance and Logistics.

Article 9 Duties of the Director

The Director of the STAE shall be responsible for guiding the activities of the departments, and specifically for:

- a) Representing the STAE before any domestic, community and international organizations and entities;
- b) Directing, coordinating and guiding the departments, and issuing executive orders and instructions as needed for their proper functioning;
- c) Ensuring the STAE's relations with other State departments and with public, private, domestic and foreign entities in the electoral domain, with the ability to correspond with judicial and administrative authorities;
- d) Obtaining bilateral support to meet the costs of electoral register updates, electoral procedures, referenda and other activities within the scope of his duties;
- e) Exercising other general administrative powers, and submitting all acts requiring approval under the law to the ministry in charge for assessment and decision;
- f) Deciding on all matters that fall within the scope of the STAE's responsibilities, submitting to ministerial decision or for the assessment of the CNE matters that, by nature or by a provision of the law, require a decision;
- g) Ensuring proper publication of electoral processes and other decisions, under the terms of the law;
- h) Ensuring and exercising powers involving the direction, management and discipline of personnel, including respective disciplinary actions and measures within his power under the law or disciplinary regulations;
- i) Proposing, for approval by the ministry in charge, internal STAE regulations and the allocation of personnel to various departments and divisions;
- j) Participating in CNE meetings, without voting rights;
- k) Performing other duties provided for by law or by the ministry in charge.

Article 10 Duties of the Deputy Director

The Deputy Director shall be responsible for assisting the Director in the performance of his duties, and for substituting the Director in times of absence or impediment.

Article 11
Functions and duties of department heads

1. The Director shall be responsible for defining, in internal regulations approved in advance by the ministry in charge, the specific functions and duties of the STAE's departments, and for allocating the human resources needed to carry out and develop the tasks inherent to their activities.
2. Department heads shall be appointed under the terms of the system for public administration careers and management/supervisory positions, and shall perform their duties under the direct hierarchical and functional supervision of the Director of the STAE.

Article 12
Operation

The STAE's departments shall cooperate between themselves and coordinate their respective activities to foster unified, integrated actions ensuring the STAE's efficiency and proper functioning.

CHAPTER IV
COOPERATION WITH OTHER DOMESTIC AND
INTERNATIONAL ENTITIES

Article 13
Cooperation with other entities

1. To better pursue its responsibilities, the STAE shall promote and seek the cooperation of departments and other domestic and international bodies with a view to effectively accomplishing its activities.
2. The STAE shall establish cooperative relations with domestic and international bodies, and with other private or public foreign entities, as deemed necessary to fulfil its objectives, safeguarding the credibility of its actions, together with the sovereignty and guidelines of the country's foreign policy.

CHAPTER V
BUDGET AND FINANCIAL
MANAGEMENT

Article 14
Budget

1. The STAE shall be given an initial budget for the right to use and enjoy assets in the public domain earmarked for the pursuit of its responsibilities, allocated by budget appropriation.

2. Other assets and rights may also be transferred to the STAE by joint ministerial order of the Minister of Planning and Finance and the Minister of State Administration.

Article 15 Revenues

1. The STAE's funding shall be supplemented by own revenues recorded in the State budget.
2. The following shall constitute STAE revenues:
 - a) Appropriations from the State budget;
 - b) Subsidies, grants, contributions and donations from any public or private, domestic or foreign entities;
 - c) Revenues from the publication or sale of publications;
 - d) Income from taxes, fines and other monetary amounts allocated under the terms of the law and regulations;
 - e) Any other revenues allocated by law, agreements or other titles, together with those resulting from the pursuit of its responsibilities.

Article 16 Expenses

1. Expenses resulting from charges and responsibilities arising from the pursuit of its activities, duly recorded in the State budget, shall constitute expenses of the STAE.
2. Once duly authorized by budget approval, expenses may be processed and settled by any of the means provided for by law or approved by the Minister of Planning and Finance.

Article 17 Exemptions

The STAE shall be exempt from all taxes, costs and fees of any kind for notary and registry acts in which it is involved.

CHAPTER VI PERSONNEL

Article 18 System

1. The system for public administration officials and agents shall apply to the STAE's staff.
2. Public administration officials and agents, together with employees of public, private and state-owned companies, may perform duties at the STAE on assignment or secondment under the terms of the Law on Public Service.

3. Public administration officials and agents shall be relocated by order of the ministry in charge, at the proposal of the Director of the STAE.
4. Notwithstanding the provisions of the above paragraphs, the Director of the STAE may request the temporary assignment of officials by the ministry in charge for upcoming electoral register, referenda and election activities.

Article 19 **Training**

Under the scope of its responsibilities, the STAE may promote the training of its staff through courses, internships and other activities, under the applicable terms of the law.

CHAPTER VII **TRANSITIONAL AND FINAL** **PROVISIONS**

Article 20 **Internal regulations**

The rules required for the STAE's proper functioning shall entail the internal regulations to be created by the Director and submitted to the ministry in charge for approval and endorsement.

Article 21 **Staff plan**

The STAE's staffing shall be approved by joint order of the Minister of Planning and Finance and the Minister of State Administration.

Article 22 **Issuance of** **certificates**

Certificates for documents, requirements or other dispatches may be issued by the Director of the STAE at the request of voters, political parties, candidates and other entities whenever the applicant's legitimate interest is demonstrated.

Article 23 **Logotype**

1. All documents and forms prepared and used by the STAE shall be identified with its logotype.

2. The STAE logotype, depicting a traditional Timorese house, in blue, with the acronym “STAE” at its centre, as shown in the appendix to this law, is hereby approved.

Article 24
Revocation

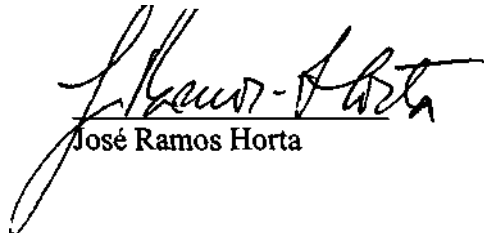
The ministerial act "On the structure, organization and operation of the Technical Secretariat of Electoral Administration", dated 4 May and published in the Official Gazette (*Jornal da República*) Series 1, no. 7 of 5 May 2004, is hereby revoked.

Article 25
Entry into force

This law shall enter into force on the day following its publication.

Approved by the Council of Ministers on 10 January 2007

Prime Minister



José Ramos Horta

Minister of State Administration




Ana Pessoa Pinto

Enacted on **17 January**
2006

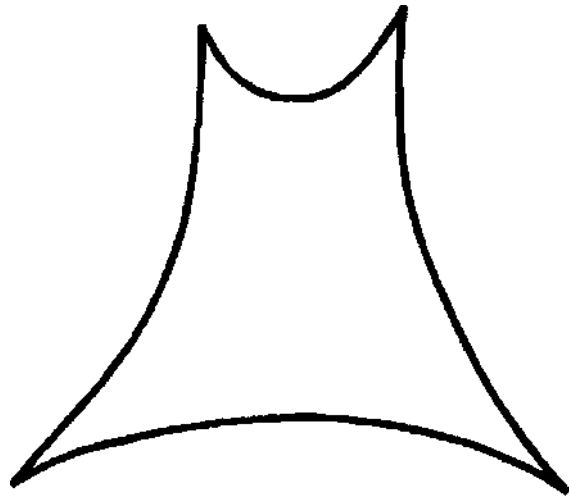
For publication

President



Kay Kala Xanana Gusmão

APPENDIX



STAE