

DECREE-LAW NO. 35/2011
OF 3 AUGUST

Amendment to the Regime of Promotions of the Timor-Leste National Police

PNTL has members holding the status of National Liberation Combatants as well as members for whom such status has not yet been recognized by the Homage-Paying and Supervision of Registration and Resources Commission.

It is the understanding of the State that the need arises to recognize those who dedicated themselves entirely to the struggle for national liberation and who, from their performance, have demonstrated to have leadership and management capacity, having held command positions in the Armed Front.

During the recent promotions process that took place within PNTL, there were members of that institution who were not promoted by application of Article 38 of the Promotions Regime. As a result, there are vacancies in several positions, as well as PNTL members whose cases in which they are involved have not been settled yet.

It is the understanding of the Government that since this is an exceptional situation, it deserves a differentiated treatment. As such, the Government decided to amend the Regime of Promotions of the Timor-Leste National Police as approved by Decree-Law No. 16/2009 of 24 March.

Considering also that the work being done by the General Command of PNTL and the PNTL Promotions Process Follow-up Commission needs to be continued, it is the understanding of the Government to extend the transitional period.

Thus, pursuant to subparagraph d) of article 116 of the Constitution, the Government enacts the following to have the force of law:

Article 1

A new article 47-A is added to Decree-Law no. 16/2009 of 24 March:

Article 47-A
Promotion of National Liberation Combatants

1. A member of PNTL who is included in the Class of exemplary behavior or in the 1st Class of behavior who holds the status of National Liberation Combatant with a minimum of eight years of participation in the Armed Front shall be considered for promotion up to the post of Chief-Inspector, considering the highest position held during the participation in the armed front, in accordance with the table in Annex.

2. A member of PNTL who meets the requirements provided for in the preceding paragraph, shall mandatorily attend a specific training course for the category in which his or her post in included and shall undergo a test at the end of the referred training course.

3. The promotion provided for in paragraph one shall depend upon the availability of vacancies in the position and shall be fulfilled by a decreasing order of the results of the test

provided for in the preceding paragraph within the position for which the PNTL member has been considered.

4. A member of PNTL who in the class of exemplary behavior or in the 1st Class of behavior who holds the status of National Liberation Combatant with a minimum of one year of participation in the Armed Front who is not covered by paragraph one of this article and who meets the remaining requirements to be promoted shall have priority in the promotions.

5. A member of PNTL holding the post of Principal Agent who is in the class of exemplary behavior or in the 1st Class of behavior and who holds the status of National Liberation Combatant with a minimum of three years of participation in the Armed Front and is not covered by paragraphs 1 and 4 of this article shall be promoted to the post of Chief Agent.

6. A member of PNTL with the post of Chief Agent who is in the class of exemplary behavior or in the 1st Class of behavior, who holds the status of National Liberation Combatant with a minimum of eight years of participation, who is not covered by paragraphs 1, 4 and 5 of this article, who applies to the course for promotion to Sergeant, in case of a draw in the tests, shall have priority in the admission to the course.

7. A member of PNTL who is in the post of the categories of Sergeant or Inspector who is in the class of exemplary behavior or in the Class of 1st behavior and who holds the status of National Liberation Combatant with a minimum of eight years of participation who is not covered by the preceding paragraphs shall have priority in the promotions provided he or she meets the remaining conditions.

Article 2

Extension of the transitional period

The transitional period provided for in Article 49 of Decree-Law no. 16/2009 of 24 March is hereby extended until the fulfillment of the posts pursuant to the terms set for the transitional period and shall not exceed two years from the entry into force of this statute.

Article 3

Entry into force

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

Approved by the Council of Ministers on 8 June 2011.

The Prime Minister,

Kay Rala Xanana Gusmão

The Minister for Defense and Security,

Kay Rala Xanana Gusmão

The Minister for Finance,

Emília Pires

Enacted on 27 of July 2011.

For publication.

The President of the Republic,

José Ramos-Horta