

**Decree-Law No. 43
of 16 December**

Extraordinary payment of one month salary to the public sector

The IV Constitutional Government intends to pursue a policy aimed at preserving human resources linked to the State of Timor-Leste.

Considering that, from the time of UNTAET, the salary scale for the civil servants has never been adjusted;

Taking into account the need to recognise the performance of the civil servants and to improve their performance;

This is an equitable measure, albeit of an exceptional character, whose objective is to bring civil servants closer to other national workers and place them at the same level;

Thus, pursuant to article 67.2 of Law No. 8/2004 of 16 June, and to Law No. 12/2008 of 5 August which amends Law No. 10/2007 of 31 December approving the State Budget for 2008, the Government enacts the following to be valid as law:

**Article 1
Nature and scope**

1. Pursuant to the present statute, the extraordinary payment of one month salary is undertaken on exceptional basis and as an urgent measure in the framework of the Government's objective of improvement and social recovery of civil servants.
2. The present statute is extensive to civil servants and agents, even where the latter are on a temporary basis, to civil service managers, to those listed in article 2, and to members of the organs of sovereignty of the State.
3. This exceptional extraordinary payment shall not confer vested rights in addition to that sole and exceptional payment, shall not raise expectations for renewal or extension of contracts, and not be binding for the civil sector.

4. The amount of the extraordinary payment shall be equivalent to one month of salary and is attributable to staff appointed and hired up to 30 June 2008.

5. The beneficiaries of this extraordinary payment are subject to taxation on extraordinary payment as applicable by law.

Article 2

Beneficiaries of extraordinary payment

1. The following are entitled to the extraordinary payment:
 - a) President of the Republic;
 - b) Speaker, Deputy-Speaker and Members of Parliament;
 - c) Prime Minister, Deputy Prime Minister, Ministers, Deputy-Ministers and Secretaries of State;
 - d) President of the Court of Appeal;
 - e) Prosecutor-General and respective Deputy;
 - f) Judges, Prosecutors and Public Defenders;
 - g) Provedor of Human Rights and Justice and respective Deputies;
 - h) Inspector-General;
 - i) Former holders of organs of sovereignty;
 - j) Officers, Sergeants and Privates of F-FDTL and Officers, Sergeants and Agents of PNTL, as well as Leaders and civil servants pertaining to the National Intelligence System;
 - k) Staff on duty at embassies and consular posts;
 - l) Civil servants, temporary agents and politically appointed staff under direct and indirect Public Administration of the State, as

defined in Decree-Law No. 12/2006 of 26 July, and national hired staff.

2. All those listed in subparagraphs a) to l) of the preceding paragraph shall correspond to those paid under salaries and wages category, except for teachers and civil servants working for the National Directorate of Non-Formal Education, National Directorate of School Accreditation, National Directorate of Administration and Finance and National Directorate of Planning of the Ministry of Education, who are paid under Goods and Services category.

Article 3 Payment

The extraordinary payment shall be made during the month of December 2008.

Approved by the Council of Ministers on 3 December 2008.

The Prime Minister

Kay Rala Xanana Gusmão

The Minister of Finance

Emília Pires

Promulgated on 12 December 2008

For publication

The President of the Republic

José Ramos-Horta