

**DECREE-LAW NO. 44/2011
OF 21 SEPTEMBER**

**SECOND AMENDMENT TO DECREE-LAW NO. 34/2008 OF 27 AUGUST (REGIME
FOR COMPETITION, RECRUITMENT, SELECTION AND PROMOTION OF PUBLIC
ADMINISTRATION STAFF)**

Decree-Law no. 34/2008 of 27 August, which regulates the regime for the competition, recruitment, selection and promotion of staff in Public Administration, was amended by Decree-Law no. 22/2011 of 8 June to adapt it to the principles of Law no. 7/2009 of 15 July, which established the Civil Service Commission, and also to establish rules for the transitional regime of personnel recruited for Public Administration on a temporary basis and regulate the guidelines established by Government Resolution no. 42/2010 of 17 November, which established the policy for the conversion of Civil Administration agents into permanent civil servants.

The said amendment established that personnel recruited on a fixed-term basis who have accomplished over six months of contract by 17 November 2010 would be integrated into the public administration careers. Nevertheless, it has been verified that such measure has created an unfair system for the other recruited staff who, between 17 November 2010 and 30 June 2011, has attained such duration of their respective contracts. The present decree-law is intended to settle such situation of injustice by determining that all those staff members who have accomplished six months of contract by 30 June may equally become permanent civil servants provided they meet the other requirements.

Thus, pursuant to subparagraph p) of article 115 of the Constitution of the Republic and to article 15.2 of Law no 8/2004 of 16 June, the Government enacts the following to have the force of law:

**Article 1
Amendments**

Article 44 of Decree-Law no. 34/2008 of 27 August shall now read as follows:

**“Article 44”
(...)**

1. (...)
2. The transitional regime of recruitment shall apply to agents of Public Administration who have accomplished a minimum of six months of work contract by 30 June 2011.
3. (...)

**Article 2
Entry into force**

The present Decree-Law shall enter into force on the day immediately after its publication.

Approved by the Council of Ministers on 3 August 2011.

The Prime Minister,

Kay Rala Xanana Gusmão

Enacted on 19 / 9 / 2

For publication.

The President of the Republic,

José Ramos-Horta.