

DEMOCRATIC REPUBLIC OF EAST TIMOR

GOVERNMENT

DECREE-LAW No. 1/2002

Of 24 May

The building of Justice, of Peace and of Development is one of the ever-renewed aspirations that have been accompanying the saga of our people throughout their existence.

At a time when the transfer of the powers of sovereignty is taking place, following the international recognition of our country's independence proclaimed on 28 November 1975, there is an urgent need to ensure that the judicial system in its various facets be transferred without any kind of precipitation or vacuum.

Thus, under the combined provisions of Article 163, paragraph 2, and of Article 168 of the Constitution of the Republic; and pursuant to the authority given under Section 116, subparagraph d), with reference to the provision of subparagraph b), paragraph 1, of Section 115 of the Constitution, the Government enacts the following regime that shall have the force of law:

Regime of transfer of the judicial system

Section 1

The judicial organization existing in East Timor shall remain in operation until such a time as the new judicial system is installed and becomes operational, following the required adaptations and without impediment to the necessary actualistic interpretation.

Section 2

Judicial magistrates and those of the public prosecution service shall remain in office and shall all be admitted as trainees until such a time as ordinary laws on the Statutes of Judicial Magistrates and the Statutes of Magistrates of the Public Prosecution Service are passed.

Section 3

Once the relevant legislation has been approved and professional merit appraisals have been carried out magistrates shall be appointed in accordance with the law and shall enter their respective career.

Section 4

The present decree-law shall have retroactive effect as from 20 May.

Seen and approved by the Council of Ministers on 24 May 2002.

For publication.

The Prime Minister, Mari Alkatiri

The Minister of Justice, Ana Pessoa Pinto

Promulgated on 5 July 2002

By the President of the Republic, José Alexandre Gusmão, Kay Rala Xanana Gusmão

To be published. -