

**DEMOCRATIC REPUBLIC OF TIMOR-LESTE
GOVERNMENT**

DECREE-LAW No. /2005

**Establishing the Civil Aviation Authority of Timor-Leste and Approving the
Bylaws Thereof**

The law establishing the bases for civil aviation, as approved by decree-law No. 1/2003, of 10 March, provides for the establishment of an aeronautical authority, as a body entrusted with monitoring, supervising and regulating civil aviation, with the objective of guaranteeing the safety of the air transport system in Timor-Leste pursuant to international rules and regulations emanated from the International Civil Aviation Organisation (ICAO).

The civil aviation watchdog shall have administrative and financial autonomy and own property in order to fulfil its responsibilities in a totally independent and detached manner, thus guaranteeing civil aviation safety and its orderly development.

Therefore, it is important that the Civil Aviation Authority of Timor-Leste be established, with a nature similar to that of a public institute, as a state administration body tasked with regulating, monitoring and supervising the civil aviation sector.

Pursuant to paragraphs 115.1(e) and 116(d), of the Constitution of the Republic, the Government enacts the following, to have the force of law:

**Article 1
Establishment of AACTL**

1. There shall be established the Civil Aviation Authority of Timor-Leste, hereinafter referred to as AACTL, a public corporate body with juridical personality and judicial capacity, enjoying administrative and financial autonomy and having own property.
2. AACTL is a public institute and aims to effectively fulfil the public supervisory, regulatory and monitoring and inspection responsibilities of the civil aviation sector in Timor-Leste as set out in this decree-law and the annexes hereto, which are an integral part hereof.

**Article 2
Principle of speciality**

1. The judicial capacity of AACTL covers the execution of any legal acts, the enjoyment of all rights and subjection to all obligations required to fulfil its responsibilities.
2. AACTL shall not carry on its business or use its powers outside the scope of its responsibilities or use its resources for purposes other than the ones assigned thereto.

Article 3 Tutelage

AACTL is under the tutelage and supervision of the Minister of Transport and Communications and the financial tutelage of the Minister of Planning and Finance under the terms defined in the Bylaws.

Article 4 Property

1. AACTL shall be initially allocated property worth US\$ 50,000 (fifty thousand American dollars) and granted the right to use and enjoy such public assets as may be assigned thereto for the purposes of fulfilling its responsibilities by joint ministerial order from the Ministry of Planning and Finance and the Ministry of Transport and Communications.

2. Other assets and rights may also be transferred to AACTL, as part of its property, by joint ministerial order from the Ministry of Planning and Finance and the Ministry of Transport and Communications.

Article 5 Exemptions

AACTL is exempt from all taxes, charges and emoluments of any nature in judicial proceedings and notarial and registration acts in which it may take part.

Article 6 Regime for temporary competencies

1. Pending the appointment of members to the AACTL organs and their actual installation, the monitoring, licensing and certification functions provided in articles 5, 6 and 7 of the Bylaws attached to this decree-law shall be exercised by an ad hoc committee composed of the following members:

- (a) the Minister of Transport and Communications;
- (b) the Civil Aviation Director;
- (c) an International Civil Aviation Advisor;
- (d) Other persons who, depending on the nature of the case under review, are invited by the Minister to attend, on his or her own initiative or on the recommendation of the International Civil Aviation Advisor.

2. The Committee is chaired by the Minister of Transport and Communications, who has a casting vote and power of veto.

3. The mode of operation of the Committee shall be regulated by ministerial order from the Minister of Transport and Communications.

4. Taking minutes of meetings is mandatory.

5. The Committee shall cease its functions with the appointment of the Board members.

Article 7
Final and transitional provisions

1. Internal norms and regulations in force in the area of civil aviation shall remain applicable in all that is not contrary to this decree-law and the attached Bylaws.
2. Pending the submission of the financial plan for year 2005-2006, any expenses arising from AACTL's responsibilities shall continue to be debited to the relevant lines of the state budget.
3. Pending the establishment of the High Administrative, Tax and Audit Court, the competencies assigned to this court by the attached Bylaws shall be exercised by the Court of Appeal.

Article 8
Entry into force

1. This decree-law shall come into force 90 days after its date of publication.
2. Article 6 of this decree-law and articles 5, 6 and 7 of the attached Bylaws shall come into force on the day following its date of publication.

Approved by the Council of Ministers on the 21st September 2005.

The Prime Minister

[Signed]
(Mari Bim Amude Alkatiri)

The Minister of Planning and Finance

[Signed]
(Maria Madalena Brites Boavida)

The Minister of Transport and Communications

[Signed]
(Ovídeo de Jesus Amaral)

Promulgated on the 8th day of November 2005.

To be published.

The President of the Republic

[Signed]
(Kay Rala Xanana Gusmão)

ANNEX
(as referred to in subarticle 1.2)

Bylaws
Of the Civil Aviation Authority of Timor-Leste

CHAPTER I
General provisions

Article 1
Name, legal nature and purpose

The Civil Aviation Authority of Timor-Leste, hereinafter referred to as AACTL, is a public institute endowed with administrative and financial autonomy and own property, the purpose of which being to supervise, regulate, monitor and inspect the civil aviation sector.

Article 2
Seat and territorial jurisdiction

Dili is the seat of AACTL and AACTL shall operate across the national territory and air space of the Democratic Republic of Timor-Leste.

Article 3
Tutelage

1. AACTL shall be under the tutelage and supervision of the Minister of Transport and Communications, who has the responsibility of:

- (a) defining the policy guidelines to which work plans and budgets must conform;
- (b) approving work plans submitted by the Board of Directors;
- (c) approving mid-yearly updates on operating and investment budgets;
- (d) approving the rules of procedure regarding the organisation and functioning of AACTL;
- (e) approving the signing of technical co-operation or management agreements with other entities submitted by the Board of Directors;
- (f) soliciting AACTL Board of Directors to provide any information deemed necessary or convenient.

2. AACTL shall be under the financial tutelage and supervision of the Minister of Planning and Finance, whose responsibilities include, inter alia:

- (a) approving annual and multi-annual financial plans ;

- (b) approving the annual budget of ACCTL, including any reviews and/or amendments thereto;
- (c) approving rectified or supplementary budgets;
- (d) approving the financial report of AACTL.

Article 4
Legal regime

1. AACTL shall be governed by this decree-law and its Bylaws, by legal provisions as may be specifically applicable thereto and, on a subsidiary basis, by the legal regime for public companies, as approved by decree-law No. 14/2003, of 24 of September.

2. Subject to subarticle 4.1 and in all that is not regulated by a specific law, to activities relating to the public management of AACTL involving the exercise of powers of authority shall apply the legal administrative legislation in force.

CHAPTER II
Responsibilities, powers of authority and competencies

Article 5
Responsibilities

1. The purpose of AACTL is to supervise, regulate, monitor and inspect the civil aviation sector.

2. The responsibilities of AACTL include:

- (a) advise the Government on the definition of civil aviation policies;
- (b) study, propose and draft legal instruments, regulations and administrative instructions aimed at supervising the exercise of activities in the civil aviation sector and guaranteeing air navigation safety;
- (c) monitor compliance with applicable laws and regulations, inspecting and verifying the exercise of activities, operational areas, equipment, systems, facilities and services of any entity carrying on any kind of activity in the field of civil aviation or directly related thereto;
- (d) opine on the concession of rights to carry on airport activities related to the provision of public airport services and air navigation. Accessory and complementary activities, as well as monitor or promote the monitoring of the exercise of such rights and compliance with the conditions under which the rights have been granted;
- (e) opine on the concession of rights to carry on air transport operations, given or recognised to Timorese or foreign entities, issue the respective licences or

permits, as well as monitor or promote the monitoring of the exercise of such rights and compliance with the conditions under which the rights have been granted;

- (f) take part, together with other competent entities and other public services, in the development of general plans, master plans, and servitude or environmental protection plans with respect to airport infrastructure and air navigation and the use of the air space;
- (g) promote the adoption of air transport facilitation and safety measures and ensure compliance therewith;
- (h) approve projects for the construction and alteration and/or modification of airport and air navigation infrastructure, certifying and licensing such works;
- (i) approve operating conditions for airport and air navigation operational services, to be submitted by the managing entity or by concessionaires in the form of Operating Handbooks, as well as monitor or promote the monitoring of the exercise of such activities;
- (j) submit to the tutelage ministry on a yearly basis, on the recommendation of the airport and air navigation regulatory authority, the rates, its breakdown and amount, discounts and exemptions, as well as the revision thereof;
- (k) issue opinions to the Government on the rates to be applied to Timorese or foreign entities carrying on any authorised activities in the area of civil aviation;
- (l) opine on the establishment and definition of areas for aeronautical servitude related to the use of airport infrastructure and air navigation aids;
- (m) promote the development of activities related to civil aviation, including research, training and capacity building of its staff in the area of science, technology, and aeronautical medicine;
- (n) prepare and lead negotiations on international treaties and agreements between Timor-Leste and other countries in the field of civil aviation, namely air transport agreements, and coordinate the execution thereof;
- (o) analyse and propose to the Government the adoption and application in Timor-Leste of norms, recommendations and other provisions emanated from international civil aviation entities;
- (p) investigate aeronautical accidents within the jurisdiction of Timor-Leste and those occurring overseas involving aircraft registered in Timor-Leste;
- (q) organise and keep the registration records of aircraft registered in Timor-Leste and of its parts and components (the Aeronautical Registry of Timor-Leste);

- (r) issue, revalidate and cancel licences and organise and keep records of aeronautical technicians, in accordance with applicable international norms;
- (s) examine the technical proficiency of aeronautical technicians;
- (t) ensure and organise the participation and intervention of Timor-Leste in international organisations specialising in civil aviation, namely ICAO, and assist the tutelage ministry in adopting international rules in the area of civil aviation and air transport safety;
- (u) assist the competent entities in preparing the national search and rescue, civil protection and emergency plan;
- (v) such other responsibilities as may be assigned thereto by law.

Article 6 **Powers and prerogatives of authority**

1. In order to execute its supervisory, regulatory and monitoring responsibilities, AACTL shall exercise the state powers and prerogatives assigned thereto by law, by this decree-law and its Bylaws.

2. Considered as being covered by subarticle 6.1 are the state powers conferred upon AACTL with respect to:

- (a) monitoring facilities, equipment and documents of entities subject to monitoring by AACTL;
- (b) levying, voluntarily or coercively, tariffs or other revenues resulting from its activity;
- (c) coercive execution of all other decisions of authority under the terms established by law, soliciting the intervention of administrative or police authorities as and when deemed necessary;
- (d) public use of services and protection of their facilities and staff.

Article 7 **Competencies**

1. It is the responsibility of AACTL to license, certify, authorise and approve activities and procedures, entities, staff, aircraft, infrastructure, equipment and all other means linked to civil aviation under the terms established by law and international regulations and norms applicable to the exercise of civil aviation activities.

2. The following activities are subject to licensing by AACTL:

- (a) air transport activities;

- (b) air transport business;
- (c) airport operations and assistance, including handling and any other activities involving the operation of aircraft;
- (d) activities carried on by aeronautical technicians holding any of the categories mentioned in Annex I to the Convention on International Civil Aviation.

3. The following entities are subject to certification by AACTL:

- (a) aeronautical technicians, in regard to their qualifications, professional competency, and mental and physical fitness;
- (b) airworthiness and conditions for maintaining aircraft registered in Timor-Leste, and parts and components thereof;
- (c) aeronautical infrastructure and air navigation aid systems and equipment, as well as operating procedures associated with such infrastructure, systems and equipment.

4. The following are subject to authorisation or approval by AACTL:

- (a) access to the air space of Timor-Leste;
- (b) access to national airports by civil aircraft, including the allocation of timetables for the use of airports;
- (c) safety standards for the exercise of flight and air traffic control activities by the respective staff;
- (d) navigation, air traffic control and aeronautical communications;
- (e) flight operation procedures and other technical requirements for flying aircraft;
- (f) air transport safety procedures;

5. AACTL shall determine the tariffs to be levied for authorisations, certifications and approvals granted in the exercise of its competencies.

6. Tariffs determined under this article shall be part of AACTL's own revenues.

Article 8 **Inspection and control**

Within the scope of its responsibilities and competencies, it is also incumbent upon AACTL to promote the application of, and compliance with, the laws, regulations, norms and technical requirements applicable to the civil aviation sector, namely the issuance of instructions, recommendations, normative provisions and circulars determining the conduct of operators.

Article 9
Execution measures and sanctions

In case of default in complying with determinations from AACTL issued under article 8 or breach of any of the norms and technical requirements applicable to activities that are subject to licensing, certification, authorisation or approval under this decree-law, AACTL may:

- (a) suspend or cancel licences, authorisations or certifications granted under the terms established in relevant regulations;
- (b) order the cessation of activities, aircraft tie-downs or closure of facilities until such a time as the situation of non-compliance or breach ceases to exist;
- (c) request the cooperation of police authorities to enforce norms and determinations that, for safety reasons, must be immediately executed;
- (d) impose such sanctions as provided by law.

CHAPTER III
Organs, composition and operation

Article 10
AACTL organs

The organs of AACTL comprise the Board of Directors and the Auditing Board.

Article 11
Board of Directors

1. The Board of Directors is composed of a chairperson and two voting members, to be appointed or removed from office by the Council of Ministers.
2. It is the responsibility of the Council of Ministers to designate the Board of Directors chairperson, and the two voting members shall each be appointed by the Minister of Transport and Communications and the Minister of Planning and Finance.
3. The selection of Board members shall be in compliance with criteria based on recognised technical capacity.
4. The term of office of Board members shall be four (4) years, renewable for an equal period of time.

Article 12 Competencies

1. The Board of Directors is the managerial organ of AACTL and is specifically responsible for:

- (a) drafting the rules of procedure regarding the functional organisation of AACTL, which shall be submitted to the tutelage ministry for approval;
- (b) preparing the annual progress report, draft budget, and all other financial management tools for submission to the Minister of Transport and Communications and the Minister of Planning and Finance for approval;
- (c) ensuring the administration and management of AACTL at the highest level and carrying out such acts as deemed necessary to fulfil its responsibilities;
- (d) levying revenues, promoting coercive levying of debts and authorising the incurrance of expenses;
- (e) exercising its powers of licensing, monitoring, authorisation, certification, approval, execution and application of penalties, as well as any other public powers of authority covered by the competencies of AACTL as a civil aviation authority;
- (f) defining the internal organisational structure of AACTL and its operation;
- (g) defining the salary scale, the internal regulation of careers and code of discipline of AACTL staff and staffing tables for submission to the Minister of Transport and Communications, the Minister of State Administration, and the Minister of Planning and Finance;
- (h) imposing disciplinary sanctions that, in accordance with the law or code of discipline, fall within its remit and carrying out any other acts relating to human resources management under the terms established by law;
- (i) deciding on the acquisition or disposal of assets and financial participations in conformity with what has been approved in the annual budget, following a consenting opinion of the Auditing Board;
- (j) deciding on cases of administrative breaches falling within the remit of AACTL and imposing the relevant sanction;
- (k) exercising such other powers as necessary to fulfil the responsibilities of AACTL, which do not fall under the remit of other organs;
- (l) submitting to the Minister of Transport and Communications any acts or documents that require the Minister's approval.

2. Whenever deemed necessary, the Board of Directors may appoint executive directors, clearly defining the scope of their functions in the AACTL rules of procedure.

Article 13 Operation

1. The Board of Directors meets ordinarily once a week and extraordinarily as and when convened by its chairperson or at the request of its voting members or the Auditing Board chairperson.
2. Decisions by the Board of Directors are taken by a majority of its members, and the chairperson shall have a casting vote.
3. Board of Directors meetings are recorded in minutes.

Article 14 Binding effect

1. AACTL shall bind itself through:
 - (a) the joint signature of the Board of Directors chairperson and of another director;
 - (b) joint signatures of three directors; or
 - (c) signature of the competent person, under the terms and scope of the respective mandate of representation.

Article 15 Winding up

In case of serious irregularities in its operation and considerable overspending without proper justification, the Board of Directors may be immediately dissolved by a ministerial order of the Prime Minister, on the recommendation of the Minister of Transport and Communications.

Article 16 Chairperson of the Board of Directors

1. It is the responsibility of the Board of Directors chairperson to coordinate and direct AACTL activities in general, and specifically:
 - (a) convene and chair Board of Directors and executive directors meetings ;
 - (b) coordinate the activities of the Board of Directors and promote the execution of its decisions;
 - (c) coordinate the action of all of AACTL services;
 - (d) represent AACTL, both in court and elsewhere, namely before the tutelage Minister, where another representative has not been designated.

2. The Board of Directors chairperson, or his or her legal substitute, may exercise a casting vote in the decision-making process.

Article 17

Status of Board of Directors members

1. Board of Directors members are considered to be public managers and are subject to the legal regime as may be approved for public managers in all that is not regulated in these Bylaws.

2. The remuneration of Board of Directors members shall be determined by joint ministerial order issued by the Minister of Transport and Communications, the Minister of Planning and Finance, and the Minister of State Administration.

3. The general legal regime on social security is applicable to Board of Directors members, except where they are employed by the civil service, in which case the regime of their own place of origin shall apply.

4. Board of Directors members shall not, in the course of their term of office, hold any other public office or practise any profession, exception being made to the exercise of part-time teaching functions.

5. Board of Directors members are subject to the same incompatibilities and impediments as senior public-office holders.

Article 18

Termination of functions

1. A Board of Directors member shall terminate his or her functions:

(a) upon expiry of his or her term of office;

(b) in case of permanent disability or subsequent incompatibility of the incumbent;

(c) upon resignation of the incumbent;

(d) upon removal from office determined by a ministerial order issued by the Prime Minister, on the recommendation of the Minister of Transport and Communications, in the case of grave fault proved to have been committed by the incumbent in the exercise of his or her functions, or default in fulfilling any obligation attached to the office;

(e) upon conviction of the incumbent for a criminal offence.

2. The term of office of Board of Directors members shall lapse in the case of dissolution of the Board of Directors or winding up of AACTL.

3. Upon completion of their term of office, Board of Directors members may not, for a period of two years, hold any office in, or provide any services to, private companies engaged in airport or civil aviation activities.

Article 19 Auditing Board

1. The Auditing Board is the organ responsible for monitoring the finances of AACTL and is composed of three (3) members appointed by a ministerial order of the Minister of Planning and Finance, after consultations with the Minister of Transport and Communications, one of these members being necessarily a chartered accountant.

2. The term of office of Board of Directors members is four (4) years, renewable for an equal period of time.

Article 20 Competencies of the Auditing Board

1. It is the responsibility of the Auditing Board:

- (a) to monitor the activities and management of AACTL through a periodic examination of its accounting books and records and supporting documents;
- (b) to issue opinions on the legality of any acts of a financial nature carried out by the Board of Directors, where the law or the Bylaws require the approval of such acts;
- (c) to verify the accuracy of the elements contained in the annual financial report to be submitted by the Board of Directors and issue detailed opinions on the report, as well as on the proposal for the allocation of outputs;
- (d) to issue opinions on the acquisition, encumbrance, leasing or disposal of immoveable property;
- (e) to notify the tutelage ministry of any irregularities ascertained in the management of AACTL and propose corrective measures;
- (f) to issue opinions on criteria for assessment of assets, for amortisation or reintegration of capital, and for establishment of legal provisions and reserves;
- (g) to issue opinions on any issue of interest to AACTL, submitted thereto by the Board of Directors for consideration.

2. The Auditing Board chairperson shall either attend AACTL Board of Directors meetings or send a representative to attend such meetings.

Article 21
Operation

1. The Auditing Board meets ordinarily once a month and extraordinarily when and as convened by its chairperson, on his or her own initiative or at the request of any other of its members, or at the request of the Board of Directors chairperson.
2. The mode of operation of the Auditing Board shall be determined in internal regulation.

CHAPTER IV
Legal regime on staff

Article 22
Contractual regime

1. AACTL staff are subject to the legal regime on individual employment contracts, with the peculiarities provided in these Bylaws and such provisions as may be established in the internal regulation.
2. Work performance and discipline standards are set out in a specific AACTL regulation pursuant to imperative legal provisions of the regime on individual employment contracts.

Article 23
Special contracts

1. In order to carry out any functions that require professional specialisation, AACTL may hire aircraft pilots, air traffic controllers or other civil aviation technicians of recognised technical competence.
2. Hiring under subarticle 23.1 shall be substantiated on public interest grounds and is subject to prior approval by the tutelage ministry.

Article 24
Requirement regime

1. Civil servants and Public Administration agents, including employees of private or public companies, may exercise functions in AACTL on secondment or requisition pursuant to the Statute of the Civil Service.
3. Mobility of civil servants and Public Administration agents is effected by a joint ministerial order issued by the Minister of Transport and Communications, the Minister of State Administration, and the Ministry or Secretariat of State where the position of origin of the employee belongs, on the recommendation of the AACTL Board of Directors.
3. Functions carried out under subarticle 24.2 shall guarantee the retention of the position of origin of the employee, without prejudice to any rights, and such functions

shall be considered, for the purposes of crediting length of service, as having been exercised in the position of origin.

Article 25

Powers of authority

1. AACTL staff carrying out monitoring functions shall have the necessary powers of authority and shall, in the exercise of such functions, enjoy the following prerogatives:

- (a) to access and inspect, at any time and without the need for prior notice, any facilities, equipment or services of the entities that are subject to inspection and control by AACTL;
- (b) to requisition equipment or documents for review;
- (c) to issue, as a preventive measure, and with immediate effect, a written and substantiated order to suspend or terminate activities or close down facilities, where failing to take such a measure may pose an imminent risk to civil aviation safety;
- (d) to ask for the identification of any persons found in blatant violation of the norms the enforcement of which is the responsibility of AACTL, in case police authorities cannot be called in in due course;
- (e) to request the collaboration of administrative and police authorities to enforce norms and determinations that, for safety reasons, must be immediately executed;

2. Suspension, termination or closure as referred to in paragraph 25.1(c) shall be reported in writing by AACTL within eight (8) days; otherwise the preventive measure imposed shall be null and void.

3. AACTL staff holding the prerogatives mentioned in this article shall be duly credentialed and shall use a specific identification card, which must be produced while exercising their functions.

4. The model of the identification card mentioned in subarticle 25.3 shall be approved by ministerial order of the Minister of Transport and Communications, on the recommendation of the AACTL Board of Directors.

Article 26

Incompatibilities

AACTL staff shall not hold, cumulatively, public offices or carry out private activities that might interfere with the exercise of their functions, irrespective of the nature of their contractual relationship.

CHAPTER V
Financial and property regime

Article 27
Property

AACTL-owned property comprises all assets, rights and obligations acquired under the terms of article 4 of the decree-law approving these Bylaws and any others AACTL may eventually acquire in the exercise of its functions

Article 28
Revenues

1. AACTL's own revenues are comprised of:

- (a) a percentage of the fees due by the entity in charge of managing airports and airfields in Timor-Leste, as determined in a joint ministerial order of the Minister of Transport and Communications and the Minister of Planning and Finance, with a view to coping with the operating expenses of AACTL;
- (b) monies deriving from fees due for the provision of services within the remit of its responsibilities and competencies;
- (c) monies deriving from licences, certificates, approvals and other services provided under the terms established by law;
- (d) proceeds from fines imposed in connection with the breach of laws, regulations, norms and technical requirements applicable to the civil aviation sector;
- (e) contributions, appropriations or other subsidies from the state or other entities;
- (f) donations, inheritances or bequests;
- (g) income deriving from contracts for the provision of services
- (h) any other income or monies deriving from its activities or that might be owned by ACCTL by law, by the Bylaws or by contract.

2. Coercive or voluntary levying of AACTL's own revenues, as provided in paragraphs 28.1 (a) (b) and (c), shall be effected under the terms provided in the laws, regulations, norms and technical requirements applicable to the aviation sector.

Article 29

Expenses

1. AACTL's expenses include all those deemed necessary to fulfil its responsibilities, to operate its services and to manage the assets that have been allocated thereto.
2. Only those expenses provided for in AACTL's budget shall be authorised.
3. Processing and settlement of expenses incurred by AACTL, after these have been duly authorised through approval of the budget by the tutelage ministry, shall be in compliance with the formalities established in an internal regulation approved by the Minister of Transport and Communications.
4. Payment of expenses incurred by AACTL may be made through any of the modalities provided in the law or approved by the Minister of Planning and Finance.

Article 30

Management tools

AACTL's financial management is regulated by forecasting management tools, by accountability documents and by the financial statement, and the regime for public companies enjoying administrative and financial autonomy, as provided in Decree-Law No. 14/2003, of 24 September, shall apply, with the necessary adaptations.

Article 31

Annual budget

1. The annual operating and investment budget shall be executed in such a way as to conform itself to the nature and the amount of the funds budgeted for, and any deviation from the approved budget shall be duly justified when submitting the accounts pertaining to the financial year.
2. The draft annual budget shall be submitted to the Minister of Transport and Communications by the 15th February each year, for express approval by the 15th March; and the draft budget shall be considered as having been tacitly approved by the Minister if no express approval is given within the aforementioned deadline.
3. AACTL shall submit to the Minister of Transport and Communications a first draft of the basic elements of the operating and investment plans for the following year by the 15th October each year.

Article 32

Financial control and accountability

1. Apart from the financial control exerted directly by the Auditing Board under the terms established in these Bylaws, AACTL shall submit to the Minister of Planning and Finance and the Minister of Transport and Communications a financial and management report no later than the 30th September each year, which shall comprise the following documents:

- (a) report by the Board of Directors;
 - (b) financial statement;
 - (c) breakdown of medium- and long-term investments;
 - (d) map showing how the funds have been used and their origin.
2. The documents referred to in subarticle 32.1, accompanied by the opinion of the Auditing Board, shall be submitted by the 15th August each year to the Minister of Transport and Communications who shall, within thirty (30) days, review and forward them to the Minister of Planning and Finance, who shall approve such documents in another thirty (30) days.
3. The documents shall be considered as having been tacitly approved should there be no ministerial decision taken within the 30-day deadline.
4. AACTL's annual accounts may be subject financial auditing.

CHAPTER VI

Article 33 Acts and contracts

1. Acts carried out and contracts entered into by AACTL within the scope of its responsibilities, as well as any acts amounting to the revocation, rectification or alteration thereof may be written in a private document.
2. In the case of acts subject to registration, the private document shall contain signatures authenticated under the terms established by law.
3. The documents whereby AACTL might formalise any legal businesses or contracts, as well as any documents to be issued by AACTL in accordance with elements contained in its records, shall serve as an extrajudicial writ of execution against any person who, on the basis of such elements, is proved to have a debt with AACTL, irrespective of any other formalities required by the general law.

Article 34 Liability

1. AACL is civilly liable to third parties for any acts or omissions practised by any of its directors, without prejudice to its right of redress against such directors.
2. In the exercise of their functions, AACTL Board of Directors members are civilly liable for any damage caused by failure to fulfil their duties as set out in the law or Bylaws, except if they prove to have acted unintentionally.

3. Subarticle 34.2 shall not prejudice any criminal or disciplinary liability that may arise out of acts or omissions practised by AACTL Board of Directors members in the exercise of their functions.

Article 35
Internal regulations

Norms required for the smooth running of AACTL shall be contained in internal regulations to be drafted by the Board of Directors within ninety (90) days of approval of the decree-law approving these Bylaws, and submitted to the Minister of Transport and Communications for approval.

Article 36
Competent court

1. It is incumbent upon the courts of law to adjudicate disputes to which AACTL is a party, including actions to enforce civil liability for acts carried out by its organs, as well as to ascertain civil liability of staff of those organs to AACTL.

2. Without prejudice to subarticle 36.1, it is incumbent upon the administrative court to adjudicate definitive and executory acts carried out by AACTL organs, including the adjudication of actions on the validity, interpretation or execution of administrative contracts to which AACTL is a party.