

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

DECREE No 2/2003 Of 23 July 2003

Organic Structure of the Ministry of State Administration

The Decree-Law No. 7/2003 concerning the remodelling of the organic structure of the Government has introduced amendments to the Decree-Law No. 3/2002 of 20 September, namely, the creation of the Ministry of State Administration.

Since it is necessary to approve the Organic Structure of the Ministry of State Administration (MSA), pursuant to the provisions under Section 1, paragraph 1, item j) and under Section 15, of the above-mentioned Decree-Law No. 7/2003, the Government enacts the following to be valid as law:

Chapter I

Nature, Objectives, Competencies and Areas of Activity

Section 1 Nature

The Ministry of State Administration is the central organ of the State apparatus responsible for the conception, execution, coordination and evaluation of policies defined and approved for the state administration by the Council of Ministers in the areas of civil service, public administration, whether regional or local, ensuring the publication of official documents.

Section 2 Objectives

The Ministry of State Administration shall pursue the following objectives:

- a) To promote proper planning and organisation of the territory;
- b) To promote administrative decentralisation;
- c) To professionalise civil service;
- d) To propose necessary legislation to render viable the objectives pursued.

Section 3 Attributes

The Ministry of State Administration shall have the following attributes:

1. In the domain of the State administration:
 - a) To professionalise civil service;
 - b) To secure management and training of the human resources of the civil service;
 - c) To ensure conformity of the organic structures of services and State institutions with the needs of the country;
 - d) To propose and develop a career and remuneration systems for the civil service;
 - e) To prepare and implement the statute of the employees of the State and complementary legislation;
 - f) To promote dissemination and compliance with ethical norms and professional deontology of the State apparatus;
 - g) To define guiding criteria for the creation and organisation of services;
 - h) To preserve the reasoning and internal coherence of the organic system and of the inter-functional relations in the services and institutions of the State.
2. In the domain of electoral administration, to promote the proper functioning of the administrative structure of the State that is especially geared towards planning, organisation and execution of the electoral processes and referenda.
3. In the domain of documentation and filing of the State:
 - a) To promote the recovery and reconstitution of documents by establishing and developing the historical archive of the country;
 - b) To propose and develop directives and instructions concerning the classification, processing and archiving of documentation;
 - c) To ensure access to investigators, scholars and general public, of documentation on file that are not covered by secrecy provisions of the State;

- d) To promote modernisation of services and professional specialisation of employees belonging to the historical archive of Timor-Leste;
4. In the domain of training, to promote the professionalisation and specialisation of the employees of the State.
5. In the domain of official documents, to promote their issuance in due time.

Chapter II Organic System

Section 4 Areas of Activity

The Ministry of State Administration shall be organised in accordance with the following areas of activity:

- a) Local administration of the State;
- b) Civil service;
- c) Electoral administration;
- d) Documentation and archives of the State;
- e) Publication of the Official Journal and other official publications.

Section 5 Structure

1. The Ministry of State Administration shall have the following structure:
 - a) Office of the Minister;
 - b) Permanent Secretary;
 - c) National Directorate of Territorial Administration;
 - d) National Directorate of Civil Service;
 - e) National Directorate of Administration and Finance.
2. The Ministry of State Administration shall comprise the following subsidiary institutions:
 - a) National Institute of Public Administration;
 - b) Technical Secretariat of Electoral Administration;
 - c) National Archive;
 - d) National Printing Press.
3. At the local level, the Ministry of State Administration shall be structured in delegations, the position and functioning of which shall be object of specific statute to be approved in due time by the minister,

following a proposal by the National Directorate of Civil Service, after the National Directorate of Administration and Finance has been heard.

Section 6 Office of the Minister

The Office of the Minister shall have as its specific functions:

- a) To provide direct assistance to the Minister and Deputy Minister;
- b) To systematise the need for cooperation of the different areas;
- c) To coordinate actions of international cooperation in the domain of public administration;
- d) To study, issue opinions and provide the necessary technical information regarding legal projects submitted to the Ministry;
- e) To prepare studies, researches and opinions geared towards the public administration;
- f) To provide technical assistance to the processes of rationalisation of administrative procedures, institutional capacity-building, and administrative reforms;
- g) To ensure the functioning of the necessary administration and protocol to the Minister and Deputy Minister;
- h) To programme the activities of the Minister and Deputy Minister;
- i) To expedite correspondence, office hour records and documentation of the Minister and Deputy Minister;
- j) To ensure communication with the public and other entities;
- k) To prepare and secure work meetings conducted by the Minister and Deputy Minister;
- l) To perform any other duties as defined by the Minister or Deputy Minister.

Section 7 Permanent Secretary

The Permanent Secretary shall have as his/her specific functions:

- a) To ensure the general direction of services in accordance with the Government's programme and with the direction of the respective minister in accordance with the law;
- b) To propose to the Minister measures that are better suited for the pursuance of objectives enunciated in paragraph a) above;
- c) To closely monitor the execution of projects and programmes of international cooperation and to conduct their internal evaluation without prejudice to the existing mechanisms of self-evaluation;

- d) To verify the legality of expenditures and to authorise their payment;
- e) To coordinate and harmonise the execution of annual and pluriannual plans according to the needs;
- f) To ensure the efficacy, relations and cooperation between the directorates and other institutions of the Ministry;
- g) To coordinate the preparation of the panels of management;
- h) To perform any other duties ascribed to him/her by law.

Section 8

National Directorate of Territorial Administration

The National Directorate of Territorial Administration shall have as its specific functions:

- a) To serve a liaison and to facilitate relations between the central and local structures of the State;
- b) To facilitate relations between the different echelons of local organs of the State;
- c) To promote studies on the organisation and functioning of the local organs of the State within the framework of the decentralisation of competencies;
- d) To prepare studies on mechanisms of relations between the local organs of the State, the central organs and the local communities;
- e) To coordinate the process of decentralisation of powers to the local organs of the State;
- f) To develop a system of information and relations between the local organs of the State and the central administration;
- g) To elaborate criteria and norms for territorial organisation and toponymy;
- h) To promote studies on the organisation and functioning of the organs of local governance;
- i) To promote the organisation of local governance and to provide possible technical assistance as the structures are created;
- j) To perform any other duties ascribed to it by law.

Section 9

National Directorate of the Civil Service

The National Directorate of the Civil Service shall have as its specific functions:

- a) To ensure the central management and training of human resources of the civil service;
- b) To monitor the workforce of the State apparatus;
- c) To implement and develop, in a permanent manner, a system of careers and remuneration;
- d) To continuously develop a system of training in the public administration and in close collaboration with the National Institute of Public Administration;
- e) To professionalise the public administration;
- f) To promote the elaboration of the statute and complementary legislation of the employees of the State;
- g) To promote dissemination and compliance of ethical and deontological norms of the civil service;
- h) To promote studies on the organic structures of services and institutions of the State;
- i) To take regular inventories of services and institutions of the State keeping in mind the identification of the macro and micro structure of the State, its organic systems and its inter-functional relations;
- j) To define and promote the enforcement of guiding criteria for the creation or reorganisation of services;
- k) To perform any other duties ascribed to it by law.

Section 10

National Directorate of Administration and Finance

The National Directorate of Administration and Finance shall have as its specific functions:

- a) To ensure the general administration of the ministry;
- b) To secure the inventorying, maintenance and preservation of the property of the State entrusted to the ministry;
- c) To coordinate the execution and monitoring of budgetary appropriations ascribed to it;
- d) To ensure the compliance of laws, regulations and other legal provisions of an administrative-financial nature;
- e) To plan, coordinate and ensure the selection and management of the human resources of the ministry as well as the contracting of national staff;
- f) To coordinate the process of formulation and execution of policies and strategies for the development of human resources;

- g) To establish norms for the general and specialised technical-professional training of the employees and to coordinate their execution;
- h) To prepare a list of personnel of the ministry;
- i) To support subsidiary institutions in preparing the respective list of personnel;
- j) To perform any other duties ascribed to it by law.

Section 11

National Institute of Public Administration

1. The National Institute of Public Administration (NIPA) is the entity particularly geared towards securing specific professional training to the employees and workers of the State apparatus.
2. Under the tutelage of the Ministry of State Administration, the NIPA shall have a specific statute to be approved within a period of six months.

Section 12

Technical Secretariat of Electoral Administration – TSEA

1. The TSEA is the organ responsible for the organisation and execution of electoral processes and for consultation and support in electoral matters, and it is incumbent upon it specifically:
 - a) To propose measures for the realisation of electoral acts in due time and, namely, to propose appropriate measures for the payment of electoral expenditures;
 - b) To propose appropriate measures for the participation of citizens in elections;
 - c) To plan and provide technical support for the realisation of elections, whether locally or nationally, and, to this effect, to resort to the collaboration with the existing administrative structures;
 - d) To ensure the statistics of electoral acts by promoting the publication of respective results;
 - e) To organise the record of elected citizens for the organs of sovereignty and for the local organs;
 - f) To conduct relevant studies pertaining to elections.
2. The structure, organisation, composition and functioning of the TSEAE shall be the object of a specific statute to be approved within a period of six months.

Section 13

National Archives

1. The National Archives is the entity hierarchically organised under the Minister of State Administration and it is incumbent upon it:
 - a) To promote the recovery and reconstitution of documents by establishing and developing the historical archive of the country;
 - b) To propose and develop relevant norms and instructions for the classification, processing, restoration and archival of documentation;
 - c) To secure access to researchers, scholars and general public, of documentation in archive that is not covered by the secrecy provisions of the State;
 - d) To promote the modernisation of services and the professional specialisation of the employees of the historical archive of Timor-Leste.
2. The National Archives shall have a specific statute to be approved within a period of one year.

Section 14

The National Printing Press

1. The National Printing Press is the entity hierarchically under the competent Ministry of State Administration and is responsible for publishing the Official Journal and other official publications.
2. The National Printing Press shall have a specific statute to be approved within a period of one year.

Chapter III

Panels of the Administration

Section 15

Panels

The following panels shall operate within the Ministry of State Administration:

- a) Consultative Council;
- b) Advisory Council of District Administrators;
- c) Coordinating Council.

Section 16

Consultative Council

1. The Consultative Council is the panel that takes periodical stocks of the administrative activities in the Districts and incumbent upon it, among other things, are the following functions:
 - a) To study the decisions of the Ministry with the aim of implementing them;
 - b) To monitor the work plans and programmes;
 - c) To take periodical stock of activities by evaluating the results achieved;
 - d) To promote the exchange of experiences and information between all of the sectors and between the cadres and leaders of the Ministry;
 - e) To appraise legislative statutes and other types of documentation that are approved by the different organs of the Ministry.
2. The Consultative Council shall comprise the following:
 - a) The Minister;
 - b) The Deputy Minister;
 - c) The Chief of staff;
 - d) The Permanent Secretary;
 - e) The National Directors;
 - f) The Directors of central institutions equivalent to National Directors;
 - g) The Heads of Department called upon to attend.
3. The Consultative Council shall meet ordinarily once a month and extraordinarily whenever the Minister so determines.

Section 17

Advisory Council of District Administrators

1. The Advisory Council of District Administrators is the panel that takes periodical stock of the administrative activities in the Districts and incumbent upon it, among other things, are the following functions:
 - a) To present the report of activities undertaken;
 - b) To take stock of the execution of work plans and programmes;
 - c) To promote the exchange of experience and information with particular focus on local administration.
2. The Advisory Council of District Administrators shall comprise the following:
 - a) The Minister;

- b) The Deputy Minister;
 - c) The Chief of Staff;
 - d) The National Directors and their equivalent;
 - e) The District Administrators.
3. The person in charge of the State administration in the sub-districts shall join the Advisory Council of District Administrators whenever the Minister so determines.
 4. The Advisory Council of District Administrators shall meet ordinarily in the districts every two months following notification by the Minister.

Section 18

Coordinating Council

1. The Coordinating Council is the organ of coordination, planning and monitoring of actions developed by the Ministry within the framework of the government programme and incumbent upon it, among other things, are the following functions:
 - a) To coordinate, plan and monitor the execution of the annual plan of activities and to take the respective stock;
 - b) To appraise, coordinate and conciliate development policies and strategies of the sector;
 - c) To recommend the approval of the annual plan of activities for the following year.
2. The Coordinating Council shall comprise the members of the Consultative Council and the members of the Advisory Council of District Administrators.
3. The Minister of State Administration may invite other entities, cadres and persons, from within or without the Ministry, to participate in the Coordinating Council.
4. The Coordinating Council shall meet ordinarily once a year and extraordinarily following authorisation by the Prime Minister.

Section 19

Final Provision

It shall be incumbent upon the Minister of State Administration to approve by statute the regulations of the different structures and subsidiary institutions.

Section 20
Entry into Force

The present Decree shall enter into force the following day after its publication.

Seen and approved by the Council of Ministers on 16 April 2003

To be published.

The Prime Minister

[Signed]
Mari Alkatiri

The Minister of State Administration

[Signed]
Ana Pessoa Pinto