

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

**DECREE No. 4/2003
Of 13 November 2003**

**ON THE ORGANIC STRUCTURE OF THE MINISTRY OF AGRICULTURE,
FORESTRY AND FISHERIES**

Since the Government deems expedient to approve the organic structure of the Ministry of Agriculture, Forestry and Fisheries, hereinafter referred to as the Ministry, as a follow-up to the formation of the First Constitutional Government, thereby endowing the said Ministry with an organizational and functional framework;

Having taken into consideration the Government's major political options and priorities in the fields of agriculture, livestock, forestry, water resources and fisheries, in conformity with the National Development Plan;

Pursuant to section 115.3 of the Constitution, the Government enacts the following decree that shall have the force of regulation:

**CHAPTER I
General Provisions**

**Section 1
Object**

This decree establishes the organisation chart and the organic structure of the organic units of the Ministry, defines the competencies and responsibilities of the bodies and services and those of their respective incumbents, as well as hierarchical relations, and clarifies the cases where office holders shall be replaced on grounds of absence or inability to act.

**Section 2
Scope of action of the Ministry**

The Ministry is the Government department responsible for designing, executing, coordinating and assessing the policy as defined by the Council of Ministers for the agricultural and fisheries sectors, notably in the areas of agricultural research and technical assistance to farmers, irrigation systems, and forest resources management.

CHAPTER II
Competencies of the Ministry and the Minister

Section 3
Responsibilities of the Ministry

In order to successfully pursue its mission, as set out in the National Development Plan, the Ministry has the following general responsibilities:

- (a) prepare and propose to the Government the policy guidelines for the sector;
- (b) execute and ensure the implementation of the sectoral policy as approved by the Government;
- (c) manage the agricultural, forest and fishing resources in a sustainable fashion;
- (d) promote an increase in income in the countryside, the generation of jobs in rural areas, as well as poverty reduction and the improvement of the well-being of rural populations;
- (e) boost private enterprise in the sector, establish policies and support services with the aim of converting agriculture and fisheries into competitive areas, regionally and internationally, capable of producing positive outputs;
- (f) assure farmers, fishermen and forest rangers access to the services of the Ministry and other services of the State;
- (g) design a policy that will ensure that agricultural, livestock, forest and water resources be used in such a way as to avoid the squandering thereof and to guarantee not only cost-effective results but also maximised benefits to the populations deriving therefrom;
- (h) define and implement regulations on quarantine and phyto- and zoo-sanitary control on animals and vegetables or any other imported or exported goods;
- (i) consult with partners, namely local fishing communities concerned, on decisions that might impact the sector;
- (j) promote, manage and monitor the establishment of forest and marine parks and reserves;
- (k) establish farmers' support services with the aim of developing and improving animal production;
- (l) rehabilitate and improve infrastructure, including irrigation systems, silos, roads and marketplaces;
- (m) increase coffee production through the systematic renovation of coffee plantations;
- (n) run, develop and expand a reforestation programme with the aim of reversing the current deforestation trend, ensure a wider forest coverage in the country and promote the growing of high-value commercial trees for the logging industry;
- (o) promote the drafting and approval of legislation for the sector;
- (p) promote training, refresher and retraining courses for professionals employed in the different specialised areas of the sector;
- (q) issue opinions on matters falling under the jurisdiction of other Government departments that might impact the sector's policies;
- (r) design, draft and propose the fishing policy, and ensure the smooth execution thereof;

- (s) foster the development of the fishing sector through the formulation and execution of fishing management plans, projects and programmes;
- (t) promote measures to conserve and manage fishing resources and ensure an effective execution of such measures in order to guarantee a sustainable exploitation of such resources, as well as the replacement of stocks;
- (u) promote research activities and resources surveys;
- (v) promote loan modalities for fishing activities, especially artisanal fishing and small-scale fishing activities;
- (w) take effective measures to conserve and protect endangered species and scarce or overexploited stocks;
- (x) promote and support forms of association in fishing communities and approach them in relation to the definition of fishing policies, plans and programmes;
- (y) establish and execute fishing legislation;
- (z) establish a cost-effective fishing industry, based on private enterprise, which will yield sustainable economic returns for the country;
- aa) delimitate and define the policy on recreational and sporting fishing activities;
- bb) assure access both of industrial and semi-industrial and artisanal fishermen to fishing resources, with a view to a sustainable commercial development of the fishing sector, as well as the satisfaction of the economic and social needs of fishing communities;
- cc) establish the conditions and limits for the licensing and access of fishing vessels, foreign and national, to the country's fishing resources, as well as conditions for carrying out deepwater fishing activities by national vessels;
- dd) determine fisheries and fishing quotas;
- ee) diversify agricultural production and increase the sector's export balance;
- ff) develop agriculture predominantly on the basis of an integrated approach to agricultural production;
- gg) promote loan modalities for small- and medium-sized farmers;
- hh) improve the quality of agricultural goods produced in the country;
- ii) introduce and develop new suitable technologies intended to increase agricultural production;
- jj) design, propose or adopt, in consultation with other services concerned, food security plans, programmes and projects, policies and strategies, and ensure the execution thereof;
- kk) take measures for ensuring food security and increase food self-reliance;
- ll) facilitate agro-industrial development with a view to processing a larger amount of food products and to increasing the value added thereof;
- mm) promote the quality of agro-food products, and foster and support measures for certifying the quality and origin thereof;
- nn) collaborate with all national and international bodies and services in all areas of interest to the food security sector;
- oo) ensure, in consultation with other public or private sectors and in conjunction with the Ministry of Foreign Affairs and Cooperation:
 - (i) the country's participation in conferences, meetings and international and regional organisations with jurisdiction over the areas or activities covered by the sector;
 - (ii) the country's participation in international and regional conventions and agreements relating to the sector;

- (iii) agricultural diversification and development through the identification of potential market niches in the region, Europe and North America for the country's agricultural and animal products;
- qq) accord special attention to the stabilisation of stream- and riverbeds and repopulate such streams and rivers with freshwater bird species;
- rr) promote collaboration with all other services concerned, as well as with donors, national and international NGOs and with local communities in managing forests and forest areas and in protecting river basins and biodiversity;
- ss) promote the drafting and adoption of national management plans in the areas of:
 - (i) use and protection of water basins;
 - (ii) forest management;
 - (iii) use of water resources;
 - (iv) fisheries;
 - (v) farming and livestock.

Section 4 The Ministry Management

The Ministry shall be headed at a higher level by the Minister who shall be answerable to the Prime Minister and the Council of Ministers.

Section 5 Competency of the Minister

The Minister shall have competence to:

- (a) design, draft and propose to the Government policies and strategies for the sector, and coordinate and ensure the execution thereof, keeping the unity and consistency thereof;
- (b) define and enforce legal instruments that will ensure the smooth execution of the policies and strategies approved for the sector;
- (c) have the following autonomous services under his or her purview:
 - (i) School of Agronomy and Livestock;
 - (ii) School of Fisheries and Marine Environment.

Section 6 Vice-Minister

In the exercise of his or her functions, the Minister shall be assisted by a Vice-Minister.

Section 7 Competencies of the Vice-Minister

The Minister may delegate to Vice-Minister any competency relating to the services or bodies under his or her purview.

CHAPTER III Services of the Ministry

PART I Structure

Section 8 General provision

The Ministry shall be comprised of Central Services and Regional Services.

Subpart I Central Services

Section 9 Bodies and Services

1. The central services shall include the following body:
The National Advisory Board
2. The central services shall consist of the following services;
 - (a) Permanent Secretary;
 - (b) The Offices of the Minister and of the Vice-Minister;
 - (c) The National Directorate of Agriculture and Livestock;
 - (d) The National Directorate of Forests and Water Resources;
 - (e) The National Directorate of Fisheries and Aquiculture;
 - (f) The National Directorate of Policies, Planning and Programmes;
 - (g) The Division of Administrative Services;
 - (h) The Centre for Research and Extension;
 - (i) The Division of Quarantine Services.

Section 10 National Advisory Board

1. A National Advisory Board, chaired by the Minister and composed of the Vice-Minister, the Permanent Secretary, the National Directors, the Chiefs of Staff and the Division Directors of the Ministry, shall function in the central services with the following competence:

- (a) assist the Minister in designing, formulating and coordinating sectoral policies, plans, programmes and projects;
- (b) assist the Minister in assessing sectoral investment projects;
- (c) assist the Minister in using and assessing bilateral and multilateral cooperation aid;
- (d) issue opinions on matters relating to the country's membership to international and regional organisations and accession to international treaties and conventions relating to the sector or on any other matter pertaining to the responsibilities and competencies of the Ministry as the Minister may deem advisable to refer thereto.

2. The Minister may, whenever he or she deems opportune, call on other Ministry officials, or any other person of recognised technical competence in the matter to be discussed, to attend National Advisory Board meetings.

3. National Advisory Board meetings shall be chaired by the Minister and the conclusions thereof shall be recorded in minutes.

Section 11 **Permanent Secretary**

1. The Permanent Secretary shall have the task of coordinating the administrative activities of the central and regional services of the Ministry, with the exception of the Offices of the Minister and of the Vice-Minister.

2. The Permanent Secretary, in his or her capacity as the general coordinator of the administrative activities of the central services, shall have, among others, the following responsibilities:

- (a) oversee personnel issues, without prejudice to the specific responsibilities of the Division of Administration;
- (b) promote the administrative coordination between the different National Directorates, the Centre for Research and Extension, the Division of Quarantine and other services, with a view to maximising human and financial resources available;
- (c) ensure the smooth running of the services, administrative order and discipline in the workplace;
- (d) settle disputes over jurisdiction or competencies between the various National Directorates and other services of the Ministry;
- (e) ensure transparency in administrative processes;
- (f) assist the Minister and the Vice-Minister in the exercise of their functions;
- (g) coordinate the activities of the National Directorates and services involved in the preparation of sectoral policies, plans and programmes;
- (h) oversee and coordinate the activities of the Centre for Research and Extension, and of the Division of Quarantine;
- (i) perform other tasks as may be assigned thereto by law or by the Minister or Vice-Minister;
- (j) present the Ministry's annual progress report.

Section 12
Functions of the Offices of the Minister and Vice-Minister

1. An Office to directly and personally assist the Minister in the exercise of his or her functions and in the performance of his or her daily duties shall function with and under the direct purview of the Minister.
2. An Office with tasks similar to those referred to in the foregoing subsection shall function with and under the direct purview of the Vice-Minister.

Section 13
Composition and Supervision of the Offices

1. Staff posted to the Offices of the Minister and Vice-Minister shall be subsumed into the following categories:
 - (a) Chief of Staff;
 - (b) Secretaries;
 - (c) Other agents.
2. The Office of the Minister and of the Vice-Minister shall each be headed by a Chief of Staff.

Section 14
Appointments and Cessation of Functions

1. The Cabinet Member shall have exclusive competence to freely appoint the Chief of Staff or any other staff member to his or her respective Office and such appointment shall be made from among the officials of the Ministry or other services, and may also include persons who have no contractual link with the State, in accordance with the law;
2. The Chief of Staff and other staff members posted to the Office of the Minister and Vice-Minister shall automatically cease from their functions upon termination of office of the respective Cabinet Member.

Section 15
Responsibilities of the Chief of Staff

The Chief of Staff shall have the following responsibilities:

- (a) ensure the smooth running of the Office;
- (b) ensure the liaison between the Minister and other services of the Ministry, the services under the direct purview of the Minister and other public and private entities;
- (c) lead and coordinate the work being carried by advisors, secretaries and other agents posted to the Office;

- (d) sign all outgoing correspondence that is not to be signed by the respective Cabinet Member;
- (e) submit to the Cabinet member, upon proper preparation, all matters that require his or her decision;
- (f) manage the human and material resources allocated to the Office;
- (g) run and keep an updated filing system of the Office's confidential correspondence;
- (h) sign the opening and the closure of all Office books;
- (i) submit to the respective Cabinet Member the annual report on all activities carried out by the Office;
- (j) perform other tasks as may be assigned thereto by law or by the respective Cabinet Member.

Section 16 Responsibilities of a Secretary

A secretary shall keep an updated social agenda and meeting schedule of the respective Cabinet Member and shall perform such tasks as may be assigned thereto by the latter.

Section 17 National Directorate of Agriculture and Livestock

The National Directorate of Agriculture and Livestock is the service of the Ministry that centralises and is answerable for the preparation, follow-up, and implementation and monitoring of policies, plans, programmes, projects or any other matters relating to agriculture- and livestock-related matters;

Section 18 Responsibilities

The National Directorate of Agriculture and Livestock shall have the following responsibilities:

- (a) coordinate the services under its purview;
- (b) assist farmers with the introduction of new farming techniques;
- (c) promote literacy and proficiency in new farming techniques;
- (d) establish efficient technical assistance services intended to provide assistance to farmers associations, with the aim of increasing the production of foods items, especially rice and maize;
- (e) promote the introduction and development of new, adaptable technologies with the aim of increasing agricultural production;
- (f) promote and develop the diversification of agricultural products;
- (g) rehabilitate and improve infrastructure, such as irrigation systems, silos, access roads and marketplaces;
- (h) promote the rotation of crops with the aim of maximising the effective use of arable land;

- (i) promote coffee growing with a view to increase its production and quality through the renovation of coffee plantations and replacement of old trees with new arabica coffee plants;
- (j) promote, develop and improve the production of some industrial crops like *camu* and coconut trees, not only for the domestic market, but also for the international one;
- (k) ensure the maintenance and improvement of the current irrigation systems for rice and other crops such as fruits and vegetables;
- (l) develop and implement expanded immunisation and zoo-sanitary campaigns aimed at preventing and controlling animal diseases and improving animal production;
- (m) assist farmers in developing and improving the breeding of animals of the bovine, caprine, buffalo and poultry species;
- (n) impose, through the contraventions committee, penalties in the agricultural and livestock sector;
- (o) perform other tasks that fall under the responsibility of the Ministry in the area of agriculture and livestock;
- (p) present an annual report on the activities carried out by the National Directorate.

Section 19 Services

The National Directorate of Agriculture and Livestock shall be comprised of the following Divisions:

1. The Division of Food Production shall be responsible for:

- (a) fostering the production of cereals, vegetables, tubers and edible roots, and assist farmers with seeds and enhanced and more productive species, and with new growing techniques and methods;
- (b) assisting farmers in fighting pests, diseases and infesting weeds;
- (c) promoting the organisation of workshops and training and refresher courses in modern farming methods and techniques;
- (d) ensuring increased food security and improving the quality of agricultural products;
- (e) promoting the use of mechanised equipment in farming, harvesting and processing of products;
- (f) performing all other tasks that fall under the responsibility of the Ministry in the area of food production;
- (g) coordinating the services under its purview;
- (h) presenting an annual progress report.

2. The Division of Industrial and Horticultural Production shall be responsible for:

- (a) fostering, in conjunction with other services of the Ministry, an increase in coffee production, through the introduction of new plants and growing, treatment and harvesting techniques;

- (b) assisting coffee producers in the acquisition and implementation of methods and techniques that will facilitate the improvement of coffee quality;
- (c) fostering an increase in and development of industrial crops, such as coconuts, vanilla, banana, sugarcane, medicinal or similar herbs, through the introduction of new plants and new and more productive species;
- (d) promoting the establishment of, and operating and monitoring, industrial plant nurseries so as to assist and support farmers in increasing and expanding the growing of such plants;
- (e) promoting and contributing to increased production and quality enhancement of horticultural goods, namely through the introduction of enhanced and more productive seeds;
- (f) assisting farmers with new techniques and fruit tree growing methods and techniques, as well as providing them with modern techniques for the treatment and handling of fruit production;
- (g) performing all other tasks that fall under the responsibility of the Ministry in the area of industrial and horticultural production;
- (h) coordinating the services under its purview;
- (i) presenting an annual progress report;

3. The Directorate of Livestock shall be responsible for:

- (a) fostering livestock production, artificial insemination and animal reproduction;
- (b) taking measures for promoting animal health, thereby protecting public health and ensuring hygienic and sanitary conditions at the places where cattle is slaughtered and sold;
- (c) monitoring the licensing of slaughter houses and agro-industrial businesses;
- (d) improving the livestock reproduction and feeding and taking measure for an improved redistribution;
- (e) monitoring diseases and pests and assist in periodic immunisation campaigns;
- (f) preparing, in conjunction with the Division of Policy, Planning and Programmes, regulations on slaughter houses;
- (g) licensing livestock industry businesses and undertaking periodic sanitary control activities;
- (h) performing all other tasks that fall under the responsibility of the Ministry in the area of livestock;

- (i) coordinating the services under its purview;
 - (j) presenting its annual progress report.
4. The Division of Irrigation and Water Resources Management shall be responsible for:
- (a) promoting measures that will ensure effective irrigation schemes and rehabilitation of the extant ones;
 - (b) ensuring the implementation of measures for a rational and optimised use of water in agriculture;
 - (c) ensuring the development, maintenance and operation of irrigation systems, as well as promoting and monitoring hydraulic construction and engineering works;
 - (d) participating in the preparation of medium- and long-term irrigation plans;
 - (e) participating in the preparation of national water resources plans;
 - (f) ensuring and monitoring maintenance and repair works in irrigation infrastructure;
 - (g) performing all other tasks that fall under the responsibility of the Ministry in the area of irrigation and water resources management;
 - (h) coordinating the services under its purview;
 - (i) presenting its annual progress report.

Section 20
National Directorate of Forests and Water Resources

The National Directorate of Forests and Water Resources shall have the following responsibilities:

- (a) coordinate the services under its purview;
- (b) coordinate, collect and analyse forest-related data and information for use in planning and decision-making;
- (c) promote the adoption of legislation on forest management;
- (d) prepare, in conjunction with other services, the national forest management plan;
- (e) promote, within the framework of the national forest management plan, measures for reforestation and protecting endangered and threatened forest species, as well as develop and expand the reforestation programme so as to increase the forest coverage and the growing of commercially valuable tree species for the logging industry;
- (f) promote awareness campaigns with local populations and communities and the public at large on the need to preserve the country's forest property;
- (g) adopt measures to disseminate information on, provide awareness in, prevent, contain and fight, bush fires;
- (h) promote measures for the rational and sustainable use of forest products;
- (i) assist in the conceptualisation and definition of forest parks and reserves and promote legislation on the management thereof;
- (j) participate, in conjunction with other services, in the preparation of the national water resources management plan;
- (k) ensure a balanced access of all farmers to water resources for use in farming activities;

- (l) take measures to ensure the rational use of water resources;
- (m) ensure, in coordination with other services, the quality of water resources, taking effective preventive measures, in conjunction with other competent services, for the prevention and elimination of the factors that cause the contamination or pollution thereof;
- (n) promote the preparation of a handbook on river basins management and a handbook on agro-forestry;
- (o) impose penalties in relation to the commission of contraventions in the forest and water resources sectors;
- (p) perform all other tasks that fall under the responsibility of the Ministry in the area of forests, river basins and water resources;
- (q) present an annual progress report.

Section 22

Divisions

The National Directorate of Forests and Water Resources shall be comprised of the following Divisions:

1. The Division of Reforestation and Rehabilitation, which shall be responsible for:
 - (a) coordinating reforestation works in degraded zones;
 - (b) ensuring the development of forest zones, in conformity with the respective national management plan;
 - (c) promoting and supervising, in conjunction with other services, the introduction of new forest tree and plant species;
 - (d) encouraging the involvement and participation of local populations in the rehabilitation and management of degraded forest zones;
 - (e) promoting integrated measures and supporting initiatives, in consultation with other services, to protect and conserve soils in forest zones;
 - (f) adopting measures, in consultation with other services, to rehabilitate, protect and conserve mangroves and freshwater species;
 - (g) coordinating the services under its purview;
 - (h) performing all other tasks that fall under the responsibility of the Ministry in the area of reforestation and rehabilitation;
 - (i) presenting a progress report on an annual basis.
2. The Division of Forest Resources Protection and Management shall be responsible for:
 - (a) promoting and coordinating training and retraining actions in the use of water resources, in the areas of maintenance and operation of water basin management systems, as well as in the organisation, conservation, monitoring and management of natural parks and the fauna and flora therein;
 - (b) undertaking information and awareness activities with the local communities and the general public on forest resources and the highly positive and beneficial impact that forests have on the protection of soils, the quantity and quality of

- water resources, the preservation of and increase in biodiversity, and the fight against poverty;
- (c) ensuring, in consultation with other services, effective measures to prevent or ban the indiscriminate or unauthorised cutting or removal of trees or unauthorised logging;
 - (d) taking measures to reduce and contain adverse environmental consequences caused by forest degradation;
 - (e) fostering and supervising the implementation of farming irrigation systems, with a view to maximising the use of and saving water resources;
 - (f) assisting in the settlement of disputes arising from the use of water for farming purposes, especially in local communities;
 - (g) carrying out, in conjunction with other services concerned, information and awareness campaigns with local populations, with a view to doing away with the harmful practice of burning bushes;
 - (h) promoting, in consultation with other services concerned, viable alternatives to the consumption of firewood;
 - (i) performing all other tasks that fall under the responsibility of the Ministry in the area of water resources protection and management;
 - (j) coordinating the services under its purview;
 - (k) presenting an annual progress report.

3. The Division of Production and Use of Forest Products shall be responsible for:

- (a) coordinating the services under its purview;
- (b) conducting inventories of forests and forest zones, public or private;
- (c) promoting and supervising the sustainable use of forest products;
- (d) promoting and assisting in the preparation of regulations on the production and use of industrial products;
- (e) executing and enforcing the provisions of laws and regulations relative to the production and use of forest products;
- (f) promoting the dissemination of information on the sustainable production and use of forest products, among the public and, especially, among local communities;
- (g) disseminating modern techniques and methods for the production and use of forest products;
- (h) deterring people from using forests as sources of firewood and cooperating with other services in the search for alternative sources of energy to replace the use of firewood;
- (i) promoting measures favourable to the industrial use of forest products in a sustainable manner;
- (j) keeping forest-related statistical data updated, notably those data concerning the use of forest products, occupied forest zones and extant forest tree and plant species;
- (k) promoting and proposing the adoption of a moratorium in the logging of certain forest tree and plant species so as to foster its reproduction and preservation;
- (l) performing all other tasks that fall under the responsibility of the Ministry in the area of production and use of forest products;
- (m) presenting an annual progress report.

Section 23
National Directorate of Fisheries and Aquiculture

The National Directorate of Fisheries and Aquiculture is the service of the Ministry that centralises and is answerable for the implementation and monitoring of policies, plans, programmes and projects, as well as for other matters related to the sustainable use and development of fishing and aquicultural resources, with a view to increasing the national food security, the generation of resources, and export revenues.

Section 24
Responsibilities

The National Directorate of Fisheries and Aquiculture shall be responsible for:

- (a) coordinating the services under its purview;
- (b) promoting the sustainable development of the fishing industry intended both for the domestic and external market;
- (c) implementing and monitoring measures to protect and conserve marine species;
- (d) conceptualising and proposing a declaration and monitoring the establishment of marine parks and reserves;
- (e) determining the country's main fisheries and fishing quotas;
- (f) promoting specialised training with a view to increase fishermen's capacity to master new and modern fishing techniques;
- (g) promoting the sanitary conditions in the handling, transport, storage, processing and trading of fish;
- (h) promoting the adoption of legislation for the sector and monitoring the enforcement thereof;
- (i) imposing penalties through the contraventions committee in the fishing and aquicultural sector;
- (j) granting fishing licenses as established by law;
- (k) complying with and enforcing the precautionary principle in the exploitation of fishing resources;
- (l) promoting a system for the exploitation of fishing resources that will benefit both industrial and subsistence fishing activities;
- (m) making provision for the involvement of fishing communities in the preparation of policies and management of fishing resources;
- (n) promoting freshwater, brackish-water and seawater aquiculture, with a view to increasing food security and the generation of export revenues;
- (o) issuing deepwater fishing permits to national fishing vessels, in compliance with applicable international regulations;
- (p) ensuring, in conjunction with other services concerned, the definition of quality standards for fishing products;
- (q) assisting in the process of negotiating international agreements relative to the fishing sector and assisting in the relations with international organisations in the fishing sector;
- (r) performing all other tasks that fall under the responsibility of the Ministry in the area of fisheries;
- (s) presenting an annual progress report.

Section 25

Divisions

The National Directorate of Fisheries and Aquiculture shall be comprised of the following divisions:

1. The Division of Fishing Resources Management, which shall be responsible for:

- (a) implementing and enforcing the rules on prohibited fishing implements and equipment, as well as unauthorised substances in fishing activity;
- (b) determining and indicating the fishing ports designated for inspections and unloading of fish catches;
- (c) assisting in the determination of fishing quotas for the fisheries and for the fishing activity as a whole;
- (d) promoting the definition of fisheries;
- (e) assisting in the preparation of the national fishing management plan;
- (f) defining rules for monitoring fishing activities and fish catches;
- (g) controlling and regulating the use of fish nurseries and of cubs in the repopulation of stocks;
- (h) assessing the implementation status of the national fisheries management plan and promoting and proposing amendments deemed necessary;
- (i) ensuring that owners of fishing vessels provide statistical data in a timely manner, notably those relating to the fish catches, the fisheries used and the fishing implements employed;
- (j) ensuring compliance with the rules on the use and stowage of fishing implements;
- (k) proceeding with the inspection of fishing vessels and implements, as well as fish catches, in conformity with the law;
- (l) ensuring compliance with the applicable laws and regulations;
- (m) ensuring compliance with the rules on hygienic conditions, both aboard fishing vessels and places where fish is traded and at fishing ports, and enforcing fish quality standards;
- (n) monitoring fish catches and applying practical and effective measures that will guarantee compliance with authorised fishing quotas;
- (o) processing applications for fishing permits and fees in relation to such service;
- (p) processing papers for the payment of monetary considerations owed by owners of fishing vessels in relation to the granting of fishing permits;
- (q) collecting, processing and keeping statistical data updated, namely those concerning fish catches, licensed vessels, types of fishing methods and implements used, and species caught, in the country's maritime waters;
- (r) processing paperwork and inform on the applications for marine scientific research lodged by third States, research entities or institutions, national or foreign;
- (s) promoting and assisting in the formation and organisation of local fishermen associations or committees;
- (t) issuing opinions, implement and enforce rules and standards applicable to marine parks and reserves;

- (u) issuing opinions and proposing a declaration of a moratorium on exploitation of certain species, fisheries or maritime zones being overexploited or depleted, with a view to establishing conditions conducive to the replenishment of stocks;
- (v) ensuring the payment of fines, fees and considerations for the processing of applications for fishing permits;
- (w) overseeing the monitoring of fishing activities by coordinating the activity to be carried out by fishing monitors;
- (x) issuing opinions and proposing a staffing table of fishing monitors and take part in the drafting of their responsibilities;
- (y) recording or have any breaches of the applicable fishing law or regulations recorded and preparing the respective proceedings;
- (z) coordinating the services under its purview;
- aa) performing all other tasks that fall under the responsibility of the Ministry in the area of fishing resources management;
- bb) promoting training and retraining activities for the staff under its supervision;
- cc) presenting an annual progress report.

2. The Division of Fishing Industry Development shall be responsible for:

- (a) promoting the preparation and adoption of quality standards and ensuring the application thereof;
- (b) promoting the acquisition of new fishing technologies and adapting them to the country's specific conditions;
- (c) promoting workshops, briefings or training sessions on fishing technologies;
- (d) issuing opinions on the licensing of businesses in the area of the processing industry;
- (e) promoting and assisting in the preparation of regulations for the processing industry;
- (f) promoting and supporting the establishment and organisation of associations or committees of fishermen or owners of fishing vessels;
- (g) ensuring the management of fishing ports and fish trading outlets, imposing hygiene and quality standards and monitoring the functionality thereof, in conformity with the law;
- (h) performing any other task that falls under the responsibility of the Ministry in the area of fishing industry development;
- (i) promoting and ensuring the conduct of laboratory tests;
- (j) coordinating the services under its purview;
- (k) presenting its annual progress report.

3. The Division of Aquiculture shall be responsible for:

- (a) monitoring activities related to the production of aquicultural species both in freshwater, brackish water and seawater;
- (b) monitoring zoo-sanitary standards for feeding aquicultural species so as to avoid the transmission of diseases, through the food chain, to humans, in conformity with the applicable law;
- (c) promoting legal drafting and enforcing legislation relative to aquicultural activities;

- (d) ensuring compliance with the hygiene and quality standards in aquicultural establishments and in the handling of aquicultural products;
- (e) promoting the introduction of new technologies, techniques and methods in the production of aquicultural species;
- (f) monitoring and regulating the use of nurseries and cubs for repopulating aquicultural stocks;
- (g) issuing opinions on the licensing of businesses in the area of aquicultural industry;
- (h) performing any other task that falls under the responsibility of the Ministry in the area of aquiculture;
- (i) promoting training and retraining actions for the staff under its supervision;
- (j) monitoring the services under its purview;
- (k) presenting its annual progress report.

Section 26

Division of Policies, Planning and Programmes

The Division of Policies, Planning and Programmes is the service of the Ministry that centralises the operations of analysis, review and conceptualisation of policies, plans, programmes and projects for the sector.

Section 27

Responsibilities

The Division of Policies, Planning and Programmes shall be responsible for:

- (a) coordinating the activities to be carried by the services under its purview;
- (b) assisting the Minister in conceptualising policies and strategies for the sector;
- (c) preparing, in conjunction with other services, policies, plans, programmes and projects for the sector;
- (d) ensuring legal, documental and information technology assistance to all other services of the Ministry
- (e) assisting in the preparation of dossiers on the country's accession to international and regional organisations and participation in international and regional agreements and conventions concerning the sector;
- (f) advising the services of the Ministry in negotiations and signing of agreements, or any other act, concerning the sector;
- (g) participating in the drafting of legislation for the sector;
- (h) performing all other tasks that fall under the responsibility of the Ministry in the area of studies and planning;
- (i) presenting its annual progress report.

Section 28

Services

The Division of Policies, Planning and Programmes shall be comprised of the following services:

1. The Service of Bilateral and Multilateral Coordination and Legal Affairs, which shall be responsible for:

- (a) assisting technical advisers in negotiating agreements;
- (b) assisting in the preparation of dossiers on the approval, signing and ratification of international agreements or conventions concerning the sector;
- (c) keeping updated records of agreements, conventions and other bilateral, regional or international instruments that the country is a party to, as well as a register on the dates of signature, accession, ratification or denouncement thereof;
- (d) keeping a register on all agreements, conventions, treaties, declarations, directives, list of standards and recommendations from international and regional organisations relevant to the sector;
- (e) keeping a register on all documents that give shape to commitments and obligations assumed by the Ministry within the scope of its sectoral activities;
- (f) keeping a register on national legal instruments relative or relevant to the sector;
- (g) performing all other tasks that fall under the responsibility of the Ministry in the area of bilateral and multilateral coordination;
- (h) promoting and assisting in the preparation of draft legislation for the sector;
- (i) issuing opinions on all legal and administrative matters related to the sector;
- (j) presenting its annual progress report.

2. The Service of Statistics, Information, Monitoring and Control shall deal with the following:

- (a) collect, treat and update statistical data concerning the sector;
- (b) monitor the correct implementation of policies, plans, programmes and projects;
- (c) analyse and assess the impact of the implementation of approved policies, plans, programmes and projects;
- (d) propose corrective measures required for an effective and efficient implementation of approved policies, plans, programmes and projects;
- (e) perform all other tasks that fall under the responsibility of the Ministry in the area of statistics, information and management system of the monitoring, assessment and control programme;
- (f) promote and assist in workshops and training or retraining sessions or courses for staff under its supervision;
- (g) coordinate the services under its purview;
- (h) present its annual progress report.

3. The Service of Special Studies and Project Development shall be responsible for:

- (a) preparing sectoral projects in consultation with other services concerned;
- (b) conduct sectoral studies as requested;
- (c) performing all other tasks that fall under the responsibility of the Ministry in the area of special studies and project development;
- (d) coordinating the services under its purview;
- (e) presenting its annual progress report;

4. The Service of Policies, Planning and Programmes shall be responsible for:

- (a) conceptualising, preparing and proposing sectoral policies;
- (b) preparing national and regional management plans for the sector, namely in the areas of agricultural, water, forest and fishing resources and irrigation systems;
- (c) preparing sectoral programmes on the basis of inputs and proposals made by the services concerned, and the policies and plans that have been adopted for the sector;
- (d) coordinating and systematising inputs and proposals made by the different services for the preparation of policies, plans, programmes and projects;
- (e) performing all other tasks that fall under the responsibility of the Ministry within the scope of the competencies covered by the Directorate;
- (f) coordinating the services under its purview;
- (g) presenting its annual progress report.

Section 29 Division of Administration

The Division of Administration is the service of the Ministry that centralises, coordinates and implements measures and tasks related to administrative and budgetary management.

Section 30 Responsibilities

The Division of Administration shall be responsible for:

- (a) coordinating the services under its purview;
- (b) preparing the Ministry's budget and ensuring the execution thereof, as well as monitoring compliance therewith;
- (c) ensuring the financial and property management of the Ministry, without prejudice to the competence of the services vested with administrative and financial autonomy;
- (d) keeping an updated list of officials and other staff members who have a working relationship with the Ministry;
- (e) ensuring the management of human resources employed by the Ministry;
- (f) promoting, proposing and supporting training and refresher courses and professional valorisation of the staff;
- (g) organising and keeping, in a secure place, updated personal files, track records and biographical data of the staff employed by the Ministry;
- (h) preparing paperwork for appointments, promotions, within-grade advancements, as well as paperwork for selection, recruitment, dismissal, retirement and mobility of staff;
- (i) launching competitive selection processes;
- (j) issuing, to interested staff, certificates requested in accordance with the law;
- (k) processing wages, allowances, salaries and other remunerations payable to staff members, as well as processing deductions;
- (l) ensuring the maintenance, functionality and security of the facilities and equipment used by the Ministry;
- (m) keeping an updated inventory of state-owned assets assigned to the Ministry;

- (n) promoting and ensuring administrative procedures relating to disciplinary proceedings involving staff employed by the Ministry, and implementing and enforcing the disciplinary measures imposed;
- (o) performing all other tasks that fall under the responsibility of the Ministry in the area of administration;
- (p) presenting its annual progress report.

Section 31 Sub-divisions

The Division of Administration shall be comprised of the following sub-divisions:

1. The Section of Budget and Finance, Supplies and Property, which shall be responsible for:

- (a) receiving and tallying supplies delivered to the Ministry;
- (b) administering the Ministry's property so as to guarantee the protection, safety and management of stocks
- (c) administering the Ministry's property, in accordance with set rules;
- (d) having the Ministry's vehicles registered and monitoring the use thereof and cases of vehicle hijacking, and getting damaged vehicles repaired;
- (e) performing tasks, procedures and operations related to budgetary preparation;
- (f) monitoring the budgetary execution of the different organic units, and executing the payment of expenses incurred by the services of the Ministry, provided such expenses have been legally processed;
- (g) holding all monies entrusted to its custody;
- (h) preparing periodic cash statements as indicated by regulation;
- (i) performing other tasks as may be assigned thereto by superiors;
- (j) performing all other tasks as may be assigned thereto by the Director of the Division of Administration;
- (k) presenting its annual progress report.

2. The Section of Human Resources and General Administration shall be responsible for:

- (a) proposing and implementing directives on humans resources management;
- (b) preparing and proposing the Ministry's annual plan for human resources management as established by law;
- (c) ensuring paperwork and procedures relating to the organisation and conduct of competitive selection processes, as well as procedures for staff recruitment, appointment and dismissal;
- (d) providing assistance to the services and staff of the Ministry on procedures and ways of handling staff-related matters and others deemed convenient;
- (e) organising and keeping the filing system and paperwork updated;
- (f) ensuring the maintenance and safety of the premises;
- (g) ensuring the registration, monitoring, maintenance and assignment of vehicles and transport equipment of the Ministry;
- (h) organising, maintaining and managing the Ministry library;

- (i) performing other tasks as may be assigned thereto by the Director of the Division of Administration;
- (j) presenting its annual progress report.

Section 32 **Hierarchical dependence**

The Division of Administration shall be hierarchically and directly answerable to the Permanent Secretary who shall, in his or her capacity as the general coordinator of the Ministry administration, be responsible for settling or making final decisions on financial and administrative matters that are outside the responsibilities of the said Division.

Section 33 **Centre for Research and Extension**

The Centre for Research and Extension is the service of the Ministry that centralises, coordinates and undertakes research and extension activities in the sector, namely in the areas of agricultural crops and agro-forestry, soils, veterinary medicine and food production, with the aim of providing the Ministry with the information and data required for a better and more efficient resources management.

Section 34 **Responsibilities**

The Centre for Research and Extension shall be responsible for:

- (a) coordinating the weather forecast services and those conducting basic tests on soils, plants and animals, diseases and pests;
- (b) providing information and transferring agricultural skills and techniques;
- (c) developing specific information programmes oriented towards farmers;
- (d) assisting the services of the Ministry with geographical information or information on the use of soils, trends in agricultural production and information of a socio-cultural nature;
- (e) processing the paperwork required to pay any service fee;
- (f) coordinating the services under its purview;
- (g) performing other tasks that fall under the responsibilities of the Ministry in area of research and extension;
- (h) presenting its annual progress report.

Section 35 **Equivalence**

The Centre for Research and Extension shall be equivalent to a Division.

Section 36 **Hierarchical relationship**

The Centre for Research and Extension shall be hierarchically and directly answerable to the Permanent Secretary.

Section 37 Division of Quarantine

The Division of Quarantine is the service of the Ministry that centralises, coordinates and implements the measures, laws and regulations on quarantine and sanitary control on imported and exported animals, plants, animal products, goods, assets or items, including vehicles, vessels, and aircraft.

Section 38 Responsibilities

The Division of Quarantine shall be responsible for:

- (a) executing and monitoring the application of laws, regulations and measures on quarantine and sanitary control on animals, plants, animal and vegetable products, goods, assets or items, including vehicles, vessels and aircraft;
- (b) initiating and preparing proceedings in respect of breaches of the law or regulations on quarantine and sanitary control on imported and exported animals, plants, animal and vegetable products, goods, assets or items, including vehicles, vessels and aircraft;
- (c) exercising such functions and competencies as may be assigned thereto by the Ministry or by the applicable law or regulations;
- (d) imposing penalties for the commission of contraventions, in conformity with the law;
- (e) processing paperwork related to the payment of service fees and costs incurred by users, as well as the payment of penalties imposed;
- (f) coordinating the services under its purview;
- (g) coordinating its activities with other services, notably with the Division of Livestock, the Centre for Research and Extension, and the Ministry of Health;
- (h) presenting its annual progress report.

Section 39 Hierarchical Relationship

The Division of Quarantine shall be hierarchically and directly answerable to the Permanent Secretary.

Section 40 Equivalence

The Division of Quarantine shall be equivalent to a Division.

Subpart II Regional Directorates of Agriculture

Section 41
Regional Directorates of Agriculture

There shall be a Regional Directorate of Agriculture in some district seats, with general functions in relation to the competencies of the sector, in areas to be determined by the Ministry.

Section 42
Responsibilities

The Regional Directorates shall represent the Ministry throughout the districts covered and shall specifically have the following responsibilities in their district jurisdiction:

- (a) take part in the formulation and execution of sectoral policies, plans, and programs, especially insofar as they impact the areas and communities under their jurisdiction;
- (b) execute, implement and monitor measures and decisions emanated from the central services;
- (c) ensure the execution of the laws and regulations applicable to the sector;
- (d) contribute towards food self-reliance and increase in production;
- (e) ensure the protection of forests and forest zones, as well as biodiversity, the conservation of species, and the quality of water and soils, and take measures to protect plants and animals against pests and diseases;
- (f) seek alternatives to the consumption of firewood by the populations, and make recommendations to the central services in this respect;
- (g) ensure the implementation of sectoral plans, programmes and projects;
- (h) in the exercise of its responsibilities, liaise with other public services, in conformity with the law or instructions issued by the Minister;
- (i) coordinate the services under its purview;
- (j) present its annual progress report.

Section 43
Hierarchical Relationship

The Regional Directorates of Agriculture shall be hierarchically answerable to the Permanent Secretary and functionally answerable to the central services of the Ministry.

Section 44
Equivalence

The Regional Directorates shall be equivalent to Divisions and shall be headed by Division Directors.

Subpart III
Division Structures

Section 45
Division Structures

The definition of the structure, responsibilities, management, name and articulations of the subdivisions of the Divisions and Regional Directorates of Agriculture, as well as the Centre for Research and Extension and the Division of Quarantine, shall, depending on the practical requirements of the services, be determined by ministerial order, following a proposal by the respective Directorate, Regional Directorate or other organic unit concerned, without prejudice to the provision of Section 34.

Part II
Management, Substitutes and Directorate Subdivisions

Section 46
Directorates

1. National Directorates shall be headed by National Directors whose responsibilities shall coincide with those of their respective National Directorates.
2. Divisions, Regional Directorates of Agriculture, as well as the Centre for Research and Extension and the Division of Quarantine, shall be headed by Division Directors whose responsibilities shall be the same as those of their respective Divisions, Regional Directorates or organic units.

Section 47
Appointment

1. The Permanent Secretary shall be appointed by the Prime Minister, following a proposal from the Minister.
2. National Directors, Directors of the Regional Directorates of Agriculture, as well as of the Centre for Research and Extension and of the Division of Quarantine, shall be appointed by the Minister.

Section 48
Substitutes

In absences or inability to act of supervisory officials, the following procedures shall be observed:

1. The Minister and the Vice-Minister shall replace each other in the exercise of their functions.

2. In the case of absence or inability to act of both the Minister and the Vice-Minister, the Minister shall be replaced by the Permanent Secretary in the coordination of the Ministry;
3. The Permanent Secretary shall be replaced ad interim by the longest-serving National Director;
4. National Directors shall be replaced by one of the most senior Division Directors.
5. The Chief of Staff shall be replaced by an advisor as indicated by the Minister.
6. Division Directors by the most senior employee or official in the Division or organic unit.
7. Regional Directors of Agriculture shall be replaced by the most senior official in the Regional Directorate.

CHAPTER IV Transitional and Final Provisions

Part I Transitional Provisions

Section 49 Property

Assets held by dissolved services shall automatically revert to the services that have been established, restructured or maintained within the organic structure of the Ministry, and such a transfer of assets shall not be subject to any formalities.

Section 50 Financial Charges

Financial charges arising from the establishment or restructuring of services undertaken by force of the decree setting out the organic structure of the Ministry, as well as those arising from the new staffing table, shall be supported by funds from the Ministry's budget.

Part II Final Provisions

Section 51 Modus Operandi of the Services

1. The central and regional services of the Ministry, as well as the bodies under the supervision of the Minister, shall on a priority basis pursue the goals set forth in annual and multi-annual work plans approved by the Minister.

2. The services and bodies referred to in the foregoing subsection shall collaborate among themselves and articulate their respective activities so as to promote a unitary and integrated application of sectoral policies.

Section 52 Staffing Table

1. The staffing table of the Ministry shall be that shown in the schedule attached to this decree, and shall form an integral part hereof.

2. Amendments to the staffing table shall be made by joint ministerial order from the Minister of Agriculture, Forests and Fisheries, the Minister in charge of civil service, and the Minister of Planning and Finance.

3. The assignment of personnel to the various services of the Ministry shall be done by ministerial order of the Minister.

Section 53 Regulatory arrangements

Regulations relating to this decree shall be approved by Government Decree.

Section 54 Status of the Schedules

The schedules attached to this decree shall have the same legal force as the latter and shall form an integral part hereof.

Section 55 Revocation of previous law

All provisions of any previous laws conflicting with this decree are hereby repealed.

Section 56 Entry into Force

Seen and approved by the Council of Ministers on 11 August 2003.

To be published. -

The Prime Minister

[Signed]

Mari Bim Amude Alkatiri

The Minister of Agriculture, Forests and Fisheries

[Signed]

Estanislau Aleixo da Silva

