

**DEMOCRATIC REPUBLIC OF TIMOR-LESTE  
NATIONAL PARLIAMENT**

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**Law No. 6/2004  
of 26 May 2004**

**THE ORGANIC STRUCTURE OF THE OFFICE OF THE PRESIDENT**

The President of the Republic is, as defined by the Constitution, a unipersonal organ of sovereignty, who shall present himself as the Head of State, the Supreme Commander of the Defence Force and the symbol and guarantor of national independence and unity of the State and of the smooth functioning of the democratic institutions.

The President of the Republic must thus have his services structured in order to fully comply with the constitutional commands that define his mission.

Therefore, the services of the Office of the President must be structured in such a way as to meet the constitutional obligations of the President of the Republic in his capacity as the Head of State and Supreme Commander of the Defence Force, notably through establishing channels, mechanisms and direct communication conduits with the President of the Republic.

Pursuant to Section 92 of the Constitution of Timor-Leste, the National Parliament enacts the following that shall have the force of law:

**CHAPTER I  
GENERAL PROVISIONS**

**(Purpose)**

The Office of the President is the set of bodies and services intended to provide support to the President of the Republic, as an organ of sovereignty.

**(Structure)**

The Office of the President is comprised of the services as follows:

- (a) the Direct Support Services of the President of the Republic;
  - (b) the Management Services.
2. The Direct Support Services of the President of the Republic are comprised of the following services and bodies:
- (a) the President's Office;
  - (b) the Advisory Body for General Affairs;
  - (c) the Advisory Body for Military Affairs;
  - (d) the Support Secretariat of the President of the Republic.
3. The Management Service is constituted of the following services and bodies:
- (a) The Directorate of Administration;
  - (b) The Administrative Board.

**(Organisation of the services)**

1. The organisation of the services bodies shall be defined by rules of procedure approved by the Administrative Board.

2. The organisation of the services and bodies shall comply with the criteria for horizontal and vertical specialisation of functions deemed the most appropriate for the attainment of the objectives of each service and body and the rational use of its means.

3. For the purpose of carrying out specific activities within the scope of the competencies of the services and bodies of the Office of the President, functional units may be established by the rules of procedure to be approved by the Administrative Board.

## **CHAPTER II DIRECT SUPPORT SERVICES OF THE PRESIDENT OF THE REPUBLIC**

### **Part I The President's Office**

#### **(Nature)**

1. The President's Office is the service charged with providing direct and personal support to the President of the Republic.

2. The President's Office is manned by the chief of staff, deputies, department heads, and technical and administrative staff, under the terms of the rules of procedure approved by the Administrative Board.

3. The President's Office comprises the Protocol Department, the Media Department, and the Personal Security Department.

4. The responsibilities of the departments and sections shall be stipulated by the rules of procedure to be approved by the Administrative Board, following a proposal by the Chief of Staff.

#### **(Responsibilities)**

It is the responsibility of the President's Office:

- (a) to organise the agenda of the President of the Republic, in collaboration with the Secretary to the President of the Republic, the Advisory Body for General Affairs, and the Advisory Body for Military Affairs;
- (b) to assist, directly and personally, the President of the Republic by providing such support as may be requested;
- (c) to ensure, in consultation with the Advisory Body for General Affairs, that legal instruments submitted to the President of the Republic, for promulgation, follow the established procedures, and to monitor normative and other acts by the President of the Republic;
- (d) to ensure protocol support for the President of the Republic;
- (e) to coordinate relations with the media;
- (f) to take minutes of meetings of the President of the Republic.

#### **(The Chief of Staff)**

1. The Chief of Staff shall directly assist the President of the Republic and shall direct and coordinate the President's Office.

2. The Chief of Staff shall be appointed and dismissed at the discretion of the President of the Republic, who inducts him or her into office.

3. In the exercise of his or her functions, the Chief of Staff shall be assisted by a deputy, appointed by the President of the Republic, and a secretary.

4. The Chief of Staff shall be replaced, in his or her absences or inability to act, and as the chairperson of the Administrative Board, by a person designated by the President of the Republic.

#### **(Competencies)**

It is the competency of the Chief of Staff:

- (a) to assist the President of the Republic in defining the overall guidelines for the work to be carried out by the Office of the President;
- (b) to assist the President of the Republic in his relations with the other organs of sovereignty;
- (c) to liaise the Office with all other services of the Office of the President, as well as with any other services, public or private.
- (d) to articulate the activities of the Advisory Body for General Affairs with the President of the Republic.
- (e) to coordinate any other activities of the Office of the President with the Director of Administration;
- (f) to direct and coordinate the activities by the Editions and Publications Section of the Office of the President;

#### **(The Department of Protocol)**

1. The Department of Protocol shall provide protocol services to the President of the Republic and shall be responsible for organising solemnities, ceremonies and receptions of the President of the Republic.
2. The Department of Protocol shall coordinate with its activities with the Directorate of State Protocol.

#### **(The Media Department)**

1. The Media Department shall ensure the relationship between the Office of the President and the media, national and foreign.
2. The Editions & Publications Section shall function under the Media Department.
  - (a) To receive interview requests and plan them in accordance with the schedule of the President of the Republic;
  - (b) To prepare, under the guidance of the Chief of Staff, press releases of the Office of the President;
  - (c) To organise monthly meetings with the national media.

#### **(The Department of Personal Security)**

1. The Department of Personal Security shall ensure:
  - (a) the personal safety and security of the President of the Republic
  - (b) the control, surveillance and protection of the assets and services of the Office of the President and of the persons working therein;
  - (c) the control, surveillance and protection of the Residence of the President of the Republic.
2. The Department of Personal Security shall be under the command of a senior officer detached from the National Police of Timor-Leste.

## **PART II THE ADVISORY BODY FOR GENERAL AFFAIRS**

### **(Nature)**

1. The Advisory Body for General Affairs is the service that provides technical support and advice to, and analyses information for, the President.
2. The Advisory Body for General Affairs is constituted of advisers to be appointed or dismissed at the discretion of the President of the Republic.
3. The President of the Republic shall designate an advisor, from among the appointed advisors, to coordinate the Advisory Body for General Affairs and to sit on the Administrative Board.
4. The Coordinator of the Advisory Body for General Affairs shall be replaced, in his or her absences or inability to act, and on the Administrative Board, by an adviser as designated by the President of the Republic.
5. The Department of International Relations, the Department of Internal Affairs, and the Department of Legal Assistance shall form part of the Advisory Body for General Affairs.
6. The Advisory Body for General Affairs is structured as per the areas of activity defined by the President of the Republic.
7. The Advisory Body for General Affairs shall be assisted by specialised staff, assistants and administrative staff, under the terms of the rules of procedure to be approved by the Administrative Board.

### **(Responsibilities)**

It is the responsibility of the Advisory Body for General Affairs:

- (a) to provide technical and specialised advice to the President of the Republic;
- (b) to conduct studies and any other work of a technical nature as requested by the President of the Republic;
- (c) to directly assist the President of the Republic in his activities;
- (d) to provide legal assistance to the Office of the President;
- (e) to ensure, in consultation with the Office of the President, that legal instruments submitted to the President of the Republic, for promulgation, follow the established procedures, and to monitor normative and other acts by the President of the Republic;

## **PART III THE ADVISORY BODY FOR MILITARY AFFAIRS**

### **(Nature)**

1. The Advisory Body for Military Affairs is a service intended to assist the President of the Republic in his capacity as the Supreme Commander of the Defence Force.
2. The Advisory Body for Military Affairs is comprised of the Head of the Advisory Body for Military Affairs, advisers and assistants, and of the Guard of Honour, all detached from the FALINTIL-FDTL.
3. The Head of the Advisory Body for Military Affairs shall be a senior officer.
4. The Advisory Body for Military Affairs shall be assisted by administrative staff, under the terms of the rules of procedure approved by the Administrative Board.

### **(Responsibilities)**

It is the responsibility of the Advisory Body for Military Affairs:

- (a) to provide information to the President of the Republic on the military, defence and security situation, domestic and international, as well as on strategic issues of relevance to the national defence;

- (b) to ensure the liaison of the President of the Republic with the government department in charge of the FALINTIL-FDTL;
- (c) to directly assist the President of the Republic, in collaboration with the Department of Protocol, in all acts and ceremonies, civilian or military;
- (d) to closely cooperate with the Office of the President in preparing and organising the activity of the President of the Republic as the Supreme Commander of the Defence Force.

**(The Head of the Advisory Body for Military Affairs)**

1. The Head of the Advisory Body for Military Affairs shall directly assist the President of the Republic and shall direct the Advisory Body for Military Affairs.
2. The Head of the Advisory Body for Military Affairs shall be appointed or dismissed at the discretion of the President of the Republic.
3. The Head of the Advisory Body for Military Affairs shall be assisted by two (2) advisers and two (2) assistants who shall be appointed or dismissed at the discretion of the President of the Republic.
4. The Head of the Advisory Body for Military Affairs shall be replaced, in his or her absences or inability to act, and on the Administrative Board, by whomever is designated by the President of the Republic.

**(Competencies)**

The competencies of the Head of the Advisory Body for Military Affairs are:

- (a) to ensure the liaison between the Office of the President and military authorities;
- (b) to directly and personally assist the President of the Republic;
- (c) to accompany the President of the Republic on his official trips and state visits, providing him with such assistance as deemed necessary.

**(The Guard of Honour)**

1. The Guard of Honour shall accord protocol honours to Heads of State, Heads of Government, and other dignitaries on an official visit.
2. The Commander of the Guard of Honour shall be a senior officer.
3. The Guard of Honour shall be a 25-member detachment from the FALINTIL-FDTL.

**PART IV**

**THE SUPPORT SECRETARIAT OF THE PRESIDENT OF THE REPUBLIC**

**(Nature and responsibilities)**

1. The Support Secretariat of the President of the Republic shall directly assist the President of the Republic and shall provide such functional support as may be required by the President of the Republic.
2. The Support Secretariat of the President of the Republic shall be comprised of the Private Secretary to the President of the Republic, by assistants and by administrative staff, under the terms of the rules of procedure to be approved by the Administrative Board.

**(The Private Secretary to the President of the Republic)**

1. The President may freely appoint or dismiss his Private Secretary.
2. The Private Secretary of the President of the Republic shall directly assist the President of the Republic and shall direct the Support Secretariat of the President of the Republic.

3. The Private Secretary of the President of the Republic shall articulate the preparation of the President of the Republic with the State Protocol and the Chief of Staff.

**(The Support Secretariat of the Consultative Bodies to the President of the Republic)**

1. The Council of State and the Superior Council for Defence and Security shall meet on the premises of the Office of the President.
2. The Support Secretariat of the President of the Republic shall exercise the functions of the Support Secretariat of the Consultative Bodies to the President of the Republic.

**CHAPTER III  
MANAGEMENT SERVICES**

**PART I  
THE DIRECTORATE OF ADMINISTRATION**

**(Nature)**

1. The Directorate of Administration is the service that provides technical and administrative support, as well as in terms of asset management, information and documentation, to the Office of the President.
2. The Directorate of Administration shall be constituted of the Director of Administration, the department heads, assistants, and technical, administrative and ancillary staff, under the terms of the rules of procedure approved by the Administrative Board.
3. The Directorate of Administration is comprised of:
  - (a) the Department of Administration and Finance;
  - (b) the Department of Human Resources;
  - (c) the Department of Assets;
  - (d) the Documentation, Information, Archiving and Information Technology Centre;
  - (e) the General Secretariat.
4. The responsibilities of the departments and sections shall be approved by the Administrative Board, following a proposal by the Director of Administration.

**(Responsibilities)**

It is the responsibility of the Directorate of Administration:

- (a) to ensure the functioning of the administrative services, as well as the management of the human resources, finance and assets of the Office of the President;
- (b) to ensure the maintenance of assets, equipment, premises and means of communication;
- (c) to execute the decisions taken by the Administrative Board;
- (d) to organise and update the assets inventory;
- (e) to prepare the draft budget, including the management and account report of the Office of the President;
- (f) to propose to the Administrative Board measures to update and improve services, increase productivity and develop the professional skills of the staff;
- (g) to ensure the administration and management of the information technology system of the Office of the President by promoting its expansion to its bodies and services;
- (h) to ensure, within the Office of the President, the collection, processing, analysis and dissemination of information.

### **(The Director of Administration)**

1. The Directorate of Administration shall be headed and coordinated by the Director of Administration.
2. The Director of Administration shall be directly assisted by a deputy and a secretary.
3. The Director of Administration shall be replaced, in his absences or inability to act, by the Head of the Department of Administration and Finance.

### **(Competencies)**

It is the responsibility of the Director of Administration:

- (a) to authorise budgeted expenditures up to the amount defined by the rules of procedure approved by the Administrative Board;
- (b) to transmit to the other services of the Office of the President generic rules and instructions on administrative matters issued at a higher level;
- (c) to propose a regulation on working periods and office hours for the Office of the President;
- (d) to prepare paperwork related to the induction into office of officials to be conducted by the President of the Republic and assist with the respective induction ceremony.

### **(The Department of Administration and Finance)**

1. The Department of Administration and Finance shall ensure administrative and financial procedures appropriate to the organisation and functioning of the Office of the President.
2. The Head of the Department of Administration and Finance shall, in his or her absences or inability to act, be replaced by the Finance Officer.

### **(The Department of Human Resources)**

1. The Department of Human Resources shall ensure the management of the human resources of the Office of the President.
2. The Department of Human Resources shall perform all acts relating to the recruitment and filling of positions and the employment status of the staff on the staffing table of the Office of the President, and shall submit its final decisions to the Administrative Board.

### **(The Department of Assets)**

1. The Department of Assets shall administer the assets assigned to the Office of the President and shall ensure the maintenance and cleanness of such assets, without prejudice to the responsibilities of other services.
2. All movable and immovable assets that constitute the property of the Office of the President are liable to inventory, registration and cadastral identification.

### **(The Documentation, Information, Archiving and Information Technology Centre)**

1. The Documentation, Information, Archiving and Information Technology Centre shall ensure, within the existing departments and bodies of the Office of the President, the collection, processing, analysis, dissemination and storage of information, documentation, correspondence and publications.

2. The Department of Information Technology, which handles the communications system of the Office of the President, shall be under the Documentation, Information, Archiving and Information Technology Centre.

#### **(The General Secretariat)**

1. The General Secretariat is the services structure the purpose of which is to provide technical and administrative assistance to the bodies and services of the Office of the President.
2. The articulation of the departments and units of the Directorate of Administration, their working conditions and the mode of communicating between one another and assisting all other services and bodies of the Office of the President shall be defined by the rules of procedure to be approved by the Administrative Board, following a proposal by the Director of Administration.

### **PART II THE ADMINISTRATIVE BOARD**

#### **(Nature)**

1. The Administrative Board is the decision-making body on matters relating to asset, administrative and financial management of the Office of the President and is comprised of:
  - (a) the Chief of Staff of the President of the Republic, its chairperson;
  - (b) the Coordinator of the Advisory Body for General Affairs;
  - (c) the Head of the Advisory Body for Military Affairs;
  - (d) the Director of Administration;
  - (e) the officer of the Department of Administration and Finance, its secretary.
2. Decisions of the Administrative Board shall be taken by the majority of its members and the chairperson shall have the casting vote in case of a tie vote.
3. The Administrative Board may request the Ministry of Planning and Finance, through appropriate channels, the presence of a technician to assist it in matters of a financial or budgetary nature.
4. The Administrative Board is the appeal body for the officials employed by the Office of the President, without prejudice to a contentious appeal to the competent judicial instances.

#### **(Competencies)**

1. It is the responsibility of the Administrative Board:
  - (a) to define the overall administration policy and the means required for its execution;
  - (b) to prepare annual and multi-annual work plans;
  - (c) to approve the draft budget as proposed by the Director of Administration;
  - (d) to approve the management and account report;
  - (e) to exercise financial management, including authorisation to the Director of Administration for budgeted expenditures the amount of which exceeds that established in the rules of procedure;
  - (f) to prepare and approve its rules of procedure, as well as the regulation defining the assignment of staff to the bodies and services of the Office of the President;
  - (g) to approve all other rules of procedure;
  - (h) to direct the accounting system and monitor its bookkeeping;
  - (i) to exercise disciplinary power over the staff on the staffing table of the Office of the President.



**(Meetings)**

1. The Administrative Board shall meet ordinarily once a month and extraordinarily as required, convened by its Chairperson.
2. Other officials of the Office of the President may, by decision of the Administrative Board Chairperson, attend Administrative Board meetings where the inputs of such officials are deemed necessary for the discussion of specific points on the agenda.

**CHAPTER IV  
BUDGET**

**(Submission)**

1. The draft budget of the Office of the President shall be prepared by the Administrative Board and submitted to the Government for consideration purposes and inclusion in the draft State Budget to be submitted to the National Parliament.
2. The budget shall be annual and the respective draft shall be prepared and submitted in accordance with the timeframe for the preparation process of the State Budget.
3. Amendments to the budget shall be effected in compliance with the State Budget Law.

**(Revenues)**

The revenues of the Office of the President shall consist of:

- (a) state budget appropriations;
- (b) proceeds from editions and publications and other revenues to be regulated by law.

**CHAPTER V  
STAFFING TABLE**

**(Staffing table)**

The Office of the President shall have a staffing table, to be approved by Government decree, indicating the professional levels established, the number of positions by level, the respective job descriptions and the corresponding remuneration levels.

**(Recruitment and appointments)**

1. The positions on the staffing table of the Office of the President shall be filled on the basis of the procedures established for the civil service, with the necessary adaptations.
2. Acts relating to the employment status of the advisers to be appointed by the President of the Republic fall under the competence of the latter.

**(Mobility)**

1. Public administration employees and agents, as well as staff employed by public or private enterprises and companies, may exercise functions at the Office of the President through secondment, requisition or assignment.
2. No functions shall be exercised under the terms of the previous subsection unless the staff member is assured his or her post of origin, without prejudice to any entitlements; such functions

shall, for the purpose of counting the length of service, be considered as having been exercised in the post of origin.

## **CHAPTER VI FINAL AND TRANSITIONAL PROVISIONS**

### **(Staff transition)**

1. The status of the staff of the Office of the President working under an employment contract shall be regularised within six months from the date the present law comes into force.
2. Staff exercising their functions as at the date the present law comes into force shall move to their respective positions on the new staffing table, irrespective of any formalities.

### **(Applicable legislation and subsidiary law)**

1. The services and bodies that comprise the Office of the President shall be governed by the provisions of this law, by regulatory legislation to be approved and by rules of procedures.
2. For the purpose of filling any lacunas in this law, the general legislation applicable to the Public Administration of Timor-Leste shall constitute subsidiary law.
3. The Government shall provide for the regulatory arrangements of this law within ninety (90) days from the date of its entry into force.

### **(Entry into force)**

The present Organic Law shall enter into force on the day following its date of publication.

Approved on 20 April 2004.

The Speaker of the National Parliament  
[Signed]  
(Francisco Guterres “Lu-Olo”)

Promulgated on 20 May 2004

To be published.-

The President of the Republic  
[Signed]  
Kay Rala Xanana Gusmão