

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

**MINISTRY OF PLANNING AND FINANCE
MINISTRY OF INTERNAL ADMINISTRATION**

**Ministerial Instrument No. 1/2003
Of 3 April**

Fees in relation to visa and extension of stay applications

The recent reorganization of the immigration control in the Democratic Republic of Timor-Leste (DRTL) effected by Decree-Law No. 4/2002 of 13 December has entrusted to the Timor-Leste Police Service (TLPS) the responsibility for controlling foreign nationals throughout the national territory. This added responsibility implies an increase in expenditures, both operationally and in the administrative processing of papers for foreign nationals. Hence, it behoves the Government to ensure revenues in order to cover these added expenditures.

Most of the acts performed by the public administration in matters related to immigration control are in the interest of foreign nationals themselves, notably the procedures for extension of stay applications. Thus, it is completely fair that foreign nationals are the ones who should meet the costs originated by these procedures.

As the approval and publication of the new law on immigration that will establish a coherent regime for fee collection is certainly forthcoming, it behoves the Government to immediately cover the costs related to immigration acts, which unjustifiably continue to be performed free of charge, particularly taking into account the budgetary difficulties encountered by the DRTL.

Taking into account what has been said, and pursuant to the provisions of Decree-Law No. 4/2002 of 13 December, and subsection 8.2(c) of UNTAET Regulation No. 9/2000 of 25 February, the Government, through the Ministers of Planning and Finance, and Internal Administration, orders the publication of the following instrument:

Section 1

Fees

1. A national foreigner who requires a permit to enter the national territory, under the Portuguese version of UNTAET Regulation No. 9/2000 of 25 February, shall be charged a fee of US\$ 25 for the issuance of the permit, and his or her stay shall be limited to a 30-day period.
2. A foreign national applying for an extension of his or her permit to stay within the national territory beyond the period of time he or she has been granted upon entry into Timor-Leste, shall be charged a fee of US\$ 30 for each 30-day extension of stay.
3. The fee shall be paid and collected upon filing of the extension of stay application. Where extension is not granted an administrative charge of US\$ 25 shall, however, be payable.

4. An extension of stay application shall not be reviewed until proof of payment of the fees due is produced.

Section 2
Fees in relation to exit from the national territory

1. If found leaving the national territory beyond the period of stay he or she has been granted, a foreign national shall be charged a fee of US\$ 50 for each 30-day excess period of stay.

2. Failure to pay the fee referred to in the preceding subsection shall not prevent a foreign national from leaving the national territory, but may prevent him or her from re-entering the national territory.

3. A foreign national who pays any fees he or she may owe under the terms of subsection 2.1, shall not be authorised to re-enter the national territory.

Section 3
Competent entity

1. It is incumbent upon the PNTL Department of Immigration to ensure the payment and collection of the fees referred to in this instrument.

2. Collected fees constitute state revenue and shall be deposited on a weekly basis by the TLPS, through a note of delivery, in a bank account to be opened specifically to that effect.

3. A receipt shall always be issued for any amount collected from a foreign national under the terms of the present instrument.

Section 4
Fee exemption

1. Following a substantiated instruction, the Minister of Internal Administration may exempt foreign nationals working for cooperation programmes between the State they are nationals of and the State of Timor-Leste, on the basis of a request to that effect from the Minister or legal substitute in charge of the areas where such foreign nationals exercise their functions.

2. Diplomatic personnel, or equivalent, and their relatives shall be exempt from the fees prescribed in this instrument, provided that they are duly accredited to the DRTL.

Section 5
Entry into force

The present instrument shall enter into force 15 days after its publication.

The Minister of Planning and Finance, Maria Madalena Brites Boavida

The Minister of Internal Administration, Rogério Tiago de Fátima Lobato

Done in Dili, on 20 February 2003.

