

DEMOCRATIC REPUBLIC OF TIMOR-LESTE  
NATIONAL PARLIAMENT

Plenary

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**RESOLUTION No. /2003, OF 22 APRIL, ON THE REVIEW OF THE PRESIDENTIAL  
DECREE No. 04/2003, OF 10 MARCH, APPOINTING THE PRESIDENT OF THE  
COURT OF APPEAL**

PREAMBLE

Taking into account that “*the judicial organisation existing in East Timor on the day the present Constitution enters into force shall remain operational until such a time as the new judicial system is established and starts its functions*” as provided for in section 163(2) of the Constitution of the Democratic Republic of Timor-Leste;

Taking into account that the President of the Court of Appeal has been appointed through the Presidential Decree No. 04/2003, of 10 March, and that the Court of Appeal is the highest judicial instance in Timor-Leste, pursuant to section 164(2) of the Constitution and section 110 of Law No. 8 of 20 September 2002;

Taking into account the judiciary established under UNTAET Regulation No. 2000/11, of 6 March 2000, as amended by UNTAET Regulations Nos. 2000/14, of 10 May 2000, 2001/18, of 21 July 2001, and 2001/25, of 14 September 2001, in which the Court of Appeal is the highest judicial instance;

Taking into account that the Constitution of the Democratic Republic of Timor-Leste vests in the National Parliament the power only to “ratify the appointment of the President of the Supreme Court of Justice...”;

Under the terms of section 92 of the Constitution, the National Parliament of the Democratic Republic of Timor-Leste resolves the following:

Upon review of, and having taken cognisance that, the Presidential Decree No. 04/2003 of 10 March of this year has been published as required by law, and mindful of the fact that the Court of Appeal is assuming, on a provisional basis, the powers conferred by the Constitution until such a time as the Supreme Court of Justice is established and starts its functions, pursuant to section 164(2) of the Constitution, the National Parliament of the Democratic Republic of Timor-Leste resolves that the appointment of the President of the Court of Appeal requires no ratification.

Approved on 22 April 2003

The Speaker of the National Parliament

[Signed]  
Francisco Guterres “Lu Ólo”