



UNTAET/ORD/2002/5
15 April 2002

EXECUTIVE ORDER NO. 2002/5

ON THE CESSATION AND REMOVAL OF ALL CONSTRUCTION ACTIVITIES AT THE POUSADA DE BAUCAU

The Transitional Administrator,

Pursuant to the authority given to him under United Nations Security Council Resolution 1272 (1999) of 25 October 1999, as reaffirmed in United Nations Security Council Resolution 1338 (2001) of 31 January 2001,

Taking into account UNTAET Regulation No. 1999/1 of 25 October 1999 on the authority of the Transitional Administration in East Timor and, in particular, Section 7 thereof with respect to the administration of property by the Transitional Administration,

Considering that a developer or group comprised of developers, purported owners and prospective operators is constructing and renovating a hotel facility known as the Pousada de Baucau (Complexo de Hotel e Piscina/Hotel Flambyant e Piscina, Baucau (the "Facility") without the approval of the Transitional Administration,

For the purpose of assuring the administration of property and the development thereof for the public benefit,

Hereby orders the following:

Section 1

Immediate Cessation of Construction Activities

1.1 Effective immediately, the owner, developer, principals and all contractors, subcontractors, associates, agents and employees engaged in construction, renovation and related activities on the premises of or associated with the Facility shall immediately cease the same.

1.2 Effective immediately, all equipment, materials, supplies and other implements of construction, renovation and related activities associated with the Facility shall be removed from the Facility, the costs of which shall be borne, jointly and severally, by the owner, developer and principals of the Facility.

Section 2 Enforcement

Failure to fully and immediately comply with this Order will result in its prompt enforcement by all means available to the East Timor Public Administration, including its law enforcement services, which are immediately directed to –

- (a) enjoin all activities subject to the present Order at the Facility or other place of operations;
- (b) interdict the transport of all materials relevant to the present Order as well as the right of ingress to and egress from and the availability of public services to the Facility; and
- (c) seize all equipment, materials, supplies and other implements of construction, renovation and related activities associated with the Facility remaining on the premises of the Facility.

Section 3 Review Procedure

Any person affected by the present Order may submit to the Minister of Economy and Development, in person or in writing on or before 1 May 2002, any documentary evidence, data, statements and other relevant information as may be reasonably necessary or desirable to permit this Office to undertake any review procedure it may, in its sole discretion, deem advisable with respect to this Order.

Section 4 Effective Date

This Order shall take effect at 1200 hrs on 16 April 2002.

Sergio Vieira de Mello
Transitional Administrator