

DECREE-LAW 4/2010
OF 3 MARCH

Amending the Regime for the Promotion of High Military Officers

Reforming the defense force sector, particularly the command structure of the Timor-Leste Defense Force (F-FDTL), has led to the establishment of various offices in the top of the military hierarchy not provided for in the Constitution.

On the other hand, article 74.2 of the Constitution establishes that the President of the Republic is the Supreme Commander of the Defence Force.

Consequently, in view of the need to consolidate both the functions of Supreme Commander of the President of the Republic and the spirit of subparagraph m) of article 86 of the Constitution, which refers to the appointment by the President of the Republic for offices in the top of the military hierarchy, this statute determines the same regime of appointment for offices not provided for in the Constitution while at the same time promoting, as a consequence, that all offices pertaining to the top of the military hierarchy be appointed and dismissed by the President of the Republic.

Thus,

Pursuant to article 115.3 of the Constitution of the Republic, the Government enacts the following, to have the force of law:

Article 1
Amendment

Article 4 of Decree-Law No. 32/2009 of 25 November shall now read as follows:

“Article 4
Appointment and dismissal of Component Commanders and the Chief
of Staff

Component Commanders and the Chief of Staff of F-FDTL shall be appointed and dismissed by the President of the Republic on proposal of the Government, after hearing the Chief of General Staff of the Defence Force and the Superior Council for Military Defence.

Article 2
Entry into force

This statute shall enter into force on the day immediately after its publication in the Official Gazette.

Approved by the Council of Ministers on 20 January 2010

The Prime Minister,

Kay Rala Xanana Gusmão

The Minister for Defence and Security,

Kay Rala Xanana Gusmão

Promulgated on 10 February 2010

For publication

The President of the Republic