

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

IV GOVERNMENT

DECREE-LAW No 16/2008

ORGANISATIONAL STRUCTURE OF THE OFFICE OF THE SECRETARY OF STATE FOR THE PROMOTION OF GENDER EQUALITY

Decree-Law No. 7/2008, of 5 September, which institutes the new organisational structure of the IV Constitutional Government, establishes the Office of the Secretary of State for the Promotion of Gender Equality, which now incorporates the activities which used to be undertaken by the Office of the Advisor on the Promotion of Gender Equality.

In compliance with article 37 of the said Decree-Law No. 7/2007, this statute establishes the organisational structure of the Office of the Secretary of State for the Promotion of Gender Equality, which presents a dynamic and flexible functional structure in order to allow for a fulfilment of the mission assigned thereto within the Government of Timor-Leste in a clearer and more effective manner.

Thus:

Pursuant to article 115(3) of the Constitution of the Republic and article 37 of Decree-Law No. 7/2007, of 5 September, the Government enacts the following to have the force of law:

CHAPTER I NATURE AND RESPONSIBILITIES

Article 1 Nature

The Office of the Secretary of State for the Promotion of Gender Equality, hereinafter referred to as SEPI for short, is the Government's main body responsible for the design, execution, coordination and assessment of the policy as defined by the Council of Ministers, for the areas of promotion and defence of gender equality.

Article 2 Responsibilities

In pursuit of its mission, it is incumbent upon the Office of the Secretary of State for the Promotion of Gender Equality:

- a) To assist in the preparation of the overall and sectoral policies, with a focus on the promotion of gender equality and the strengthening, recognition and valorisation of the role of the Timorese women in society;
- b) To prepare proposals for drafting normative acts, issue opinions and intervene, in accordance with the law, in cross-cutting fields in all areas relevant to the promotion of gender equality, as well as set up mechanisms for reviewing government laws, policies, budgets and programmes in the areas within its respective purview;
- c) To coordinate with the various ministries, concerted actions regarding the promotion of gender equality and the strengthening of the Timorese women's role in society;
- d) To promote multi-sectoral coordination within the Government, through the Gender Focal Point mechanism, with the aim of ensuring an integrated approach to gender issues in all gender policy development processes, namely planning, implementation and monitoring;
- e) To develop partnerships and provide assistance to women's organisations concerned with the promotion and defence of gender equality, and ensure mechanisms for consulting civil society and national and international organisations;
- f) To promote public sensitisation and awareness activities and the adoption of good practices regarding gender equality, the equitable participation by men and women in the economic, social, cultural, political and family life, in collaboration with competent entities, and fight against discrimination and violence against women by making use of the media and publications or other means deemed appropriate;
- g) To ensure modalities of the participation of institutions and non-governmental organisations assisting in the implementation of gender equality policies;

- h) To cooperate with community-based organisations, both national and international, and with similar international bodies, with a view to contributing to the development of key international guidelines regarding gender equality and promoting the implementation thereof at the national level, in coordination with the Ministry of Foreign Affairs;
- i) To perform all other functions required for the pursuit of the mission of the Office of the Secretary of State;
- j) To perform any other functions as may be assigned thereto by law.

CHAPTER II PURVIEW AND OVERSIGHT

Article 3 Purview and Oversight

The Office of the Secretary of State for the Promotion of Gender Equality is within the purview of the Secretary of State for the Promotion of Gender Equality, who oversees it and is answerable for it to the Prime Minister.

CHAPTER III ORGANISATIONAL STRUCTURE

SECTION I OVERALL STRUCTURE

Article 4 Overall Structure

1. The Office of the Secretary of State for the Promotion of Gender Equality fulfils its responsibilities through direct state administration services and consultative organs.
2. District branches of the services of the Office of the Secretary of State for the Promotion of Gender Equality may be established by a well-founded ministerial statute of the Cabinet members responsible for the Promotion of Gender Equality, and Public Administration.

Article 5
Direct State Administration

Within the Office of the Secretary of State for the Promotion of Gender Equality, the direct state administration is comprised of the following main services:

- a) The Director-General;
- b) The National Directorate for Administration and Finance;
- c) The National Directorate for Gender Policies and Development.

Article 6
Consultative Organs

The Advisory Board is the corporate consultative organ of the Secretary of State for the Promotion of Gender Equality.

CHAPTER IV
SERVICES AND CONSULTATIVE ORGAN

SECTION I
DIRECT STATE ADMINISTRATION SERVICES

Article 7
The Director-General

1. The Director-General is responsible for ensuring the overall orientation of all services of the Office of the Secretary of State for the Promotion of Gender Equality.
2. It is incumbent upon the Director-General:
 - a) To ensure the overall orientation of the services in line with the Government's programme and directives issued by the Secretary of State;
 - b) To propose to the Secretary of State the most suitable measures for the pursuit of the responsibilities referred to in the previous subparagraph;
 - c) To take part in the development of policies and regulations related to its area of intervention;

- d) To coordinate the drafting of laws and regulations of the Office of the Secretary of State;
- e) To ensure the overall internal administration of the Office of the Secretary of State and of its services in line with SEPI's annual and multi-annual programmes;
- f) To plan public investment measures, prepare the draft budget and execute the approved budget;
- g) To control the execution of SEPI's operating budget;
- h) To follow up the implementation of international cooperation programmes and projects and assess them internally, without prejudice to the existence of specific assessment mechanisms;
- i) To verify the legality of the expenditure incurred and effect the payment thereof once it has been authorised by the Secretary of State;
- j) To coordinate human resources;
- k) To promote vocational training and development of staff members of the bodies and services that comprise the Office of the Secretary of State;
- l) To coordinate the preparation of Advisory Board activities;
- m) To coordinate the information intended for the public, the media and other governmental bodies;
- n) To prepare, in conjunction with the National Directorates, the annual activity report of the Office of the Secretary of State;
- o) To perform any other activities as may be assigned thereto by law.

Article 8
National Directorate for Administration and Finance

1. The National Directorate for Administration and Finance, referred to as DNAF for short, is responsible for ensuring the provision of technical and administrative support to the Secretary of State and the other services of the Office of the Secretary of State in the fields of general

administration, human resources, documentation and filing systems, and property management.

2. DNAF fulfils the following responsibilities:

- a) To provide technical and administrative support to the Secretary of State and the Director-General and ensure SEPI's general internal administration;
- b) To ensure the inventory, maintenance, preservation and management of state-owned property and contracts for the supply of goods and services to SEPI;
- c) To coordinate the execution of, and control over, the allocation of supplies to all SEPI directorates;
- d) To ensure an internal communication procedure system which is common to the bodies and services of the Office of the Secretary of State;
- e) To prepare, in collaboration with all services of the Office of the Secretary of State, the Annual Work Plan, in line with directives issued at a higher level;
- f) To take part in the preparation of sectoral plans with the various services of the Office of the Secretary of State;
- g) To prepare, in collaboration with other competent entities, the drafting of SEPI's annual budget;
- h) To contribute, in collaboration with the other ministries and offices of secretaries of state, to the gender mainstreaming of draft sectoral investment programmes, as well as follow up and assess the implementation thereof;
- i) To coordinate the execution of budgetary appropriations allocated to projects of the various services of the Office of the Secretary of State, without prejudice to the existence of other monitoring and assessment means used by other competent entities;
- j) To coordinate and harmonise the budgetary execution of annual and multi-annual plans based on requirements defined at a higher level;
- k) To carry out the procurement activities of the Office of the Secretary of State;

- l) To comply with and enforce laws and regulations and other legal provisions of an administrative and financial nature;
- m) To promote the recruitment, hiring, monitoring, appraisal, promotion and retirement of staff members;
- n) To process payrolls;
- o) To ensure the collection, custody, preservation and processing of documentation, notably that related to SEPI staff members;
- p) To comply with and enforce legislation applicable to civil servants by proposing, at a higher level, the conduct of inquiries and disciplinary proceedings, and initiate investigations determined at a higher level in connection with such inquiries and disciplinary proceedings;
- q) To issue opinions and other information with a view to proposing, at a higher level, administrative measures to improve human resources management;
- r) To undertake actions required to meet environmental standards in the area of occupational hygiene and safety;
- s) To maintain a system to store and process statistical data on the Office of the Secretary of State and an updated computerised system on the property held by the Office of the Secretary of State;
- t) To undertake actions required to ensure the maintenance of internal and external communication networks, as well as the smooth running and use of computer resources;
- u) To submit annual progress reports;
- v) To carry out any other tasks as may be assigned thereto by law.

Article 9

National Directorate for Gender Policy and Development

1. The National Directorate for Gender Policy and Development, referred to as DNPDG for short, is responsible for ensuring technical support to the Secretary of State in the fields of gender analysis and policy and legislative development, monitoring and assessment of the implementation of the integrated gender approach, and promoting education in gender equality issues;

2. DNPDG fulfils the following responsibilities:

- a) To ensure the capacity building of Gender Focal Points and promote the liaison and coordination between SEPI and Interministerial and District Gender Focal Points;
- b) To promote dialogue and collaboration between the Office of the Secretary of State and people from different walks of life in order to promote gender equality by establishing task forces for consultations and coordination with civil society and other relevant stakeholders;
- c) To ensure the establishment of mechanisms for liaising with parliamentarian women;
- d) To ensure gender mainstreaming of the Government's policy and legislative development by undertaking gender-based analyses;
- e) To ensure the setting up of a sustainable mechanism which will ensure gender analysis in all stages of the legislative process;
- f) To undertake and promote studies on the status of the Timorese women in all spheres of the social, cultural, economic and political life;
- g) To ensure the adoption of gender sensitive tools in national planning processes by setting up a gender monitoring system for Annual Plans of Action and the State Budget;
- h) To promote the production of gender-disaggregated statistical data within the various competent governmental entities and collect, in a systematic manner, qualitative and quantitative data;
- i) To promote training and education activities, with a view to sensitising people regarding the change of discriminatory attitudes against women;
- j) To submit annual activity reports;
- k) To carry out any other tasks as may be assigned thereto by law.

**SECTION II
CONSULTATIVE ORGAN**

**SUBSECTION I
ADVISORY BOARD**

**Article 10
Advisory Board**

1. The Advisory Board of the Office of the Secretary of State for the Promotion of Gender Equality, referred to as Advisory Board for short, is the corporate consultative and coordinating organ responsible for periodically reviewing the progress in the implementation of SEPI's activities.
2. It is incumbent upon the Advisory Board, namely, to issue opinions on:
 - a) Decisions made by the Secretary of State, with a view to implementing them;
 - b) Work plans and programmes;
 - c) Activities of the Office of the Secretary of State and the results achieved, and propose alternative work measures to improve services;
 - d) Exchange of experiences and information between all services of the Office of the Secretary of State and between their respective managers;
 - e) Legislative acts of interest to the Office of the Secretary of State for the Promotion of Gender Equality or any other documents from its services;
 - f) To carry out any other activities as may be assigned thereto.
3. The Advisory Board is composed as follows:
 - a) The Secretary of State, who presides over it;
 - b) The Director-General;
 - c) The National Directorates.

4. The Secretary of State may call on other entities, officials or individuals, from either within or outside the Office of the Secretary of State, to attend Advisory Board meetings as he or she may deem it advisable.
5. The Advisory Board meets quarterly and extraordinarily as determined by the Secretary of State.

CHAPTER IV FINAL AND TRANSITORY PROVISIONS

Article 11 Complementary legislation

Without prejudice to the provisions of this statute, it is incumbent upon the Prime Minister, on the proposal of the Cabinet member responsible for the Promotion of Gender Equality, to approve by a ministerial statute the regulatory procedures for the organisational and operating structure of the national directorates of SEPI.

Article 12 Staffing table

The staffing table and the number of managerial and leadership positions are approved by a ministerial statute of the Prime Minister, and the Cabinet members responsible for Finance; and Public Administration, on the proposal of the Cabinet member responsible for the Promotion of Gender Equality.

Article 13 Revocation

Legal and regulatory provisions that run counter to this statute are hereby revoked.

Article 14 Entry into force

This statute comes into force on the day following the date of its publication.

Seen and approved in Council of Ministers on 19 March 2008.

The Prime Minister

[Signed]

Kay Rala Xanana Gusmão

Promulgated on 21/05/2008.

To be published.

The President of the Republic

[Signed]

José Ramos Horta