

# **DEMOCRATIC REPUBLIC OF TIMOR-LESTE**

**Decree-Law no.  
of**

## **ORGANIC STRUCTURE OF THE MINISTRY OF DEFENCE AND SECURITY**

The Government's Programme for the IV Constitutional Government provides for a clear national defence policy and considers it a fundamental pillar for building Timor-Leste and rendering the country a viable state.

As regards internal security, both stability and security of people and goods are considered to be crucial elements for social peace and tranquillity of citizens and an essential condition for the country's development.

The Ministry of Defence and Security contemplates an organisational structure based on the bodies and services operating in the fields of national defence, military cooperation, public security, criminal investigation and immigration.

The objective of the present statute is to approve the Organic of the Ministry of Defence and Security which defines its respective structure as well as the competences of its services and bodies so as to comply with Decree-Law No. 7/2007 of 5 September that approved the Organic Structure of the IV Constitutional Government of the Democratic Republic of Timor-Leste.

Thus,

Pursuant to article 115(3) of the Constitution of the Republic, the Government enacts the following to have the force of law:

### **Title I Ministry of Defence and Security**

#### **Chapter I Nature and competences**

##### **Article 1 Nature**

The Ministry of Defence and Security, hereinafter referred to in short as MDS, shall be the central organ of the Government responsible for designing, executing, coordinating and evaluating the policy defined and approved by the Council of Ministers for the areas of national defence, military cooperation, public security, criminal investigation and immigration.

## **Article 2 Competences**

The MDS shall have the following competences:

- a) To propose the policy and draw up the regulatory drafts necessary to the areas under its tutelage;
- b) To enter into international agreements on defence and military cooperation in coordination with the Ministry for Foreign Affairs;
- c) To administer and monitor the Timor-Leste Defence Force
- d) To promote the adequation of the military means;
- e) To monitor maritime and air navigation with military purposes;
- f) To exercise tutelage over the Timor-Leste police forces;
- g) To promote the adequation of the police means;
- h) To exercise tutelage over the Immigration Service;
- i) To monitor maritime and air navigation with civilian purposes;
- j) To ensure the security of people and goods in case of fire, inundation, landslip, earthquake, as well as in any situation putting people and goods in jeopardy;
- k) To develop civic education programmes to face natural or man-made disasters, thereby consolidating social solidarity;
- l) To establish mechanisms for collaborating and coordinating with other Government organs having tutelage over related areas;

## **Chapter II Tutelage, superintendence and delegation of competences**

### **Article 3 Tutelage and superintendence**

The functional exercise of superintendence and tutelage over the organic structure of MDS shall be ensured by the Minister.

### **Article 4 Delegation of competences**

1. The competences provided for in subparagraphs a) to e) and l) of article 2 shall be delegated to the Secretary of State for Defence;
2. The competences provided for in subparagraphs a) and f) to l) of article 2 shall be delegated to the Secretary of State for Security.

**Chapter III**  
**Services under direct State Administration**

**Article 5**  
**Integrated Centre for Crises Management**

1. The Integrated Centre for Crises Management, hereinafter referred to in short as CIGC, shall be the specialist body for consultation and assistance in the technical and operational coordination of the activities of the security forces and services and for the development of conflict-prevention strategies, and is directly under the Minister of Defence and Security.
2. It shall be incumbent upon CIGC to study and make proposals regarding:
  - a) public policies on internal security;
  - b) coordination mechanisms for the security forces and services and agencies involved in internal security;
  - c) interministerial coordination arrangements to guarantee internal security and address natural disasters or public catastrophes;
  - d) streamlining the system and arrangements involving security forces and services;
  - e) conditions of employment of staff, facilities and resources, operational procedures and rules to be adopted by the security forces and services in the case of a serious threat to internal security;
  - f) international coordination and cooperation arrangements of the security forces and services;
  - g) national strategies and action plans for crime prevention;
  - h) to undertake any other tasks as entrusted to it by law.

**Article 6**  
**Citizens' Support Office**

1. The Citizens' Support Office, hereinafter referred to in short as GAC, shall take in and address citizens' complaints regarding the services provided by the Ministry to the public.
2. It shall be incumbent upon the GAC:
  - a) to take in complaints from citizens regarding the performance of the bodies and services that make up the Ministry;

- b) to assess and process the complaints submitted pursuant to article. 6(2)(a) above;
- c) to undertake any other tasks as entrusted to it by law.

3. For all legal purposes, CSO is considered as being equivalent to a department.

## **Title II**

### **Secretariat of State for Defence**

#### **Chapter I**

#### **Nature and competences**

##### **Article 7**

##### **Nature**

The Secretariat of State for Defence, hereinafter referred to in short as SED, shall be the central organ of the Government responsible for designing, executing, coordinating and evaluating the policy defined and approved by the Council of Ministers for the areas of national defence and military cooperation.

##### **Article 8**

##### **Competences**

In the framework of the mission of MDN, SED shall have the following competences:

- a) To propose policies and draw-up regulatory drafts necessary to its areas of tutelage;
- b) To enter into international agreements on matters of defence and military cooperation, in coordination with the Ministry for Foreign Affairs;
- c) To administer and monitor the Timor-Leste Defence Force;
- d) To promote the adequation of the military means;
- e) To monitor maritime and air navigation with military purposes;
- f) To establish collaboration and coordination mechanisms with other Government organs with tutelage over related areas;
- g) To undertake any other tasks as entrusted to it by law or by delegation of powers;

#### **Chapter II**

#### **Tutelage and superintendence**

##### **Article 9**

## **Tutelage and superintendence**

The functional exercise of superintendence and tutelage over the organic structure of SED shall be ensured by the Secretary of State without prejudice to his or her accountability to the Minister of Defence and Security.

### **Chapter III Organic structure**

#### **Article 10 General structure**

1. In the framework of MDS, SED shall pursue its competences through organs and services under direct State administration, National Defence Institute, consultative organ and territorial delegations.
2. Territorial delegations to deliver services provided by the Secretariat of State may be established by a substantiated ministerial statute issued by the Government member responsible for the area of defence and security.

#### **Article 11 Direct State administration**

The following central services shall come under the direct administration of the State in the framework of SED:

- a) Falintil-DFTL;
- b) General Director;
- c) National Directorate for Administration and Finance;
- d) National Directorate for Human Resources;
- e) National Directorate for Strategic Planning and International Policy;
- f) National Directorate for Management and Property;
- g) National Directorate for Procurement;
- h) Inspection Office;
- i) Public Relations Office;
- j) Force 2020 Office
- k) Legal Office.

**Article 12**  
**Indirect administration of the State**

The functional exercise of superintendence and tutelage over the National Defence Institute shall be ensured by the Secretary of State without prejudice to his or her accountability to the Minister of Defence and Security.

**Article 13**  
**Consultative bodies**

The Military Consultative Council shall be the collective consultative body of the Secretary of State.

**Chapter III**  
**Organs and services, consultative organ and territorial delegations**

**Section I**  
**Services under direct State administration**

**Article 14**  
**General Director**

1. The General Director shall have the responsibility to ensure the general guidance of all the services of SED.
2. The General Director shall have the following competences:
  - a) To coordinate the preparation of the annual programme of activities of the Secretariat of State as well as the activities for up-dating the National Development Plan and the sectoral plans;
  - b) To follow up the execution of projects and programmes of international cooperation and conduct their internal evaluation, without prejudice to other self-evaluation mechanisms;
  - c) To check the legality of expenses and authorise their payment;
  - d) To participate in the development of policies and regulations relating to its areas of intervention;
  - e) To coordinate the preparation of draft laws and draft regulations for the Secretariat of State;
  - f) To ensure the general internal administration of the Secretariat of State and respective services in accordance with the annual and pluriannual programmes;

- g) To ensure efficiency, articulation and cooperation among the National Directorates and other entities under the tutelage of the Secretariat of State;
- h) To undertake any other tasks as entrusted to it by law.

**Article 15**  
**Falintil-FDTL**

The nature, mission, organisational structure and functioning rules of the Timor-Leste Defence Force (Falintil-FDTL) shall be the object of specific legislation.

**Article 16**  
**National Directorate for Administration and Finance**

1. The National Directorate for Administration and Finance, hereinafter referred to in short as DNAF, shall have the responsibility to study and formulate proposals on policy orientations on matters of general administration and finance.
2. DNAF shall have the following competences:
  - a) To draw up the draft annual budget of the Secretariat of State in accordance with its several services;
  - b) To coordinate the execution and control of the budget funds allocated to the Secretariat of State;
  - c) To draw up the national plan of action of the Secretariat of State, including the respective reports, in coordination with the other services;
  - d) To provide support to the other bodies and services of the Secretariat of State, without prejudice to their administrative autonomy, in the framework of the financial, technical and data processing resources;
  - e) To develop programmes for organisational improvement, modernisation, and administrative rationalisation;
  - f) To draw up the security plans for the staff and the property of the Secretariat of State;
  - g) To take measures aimed at ensuring the security of classified matters, both in Timor-Leste and in the diplomatic missions abroad;
  - h) To take measures aimed at meeting all the needs in terms of data processing and information resources and technology;

- i) To undertake any other tasks as entrusted to it by law.

**Article 17**  
**National Directorate for Human Resources**

1. It shall be incumbent upon the National Directorate for Human Resources, hereinafter referred to in short as DNRH, to study and formulate proposals on policy orientations on matters of human resources and organisational management and training, including on the recruitment system, reform and the veterans.
2. DNRH shall have the following competences:
  - a) To plan, organise and implement the organisational management development programme of the Secretariat of State on human resources;
  - b) To formulate and plan the capacity development strategy through training and formal education of civilian and military staff;
  - c) To promote the hiring of staff for the Secretariat of State, including the recruitment, call-up and mobilisation of members of the Defence Force;
  - d) To define and propose the basic policy guidelines relating to the conscription and reserve, including the respective implementation mechanisms;
  - e) To supervise and manage the administrative process of retirement and the medical assistance to veterans;
  - f) To process the lists of remuneration of the staff pertaining to the Secretariat of State and the Defence Force;
  - g) To examine and propose the general bases of the policy for recruitment, call-up and mobilisation, namely to make proposals on staff, respective careers and remuneration;
  - h) To undertake any other tasks as entrusted to it by law.

**Article 18**  
**National Directorate for Strategic Planning and International Policy**

1. The National Directorate for Strategic Planning and International Policy, hereinafter referred to in short as DNPEPI, shall have the responsibility to study and provide technical assistance on the major lines of policy action for national defence, namely in the strategic framework of international relations.
2. DNPEPI shall have the following competences:



- a) To undertake multidisciplinary studies on the situation of national defence and put forward proposals that contribute to the definition and substantiation of superior decisions;
- b) To follow up and draw up studies on the national strategic situation and the development of the international state of affairs on the basis of available information relating to the strategic relations of defence;
- c) To coordinate the system and respective policy orientation relating to the civilian-military relation in articulation with the other services with competences in this area;
- d) To exercise the functions entrusted to it in the framework of the national intelligence system;
- e) To determine and develop the broad lines and the orientation of the internal Defence in the framework of the Ministry of Defence and Security and formulate the relations of cooperation with PNTL;
- f) To promote and follow up the development of the external relations in the field of defence;
- g) To ensure, in coordination with the Ministry for Foreign Affairs and Cooperation, contacts with other countries with a view to entering into bilateral agreements in the framework of defence, namely in the area of military technical cooperation;
- h) To undertake any other tasks as entrusted to it by law.

**Article 19**  
**National Directorate for Property Management**

1. The National Directorate for Property Management, hereinafter referred to in short as DNGP, shall be responsible for designing, coordinating and providing technical assistance in the fields of property management, infrastructure, and military armament and equipment.
2. DNGP shall have the following competences:
  - a) To study, propose and execute the measures deemed necessary for the development of the policy of the Secretariat of State on matters of logistics and management of military and civil infrastructure needed for national defence;

- b) To participate in the drawing up of the global plans of logistics and infrastructure of the Defence Force and respective programmes;
- c) To ensure the inventory, administration, maintenance and preservation of the property of the State assigned to the Defence Force;
- d) To issue opinions on the establishment, modification and extinction of military servitudes, as well as on the approval of works in areas conditioned by the servitudes;
- e) To ensure the coordination of all the normative and functional aspects in the framework of the activities relating to the knowledge of the sea, cartography services and geographic information systems;
- f) To take part in the preparation of plans for the purchase of armament, equipment and defence services;
- g) To undertake any other tasks as entrusted to it by law.

**Article 20**  
**National Directorate for Procurement**

1. The National Directorate for Procurement, hereinafter referred to in short as DNA, shall have the responsibility to study, formulate and execute the policy orientations relating to the procurement of goods and services for the Secretariat of State for Defence.
2. DNA shall have the following competences:
  - a) To study, make proposals and execute the norms relating to the procedures for purchasing goods and services;
  - b) To take part in the management of the assets of the Secretariat of State for Defence, study the needs for acquiring goods and services and take measures with a view to meeting such needs;
  - c) To assist in all operations at the Secretariat of State for Defence relating to procedures for acquiring goods and services;
  - d) To execute contracts for the supply of goods and services, including those of a military nature assigned to the Ministry and the Defence Force;
  - e) To cooperate in the standardisation of the equipment, materials and services;

- f) To take part in the establishment of a procurement and hiring committee;
- g) To undertake any other tasks as entrusted to it by law.

**Article 21**  
**Office for Inspection and Auditing**

1. The Office for Inspection and Auditing, hereinafter referred to in short as GIA, shall have the responsibility to provide technical assistance and ensure the sound management of the human, material and financial resources made available to the Defence Force, the Secretariat of State for Defence, and the services under its tutelage.
2. GIA shall have the following competences:
  - a) To ensure the compliance with the obligations imposed by law to bodies and services referred to in the present statute;
  - b) To conduct inspections and audits provided for in the respective plan of activities or following superior determination;
  - c) To conduct inquiries;
  - d) To undertake studies and expert examinations and draw up opinions or information reports in the framework of its competences;
  - e) On superior determination, undertake any other tasks in the framework of its competences either directly or by resorting to specialists or other services of the State of an inspective or investigative nature;
3. The Office for Inspection and Auditing shall operate under the direct dependence of the Secretary of State for Defence and shall be headed by an inspector-general who, for all purposes, shall be equivalent in rank to a General Director.

**Article 22**  
**Public Relations Office**

1. The Public Relations Office, hereinafter referred to in short as GRP, shall have the responsibility to prepare and execute the policy orientation relating to civil society, particularly the media.
2. The GRP shall have the following competences:
  - a) To promote and coordinate studies and other measures deemed necessary for the formulation and execution of the policies of the Secretariat of State for Defence in its relations with civil society and, in particular, with the media;

- b) To plan and coordinate the execution of all the measures of the services of the Secretariat of State for Defence relating to the media.
- c) To promote and disseminate the objectives of the Secretariat of State for Defence within civil society, with due respect to the competences of other services on this matter;
- d) To undertake any other tasks as entrusted to it by law.

**Article 23**  
**2020 Force Office**

1. The 2020 Force Office shall be responsible for studying, drawing up and implementing the measures provided for in the programme for the 2020 Force.
2. The 2020 Force Office shall have the following competences:
  - a) To study, make proposals and implement all the measures necessary to the execution of the 2020 Force programme in every budget year, including the short, medium and long term planning;
  - b) To coordinate and facilitate meetings and conferences in the framework of the 2020 Force programme of the different State institutions, as well as with international institutions, namely international donors;
  - c) To cooperate with the National Directorates in all measures relating with the studies, planning and implementation of the 2020 Force;
  - d) To prepare the documents, reports and annual evaluations of the 2020 Force, including the monitoring of its implementation process;
  - e) To coordinate the operations for the preparation, drawing up and implementation of the 2020 Force among all the services of the Secretariat of State for Defence and the F-FDTL;
  - f) To undertake any other tasks as entrusted to it by law.

**Article 24**  
**Legal Office**

1. The Legal Office, hereinafter referred to in short as GJ, shall provide legal assistance and deal with any legal matters and will do so directly under the Secretary of State for Defence.
2. The Legal Office shall have the following competences:

- a) To draft legal opinions, studies and information briefs about any matters submitted to the office by other services within the Secretariat of State for Defence;
  - b) To take part, upon request, in any legal procedures that have a bearing on the competences of the Secretariat of State for Defence;
  - c) To take part, upon request, in any disciplinary procedures, inquiries, inquests and investigations being pursued within the structure of the Secretariat of State for Defence;
  - d) To assist in any legal proceedings in which the Secretariat of State is involved, and undertaking all the necessary actions required.
3. For all legal purposes, the Legal Office is considered as being equivalent to a department.

**Section II**  
**Bodies under indirect State administration**

**Article 25**  
**National Defence Institute**

1. The National Defence Institute shall be responsible for studying, researching and promoting the teaching of national defence matters.
2. The National Defence Institute shall have the following competences:
  - a) To define and up-date the doctrine in the different dimensions of national defence;
  - b) To train Defence Force members and other staff of the Ministry of Defence and Security on the matters defined in the preceding subparagraph in articulation with the other services with competences in relevant areas;
  - c) To study and conduct research on the special military dimension of national defence;
  - d) To disseminate the objectives, challenges and actions undertaken by the Secretariat of State for Defence on national defence matters.
3. The National Defence Institute shall be governed by a specific statute to be approved pursuant to the law.

**SECTION II**  
**Consultative body and territorial delegations**

**Sub-section I**  
**Consultative Council**

**Article 26**  
**Military Consultative Council**

1. The Military Consultative Council, hereinafter referred to as Consultative Council, shall be the collective body for consultation and coordination with the mission of conducting the regular inventory of the activities of the Secretariat of State for Defence.
2. The competences of the Consultative Council shall be, namely, to issue its opinions on:
  - a) The decisions of the Secretariat of State for Defence with a view to their implementation;
  - b) The work plans and work programmes;
  - c) The balance of activities of the Secretariat of State for Defence, evaluating the results achieved and proposing new objectives;
  - d) The exchange of experiences and information among all the services and bodies of the Secretariat of State for Defence and among their respective managers;
  - e) Legislative statutes of interest to the Secretariat of State for Defence or on any other documents originating from its services or bodies;
  - f) To undertake any other tasks entrusted to it.
3. The Consultative Council shall have the following composition:
  - a) The Secretary of State, who shall preside it over;
  - b) The General Director;
  - c) The Chief of the General Staff.
4. Whenever deemed convenient, the Secretary of State may convene other entities, staff or individualities, from within or outside of the Secretariat of State for Defence, to participate in the meetings of the Consultative Council.

5. The Consultative Council shall meet ordinarily once per month and extraordinarily whenever the Secretary of State so determines.

**Sub-section II**  
**Territorial delegations**

**Article 27**  
**Territorial delegations**

The mission of the territorial delegations shall be to execute specific activities and collect operational data for designing measures for local sectoral policies.

**Title III**  
**Secretariat of State for Security**

**CHAPTER I**  
**Nature and competences**

**Article 28**  
**Nature**

The Secretariat of State for Security, hereinafter referred to in short as SES, shall be responsible for designing, executing, coordinating and evaluating the policy defined and approved by the Council of Ministers for the areas of public security, criminal investigation and immigration.

**Article 29**  
**Competences**

In pursuing the mission of MDS, SES shall have the following competences:

- a) To propose the policy and draw up the draft regulations necessary to the areas under its tutelage;
- b) To exercise tutelage over the Timor-Leste police forces;
- c) To promote the adequation of the police means;

- d) To exercise tutelage over the Immigration Service;
- e) To monitor maritime and air navigation with civilian purposes;
- f) To ensure the security of people and goods in case of fire, inundation, landslips, earthquake, and in all situations putting people and goods in jeopardy;
- g) To develop civic education programmes to face natural or man-made disasters, thereby consolidating social solidarity;
- h) To establish mechanisms for collaboration and coordination with other Government organs with tutelage over related areas;
- i) To undertake any other tasks entrusted to it by law or by delegation of powers.

**Chapter II**  
**Tutelage and superintendence**

**Article 30**  
**Tutelage and superintendence**

The functional exercise of superintendence and tutelage over the organic structure of the Secretariat of State for Security shall be ensured by the Secretary of State without prejudice to his or her accountability to the Minister of Defence and Security.

**Chapter III**  
**Organic structure**

**Article 31**  
**General structure**

1. SES shall pursue its competences in the framework of MDS through bodies and services integrated under the direct administration, through the consultative body, and through territorial delegations.



2. Territorial delegations to deliver services provided by the Secretariat of State may be established by a substantiated ministerial statute of the Government member responsible for the area of defence and security.

**Article 32**  
**Direct State administration**

1. The following central services shall integrate the direct State administration in the framework of SES:
  - a) General Director;
  - b) National Directorate of Administration;
  - c) National Directorate of Procurement;
  - d) National Directorate for Finance
  - e) ;
  - f) Office of Inspection and Auditing;
  - g) National Directorate for Conflicts Prevention and Security Management;
  - h) National Police of Timor-Leste (PNTL);
  - i) Immigration Service (SI);
  - i) National Directorate for Civil Protection (DNPC);
  - j) National Directorate for Security to Public Buildings (DNSEP).

**Article 33**  
**Consultative bodies**

The Consultative Council shall be the collective body of consultation of the Secretary of State.

**Chapter III**  
**Services, consultative body and territorial delegations**

**Section I**  
**Services under direct State administration**

**Article 34**  
**General Director**

1. The General Director shall have the responsibility to ensure the general guidance of all the services of SES.
2. The General Director shall have the following competences:
  - a) To ensure the general orientation of the services in accordance with the Government's Programme and superior orientations;
  - b) To propose the most convenient measures for fulfilling the objectives provided for in the preceding subparagraph;
  - c) To ensure the efficacy, articulation and cooperation among the national directorates and other institutions of SES;
  - d) To study the technical, material and financial possibilities of cooperation with different international organisations in coordination with the Ministry of Foreign Affairs;
  - e) To coordinate the participation of SES in actions of international cooperation in articulation with the Ministry for Foreign Affairs;
  - f) To follow up the execution of projects and programmes of international cooperation and conduct their internal evaluation without prejudice to other self-evaluation mechanisms in coordination with the Ministry of Foreign Affairs;;
  - g) To coordinate activities with the development partners in coordination with the Ministry of Finance;
  - h) To develop and maintain a database on the programmes and projects of international cooperation for the sector in coordination with the Ministry of Foreign Affairs;;
  - i) To coordinate and harmonise the execution of annual and pluriannual plans;
  - j) To coordinate the preparation of the Consultative Council;
  - k) To undertake any tasks as entrusted to him or her by law.

**Article 35**  
**National Directorate of Administration**

1. It shall be incumbent upon the National Directorate of Administration, hereinafter referred to in short as DNA, to ensure technical and administrative assistance to the Secretary of State, to the General Director and to the other services of SES in the fields of general administration, human resources, documentation and archives.
2. DNA shall have the following competences:
  - a) To ensure the general administration of DNA;
  - b) To ensure the inventorying, maintenance and preservation of the property of the State assigned to the Secretariat of State;
  - c) To draw up the proposal of the plan and integrated budget of SES;
  - d) To coordinate the execution and control of allocated budget appropriations;
  - e) To ensure compliance with laws, regulations and other legal provisions of an administrative or financial nature;
  - f) To coordinate the process of the formulation and execution of policies and strategies for the development of human resources;
  - g) To establish norms for the general training, technical-professional training, and specialised training for the staff of the different sectors of SES and coordinate their execution;
  - h) To comply with and enforce the legislation applicable to civil servants and to issue opinions, whenever so requested, on the hiring of foreign workers;
  - i) To undertake any other tasks compatible with the nature of its functions.

**Article 36**  
**National Directorate for Procurement**

1. The National Directorate for Procurement, hereinafter referred to in short as DNAP, shall have the responsibility to provide technical and administrative assistance to the Secretary of State, the General Director and the other services of SES in the fields of property management.
2. The DNAP shall have the following competences:

- a) To certify that the goods, services and works are considered to be necessary and are in accordance with the national policy, the programmes, the budget and the annual plan of action of the Secretariat of State for Security;
- b) To set dates, ship and follow up the procurement processes at the appropriate time and costs so as to ensure a sound and efficient budget execution;
- c) To make detailed cost estimates;
- d) To define technical needs on a clear and impartial manner;
- e) To establish and maintain documents related to purchasing processes so as to facilitate accountancy and audit operations;
- f) To provide the Procurement Division of the Ministry of Finance with confidential information on the registration of suppliers;
- g) To submit to the Ministry of Finance the annual evaluation report on the procurement operations undertaken;
- h) To undertake any other tasks as entrusted to it by law.

**Article 37**  
**National Directorate for Finance**

1. Without prejudice to the provisions of the legal framework relating to the competences of the National Directorates for Administration of PNTL and the Secretariat of State for Security, the National Directorate for Finance, hereinafter referred to in short as DNF, shall be responsible for supervising and harmonising procedures insofar as the control of the implementation of plans and the budget execution is concerned.
2. DNF shall have the following competences:
  - a) To prepare complete and up-dated weekly reports covering all departments and institutions under the tutelage of SES;
  - b) To maintain an information system that meets the needs of the monitorisation of the budget execution;
  - c) To ensure that documents supporting the expenses are complete, legal and coherent insofar as the plans of action for each programme is concerned;

- d) To ensure the reconciliation of data with the services of the Ministry of Finance and each programme of SES;
- e) To undertake any other tasks as entrusted to it by law.

**Article 38**  
**Inspection and Audit Office**

1. The Inspection and Audit Office, hereinafter referred to in short as GIA, shall be responsible for conducting audits in all structures and institutions under the tutelage of SES.
2. GIA shall have the following competences:
  - a) To monitor the essential aspects relating to legality, regularity and quality of the functioning of the services;
  - b) To undertake management audits;
  - c) To collect information on the functioning of the services, proposing the appropriate corrective measures;
  - d) To institute inquiry processes as well as disciplinary processes whenever so determined by the competent authorities for the establishment of the proceedings and for appointing the investigator;
  - e) To establish processes of inquiry as determined by the Secretary of State;
  - f) To provide support to the services of SES in collaboration with its managers in the exercise of disciplinary power;
3. The Inspection and Audit Office shall operate under the direct dependence of the Secretary of State and shall be headed by an inspector-general who, for all purposes, shall be equivalent in rank to a General Director.

**Article 39**  
**National Directorate for Prevention of Community Conflicts**

1. The National Directorate for Prevention of Community Conflicts, hereinafter referred to in short as DNPCC, shall be responsible for supervising and managing the activities of research, evaluation, training on development of strategies for

- preventing community conflicts, and for promoting the well-being of the population;
2. DNPCC shall have the following competences:
    - a) To recruit staff for security management and prevention of community conflicts;
    - b) To conduct research and evaluations on the causes of conflict in Timor-Leste;
    - c) To develop and implement civic education programmes for the prevention and resolution of conflicts;
    - d) To identify training needs and to implement training programmes in the prevention of community conflicts;
    - e) To develop initiatives aimed at raising awareness and understanding of the role of PNTL;
    - f) To promote gender equality and human rights in its area of competence.

**Article 40**  
**Timor-Leste National Police**

1. The Timor-Leste National Police, hereinafter referred to in short as PNTL, shall be the force in charge of the internal security of the State with its own legal personality directly subordinated to SES;
2. Without prejudice to the structure and functions assigned to it in a specific statute, PNTL shall have the following competences:
  - a) To promote the security conditions that ensure the normal functioning of democratic institutions and the exercise of the fundamental rights and liberties of citizens;
  - b) To ensure the maintenance of public order, security and tranquillity;
  - c) To prevent criminality and the commitment of other acts contrary to law and regulations;
  - d) To prevent organised crime and terrorism in coordination with other security services;
  - e) To ensure vigilance along the borders and control the movement of people and goods in articulation with other relevant structures;

- f) To ensure the execution of administrative acts originating from competent authorities aiming at preventing the non-compliance with the law or its continued violation;
- g) To exercise the functions entrusted to it by law on criminal procedure and namely gather information on crimes, prevent their consequences from occurring and discover their perpetrators;
- h) To collect, process and disseminate information with interest for preventing and repressing crime;
- i) To secure the INTERPOL national office;
- j) To ensure road security through ordering, monitoring and regularising road traffic;
- k) To ensure security for sport or equivalent activities;
- l) To participate in the airport, port and maritime security, in coordination with the Ministry of Infrastructures;
- m) To provide assistance to the population and the victims of accidents;
- n) To participate in international missions under the terms defined by the Government;
- o) To cooperate with F-FDTL, the National Intelligence Service and the Prison Services in order to ensure the security of people;
- p) To contribute towards the training and information on matters of security of citizens;
- q) To undertake any other tasks as entrusted to it by law.

#### **Article 41 Immigration Service**

1. The Immigration Service, hereinafter referred to in short as SM, shall be responsible for controlling the movement of people in the borders as well as the entry, permanence and activity of foreigners in the national territory, preventing and repressing crime related to illegal immigration and trafficking in people, and for instituting the proceedings for granting equal status to immigrants and refugees.
2. SM shall have the following competences:

- a) To control the movement of people at the borders to prevent the entry into, or the exit from, the national territory of people not meeting the required legal requisites;
  - b) To control and monitor the permanence of foreigners inside the national territory;
  - c) To investigate crimes of support to illegal immigration and other related crimes, namely trafficking in persons, without prejudice to the competences of other relevant entities;
  - d) To issue opinions on requests of consular visas and on granting of the Timorese nationality, in collaboration with the Ministry of Foreign Affairs and the Ministry of Justice;
  - e) To establish proceedings and provide information on requests of asylum and on granting equality status;
  - f) To ensure cooperation with other national and foreign services in the framework of their competences;
  - g) To undertake any other tasks as entrusted to it by law.
3. The organic and functioning of SM, as well as the status of its staff, shall be regulated by specific legislation.
  4. SM shall be managed by a national director who shall be assisted by a deputy national director.

**Article 42**  
**National Directorate for Civil Protection**

1. The National Directorate for Civil Protection, hereinafter referred to in short as DNPC, shall be responsible for coordinating the activity of SES in the areas of prevention and protection against catastrophes, calamities or disasters and to provide rescue assistance to victims.
2. DNPC shall have the following competences:
  - a) To organise and manage the National Fire Service;
  - b) To draw up technical norms on prevention and fight against fires, inundations, landslides, earthquakes and, generally, on any calamity putting people and goods in jeopardy;
  - c) To draw up and keep up-dated the national emergency plan for the different types of disasters and calamities;



- d) To rescue and ensure the security of people and goods in case of inundation, fire and situations of calamity;
- e) To ensure coordination in the provision of assistance to victims in cases of disaster or catastrophe in collaboration with the Ministry of Solidarity;
- f) To promote, develop and keep a single national emergency call number for use in distress situations;
- g) To issue opinions on projects for new civil construction works insofar as security matters are concerned in collaboration with the Ministry of Infrastructures;
- h) To conduct inspections and examinations into buildings and establishments of means of transport in the interest of the public or at the request of those concerned;
- i) To undertake any other tasks as entrusted to it by law.

### **Article 43**

#### **National Directorate for Security to Public Buildings**

1. The National Directorate for Security of Public Buildings, hereinafter referred to in short as DNSEP, shall be responsible for ensuring security and control of access to buildings and public administration facilities.
2. DNSEP shall have the following competences:
  - a) To draw up security plans for buildings and public administration facilities;
  - b) To define the areas open to the public, reserved areas as well as restricted areas in collaboration with the entities responsible for security to buildings;
  - c) To establish circuits of control of movement in accordance with established restrictions;
  - d) To define and establish norms for issuing authorisations for access to automobile parking areas for public administration in collaboration with the relevant entities;
  - e) To draw up files for personal data of people with the right of access and issue the respective authorisations in collaboration with the relevant entities;

- f) To ensure the security of public administration meetings;
- g) To regulate and inspect the establishment of private security companies;
- h) To collaborate with the police services in the field of its competences;
- i) To undertake any other tasks as entrusted to it by law.

**SECTION II**  
**Consultative body and territorial delegations**

**Sub-section I**  
**Consultative Council**  
**Article 44**  
**Consultative Council**

1. The Security Consultative Council, hereinafter referred to in short as Consultative Council, shall be the collective body of consultation and coordination responsible for taking regular inventories of the activities of SES.
2. The Consultative Council shall namely issue opinions on:
  - a) Decisions of SES with a view to their implementation;
  - b) Work plans and programmes;
  - c) Balance of activities of SES, evaluating the results achieved and proposing new objectives;
  - d) Exchange of experience and information among all the services and bodies of SES and among their respective managers;
  - e) Legislative statutes of interest to SES or on any other document originating from its services of bodies;
  - f) Any other activity as entrusted to it.
3. The Consultative Council shall have the following composition:
  - a) The Secretary of State, who shall preside it over;
  - b) The Director General;
  - c) National Directors;
  - d) Chief of Staff.

- e) Commander General of PNTL
- 4. Whenever deemed convenient, the Secretary of State may convene other entities, staff or individualities from within or outside of the Secretariat of State to participate in the meetings of the Consultative Council.
- 5. The Consultative Council shall meet ordinarily once per month and extraordinarily whenever the Secretary of State so determines.

**Sub-section II**  
**Territorial delegations**

**Article 45**  
**Territorial delegations**

The territorial delegations shall be responsible for executing specific activities and for collecting operational data for designing measures for local sectoral policies.

**Title IV**  
**Articulation of services and regulation**

**Article 46**  
**Articulation of services**

- 1. The services of the Secretariat of State shall operate on the basis of objectives formalised in annual and pluriannual plans of activities approved by the Secretary of State.
- 2. The services shall collaborate among them and shall articulate their activities in such a manner as to promote a unitary and integrated execution of the policies of the Secretariat of State.

**Article 47**  
**Complementary organic statutes**

Without prejudice to the contents of the present statute, it shall be incumbent upon the Government member responsible for the area of defence and security to approve by a specific ministerial statute the regulation of the organic-functional structure of the national directorates.

**Article 48**  
**Staffing table**

The staffing table and the number of senior and middle-level management staff shall be approved by a joint ministerial statute of the Government members responsible for the areas of defence and security, finance and state administration.

**Title IV**  
**Final provisions**

**Article 49**  
**Revocation**

1. Decree-Law No. 16/2006 of 8 November approving the Organic Statute of the Ministry of Defence is hereby revoked.
2. Decree-Law No. 3/2004 of 5 May approving the Organic Statute of the Ministry of Interior is hereby revoked.

**Article 50**  
**Entry into force**

The present statute shall enter into force on the day after its publication.

Approved by the Council of Ministers on 23 May 2008

The Prime Minister

[signed]  
Kay Rala Xanana Gusmão

The Minister of Defence and Security

[signed]  
Kay Rala Xanana Gusmão

Promulgated on 1 August 2008

The President of the Republic

[signed]  
José Ramos-Horta