

Law No. 3/2011
Of 1 June

Organic Law of the Presidency of the Republic

Preamble

The President of the Republic is the unipersonal organ of sovereignty with powers of Head of State, Supreme Commander of the Defence Force and symbol and guarantor of national independence and unity of the State and of the smooth functioning of democratic institutions.

In the exercise of his/her powers, the President of the Republic is assisted by a set of organs and services that support him/her in the development of his/her institutional action and promote the political priorities defined by him/her.

Building on the experience of the current support structure and its cadres, it is advisable to develop such structure in terms of organisation, human resources, technical capacity and availability of means to enable it to continue to effectively and positively meet the current challenges of national construction.

Thus, pursuant to article 95.1 of the Constitution of the Republic, the National Parliament enacts the following, to have the force of law:

CHAPTER I
GENERAL PROVISIONS

Article 1
Object

The Presidency of the Republic is the set of organs and services that support the President of the Republic in the exercise of his/her functions.

Article 2
Structure

The Presidency of the Republic is composed of:

- a) The Civil House;
- b) The Military House;
- c) The Personal Secretariat of the President of the Republic;
- d) The Administrative Council.

CHAPTER II CIVIL HOUSE

Article 3 Nature

1. The Civil House is the service responsible for providing technical, advisory, analysis and information to the President of the Republic.
2. The Civil House shall also ensure the administrative, patrimonial, financial and documental support.

Article 4 Structure

1. The Civil House is composed of the following organs and services:
 - a) Permanent Support Services to the President of the Republic;
 - b) Political Services in Support of the President of the Republic;
 - c) General Directorate of Administration;
 - d) Inspection, Monitoring and Audit Office.
2. The Civil House is headed by the Chief of Staff and comprises the respective deputies, functionaries and agents of Public Administration and Advisers.
3. The Civil House is organised into specific areas of support to the activity of the President of the Republic, in accordance with this law and its Internal Regulation, which defines the competences and the functional relationship of its services, directorates, departments and sections.

Article 5 Chief of Staff

1. The Chief of Staff is appointed and dismissed by the President of the Republic and is equated with a minister for purposes of precedence and honours of State.

2. The administrative and financial functions legally assigned to the Presidency of the Republic which do not fall under any of its organs shall be exercised by the Chief of Staff.
3. The Chief of Staff may be assisted by a deputy, to be appointed and dismissed by the President of the Republic on proposal of the Chief of Staff.

Article 6 Competences of the Chief of Staff

It shall be incumbent upon the Chief of Staff:

- a) To lead and manage the Civil House and ensure the administrative and financial coordination of the organs and services of the Presidency of the Republic;
- b) To establish the general guidelines and supervise the work of all functionaries, agents of the public administration, counsellors, advisers, consultants and other technicians at the service of the Civil House;
- c) To ensure the technical, advisory and information service for the Presidency of the Republic;
- d) To preside over the Administrative Council;
- e) To represent the President of the Republic whenever so determined by the latter;
- f) To support the President of the Republic in his/her relations with other organs of sovereignty and other public and private services.

Article 7 Department for Support to the Chief of Staff

The Chief of Staff is supported by a Department of Support composed of:

- a) The Personal Secretariat of the Chief of Staff;
- b) The Planning Unit;
- c) The Secretariat of the Council of State and the Superior Council for Defence and Security.

SECTION I
PERMANENT SERVICES IN SUPPORT TO THE PRESIDENT OF THE
REPUBLIC

Article 8
Nature

The Permanent Services in Support of the President of the Republic ensures direct support and technical advisory to the activities of the President of the Republic.

Article 9
Structure

1. The services of direct support to the President of the Republic are composed of the following Departments:
 - a) Protocol Department;
 - b) Media Department;
 - c) Presidential Guard and Security;
2. The technical advisory services are composed of the following Departments:
 - a) Legal and Constitutional Affairs Department;
 - b) Civil Society and Social Affairs Department;
 - c) International Relations Department;
 - d) Documentation, Analysis and Research Department.

Article 10
Protocol Department

The Protocol Department ensures protocol support to the President of the Republic, organises and provides protocol support to solemnities, ceremonies and receptions promoted by the latter, and coordinates his/her action with the State Protocol Service.

Article 11
Media Department

The Media Department organises and promotes the public dissemination of the activities of the President of the Republic and ensures the liaison with the organs of the Media as well as the responses to requests from the latter.

Article 12
Presidential Guard and Security

1. The Presidential Guard and Security ensures:
 - a) The personal protection and security of the President of the Republic;
 - b) The security of the facilities of the Presidency of the Republic and the residence of the President of the Republic, including of those who live or work therein;
2. The Presidential Guard and Security ensures the development and implementation of preventive measures, including control of access, vigilance, and other measures necessary to the protection and defence of peoples, goods, services and facilities referred to in the preceding paragraph.
3. The Commander of the Presidential Guard and Security is appointed by the President of the Republic on proposal of the PNTL General Commander.
4. The members of the Presidential Guard and Security are approved by the President of the Republic, on proposal of the PNTL General Commander.

Article 13
Legal and Constitutional Affairs Department

The Legal and Constitutional Affairs Department shall provide specialised advisory services to the President of the Republic, ensure the processing of legislative statutes submitted for promulgation, and undertake other tasks requested from them in the area of its specialisation.

Article 14
Civil Society and Social Affairs Department

The Civil Society and Social Affairs Department shall provide advisory services in the areas relating to social welfare, economy, culture, territorial planning, environment, health, infrastructure, education and sports.

Article 15
International Relations Department

The International Relations Department shall provide advisory services to the President of the Republic, collaborate with the Political Services in Support of the President of the Republic in the areas of its specialisation, and organise, in coordination with the Ministry for Foreign Affairs, State visits, official visits, work visits and private visits of the President of the Republic.

Article 16
Documentation, Analysis and Research Department

1. The Documentation, Analysis and Research Department shall:
 - a) Collect, organise, catalogue, file and analyse documentation and other relevant public information to support the initiatives of the President of the Republic and the work of the organic units of the Civil House and the Military House;
 - b) Collect, organise, catalogue and file the official mail and the general office business of the Presidency of the Republic;
 - c) Promote and organise the edition and production of books and other publications for information and dissemination of the political priorities of the President of the Republic and the State.
2. The Documentation, Analysis and Research Department shall be composed of:
 - a) The Information Research and Analysis Unit;
 - b) The General Archives of the Services of the Presidency of the Republic;
 - c) The Publications Centre.
3. The services referred to in the preceding paragraphs and sub-paragraphs shall be led by heads of section.

4. The Documentation, Analysis and Research Department shall be led by a head of Department.

SECTION II POLITICAL SERVICES IN SUPPORT OF THE PRESIDENT OF THE REPUBLIC

Article 17 Nature

1. The Political Services in Support of the President of the Republic shall have a consultative nature and shall support the development of the political action of the President of the Republic and follow up the activity of the Government, the National Parliament and the Country, pursuant to the Internal Regulation.
2. The Political Services in Support of the President of the Republic shall be composed of the programmes defined as priority by the President of the Republic and may count on the participation of specialised technical consultants on specific and temporary affairs.

SECTION III GENERAL DIRECTORATE OF ADMINISTRATION

Article 18 Nature

The General Directorate of Administration shall ensure the management and functioning of the technical, administrative, patrimonial and financial services of the Presidency of the Republic.

Article 19 Tasks

It shall be incumbent upon the General Directorate of Administration to:

- a) Ensure the functioning of the administrative services and the management of human, patrimonial and financial resources of the Presidency of the Republic;
- b) Ensure the maintenance of the facilities, equipment, means of communication and other assets of the Presidency of the Republic;

- c) Execute the decisions of the Administrative Council;
- d) Promote the organisation and up-dating of the patrimony inventory;
- e) Ensure the secretarial services, office routine business and mail of the President of the Republic;
- f) Ensure the budget proposal, in articulation with the Political Services and reflecting the guidelines stemming from the political action of the President of the Republic;
- g) Prepare the annual report of accounts of the Presidency of the Republic and guarantee the instruments for the quarterly presentation of accounts pursuant to the applicable legislation;
- h) Propose measures aimed at improving and optimising the performance of the services and human resources to the Administrative Council;
- i) Administer, manage and develop the computer system of the Presidency of the Republic.

Article 20
Structure

The General Directorate of Administration shall have the following composition:

- a) Directorate of Administration and Human Resources;
- b) Directorate of Finance and Planning;
- c) Directorate of Logistics and Patrimony.

Article 21
General Directorate of Administration

1. The General Director of Administration leads the General Directorate of Administration and guides and supervises the functioning and articulation of the respective functional units, and may be assisted by a deputy.
2. The Director General of Administration is replaced in his/her absences and impediments by the Director of Finance and Planning, including in the meetings of the Administrative Council.

SECTION IV INSPECTION, MONITORING AND AUDIT

Article 22 Inspection, monitoring, and audit

1. The Office for Inspection, Monitoring and Audit shall be the service responsible for exercising disciplinary action and audit in relation to the services of the Presidency of the Republic, as well as monitoring the compliance of the applicable laws and administrative regulations.
2. It shall be incumbent upon the Office for Inspection, Monitoring and Audit, notably, to:
 - a) Monitor the essential aspects relating to legality, regularity and quality of the functioning of the services;
 - b) Undertake management audits;
 - c) Collect information on the management of the services and propose the advisable corrective measures;
 - d) Establish investigations, inquiries and disciplinary proceedings whenever so determined by the competent authorities;
 - e) Establish inquiry proceedings as determined by the President of the Republic;
 - f) Provide support to the services of the Presidency of the Republic, collaborating with its leaders in the exercise of disciplinary power.
3. For all legal purposes, the highest official of the Office for Inspection, Monitoring and Audit shall be equated with a Director-General.

CHAPTER III MILITARY HOUSE'

Article 23 Nature

The Military House is the organ that supports the President of the Republic in the exercise of his/her functions as the Supreme Commander of the Defence Force and in the framework of Defence and Security.

Article 24 Tasks

It shall be incumbent upon the Military House:

- a) To inform the President of the Republic of the internal and international military, defence and security situation and of the strategic issues of interest to National Defence and Security;
- b) Provide assistance to the President of the Republic in the exercise of his/her functions in the framework of Defence and Security;
- c) Support the participation of the President of the Republic in ceremonies and other civil and military public acts;
- d) Prepare the items of the agenda of the Superior Council for Defence and Security and present them to the President of the Republic.

Article 25 Structure

1. The organisation of the Military House shall be determined by the President of the Republic, on proposal of the Chief of the Military House, taking into account the military specialisations, and shall be endowed with specialist advisers and a secretariat.
2. The Military House shall be composed of:
 - a) The Chief of the Military House;
 - b) Aides-de-Camp;
 - c) Office of Support to the Supreme Commander of the Defence Force and Guard of Honour;
 - d) The advisory unit of the Military House.

Article 26
Chief of the Military House

1. The Chief of the Military House shall be a high-ranking officer from F-FDTL and shall be appointed and dismissed by the President of the Republic.
2. The Chief of the Military House shall lead the Military House and shall provide support to the President of the Republic on military matters, and shall notably have the following tasks:
 - a) To ensure the liaison of the President of the Republic with the military authorities and with their governmental tutorship;
 - b) To coordinate with the Chief of Staff the organisation of the activity of the President of the Republic in his/her capacity as Supreme Commander of the Defence Force;
 - c) To represent the President of the Republic whenever so determined by the latter.
3. The Chief of the Military House shall be assisted by a high-ranking officer from F-FDTL to be appointed by the President of the Republic.

Article 27
Aides-de-Camp

1. The Aides-de-Camp of the President of the Republic shall be officers from F-FDTL appointed by the President of the Republic on proposal of the Chief of General Staff of the Defence Force, and it shall be incumbent upon them:
 - a) To be at the personal service of the President of the Republic and accompany him/her in official functions or other functions so determined in order to provide him/her immediate assistance;
 - b) To follow up the preparation and execution of the measures of Protection and Security of the President of the Republic in all his/her displacements;
 - c) To provide the functions of Aide-de-Camp to foreign Heads of State on State visits to the national territory;
2. The Aides-de-Camps of the President of the Republic shall be placed under the direct subordination of the Chief of the Military House.

3. The Chief of the Military House shall be assisted by an Aide-de-Camp appointed pursuant to paragraph 1 above.

Article 28

Office of Support to the Supreme Commander of the Defence Force and Guard of Honour

1. The Office of Support to the Supreme Commander of the Defence Force shall support the President of the Republic in the exercise of his/her functions of as Supreme Commander of the Defence Force.
2. The Office of Support to the Supreme Commander of the Defence Force shall be integrated by the Guard of Honour, which shall be composed of a detachment of the F-FDTL with the following tasks:
 - a) Render protocol honours to Heads of States, Heads of Governments and other dignitaries on official visit;
 - b) Render military protocol honours in ceremonies organised by the Presidency of the Republic or in which the President of the Republic is present and for which such honours are requested.

Article 29

Advisory to the Military House

1. The advisory services to the Military House shall provide specialised advisory services in the areas of Defence and Security.
2. The advisory services to the Military House may integrate officers from F-FDTL, PNTL and other members of the integrated system of Forces as requisitioned by the President of the Republic.

CHAPTER IV PERSONAL SECRETARIAT OF THE PRESIDENT OF THE REPUBLIC

Article 30 Nature

1. The Personal Secretariat of the President of the Republic shall be the service responsible for providing direct and personal support to the President of the Republic.
2. The members of the Personal Secretariat of the President of the Republic shall be appointed and dismissed by the President of the Republic.

Article 31 Tasks

It shall be incumbent upon the Personal Secretariat of the President of the Republic to directly assist and provide functional support to the President of the Republic in secretarial and administrative tasks, notably:

- a) Organise the national and international agenda of the President of the Republic together with other services of the Presidency of the Republic;
- b) Provide secretarial assistance to the President of the Republic;
- c) Liaise with the Civil House;
- d) Ensure direct and personal support considered necessary in the framework of the exercise of presidential functions.

CHAPTER V ADMINISTRATIVE COUNCIL

Article 32 Nature

The Administrative Council is the organ that takes decisions on matters of patrimonial and financial management of the Presidency of the Republic.

Article 33 Composition

The Administrative Council is composed of the following members with a right to vote:

- a) The Chief of Staff, who presides it over;
- b) The Chief of the Military House;
- c) The Director General of Administration;
- d) The Director of Finance and Planning;
- e) The Head of the Office for Inspection, Monitoring and Audit.

Article 34 Tasks

It shall be incumbent upon the Administrative Council:

- a) To approve the draft budget of the President of the Republic on proposal of the Director-General;
- b) To approve the annual report of accounts of the Presidency of the Republic;
- c) To prepare the proposals for internal regulation relating to the management of the patrimonial, financial, administrative and personnel areas;
- d) To guide the accountancy and monitor its book-keeping;
- e) To approve the annual and pluriannual plans of activities;
- f) To issue opinions on assignment of personnel belonging to the staffing table to the organic units and services of the Presidency of the Republic and whenever the President of the Republic so requests;
- g) To receive and decide on claims and administrative appeals presented by functionaries of the Presidency of the Republic;
- h) To promote and follow up the organisation and up-dating of the inventory of the patrimony.

Article 35
Functioning

1. The Administrative Council shall meet ordinarily once every three months and extraordinarily whenever so convened by its Chairperson, on his/her initiative or at the request of any of its members.
2. The decisions of the Administrative Council shall be made by majority of votes in the presence of the majority of its members, with the Chairperson having a casting vote.
3. The Chairperson of the Administrative Council shall appoint a secretary, who shall draft the minutes of the meetings and ensure the office general business.
4. By decision of the Chairperson of the Administrative Council, the functionaries of the Presidency of the Republic whose contribution is deemed useful for deciding on the issues on the agenda shall take part in the meetings of the Administrative Council without a right to vote.

CHAPTER VI
ADMINISTRATIVE, FINANCIAL AND PATRIMONIAL REGIME

Article 36
Autonomy

1. The Presidency of the Republic shall have juridical personality and administrative, financial and patrimonial autonomy, pursuant to this law, and shall have the power to regulate its own organisation and functioning as well as to regulate the statute of its personnel.
2. The administrative, financial and patrimonial autonomy shall be exercised pursuant to the applicable legislation, by Presidential Decrees and by decisions of the Administrative Council.

Article 37
Property

1. The Property of the Presidency of the Republic shall be composed of immovable and movable property acquired by it or provided for by law.

2. The Presidency of the Republic may request the relevant ministry to provide it with the movable or immovable property needed for its functioning or take it on a rented basis.

Article 38 Own revenues

1. The financing of the activities of the President of the Republic in the exercise of his/her functions and the respective organs and support services shall be ensured by:
 - a) A fund entered by the Government in the State Budget that is adequate to execute the Plan of Activities approved by the President of the Republic and presented to the Government within the deadline provided for by law;
 - b) Proceeds from publications and from accessing to information contained in its Documentation Centre, pursuant to its Internal Regulation;
 - c) Revenues assigned to it by contract, agreement or donation and other revenues provided for by law.
2. The Presidency of the Republic shall be subject to the general rules for budget execution applicable to Public Administration, without prejudice to the contents of this law.

Article 39 Budget

1. The annual draft Budget of the Presidency of the Republic referred to in subparagraph a) of article 34, accompanied by a specialised technical opinion endorsed by the Chief of Staff, shall be submitted to the Administrative Council, which will make a decision thereof.
2. The President of the Republic may authorise transfers between budget lines of the same category of expenses and between categories of expenses, pursuant to the law.
3. The President of the Republic shall authorise the commitment of budgeted expenditures, irrespective of their amounts.
4. The competencies provided for in the preceding paragraphs may be delegated on the Administrative Council.

CHAPTER VII HUMAN RESOURCES

Article 40 Staff

1. The functionaries of the Presidency of the Republic shall be governed by a specific statute, to be approved by Decree-Law, and the civil service general regime shall act as subsidiary law.
2. The Presidency of the Republic shall have a staffing table, to be approved by Presidential Decree, indicating the professional categories, the number of positions by category, job descriptions and the corresponding remuneration levels.
3. Mobility among functionaries of the Presidency of the Republic and functionaries of the Public Administration shall be recognised. Under such mobility, no functionary shall be prejudiced in his/her rights to career progression, salaries and retirement as a result of moving from one service to another.

Article 41 Filling of posts in the staffing table

The staffing table of the Presidency of the Republic shall be filled in accordance with the procedures established for the organisms of the Civil Service, with the necessary adaptations.

Article 42 Secondment

1. The middle-management positions of the organs and services of the Presidency of the Republic shall be filled on secondment pursuant to the Statute of the Civil Service and the Regime for the Careers and the Senior and Middle-Management Positions in Public Administration, without prejudice to the contents of paragraph 2 of this article.
2. The appointments of the Chief of Staff, the Chief of the Military House, their respective deputies, Aides-de-Camp of the President of the Republic, and of the members of the Personal Secretariat of the President of the Republic shall forfeit with the term of the person who originated such appointments and shall confer no link to Public Administration.

Article 43
Appointments and hirings

1. The President of the Republic shall appoint freely and shall authorise the hiring of Counsellors, Advisers, Consultants and qualified technicians for the services of the Presidency of the Republic.
2. The appointments and contracts referred to in the preceding paragraph shall mandatorily contain the respective duration, remuneration and other privileges, without prejudice to the contents of paragraph 3 of this article.
3. The appointments and contracts shall forfeit with the end of the term of the President of the Republic who determined them and shall confer no link to the Public Administration.

Article 44
Statute and remuneratory regime

1. The Statute of the functionaries of the Presidency of the Republic shall be defined by Decree-Law.
2. The remuneration of the functionaries of the Presidency of the Republic shall not be less than the established in the table for the careers of the general regime for public administration as added by 20% and the meal subsidy.

CHAPTER VIII
FINAL AND TRANSITIONAL PROVISIONS

Article 45
Transition of term

1. The President-elect of the Republic shall inform the out-going President of the person in charge of preparing the exercise of his/her term.
2. The Chairperson of the Administrative Council shall collaborate in the preparation of the exercise of the term of the president-elect, ensuring logistical and administrative support and liaising with the person in charge of preparing the exercise of the term of the president-elect.
3. The functionaries and collaborators of the Presidency of the Republic have the duty to contribute towards the smooth transition of term and ensure the transmission of relevant information in the framework of the functions

exercised by them at the request of the Chairperson of the Administrative Council.

Article 46
Transitional remuneratory regime

Until such time as the statute provided for in article 14 of this statute is approved, the remuneration of the functionaries of the Presidency of the Republic shall be equal to the corresponding categories in the Public Administration as added by 20% and the meal subsidy.

Article 47
Applicable legislation and subsidiary Law

The services of the Presidency of the Republic shall be governed by this law, the internal regulation provided for therein, approved by presidential decree, and, subsidiarily, by Public Administration general legislation.

Article 48
Revocatory norm

Law No. 6/2004 of 26 May and respective regulatory statutes is hereby revoked.

Article 49
Entry into force

This law shall enter into force on the day after its publication.

Approved on 12 April 2011

The President of the National Parliament *ad interim*,

Vicente da Silva Guterres

Enacted on 11/6/2011.

For publication

The President of the Republic,

José Ramos-Horta