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LAW GOVERNING THE ORGANIZATION AND FUNCTIONING OF
PARLIAMENTARY ADMINISTRATION

The law that regulates the organization and functioning of the support services for the National Parliament is out of date and merits further development.

The National Parliament must be provided with a legal system that incorporates international best practices, establishing rules and procedures appropriate to promoting good governance in parliamentary administration.

Accountability, control, and transparency in the management of human, financial and patrimonial resources are the principles that underlie this law, providing as well a more precise form to the legal statute for the parliamentary civil service.

Thus, the National Parliament decrees, pursuant to Article 95, #1 of the Constitution of the Republic, that the following shall be valid as law:

CHAPTER I
OBJECT, PRINCIPLES AND PRELIMINARY PROVISIONS

Article 1
Object

This law has as its object to define and regulate the organization and functioning of the administration of the National Parliament, with a view to ensuring budgetary, financial and administrative management and technical support to the National Parliament and allowing for the lawful and efficacious performance of its constitutional and legal duties and responsibilities.

Article 2
Principles of administration

Administration, its implementation and modernization, and the provision of support services are aimed at the proper functioning of the National Parliament, and are guided by the principles of impartiality, integrity, transparency, responsibility, rendering of accounts, efficiency, autonomy, and compliance with the law.

Article 3
Autonomy

- 1 - The National Parliament has its own legal identity and is endowed with administrative, patrimonial and financial autonomy.
- 2 - Administrative autonomy is understood to mean, specifically, the power of self-regulation in relation to:
 - a) the organization and functioning of its administration;
 - b) the legal statute governing personnel of the National Parliamentary Service.
- 3 - Financial and patrimonial autonomy is exercised as set out in the law, the resolutions of the National Parliament, and the decisions of the Administrative Board, without prejudice to the general regime applicable to the State as a whole.

CHAPTER II
ADMINISTRATIVE, FINANCIAL AND PATRIMONIAL MANAGEMENT

SECTION I
GENERAL PROVISIONS

Article 4
Principle of subsidiary application of the general regime

- 1 - In all matters where the National Parliament has not made special provisions in relation to the management of its human, financial, and patrimonial resources, the general regime in force shall apply subsidiarily.
- 2 - The provisions of the previous item are also applicable to those cases where there are omissions and gaps in the regime applicable to the National Parliament.

Article 5
Instruments of management

- 1 – The following are instruments of management, among others:
 - a) Overall, multiannual strategic plans;
 - b) Sectoral multiannual strategic plans;
 - c) Annual action plans or plans of activities;
 - d) The annual budget;
 - e) Specific management policies.
- 2 – The responsibility for drawing these up, when required, and the authority to approve the instruments of management are those established by this law and other regulatory provisions of parliamentary administration.

SECTION II ADMINISTRATIVE STRUCTURE

Article 6 Administrative entities

For the purposes set out in Article 1, the administrative entities of the National Parliament are:

- a) The President of the National Parliament;
- b) The Administrative Board.

Article 7 Parliamentary administration services

- 1 – The National Parliament has at its disposal hierarchically stratified agencies and services, defined in this law, that make up its organic and administrative structure, represented in the attached organization chart.
- 2 – The organic and administrative structure and incumbencies of its constituent units may be altered by resolution of the National Parliament, based on a proposal from the Administrative Board, whenever it is necessary to create, separate, or merge organic units in the interests of efficiency and efficacy of the services to be provided.

SECTION III EMPLOYEES OF THE NATIONAL PARLIAMENTARY SERVICE

Article 8 Employee Statute

- 1 – The National Parliament has at its disposal a staff that is governed by its own statute, to be approved by law, with the general regime governing the civil service serving as subsidiary law.
- 2 – The system of compensation for employees of the National Parliamentary Service and the holders of its directorships and management posts, to be approved by the resolution provided for in #5, may consist of a special system or be based on the general regime governing the civil service, but shall encompass, in the latter case, additional compensation set by percentage, of not less than 20% calculated on the gross monthly income for the corresponding grade, level, and income rate for the professional category to which the employee belongs.
- 3 – For the purposes of the provisions of the preceding item, the salary levels contained in Article 14 and annexes of UNTAET Directive No. 4/2000 of June 30 are not considered to be the general regime for the civil service.

- 4 – The employees of the National Parliamentary Service are also guaranteed, subject to the form set out in the resolution referred to in the next item hereof, the right to:
 - a) A meal allowance;
 - b) Adequate transportation to and from the workplace, subject to the financial and patrimonial availabilities of the National Parliament;
 - c) Lodging and mobile telecommunications allowances for holders of directorships and management posts.

- 5 – The National Parliament approves by resolution, within six months as of the date of publication of this law, based on a proposal from the Administrative Board, in relation to its staff:
 - a) The plan for jobs, careers, and salaries;
 - b) The staffing, containing the number of vacancies by group of employees and career and the description of the respective functional content;
 - c) The salary system, with the respective salary levels or income tables;
 - d) The meal allowance and transportation referred to in #4;
 - e) The rules for admission and approval;
 - f) The system for performance assessment.

- 6 – The resolution that approves the plan for jobs, careers, and salaries will necessarily establish the manner of transitioning current employees from the previous regime to the new regime.

Article 9

Mobility between the staff of the National Parliamentary Service and the staff of the Public Administration

Mobility between the staff of employees of the National Parliamentary Service and the staffs of the Public Administration is recognized, and no employee's rights shall be adversely affected in terms of career advancement, salary, or retirement due to having transferred from one service to another.

Article 10

Recruitment of personnel

- 1 – The recruitment and selection of employees for the non-management staff are accomplished by means of public examination and comply with the provisions hereof and with other regulations.

- 2 – When special and urgent circumstances make it advisable, outside personnel may, as an exception, be hired on a contract basis, dispensing with the examination and complying with the provisions hereof and with other regulations.

Article 11
Requisition and hiring

- 1 – The Administrative Board may authorize the Secretary General to requisition employees and agents of the Public Administration or technicians from public or private companies or other agencies to perform tasks that cannot be performed by staff members.
- 2 – Requisitioning is done for a maximum time period of one year, extendable for as long as the circumstances originating it prevail, subject to confirmation by the Administrative Board.
- 3 – Personnel requisitioned pursuant to No. 1 must have the academic and professional qualifications required for employees of the National Parliament.

Article 12
Training of employees

- 1 – With the aim of professional enhancement of the employees of the National Parliament, grants may be awarded for attending courses and doing internships at national and international institutions.
- 2 – The awarding of grants is incumbent upon the Secretary General, after authorization by the Administrative Board.
- 3 – The conditions, rights and obligations of grant holders will be set out in a regulation on the subject to be established by the Administrative Board, based on a proposal by the Secretary General.

SECTION IV
ASSETS AND PREMISES

Article 13
Assets

The assets of the National Parliament are made up of the premises where it is headquartered, the official residences and movable assets, as well as any other assets acquired by it or provided for in law.

Article 14
Headquarters

The National Parliament has its headquarters in Dili, the capital of the Democratic Republic of East Timor.

Article 15
Premises

- 1 – The National Parliament operates at premises in the city of Dili.
- 2 – The National Parliament may acquire, requisition from the proper Ministry, or lease real estate property necessary for its functioning or the functioning of autonomous agencies that report to it.
- 3 – The National Parliament may also acquire or rent movable assets, specifically vehicles, within the established budgetary and financial limits.

SECTION V
BUDGET AND PLANS

Article 16
Annual budget and supplementary or corrective budgets

- 1 – The budget of income and expenses is annual, and is prepared and presented by the proper services of the General Secretariat, under the direction of the Secretary-General, based on the applicable budgetary and public accounting rules.
- 2 – Alterations to the main budget are done by means of supplementary or corrective budgets, applying the provisions of the previous item.
- 3 – The internal process and the respective deadlines for preparing and approving the main budget and the supplementary or corrective budget of the National Parliament, as well as the mechanisms for monitoring and assessing implementation of the budget are subject to specific regulation, without prejudice to the provisions hereof.

Article 17
Own revenues

The following constitute revenues of the National Parliament:

- a) Allocations indicated in the General State Budget;
- b) The proceeds from the investment of funds;
- c) Donations in its favor or that derive from contracts or succession;
- d) Other revenues provided for in law.

Article 18
Authorization of expenses, public contracting and provisioning

- 1 – Authorization for incurring expenses is incumbent on parliamentary entities, subject to the provisions hereof and the general provisions governing the management of public budgets and finances.

- 2 – The incurring of expenses aimed at acquiring goods or services, or of performing works follow the general system of laws pertaining to public contracting and provisioning.

Article 19 Auditing

- 1 – The auditors who perform the audit of the general accounts of the State also audit the accounts of the National Parliament and report their findings separately to the National Parliament.
- 2 – The audit report is presented to the Administrative Board, which submits it to the Plenary Assembly for its consideration.

Article 20 Plans

The National Parliament shall have its own rules and procedures for preparing and approving multiannual strategic plans and the annual plan of actions or activities, as well as the monitoring and assessment of their respective implementation.

Article 21 Expenses with the Petroleum Fund Consultative Council

- 1 – For the purposes set out in the Petroleum Fund Law, the expenses for the functioning of the Petroleum Fund Consultative Council are covered by a specific allocation contained in the budget for the National Parliament.
- 2 – Budgetary and financial management of the budget allocation for the functioning of the Petroleum Fund Consultative Council is carried out by the Secretary-General of the National Parliament.

SECTION VI PUBLICATION IN THE JORNAL DA REPÚBLICA [OFFICIAL GAZETTE]

Article 22 Publications

- 1 – It is mandatory to have published in the respective series of the Official Gazette (*Jornal da República*) all acts, such as service orders and decisions of the Secretary General, decisions of the Administrative Board, and deliberations and resolutions of the Plenary Assembly that, making provisions on the administration of the National Parliament, refer to:
 - a) Strategic plans and their respective assessment reports;

- b) Annual plans and their respective assessment reports;
 - c) Annual reports and rendering of accounts relating to budget implementation;
 - d) Opening of public bid tenders for provisioning;
 - e) Regulations on the organization and functioning of services;
 - f) Regulations pertaining to the management of the National Parliament;
 - g) Orders relating to the statute and rights of employees of the National Parliamentary Service, such as appointments, exonerations, leaves of absence and grants;
 - h) Procedural manuals and guides.
- 2 – The National Parliament also guarantees publication of opinions of the Petroleum Fund Consultative Council, pursuant to Article 31 of the Law Governing the Petroleum Fund.

**SECTION VII
INCUMBENCIES OF THE PLENARY ASSEMBLY AND OF THE
PRESIDENT OF THE NATIONAL PARLIAMENT**

**Article 23
Incumbencies of the Plenary Assembly**

- 1 – It is incumbent upon the Plenary Assembly, as the highest body comprising the National Parliament, in addition to the duties attributed by this law, to approve:
- a) The exclusive annual budget of the National Parliament;
 - b) The supplementary or corrective budget;
 - c) The annual reports and rendering of accounts relating to budget implementation;
 - d) The multiannual strategic plans and annual action plans or plans of activities.
- 2 – It is also incumbent upon the Plenary Assembly to receive and deliberate upon:
- a) The annual report of the Administrative Board;
 - b) The independent auditors' report on the accounts of the National Parliament.

**Article 24
Incumbencies of the President of the National Parliament**

- 1 - The incumbencies of the President of the National Parliament are those attributed by the Constitution, by the Bylaws of the National Parliament, and by law.
- 2 - The President of the National Parliament is, inherently, the Chairman of the Administrative Board.

- 3 - In the absence or impediment of the President of the National Parliament, one of the Vice-Presidents serves as his/her substitute.
- 4 - It is incumbent upon the President of the National Parliament, in the role of Chairman of the Administrative Board:
 - a) To preside over meetings;
 - b) To ensure its lawful and efficient functioning.

Article 25

Delegation of powers by the President of the National Parliament

- 1 - The President of the National Parliament may delegate to one of the Vice-Presidents the powers provided for in this law, which may not be sub-delegated.
- 2 - The delegation of powers is done in writing, with express indication of the power limits in the delegation, as well as its duration.
- 3 - The delegation of powers is signed by the President of the National Parliament.
- 4 - The delegation of powers may be revoked in writing at any time.

CHAPTER III

ADMINISTRATIVE BOARD OF THE NATIONAL PARLIAMENT

Article 26

Definition and nature of the Administrative Board

The Administrative Board of the National Parliament, hereinafter referred to simply as the “Administrative Board,” is the management body for administrative, financial, and patrimonial matters, the organization of parliamentary services, human resources, and security of the National Parliament.

Article 27

Makeup of the Administrative Board

- 1 - The Administrative Board has the following makeup:
 - a) The President of the National Parliament, a non-voting member, without prejudice to the casting vote to which #5 of the next Article refers;
 - b) Five Members of Parliament belonging to the five major parliamentary benches;
 - c) The Secretary-General of the National Parliament, who is a non-voting member and performs the functions of Secretary of the Administrative Board;
 - d) A representative of the parliamentary employees, who is a non-voting member.

- 2 - If the number of parliamentary benches is insufficient to comply with the provision in line (c) of the previous item, the remaining positions shall be filled by election from the Plenary Assembly, with any parliamentary bench being allowed to put forward candidates.
- 3 - In the event of cessation or suspension of the function of a Member of Parliament who is a member of the Administrative Board, the vacancy that arises as a consequence will be filled as set out in #1 or #2, as the case may be.
- 4 - In the event of dissolution or election of the National Parliament, the members of the Administrative Board continue in office until their respective replacements are appointed.
- 5 - The function of member of the Administrative Board may not be held cumulatively with that of chairman of a permanent special commission, sub-commission, or chairman of a parliamentary bench.

Article 28

Functioning of the Administrative Board

- 1 - The Administrative Board meets on an ordinary basis once a month, and on an extraordinary basis when convened by its Chairman.
- 2 - The majority of the members of the Administrative Board may petition the Chairman in writing to convene a special meeting of the Administrative Board, with an indication of the purpose of same, and the meeting will be convened by the Chairman within the five days following receipt of the petition.
- 3 - The quorum for the functioning and for deliberations is met when the Chairman of the Administrative Board is present, along with three members with the right to vote.
- 4 - Resolutions are made by a simple majority of votes, with each member having a number of votes proportional to his/her respective parliamentary bench.
- 5 - In the case of a tie vote, the Chairman of the Administrative Board exercises the casting vote.
- 6 - The Administrative Board may invite any person to participate in its meetings, but without a right to vote on decisions.
- 7 - Minutes are drawn up of all meetings.
- 8 - The decisions of the Administrative Board are drawn up in writing and signed by the respective President and Secretary.
- 9 - The Administrative Board makes provisions regarding its functioning in its bylaws.

Article 29
Exceptional exercise of decision-making power

Before calling for a vote on any matter on the agenda of a meeting of the Administrative Board, the President of the National Parliament may, on appropriate grounds, exercise the power of decision him/herself.

Article 30
Incumbencies of the Administrative Board

- 1 – It is incumbent on the Administrative Board generally to decide upon all matters of general management policy for the National Parliament and the means required for their implementation, except for what, pursuant to the Constitution of the Republic and this law, falls within the powers of other bodies.
- 2 – Without prejudice to the general incumbencies provided for in the preceding item, it is especially incumbent on the Administrative Board to:
 - a) Take a position or present proposals on all matters that need to be submitted to the Plenary Assembly for deliberation, pursuant to this law;
 - b) Consider the reports on budget implementation and financial management presented by the Secretary-General;
 - c) Approve the proposed budget of the National Parliament presented by the Secretary-General, and forward it for a report and technical opinion by the Commission on Economics, Finance and Anti-Corruption;
 - d) Take a position on acts involving property management by the National Parliament, specifically acquisitions, donations, conveyances, assignments and leasing, as well as the rights inherent thereto;
 - e) Approve the plans and regulations on security of the National Parliament, and ensure their implementation;
 - f) Approve regulations regarding the specific incumbencies of the directorships and divisions of the Secretariat-General of the National Parliament.
- 3 – It is also incumbent on the Administrative Board to:
 - a) Receive and review the annual report of the Secretariat-General, presented by the Secretary-General;
 - b) Take a position on the bylaws of the Secretariat-General;
 - c) Authorize the Secretary-General to:

- (i) Hire and appoint personnel from outside the staff, for periods not to exceed one year, as well as renewing the respective contracts;
 - (ii) Award grants for attending courses or performing internships, pursuant to the regulations in force;
 - (iii) Hire consultants to perform specialized technical work in support of the Secretariat-General.
- 4 – The Administrative Board prepares and presents to the Plenary Assembly an annual report concerning its activities.

CHAPTER IV NATIONAL PARLIAMENTARY SERVICE

Article 31 Definition and duties

The National Parliamentary Service or Parliamentary Service is the branch of public service made up of employees of the National Parliament and the organic structure of which they are a part, having as their general responsibility the provision of technical and administrative support to the agencies and Members of the National Parliament and to the management of the National Parliament.

Article 32 Operating principles

The National Parliamentary Service, in exercising its functions and responsibilities, seeks always to achieve the highest standards of ethics and professional excellence and guides its operations by the following principles:

- a) Operations focused on obtaining results and on the management and assessment of performance;
- b) Mutual aid and collaboration among employees;
- c) Rationalization of human and material resources, simplification of work methods, and flexibility of management, so as to promote the efficiency and productivity of its services;
- d) Efficient, transparent, and economical utilization of the available resources;
- e) De-bureaucratization of procedures;
- f) Appreciation, motivation, and accountability of employees;
- g) Participation in projecting the right image of the National Parliament;

- h) Cooperation with other constitutional bodies and the Public Administration, as well as with other parliaments and international organizations.

Article 33
Values of the National Parliamentary Service

- 1 – The National Parliamentary Service is guided by the following values:
 - a) The National Parliamentary Service provides advisement and support in a professional manner and independent of the Government;
 - b) The National Parliamentary Service provides advisement and support in an impartial and non-partisan manner to the Plenary Assembly, to the parliamentary commissions, and to Members of Parliament;
 - c) The National Parliamentary Service adheres to the highest ethical standards;
 - d) The National Parliamentary Service performs its functions with integrity and takes responsibility for its actions vis-à-vis the competent authorities of the National Parliament;
 - e) The National Parliamentary Service has leadership of the highest quality;
 - f) Within the National Parliamentary Service, decisions on the admission of personnel are based on merit;
 - g) The National Parliamentary Service guarantees a discrimination-free workplace and acknowledges the equality and diversity reflected in Timorese society;
 - h) The National Parliamentary Service establishes work relationships that value communication, consultation, cooperation, and the contributions of personnel on matters that affect the workplace;
 - i) The National Parliamentary Service promotes equality in employment;
 - j) The National Parliamentary Service promotes equal opportunities for all qualified persons who apply for employment in the National Parliament;
 - k) The National Parliamentary Service is a service based on a career model, so as to ensure the effectiveness and quality of services provided and to contribute to the development of the democratic system.
- 2 – The members of the Administrative Board, the Secretariat-General and the other holders of directorships and management posts have the special duty of observing and enforcing observance of the Values of the National Parliamentary Service contained in this Article.

Article 34
Code of Conduct of the Employees of the National Parliament

1 – The National Parliament has the following code of conduct for employees of the Parliamentary Service:

- a) Employees of the National Parliamentary Service must behave honestly and with integrity;
- b) Employees of the National Parliamentary Service must act carefully and diligently;
- c) Employees of the National Parliamentary Service must treat everyone respectfully and courteously, refraining from harassment or intimidation;
- d) Employees of the National Parliamentary Service must act in accordance with the law and comply with the legislation in force in East Timor;
- e) Employees of the National Parliamentary Service must obey lawful and legitimate orders received;
- f) Employees of the National Parliamentary Service must maintain an appropriate level of confidentiality regarding the matters under their responsibility, especially when dealing with the Plenary Assembly, the Presiding Officers, the Permanent Commissions, parliamentary commissions, or any member of parliament or employee of the parliamentary benches;
- g) Employees of the National Parliamentary Service must take all necessary measures to avoid conflicts of interest, whether real or apparent;
- h) Employees of the National Parliamentary Service must use State funds appropriately and sparingly;
- i) Employees of the National Parliamentary Service must not supply false or misleading information in reply to a request for information made for official purposes or in relation to his/her work;
- j) Employees of the National Parliamentary Service must not make improper use of inside information or use their responsibilities, statute, powers or authority to obtain or attempt to obtain gain, benefits, or advantages, either for themselves or for another;
- k) Employees of the National Parliamentary Service must at all times behave so as to preserve the Values of the National Parliamentary Service and the integrity and good name of the National Parliamentary Service;
- l) Employees of the National Parliamentary Service on missions outside the country must at all times behave in such a way as to preserve the good name of East Timor;
- m) Employees of the National Parliamentary Service must conduct themselves in all other things as required by law.

2 – For the purposes of this Article, “Employees” means staff members, personnel hired outside the staff, the directors and managers, and the personnel from the support offices.

3 – The Administrative Board may approve directives explaining the content and meaning of each specific conduct.

CHAPTER V
SECRETARIAT-GENERAL OF THE NATIONAL PARLIAMENT

SECTION I
DEFINITION, INCUMBENCIES AND ORGANIZATION OF THE
SECRETARIAT-GENERAL

Article 35
Definition and incumbencies

1 – The Secretariat-General is the organizational format upon which the National Parliamentary Service is structured and encompasses all its organizational units and functions.

2 – The Secretariat-General is organized hierarchically and is directed at the highest level by a Secretary-General.

3 – The Secretariat-General has the following permanent, basic incumbencies:

- a) To support the departments of the National Parliament, specifically the Plenary Assembly and the parliamentary commissions;
- b) To support the Members of Parliament;
- c) To supply information and access by the public to the work of the National Parliament;
- d) To exercise administrative, patrimonial, financial and human resources management;
- e) To ensure the availability and appropriate application of communications and information technology.

Article 36
Organizational structure

1 – The structure of the Secretariat-General is comprised of the following directorates and autonomous divisions:

- a) Administration Directorate;
- b) Parliamentary Support Directorate;
- c) Research and Technical Information Directorate;

- d) Division of Information Technology and Communications;
 - e) Division of International Relations, Protocol and Security.
- 2 – The Administration Directorate is made up of:
- a) The Division of Planning, Finance, and Provisioning;
 - b) The Division of Patrimony, Logistics and General Services;
 - c) The Division of Human Resources, Administrative Services, and Services to Members of Parliament and Parliamentary Benches.
- 3 – The Parliamentary Support Directorate is comprised of:
- a) The Division of Support to the Plenary Assembly;
 - b) The Division of Support to Commissions;
 - c) The Division of Editorial Services, Audiovisuals, Transcription and Documentation;
 - d) The Division of Public Relations, Communication, and Civic Education.
- 4 – The Research and Technical Information Directorate is made up of:
- a) The Office of Research and Analysis;
 - b) The Library and Archives;
 - c) The Center for Training and Information on Gender Equality.

Article 37

Organizational units that report directly to the Secretary-General

1 – The Division of Information Technology and Communications and the Division of International Relations, Protocol and Security report directly to the Secretary-General.

2 – The direct orientation of the aforementioned divisions or the appointment of their respective heads is a matter left to the discretion of the Secretary-General.

Article 38

Coordination of the Office of Research and Analysis

The Office of Research and Analysis has no head, but reports directly to the Director of Research and Technical Information.

Article 39
Internal organization

The inter-coordination of services, their mode of functioning, and the way in which they communicate among themselves and with parliamentary bodies and institutions outside the National Parliament are subject to regulations or internal procedural guidelines to be approved by the Administrative Board based on a proposal from the Secretary-General.

SECTION II
THE SECRETARY-GENERAL

Article 40
Definition and general incumbencies of the Secretary-General

The Secretary-General is the highest-ranking director of the Secretariat-General and has as his/her general incumbency to superintend all the services of the Secretariat-General and take care of the ongoing administrative management of the National Parliament and of the support services for the Members of Parliament and bodies comprising the National Parliament.

Article 41
Appointment, term of office, removal and statute of the Secretary-General

1 – The Secretary-General is appointed and exonerated by the President of the National Parliament, after hearing from the parliamentary benches, which may, if they wish, recommend candidates.

2 – The Secretary-General is appointed for a term of office corresponding to the duration of the legislature and ceases to exercise his/her functions at the end of it, but may be re-appointed successively, remaining in office, except in the case of vacancy or removal, until his/her re-appointment or the appointment of his/her replacement.

3 – The Secretary-General may be removed from office for just cause, based on the violation of a law or the duties and conduct imposed by this law and the other applicable legislation.

4 – The Secretary-General has a statute that is equivalent to that of the highest directorship position in the hierarchy of public service.

Article 42
Choice and qualifications of the Secretary-General

1 – The Secretary-General is chosen preferably from among public servants at the top of the career path and category of the Parliamentary Service or the Public Administration or from among individuals having broad and acknowledged experience in Parliamentary Service or the Public Administration.

2 – The President of the National Parliament may opt in favor of public recruitment by means of public qualifications testing to select the candidate to be appointed.

3 – Candidates for the office of Secretary-General must fulfill the following basic requirements:

- a) College education or equivalent academic level;
- b) Pertinent experience in directorship positions for a considerable period of time.

4 – A desirable qualification is proven directorship experience in the Public Administration, preferably the Parliamentary Service, for a reasonable period of time.

Article 43

Specific incumbencies of the Secretary-General

1 – Without prejudice to the general incumbencies set out in this law, the Secretary-General has the following specific incumbencies:

- a) On matters of planning, budgets, and finance:
 - (i) To prepare the multiannual strategic plan and the annual plan for the Secretariat-General and submit it to the Administrative Board;
 - (ii) To prepare the annual budget and the supplementary or corrective budget for the National Parliament and submit them to the Administrative Board, which forwards them for a report and technical opinion by the Commission on Economics, Finance and Anti-Corruption before being presented to the Plenary Assembly;
 - (iii) To authorize incurring of the expenses included in the budget of the National Parliament, as well as initiating and authorizing any provisioning processes.

- b) On matters of administration:
 - (i) To propose bylaws for the functioning of the Secretariat-General to the Administrative Board;
 - (ii) To propose draft resolutions to the Administrative Board for altering the organizational structure of the Secretariat-General;
 - (iii) To propose any other draft resolutions to the Administrative Board that, pursuant to this law, have to be submitted to the Plenary Assembly;
 - (iv) To prepare guidelines for the Secretariat-General and approve the working plans of the directorates;
 - (v) To approve work routines;
 - (vi) To hold periodic meetings with the directors and heads of the respective divisions that report to him/her for purposes of coordination, joint collaboration, and improvement of the work performed;

- (vii) To create agencies for consultation or conception of plans, programs, and strategies, which may count on the participation of individuals from outside the Secretariat-General;
- c) On matters of personnel:
- (i) To decide, after hearing the Director in question or acting on his/her proposal, on the placement and internal mobility of employees of the National Parliamentary Service;
 - (ii) To grant vacations, leaves, and other temporary absences to employees of the National Parliament;
 - (iii) To exercise disciplinary and sanctionative powers over the personnel of the Secretariat-General;
 - (iv) To assess directors in terms of the respective provisions in force, as well as guiding them in correcting weaknesses detected;
 - (v) To decide upon the opening of entrance examinations for admittance to the staff, provided the respective budget allotments exist;
 - (vi) To propose to the Administrative Board the hiring of personnel outside of staff for periods not to exceed one year, as well as the renewal of the respective contracts;
 - (vii) To propose to the Administrative Board the awarding of grants for attending courses and performing internships;
 - (viii) To propose to the Administrative Board the hiring of consultants to perform specialized technical work in support of the Secretariat-General.

2 – Any references in the general legislation in force to the highest authority or highest-ranking director of an agency for authorizing the acquisition of goods and services, provisioning processes, or the incurring of any of the expenses provided for in the Budget are understood to be made to the Secretary-General.

3 – Decisions of the Secretary-General may be appealed hierarchically to the Administrative Board, whose decision is final.

Article 44

Liability of the Secretary-General

The Secretary-General is liable in the administrative, civil, and criminal spheres for damaging or illegal acts involving financial, patrimonial or administrative management.

Article 45
Rendering of accounts by the Secretary-General

- 1 – The Secretary-General renders accounts by means of annual reports presented to the Administrative Board and the Plenary Assembly regarding the activities of the Secretariat-General.
- 2 – The Secretary-General presents monthly, quarterly, half-yearly and annual reports to the Administrative Board regarding Budget implementation.
- 3 – The Secretary-General produces and presents to the Administrative Board an annual inventory of assets.
- 4 – The Secretary-General provides, within a reasonable time period, any information requested by the Administrative Board.

Article 46
Delegation of the Secretary-General's incumbencies

- 1 - The Secretary-General may delegate to the directors the incumbencies conferred upon him/her by this law, without the possibility of sub-delegation.
- 2 - The delegation of powers is done in writing, signed by the Secretary-General, and must establish the exact powers and limits of the delegation, as well as its duration, if applicable.
- 3 - The delegatee must perform the incumbencies subject to the exact terms and conditions imposed for the exercise of the powers delegated.
- 4 - The Secretary-General is not barred from him/herself exercising the delegated powers.
- 5 - The delegation of powers may be revoked at any time, provided it is done in writing.

Article 47
Substitution of the Secretary-General

In the absence or impediment of the Secretary-General, a director appointed by him/her in writing serves as his/her substitute, or if not possible, a director appointed by the President of the National Parliament.

Article 48
Office of Support to the Secretary-General

The Secretary-General has his/her own office of support, made up of two advisers, one of whom is a legal adviser, one secretary, and one driver.

SECTION III DIRECTORS

Article 49

Appointment, term of office, removal, and statute of directors

- 1 – The directors are appointed by the President of the National Parliament, based on a proposal from the Secretary-General and complying with the requirements as to qualifications for the position.
- 2 – The directors are appointed for a term of office corresponding to the duration of the legislature and cease to exercise their functions at the end of it, but may be re-appointed successively, remaining in office, except in the case of vacancy or removal, until their re-appointment or the appointment of their replacements.
- 3 – The directors may be removed from office for just cause, based on the violation of a law or the duties and conduct imposed by this law and the other applicable legislation.
- 4 – The directors have a statute that is equivalent to that of the second-highest directorship position in the hierarchy of public service.

Article 50

Qualifications for the position of director

- 1 – Candidates for the office of director must fulfill the following basic requirements:
 - a) College education or equivalent academic level;
 - b) Pertinent experience in directorship positions for a considerable period of time.
- 2 – The following are desirable requirements:
 - a) Proven knowledge of parliamentary activities and organization of parliamentary services or professional experience in the Parliamentary Service;
 - b) Proven experience as a manager or director in the Public Administration in an area relevant to the specific incumbencies of the position, preferably the Parliamentary Service, for a reasonable period of time.

Article 51

Incumbencies of the directors

The directors have as a general incumbency to direct and coordinate the activities of the organizational sub-units that report to him/her functionally and hierarchically, and it is incumbent on him/her specifically:

- a) To draw up guidelines and approve work plans for the divisions that report to them;
- b) To prepare and submit to the Secretary-General the annual activities plan for their directorates;
- c) To assess on an ongoing basis the performance of the divisions that report to them, with the aim of rationalizing work and constantly raising performance levels;
- d) To assess the heads of the divisions that report to them, pursuant to the provisions in force regarding the matter, as well as advising them in order to correct weaknesses detected;
- e) To perform the tasks delegated to them by the Secretary-General of the National Parliament;
- f) To hold periodic meetings with the heads of divisions that report to them, for purposes of coordination, joint collaboration, and improvement of the work performed;
- g) To maintain a working environment that favors productivity and the development of personnel;
- h) To stimulate creativity, initiative and functional integration;
- i) To enforce observance of the Values of the Parliamentary Service and the Code of Conduct of the Employees of the National Parliament.
- j) To produce reports on the activities of their directorates.

Article 52 Substitution of the directors

The Secretary-General appoints, on a case-by-case basis and based on the recommendation of the Director, the division head who will substitute for the director in his/her absences and impediments.

SECTION IV DIVISION HEADS

Article 53 Recruiting and statute for the position of division head

- 1 – Recruiting for the position of division head is done by means of a competition open to State employees.
- 2 – It is mandatory to make a published announcement of the opening.

3 – The recruitment process is conducted by a panel appointed by the Secretary-General, made up of the following:

- a) The Secretary-General of the National Parliament, who acts as chairman;
- b) One of the directors of the Secretariat-General;
- c) One person having acknowledged experience with academic résumés, preferably a university-level instructor from a legally recognized institution;
- d) One person with acknowledged professional experience in the private or public sector, in an area related to the functions assigned to the position.

4 – The panel examines the candidates by means of résumé analysis and interviews, and may, at its discretion, administer a written test.

5 – The panel submits to the President of the National Parliament a final report with the results and the recommendation of the best candidate, who will be appointed.

6 – The division heads have a statute that is equivalent to that of the highest head position in the hierarchy of public service.

7 – The division heads may be removed from office for just cause, based on the violation of a law or the duties and conduct imposed by this law and the other applicable legislation.

Article 54 **Qualifications for the position of division head**

1 – Candidates for the position of division head must fulfill the following basic requirements:

- a) College education or equivalent academic level;
- b) Professional experience in functions pertinent to the position.

2 – The following are desirable requirements:

- a) Proven knowledge of parliamentary activities and organization of parliamentary services or professional experience in the Parliamentary Service;
- b) Management experience in the civil service.

3 – As an exception, the academic qualifications may be waived if the candidate for the position of division head is known to be technically competent and enjoys good standing as a professional.

Article 55 **Incumbencies of division heads**

Division heads have as general incumbencies to organize, direct, and coordinate the division's activities, with the following specific incumbencies:

- a) To prepare work plans for the divisions;
- b) To analyze on an ongoing basis the performance of the division, with the aim of rationalizing work and constantly raising performance levels;
- c) To assess the employees of the divisions, pursuant to the provisions in force regarding the matter, as well as advising them in order to correct weaknesses detected;
- d) To identify needs and propose the respective actions for training division employees;
- e) To perform the tasks delegated to them by the director of the directorate to which his/her division belongs;
- f) To hold periodic meetings with division employees, for purposes of coordination, joint collaboration, and improvement of the work performed;
- g) To maintain a working environment that favors productivity and the development of personnel;
- h) To stimulate creativity, initiative and functional integration;
- i) To enforce observance of the Values of the Parliamentary Service and the Code of Conduct of the Employees of the National Parliament.
- j) To produce reports on the activities of their divisions.

Article 56
Substitution of division heads

The Secretary-General appoints, on a case-by-case basis and based on the recommendation of the division head, the employee who will be his/her substitute in his/her absences and impediments.

SECTION V
INCUMBENCIES OF THE ORGANIZATIONAL UNITS

Article 57
Incumbencies of the Administration, Planning and Finance Directorate

It is incumbent on the Administration, Planning and Finance Directorate, generally, to organize and implement the functions of planning, financial, patrimonial and human resources management of the National Parliament and to carry out other general services so as to ensure the availability and utilization of the resources required for the performance of the National Parliament's functions, in a timely and efficient manner.

Article 58
Incumbencies of the Parliamentary Support Directorate

It is incumbent on the Parliamentary Support Directorate, generally, to ensure technical and secretarial support to the activities of the bodies comprising the National Parliament, and to record, document and ensure the publication and dissemination and access by the public to information on the aforementioned activities, encompassing specifically support in the interpretation and application of the Bylaws and procedures of the bodies of the National Parliament, writing of minutes and transcribing of sessions, meetings and public hearings, information to and communication with the public, civic education regarding the constitutional function of the National Parliament, and access to same by the public.

Article 59

Incumbencies of the Research and Technical Information Directorate

It is incumbent on the Technical Research and Information Directorate, generally, to ensure the performance of research, studies, and analyses and the gathering and supply of technical information, specifically in relation to legislation and public policies, budget, national development plan and national strategies, for the use of Members of Parliament, parliamentary commissions, and technical personnel of the National Parliament, as well as performing the activity of legislative drafting, consisting of the preparation of the texts of laws and proposals for alterations.

Article 60

Specific incumbencies of the directorates and divisions

The specific incumbencies of the directorates and of each division are contained in the bylaws to be approved by the Administrative Board.

Section VI

SECURITY OF THE NATIONAL PARLIAMENT

Article 61

Police force assigned to the National Parliament

The police unit assigned to perform the functions of vigilance and control of the premises where the National Parliament operates and to guard the safety of the Members of Parliament and employees who work there reports directly to the President of the National Parliament.

SECTION VII

NATIONAL PARLIAMENTARY GAZETTE

Article 62

Purpose and content of the National Parliamentary Gazette

The National Parliament has its own informational arm, called the *National Parliamentary Gazette*, in which are published the following, in addition to what is

expressly ordered by the presiding officers, and without prejudice to the publications that by law must be made in the *Jornal da República*:

- a) Draft laws;
- b) Proposed laws;
- c) Draft resolutions;
- d) Reports of the parliamentary commissions and other bodies making up the National Parliament;
- e) Minutes and summaries of the meetings of the Plenary Assembly, of the Permanent Commission, of the Conference of Representatives of the Parliamentary Benches, and of the parliamentary commissions and their sub-commissions;
- f) Reports presented to the National Parliament by outside agencies and other institutions;
- g) Schedules and speeches of foreign delegations visiting the National Parliament;
- h) Make-up, schedules, and other pertinent information regarding parliamentary delegations and deputations;
- i) Programs and speeches for ceremonial and commemorative occasions observed by the National Parliament.

CHAPTER VI

SUPPORT TO THE PRESIDENT, TO THE PRESIDING OFFICERS OF THE NATIONAL PARLIAMENT, THE PARLIAMENTARY COMMISSIONS, AND THE PARLIAMENTARY BENCHES

SECTION I

SUPPORT TO THE PRESIDENT AND TO THE PRESIDING OFFICERS OF THE NATIONAL PARLIAMENT

Article 63

Office of the President

The President of the National Parliament has his/her own office staff, with personnel chosen and appointed by free choice, made up of an office head, who coordinates it, from one to four advisers, two secretaries, and two drivers, in keeping with needs and budget availability.

Article 64

Office of the Vice-Presidents

The Vice-Presidents of the National Parliament each have their own office staffs, made up of one adviser, one secretary, and one driver, freely chosen, appointed by the President of the National Parliament.

Article 65
Office of the Secretary and Vice-Secretaries

The Secretary and the Vice-Secretaries of the National Parliament each have their own office staffs, made up of one secretary and one driver, freely chosen, appointed by the President of the National Parliament.

Article 66
Requisition for duty posting

1 – To staff their offices, the President, the Vice-Presidents, the Secretary, and the Vice-Secretaries may requisition, as a duty posting, employees of the National Parliament or of State departments, public institutions or companies, and these shall return to their original places when the duty posting ends.

2 – The office personnel referred to in the previous item cease functions at the end of the term of office of the holders of the positions mentioned in the preceding item, or at any time by decision of the latter, but they remain in the position until they are replaced.

Article 67
**Personnel regime for the offices of the President and presiding officers
of the National Parliament**

The regime in force for employees of the National Parliament, specifically as regards duties, disciplinary regime, Code of Conduct, Values of the Parliamentary Service, and remuneration apply to the personnel allocated to the office staff of the President and presiding officers of the National Parliament.

SECTION II
SUPPORT TO THE PARLIAMENTARY COMMISSIONS

Article 68
Advisers and secretaries to permanent specialist parliamentary commissions

Each permanent specialist commission has its own office space and is supported by skilled employees from the Division of Support to Commissions.

SECTION III
SUPPORT TO PARLIAMENTARY BENCHES

Article 69
Annual subvention

1 – The parliamentary benches have the right to support from the National Parliament, by means of an annual subvention to be included in the respective budget, for the accomplishment of their lawful purposes.

2 – The form and criteria for attributing the annual subvention to the parliamentary benches are set by resolution of the National Parliament, based on a proposal from the Administrative Board.

3 – The annual subvention referred to in #1 is distributed among the parliamentary benches in proportion to their representation in the Parliament.

4 – The total sum to be attributed to the parliamentary benches as an annual subvention may not exceed 5% of the annual budget of the National Parliament for the expense categories “Salaries and Earnings” and “Goods and Services” taken together.

CHAPTER VII FINAL AND TRANSITORY PROVISIONS

Article 70

Dispensation of new appointment of the Secretary-General

The current Director of the Secretariat transitions automatically to the position of Secretary-General, dispensing with a new appointment.

Article 71

Extinguishment of the position of Deputy Director and reassignment of the office holder

With the extinguishment of the position of Deputy Director, one of the three directorship positions is reserved for the current office holder, by transitioning to the Directorate that is determined by the Secretary-General.

Article 72

Staff and system of compensation

Pending approval of the staff of the National Parliament and of the respective system of compensation referred to in Article 8, #2 and #5, lines (b) and (c), the System Governing Careers and Directorships and Management Posts in the Public Administration will apply.

Article 73

Transitioning to the new staff

1 – The Secretary-General prepares a nominal listing for transitions of the current employees of the National Parliament to the new positions, categories, functions, and compensation that result from the resolution provided for in Article 8, #5, submitting it to the Administrative Board for approval.

2 – The nominal listing of transitions includes, in separate sections, the personnel on the staff, the personnel outside the staff, and the personnel from the support offices.

Article 74

Inclusion of temporary contract employees on staff roster

1 – Contract or temporary employees not belonging to the staff, who have for at least one year as of the date of their admission rendered meritorious services confirmed by their supervisors, are automatically included, independent of any formalities, on the staff roster that will take effect, at a career level and in a category equivalent to the functions they have actually performed.

2 – The inclusion on the staff roster of contract or temporary employees referred to in the preceding item does not preclude the application of a one-year probationary period to begin on the date of their entry onto the staff roster.

Article 75

Revocations

1 – All provisions that are contrary to this law are hereby revoked, and specifically the following:

- a) Law No. 4/2002 of August 7 (Organic Law of the National Parliament);
- b) Resolution of the National Parliament No. 7/2003, of July 22 (Alteration to the Staff Roster of the National Parliament);
- c) Resolution of the National Parliament No. 14/2003, of September 17 (Reclassification and Re-conversion of Employees on the Staff Roster of the National Parliament).

2 – Exception is made, however, for the legal effects produced in the judicial sphere by the law and the resolutions mentioned in the preceding item in relation to employees of the National Parliament.

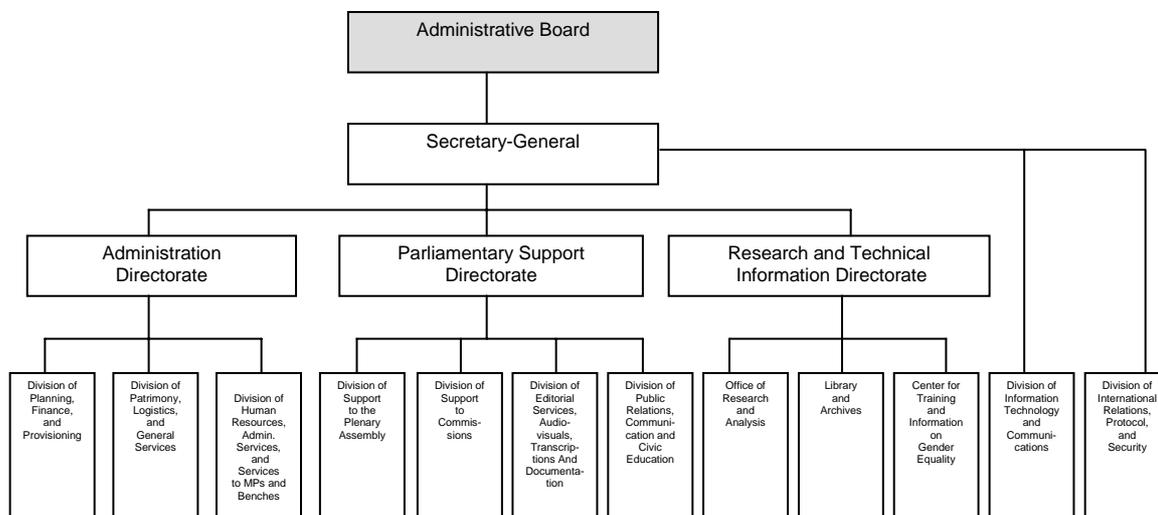
Article 76

Effective date

This law takes effect on the day after its publication, producing financial effects as of January 1, 2009.

Annex

Organization Chart of the Administration of the National Parliament



Approved on October 27, 2008

President of the National Parliament

Fernando La Sama de Araújo

Promulgated on December 5, 2008

To be published.

The President of the Republic

José Manuel Ramos Horta