**VII Constitutional Government**



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**Government Decree No. 4/2018**

**Of 7 March**

**1st Amendment to Government Decrees No. 19/2017, of 12 May and
No 21/2017 of 17 May**

**Unofficial Translation[[1]](#footnote-1)**

The legal and regulatory rules governing the electoral process were approved very recently in the context of presidential and parliamentary elections that took place in 2017. Thus, there is no need to approve new legislation for the recently called parliamentary elections.

However, from the electoral experience of the past year there is a need to change or improve the aforementioned regulation in some specific aspects. The approval of the present decree intends to bring minor corrections of detail not only in the scope of electoral registration procedures but also in the voting procedures in country and abroad.

Therefore,

The Government, pursuant to Article 4 (5), Article 36 (3) and Article 77 (c) and (d) of Law No 6 2006, of 28 December, as amended by Law no. 9/2017, of 5 May, decrees the following to be valid as a regulation:

**Article 1**

**Objective**

The present decree regulates the process of issuing declarations of residence for the purpose of voter registration, as well as amending Government Decree No. 19/2017, of 12 May, approving the technical procedures for holding of the Parliamentary Elections abroad and Government Decree No. 21/2017 of 17 May, which regulates the organization and operation of polling centers and voting, vote counting and tabulation of results procedures.

**Article 2**

**New Sucos**

For the 2018 legislative elections, resident voters who have not changed their registration following the approval of Ministerial Decree No. 16/2017 of 31 March, which approved the creation of new Sucos, may vote in the previous Suco, as is indicated on their voter card.



**Article 3**

**Declaration of residence**

1. For the purposes of registration and change of residence during the voter registration process in 2018, a declaration of residence may be issued by, in addition to the chief of suco of the place of residence:

1. the Rector of the National University Timor Lorosa'e (UNTL), in relation to students of that University;
2. the Director General of Higher Education of the Ministry of Education and Culture, in relation to university students other than those enrolled in UNTL;
3. the Dean of the Faculty of Engineering, Science and Technology of UNTL, in Hera, for students enrolled in this university;
4. the head of the administrative post[[2]](#footnote-2) of the place of residence.

2. The templates for the Declaration of Residence to be issued by the entities provided for in the preceding paragraphs are those included in Annex I to this decree, of which they form an integral part.

**Article 4**

**Amendment to Government Decree No. 19/2017, of 12 May**

Article 32 of Government Decree No. 19/2017, of 12 May, is replaced by the following:



**“Article 32**

**(...)**

1. (...).
2. (...).
3. The secretary of the polling station, in the presence of the representatives of the political parties, must check whether the companion has been freely chosen by the voter to accompany him/her in exercising his/her right to vote. (...).
4. (...).**”**

**Article 5**



**Amendment to Government Decree No. 21/2017, of 17 May**

Articles 31 and 44 of Government Decree No. 21/2017, of 17 May, are replaced by the following:

**“Article 31**

**(...)**

1. (...).
2. (...).
3. The secretary of the polling station, in the presence of the representatives of the political parties, must check whether the companion has been freely chosen by the voter to accompany him/her in exercising his/her right to vote.
4. (...).
5. (...).

**Article 44**

**(...)**

1. (...).
2. (...).
3. (...).
4. (...).
5. (...).
6. (...).
7. (...).
8. Directors of prison establishments and directors of national and reference[[3]](#footnote-3) hospital establishments shall send to STAE, at least 10 days in advance, the list of prisoners and prison guards in service on election day and, in the case of hospital establishments the list of medical and nursing staff in service on election day as well as of hospitalized patients and companions for hospitalized patients.

**Article 6**

**Annexes**

1. Annexes II, II *(sic)* and IV of Government Decree No. 21/2017, of 17 May are amended and shall be those contained in Annex II to this Decree.
2. Paragraph 21 is added to Article 53 of Government Decree No. 21/2017, of 17 May, with the following wording:

"21. The template for the municipal and Special Administrative Region of Oe-Cusse Ambeno results minutes is included at Annex V to this Decree, of which it forms an integral part. "

3. In accordance with the previous paragraph, Annex V is added to Government Decree No. 21/2017, of 17 May, and is included as Annex III to this decree of which it forms an integral part.



**Article 7**

**Entry into Force**

This Government Decree shall enter into force on the day after its publication in the Official Gazette.

Approved by the Council of Ministers on 1 March, 2018.

To be published.

The Prime Minister,

Dr. Marí Bim Amude Alkatiri

The Minister of State Administration,

Dr. Valentim Ximenes

1. 1 This document is based on an unofficial translation produced by UNDP LEARN Project, harmonized with IFES’ unofficial English translations of Decrees 19 and 21 of 2017. [↑](#footnote-ref-1)
2. Sub district [↑](#footnote-ref-2)
3. Translator’s Note: These are health care units with specialised expertise [↑](#footnote-ref-3)