

OIL & GAS

NEW RULES ON INSTALLATION AND OPERATION OF STORAGE FACILITIES APPROVED

By means of Regulation No. 1/2016, of 2 March 2016, the National Petroleum and Mining Authority (*Autoridade Nacional do Petróleo e Minerais – “ANPM”*) approved the Regulations on Installation and Operation of Storage Facilities. The new rules set forth, amongst others, the terms and conditions applicable to the design, construction, installation, modification, maintenance, operation and decommissioning of storage facilities for fuels and products used in fuel blending in Timor-Leste, and apply to all storage facilities for fuels installed or to be installed in the country, irrespective of the nationality and nature of the entities that own or operate them. This statute also includes the applicable licensing fees, as well as the penalties for breach of its provisions, which may amount to USD 1,000,000.

DIRECTIVE ON STORAGE AND RETAIL SALE OF KEROSENE

By means of Directive No. 1/2016, of 6 April 2016, the ANPM approved a set of rules on Storage and Retail Sale of Kerosene. The new rules apply to kerosene storage and retail sale activities, and irrespective of the nationality and nature of the entities that conduct such activities. This directive also sets forth rules on kerosene storage infrastructures, atypical kerosene storage infrastructures, kerosene retail sale, manpower, temporary authorizations, inspections and penalties.

GAMBLING

RULES ON GAMBLING AND ENTERTAINMENT SECTOR

The Government of Timor-Leste, by means of Decree-Law No. 6/2016, of 20 April 2016, approved the legal framework applicable to the licensing, operation and control of activities in respect of social and entertainment gambling (e.g. bingo, lotteries, lotto, raffle tickets, contests, on-line games), slot machines and traditional games (e.g. cock fighting). Operation of casinos and tax treatment of gambling, namely in respect of taxation of gambling prizes, is excluded from this statute's application. The Ministry of Tourism is responsible for supervising these activities, as well as for issuing the necessary authorizations for the operation of social and entertainment gambling, slot machines and traditional games. This statute also provides that, except for cock fighting and *Kuro Kuro* (a traditional dice game), concession for the operation of the other gambling activities is subject to a public tender process. The payment of special fees is also foreseen.

ENVIRONMENT

REGULATIONS ON THE INSPECTION AND CALIBRATION OF FUEL PUMPS

Through Ministerial Diploma No. 21/2016, of 9 March 2016, the Minister of Commerce, Industry and Environment approved the regulations on the inspection and calibration of gasoline and diesel pumps. Under the new statute, the tolerance of the meters used to measure gasoline and diesel pumps is set at $\leq \pm 0.5\%$ and whenever the meter exceeds such threshold, calibration is required. Failure to comply with the new rules triggers the assessment of fines, which are applicable in accordance with Decree-Law No. 23/2009, of 5 August 2009 (Framework on Administrative Offenses against the Economy and Food Safety).

CREATION AND MANAGEMENT OF THE NATIONAL SYSTEM OF PROTECTED AREAS

Decree-Law No. 5/2016, of 16 March 2016, approves the legal framework applicable to the creation and management of the National System of Protected Areas (*Sistema Nacional de Áreas Protegidas – “SNAP”*), which will govern such areas of the national territory, including waters under national jurisdiction. Under this statute, areas with certain characteristics may be deemed protected areas. Protected areas are, in turn, classified as: national parks, wildlife sanctuaries, natural monuments, protected landscapes or natural reserves, being each protected area subject to specific rules. The statute also lists the activities permitted (e.g. subsistence hunting and fishery of unprotected species) and those that are prohibited (e.g. cutting, burning, striping or harvesting protected flora) in protected areas.

MARITIME BOUNDARIES

COUNCIL FOR THE DEFINITIVE DELIMITATION OF MARITIME BOUNDARIES CREATED

Decree-Law No. 4/2016, of 16 March 2016, created the Council for the Definitive Delimitation of the Maritime Boundaries between Timor-Leste and the Commonwealth of Australia and the Republic of Indonesia (*Conselho para a Delimitação Definitiva das Fronteiras Marítimas – “CDDFM”*) and sets forth the CDDFM's rules of operation, composition and powers. The CDDFM is responsible for (i) defining the conditions and goals of the negotiation for a treaty for the definitive delimitation of maritime borders between Timor-Leste and the Commonwealth of Australia and the Republic of Indonesia, (ii) monitoring the negotiation procedure led by the head of the negotiating team, and (iii) providing information on the negotiation procedure to groups with political responsibilities to ensure national cohesion in respect of the final delimitation of the maritime boundaries. Chaired by the Prime-Minister, the CDDFM also includes the Chief Negotiator of the Negotiations Team, prominent personalities of the nation (e.g. former Presidents of the Republic, former Prime-Ministers and former Presidents of the National Parliament), provided their presence is required, the Ministers of the Government provided their presence is required, and any other personality so justified due to his/her reputation, experience, knowledge, background or public recognition.

STATE ADMINISTRATION

REGULATION OF THE INFRASTRUCTURE FUND

5 years after the creation of the Infrastructure Fund, the Government has decided, by means of Decree-Law No. 13/2016, of 18 May 2016, to change the Fund's legal framework in order to guarantee it responds to the current financial needs without overloading the State Budget. With this objective in mind, the Infrastructure Fund has now been converted into an autonomous fund, with legal personality and administrative, financial and patrimonial autonomy, with its own revenues. This Decree-Law also establishes the Fund's purposes and objectives, as well as its structure and rules applicable to its financial and patrimonial management.

NEW LAW ON VOTER REGISTRATION

Law No. 6/2016, of 25 May 2016, sets forth the rules applicable to voter registration, both within national territory, through the Technical Secretariat of Electoral Administration (*Secretariado Técnico da Administração Eleitoral – “STAE”*), and abroad, in embassies and consulates accredited to the place of usual place of residence of Timorese citizens. Voter registration is mandatory for all Timorese citizens as of the age of seventeen.

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