

TIMOR-LESTE

September through November 2016

ENERGY

OFFSHORE PETROLEUM OPERATIONS REGULATIONS REPUBLISHED

By means of Declaration of Rectification No. 4/2016, of 10 November 2016, the Government has amended and republished the Offshore Petroleum Operations Regulations which had been recently approved by the Council of Ministers through Decree-Law No. 32/2016, of 17 August 2016, as some mistakes were detected in the initial version of this Decree-Law. The Regulations address essential matters concerning offshore petroleum activities in the Timor-Leste Exclusive Area, such as prospecting authorizations, exploration, development and production operations and applicable requirements on facilities design and operation, health, safety and environment, as well as local content and procurement of goods and services.

SUBDIVISION OF THE ONSHORE BLOCK

The Government has issued Resolution No. 39/2016, dated 23 November 2016, approving the subdivision of the Timor-Leste Exclusive Area Onshore Block into three (3) new blocks, as per the relevant annex attached thereto. The Resolution also approves TIMOR GAP, E.P.'s participation in the relevant Production Sharing Contracts for the three (3) blocks.

MINING

LICENSING PROCEDURES FOR MINING ACTIVITIES

Ministerial Order No. 64/2016, of 16 November 2016, approved Specific Rules on Licensing of Mining Activities for construction materials, certain process materials, and ornamental stones. By means of this Order, the Ministry of Petroleum and Mineral Resources has established several requirements on licensing procedures for mining activities, notably the terms applicable to the relevant applications, to the different types of licenses that may be granted, and the corresponding fees. Moreover this Order establishes ANPM's (Autoridade Nacional do Petróleo e Minerais) inspection, monitoring and auditing powers over mining operations.

GAMBLING

CONCESSION TO OPERATE SLOT MACHINES

The Ministry of Tourism, Arts and Culture issued Ministerial Order No. 53/2016, dated 12 October 2016, by means of which it launched the public tenders for the award of two concessions to operate slot machines in Timor-Leste (one for Dili and another for the rest of the country) and which provides the terms of such tenders, and the conditions to which such concessions will be subject.

BUSINESS

IC SID (WASHINGTON) CONVENTION RATIFIED

The Timor-Leste National Parliament has approved Resolution No. 14/2016, of 31 August 2016, which ratifies the Convention on the Settlement of Investment Disputes between States and Nationals of Other States ("Washington Convention"). Pursuant to this Convention, the State of Timor-Leste and Nationals from other States may now submit their disputes before the international conciliation and arbitration mechanisms provided therein.

NEW LOCAL CONTENT REQUIREMENTS ON THE EXTRACTION OF CONSTRUCTION MATERIALS

By means of Resolution No. 36/2016, of 19 October 2016, the Government has determined that licenses for the extraction of construction materials shall be awarded only to entities incorporated under the laws of Timor-Leste and in which Timorese citizens hold the majority of the share capital, without prejudice to the possible authorization by the Government of exemptions for international companies engaged in major public construction projects.

LABOUR

SOCIAL SECURITY SYSTEM APPROVED

The Timor-Leste National Parliament has approved Law No. 12/2016, of 14 November 2016, which enacts the new Social Security Law. The new statute is aimed at setting forth a universal social insurance scheme, so as to protect workers and their families in case of work-related accidents, maternity, paternity and adoption, incapacity, old age and death, and foresees their respective rights. This Law also determines the methods of financing the social security scheme, notably mandatory contributions by employers and employees.

LAND

NEW RULES ON LAND SURVEY

The Ministry of Justice enacted Ministerial Order No. 45/2016, of 14 September 2016, approving new rules applicable to the ongoing cadastral survey being carried out by the National Cadaster Service. Amongst others, the Order establishes the required procedures and conditions for the collection of the relevant data regarding immovable property, as well as the details that shall be provided to the National Property Cadaster system. On the other hand, this Ministerial Order also establishes the terms that applicants must comply with in order to claim title over the land.

NATIONAL PROPERTY CADASTER

By means of Ministerial Order No. 46/2016, of 14 September 2016, the Ministry of Justice has introduced several changes to the National Property Cadaster system, notably the terms under which the relevant data base of disputed and undisputed titles over immovable property shall be organized, and has also defined the treatment applicable to new claims. This Order also foresees the requirements for issuance of land registry certificates and eventual amendments to same, namely in case of transfer of ownership.

CADASTRAL SURVEY IN LAUTÉM

Pursuant to Order No. 20/SETP/IX/2016, issued by the Ministry of Justice, the cadastral survey in the region of Lautém commenced on 13 September 2016, for the Sucos of Cacavei, Fuiloro, Leuro, Lore II, Souro and Lautépine (Administrative Post of Lospalos).

ENVIRONMENT

INVESTMENT STRATEGY FOR WASTE MANAGEMENT

The Government has enacted Resolution No. 32/2016, dated 5 October 2016, which establishes the major guidelines for the Investment Strategy on Waste Management in Dili. Amongst other aspects, this Resolution foresees the terms under which waste collection, destruction, recycling and recovery shall be performed, as well as the estimated costs and financing mechanisms. Under the Resolution, a new landfill will be set up in Tibar which construction and operation shall be awarded to private entities.

STATE ADMINISTRATION

RULES ON OFFICIAL DOCUMENTS

By means of Decree-Law No. 43/2016, dated 14 October 2016, the Government has established the framework on official documents. The Decree-Law determines which documents shall be deemed "official" and the respective requirements. Moreover, the referred Decree-Law not only governs the conditions under which citizens will be entitled to access official documents, but also the rules on confidential documents.

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