



**Law on Judicial Organisation  
No 12 /2022**

**First Amendment to Law No. 25/2021 of 21 December.**

The Recruitment and Selection Committee, referred to in Article 83 of Law No. 25/2021, of December 2, shall consist of three members, two of whom shall be appointed by the National Parliament. The appointment shall be made by decree of the President of the Republic, as provided for in Article 83(1), once it has received the names nominated by the National Parliament.

The Law granted the President of the Republic a period of 45 days to appoint the Commission and the Commission a period until 30 September 2022 to complete its work. Circumstantial factors prevented the appointment from being made within that period, while the deadline of 30 September proved manifestly insufficient in view of the tasks entrusted to the Commission, an assertion that would hold true even if the appointment of the Commission had taken place within the period provided for by law.

The present law therefore aims to extend the deadlines referred to above, while also taking advantage of the opportunity to extend the deadlines for the installation of higher courts provided for in the Judicial Organization Act.

Thus, the National Parliament decrees the following, under the terms of paragraph c) of Article 96.1 of the Constitution of the Republic, to be valid as law:

**Article 1  
Object**

The present law proceeds with the first amendment to Law No. 25/2021, of 2 December, the Judicial Organization Law.

**Article 2  
Amendment to Law No. 25/2021, of 2 December**

Articles 77 and 83 of Law No. 25/2021 of 2 December shall be amended as follows:

**"Article 77  
[...]**

- 1) The Supreme Court of Justice shall be established within 30 months from the entry into force of this law.
- 2) 2. The Court of Appeal shall be established within 30 months at the most, counting from the entry into force of this law.
- 3) [...]
- 4) [...]
- 5) [...]

### **Article 83**

[...]

1. No later than twelve months after the entry into force of this law, the President of the Republic shall appoint, by way of decree, the Commission for Recruitment and Selection for the first filling of the posts of judge at the Supreme Court of Justice and the posts of judge at the Court of Appeal, which shall commence its functions on the date on which the decree is published.
2. [...]
3. [...]
4. [...]
5. [...]
6. [...]
7. The Commission shall communicate, within 12 months of the entry into force of the Commission's decree of appointment, to the President of the Republic and the National Parliament, through a written report, the result of the final graduation of the contestants who meet the requirements for appointment as a judge of the Supreme Court of Justice and as a judge of the Court of Appeal.
8. The Commission shall, within the same term as provided for in the previous number, forward the Report on the final graduation of the candidates to the Superior Council of the Judiciary so that it may proceed with the appointment of the judges of the Supreme Court of Justice and the judges of the Court of Appeal within 30 days from among those qualified to such effect by the panel.
9. [...]
10. [...]
11. [...]
12. [...]
13. The Commission shall cease its functions no later than 30 days after submission of the reports referred to in paragraphs 1 and 2.

### **Article 3**

#### **Validity of previous nominations**

The nominations of members of the Recruitment and Selection Committee previously made by the National Parliament and the President of the Republic, in compliance with the provisions of Article 83 (2) of Law No. 25/2021 of 2 December, shall be valid.

### **Article 4**

#### **Entry into Force**

This Law shall come into force on the day following its publication.

Approved on 12 December 2022.

The Speaker of the National Parliament,  
Aniceto Longuinhos Guterres Lopes

Promulgated on 20 December 2022.

To be published.

The President of the Republic,  
José Ramos-Horta

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