

**Decree Law n. 13/2017
of April 5**

ORGANIC STRUCTURE OF THE TAX AUTHORITY

The Fiscal Reform carried out by the VI Constitutional Government has as main goal to increase the domestic revenue of Timor-Leste, through legal and regulatory instruments that modernize, promote transparency and rationalize the use of means and resources of structures with competences in tax collection and management.

Taking into account these principles, this Decree-Law approves and establishes the organic statute of the Tax Authority, as a service of the direct administration of the State, endowed with administrative and financial autonomy, without its own revenues, responsible for administering and collecting taxes, as well as other levies, and other financial contributions in favor of the State.

The organic structure of the Tax Authority aims to adapt the service to pursue the tasks assigned to it, providing it with central services and deconcentrated services at the municipal level that guarantee greater proximity to taxpayers.

For the efficiency and effectiveness of revenue collection, the Tax Authority structure is based on a division of services by functions or tasks, contributing to the segregation and specialization of functions.

In addition to the operational areas for registration, settlement, collection and revenue accounting, the Tax Authority also includes areas of tax justice, inspection, planning, internal audit, communications and IT support that are essential to achieve better results on revenue collection.

The institutional strengthening of the Tax Authority and its mission can only be fulfilled through the performance of employees who carry out their functions in a transparent, integral, and responsible manner.

Therefore, it is expected that Tax Authority employees will be subject to a rigorous selection and conduct regime and to continuous training and evaluation, the terms of which will be defined in a specific document.

Thus, pursuant to paragraph 3 of Article 115 of the Constitution of the Republic, the Government enacts, to enforce as law, the following:

**Chapter I
General provisions**

**Article 1
Object**

This decree-law establishes the organic structure of the Tax Authority.

**Article 2
Nature**

1. The Tax Authority, hereinafter as TA, is a service of the State's direct administration, with administrative and financial autonomy, without its own revenues.
2. The TA reports directly to the member of the Government in charge of the area of finance.
3. The TA has de-concentrated services, designated by Tax Offices.

Article 3

Mission and Attributions

1. The TA's mission is to administer and collect taxes, as well as other levies and other financial contributions in favor of the State that are assigned to it by law, in accordance with the general policies defined by the Government.
2. To carry out its tasks, TA shall have the following attributions:
 - a) Ensure the settlement, collection and accounting of taxes and other levies that it is mandated by law to administer;
 - b) Ensure the settlement, collection and accounting of administrative fees and other financial contributions in favor of the State that it is mandated by law to administer;
 - c) Ensure the settlement, collection and accounting of other revenues of the State or other legal persons governed by public law that are assigned to it by law;
 - d) Exercise tax inspection actions;
 - e) Exercise fiscal justice and support representation before judicial bodies;
 - f) Prevent and combat tax evasion and fraud, through audit activities, in coordination with national and international entities with competence in the area;
 - g) Develop and manage information, control and reporting systems, using technologically advanced and integrated systems, necessary for the exercise of its functions;
 - (h) Inform taxpayers and economic operators of their tax obligations, namely through binding information, and support them in achieving compliance;
 - i) Publish the results of inspections and decisions made, by sector of activity and group of taxpayers;
 - j) Implement international tax agreements and conventions, in particular those designed to avoid double taxation;
 - k) Cooperate with international organizations and tax authorities of other States, and participate in the work of specialized international agencies in the fiscal area;
 - l) Propose strategies, procedures and measures of technical, normative or administrative nature that contribute to improve the effectiveness and efficiency of the tax system;
 - m) Promote the study and application of legal and administrative measures that assure the quality, training and integrity of TA employees;
 - n) Promote the correct application of the legislation and administrative decisions related to the attributions it carries out;
 - o) Any others that are assigned to it by law.

Article 4

Organizational Principles

1. The TA is governed by the following organizational principles:
 - a) Legality;
 - b) De-bureaucratization;
 - c) Administrative de-concentration;

- d) Organizational flexibility;
- e) Valorization of Human Resources.

2. The principle of legality implies that in pursuing its attributions TA shall be guided by the compliance with the legal provisions that regulate all its activities.

3. The principle of de-bureaucratization aims to streamline administrative procedures for compliance with tax obligations, in particular by simplifying the information to be provided to taxpayers.

4. The principle of de-concentration tends to devolve the operational tasks to the de-concentrated services, and the tasks of design, planning, regulation, evaluation and control as well as those operational tasks which cannot be conducted to another level, to the central services.

5. The principle of flexibility aims to continuously improve the organizational structure through normative regulations and administrative decisions, in order to adapt the services to the objectives to be pursued.

6. The principle of valorization of human resources aims to foster the motivation and active participation of TA employees through ongoing training and career paths that promote performance and merit.

Article 5

Tutelage and superintendence

The TA performs its functions under the oversight of the member of government in charge of the area of finance.

Article 6

Management, evaluation and control tools

1. In the exercise of its functions, the TA uses the following management, evaluation and control tools, notwithstanding others defined by law:

- a) Annual plan;
- b) Budget Proposal;
- c) Procurement Plan;
- (d) Implementation reports.

2. Notwithstanding others that may be defined, the TA also has the following internal management tools:

- a) Strategic plan;
- b) Professional training plan;
- c) Tax inspection plan;
- (d) Plan to combat corruption and promote institutional integrity;
- e) Internal audit plan;
- f) Plan of studies to be carried out.

Article 7

Collaboration with other entities

1. The TA collaborates with national and international entities that perform relevant functions in the area of TA's jurisdiction.

2. The TA may establish collaboration protocols or create joint work teams within the scope of the functions it performs.

3. In order to combat corruption, increase institutional integrity and good governance, the TA establishes protocols with entities responsible for fighting corruption to support regular preventive actions and prepare a plan to combat corruption and promote institutional integrity.

4. State Administration organs and services, as well as other public or private entities, such as financial institutions, banks and other entities providing payment services, shall provide the TA with information or any collaboration requested, by law, in the performance of their duties.

5. Municipal Authorities and Administrations, as well as the Special Administrative Region of Oe-Cusse Ambeno, establish collaboration mechanisms with the TA, within the scope of the responsibilities of its de-concentrated services.

Chapter II Organic Structure

Article 8 Management/Direction

The TA is headed by a Director General, hereinafter referred to as DG, appointed in accordance with the law.

Article 9 Structure of the TA

1. The TA structure includes the following services:
 - a) Central Services;
 - b) De-concentrated services.
2. TA Central Services integrate the following National Directorates:
 - a) The National Directorate of Taxpayer Identification;
 - b) The National Directorate for Declarative Management, Settlement and Collection;
 - c) The National Directorate of Revenue Accounting;
 - d) The National Directorate of Tax Inspection;
 - e) The National Direction of Tax Justice;
 - f) The National Directorate of General Administration.
3. TA Central Services also comprises the following support units, which work with the DG:
 - a) The Planning and Communication Unit;
 - b) The Internal Audit Unit;
 - c) The Information Systems Unit;
 - d) The Office of Appeals and Legal Support.
4. TA's de-concentrated services comprise thirteen Tax Offices, including the OECS Ambeno Special Administrative Region Office.

SECTION I Central Services

Article 10 General Competences

1. The Central Services shall in general guarantee:
 - a) The preparation of decisions related to the application of fiscal policy and laws, with the planning, coordination and control of the TA and its services;
 - b) The implementation of actives related to the duties of the TA or to its operation which, by law or superior decision, must be ensured at central level;
 - c) The performance of operational tasks that due to their complexity and specificity, or for reasons of effectiveness, should be centralized.
2. TA central services shall report directly to the DG.

Subsection I
National Directorate of Taxpayer Identification

Article 11
Attributions

1. The National Directorate of Taxpayer Identification is responsible for maintaining fiscal information records on taxpayers, as well as updating and managing them, in coordination with other registration systems.
2. The National Directorate of Taxpayer Identification is headed by a National Director, appointed in accordance with the law.

Article 12
Organization

The National Directorate of Taxpayer Identification comprises the following departments:

- a) The Taxpayers Registration Department;
- b) The Taxpayers Management Department.

Article 13
Taxpayer Registration Department

1. The Taxpayer Registration Department is responsible for managing the single taxpayer register.
2. It is incumbent upon the Taxpayer Registration Department to, namely:
 - (a) Develop and manage a single taxpayer registration system;
 - b) Update the single taxpayer register;
 - (c) Coordinate the data processing relating to the single taxpayer register;
 - d) Maintain and update the general computer system support tables, in articulation with other TA services;
 - e) Assign the tax identification number in accordance with the law, in collaboration with the entities whose intervention is necessary;
 - (f) Review requests for information relating to data contained in the single taxpayer register;
 - g) Generate and update declaration models and forms related to the single taxpayer register;
 - h) Study, develop and propose legislative and regulatory measures in its area of operation;
 - i) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
 - j) Perform other functions as defined by law or determined by higher authority within the scope of its competences.
3. The Taxpayer Registration Department is directed by a Head of Department, appointed under the law.

Article 14
Taxpayer Management Department

1. The Taxpayer Management Department is responsible for developing and managing a single taxpayer registrar with tax information regarding declarations, settlements, collection, refunds, reimbursements, exemptions, debts, infringements and inspections.
2. It is incumbent upon the Taxpayers Management Department to, namely:
 - a) Update the single taxpayer register;
 - b) Coordinate data processing relating to the single taxpayer register;
 - c) Maintain and update the general computer system support tables , in articulation with other TA services;
 - d) Consider requests for information relating to data contained in the single taxpayer register;
 - e) Articulate with other registration information systems that integrate relevant information about the activity, assets and property/estate of taxpayers;
 - f) Generate and update declaration models and forms related to the single taxpayer registration;
 - g) Study, develop and propose legislative and regulatory measures in its area of operation;
 - h) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
 - (i) Perform other functions as determined by higher authority, within the scope of its competences.
3. The Taxpayer Management Department is directed by a Head of Department, appointed under the terms of the law.

Subsection II
National Directorate of Declaration Management, Settlement and Collection

Article 15
Responsibilities

1. The National Directorate for the Declaration Management, Settlement and Collection is responsible for verifying taxpayers' declarations, as well as settling and collecting taxes, and other levies and financial contributions in favor of the State, that are attributed to the TA.
2. The National Directorate of Declaration Management, Settlement and Collection is headed by a National Director, appointed in accordance with the law.

Article 16
Organization

- 1- The National Directorate of Declaration Management Settlement and Collection includes the following departments:
 - a) The Department of Declaration Management and Settlement;
 - b) The Department of Collection, Control and Refunds.
- 2- The Department of Declaration Management and Settlement includes the following sections:
 - a) The Declaration Management Section;
 - b) The Settlement Section.

- 3- The Department of Collection, Control and Refunds includes the following sections:
- a) The Collection Section;
 - b) The Control and Refunds Section.

Article 17

Department of Declaration Management and Settlement

- 1- The Department of Declaration Management and Settlement is in charge of the management of declarations and settlements of taxes and other levies and financial contributions in favor of the State under the administration of the TA.
- 2- It is incumbent upon the Department of Declarative Management and Liquidation to, namely:
- a) Supervise the information in the declaration models and forms, in conjunction with database information or any other kind of available information;
 - b) Define the rules for collection, settlement and central validation of information;
 - c) Define the rules for analysis and validation of information declared by taxpayers;
 - (d) Standardize the application of tax rules and service procedures, in particular through the systematization of administrative decisions and instructions;
 - e) Generate and update declaration models and forms;
 - f) Promote the correct completion of declaration models and forms by taxpayers;
 - g) Prepare technical and statistical opinions and studies within the scope of its competences;
 - h) Study, develop and propose legislative and regulatory measures in its area of operation;
 - i) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
 - (j) Discharge other duties assigned by superior officer within the scope of its responsibilities.
- 3 - The Department of Declaration Management and Settlement is directed by a Head of Department, appointed according to the law.

Article 18

Declaration Management Section

1. It is incumbent upon the Declaration Management Section to support the department in discharging its duties regarding the declaration of taxes, other levies and financial contributions in favor of the State under the administration of the TA.
2. It shall be particularly incumbent upon the Declaration Management Section to:
- a) Analyze the information contained in the declaration models and forms, in articulation with database information or any other kind of available information;
 - b) Analyze the information regarding applications for reimbursements, refunds, benefits, exemptions and other tax rights or obligations;
 - c) Identify situations of non-declaration or omissions, file administrative offence proceedings and report the infractions identified to the settlement section or other services deemed necessary;

d) Prepare technical opinions, technical and statistical studies within the scope of its competences;

(e) Carry out other tasks assigned by superior officer within its scope of action.

3. The Declaration Management Section has a specialized team in the area of oil and minerals.

4. The Declaration Management Section is directed by a Head of Section, appointed in accordance with the law.

Article 19 Settlement Section

1. The Settlement Section shall be responsible for supporting the respective department in the performance of its duties in relation to the calculation, settlement or control of the value of taxes and other levies, and financial contributions in favor of the State.

2. It is the responsibility of the Settlement Section to, namely:

a) Calculate compensatory interests when due;

b) Issue settlements, in particular in cases of non-declaration or omissions verified on the declaration;

c) Prepare technical and statistical opinions and studies within the scope of its competences;

d) Collaborate with other TA services to harmonize and standardize settlement procedures;

(e) Carry out other functions that assigned by superior officer, within the scope of its competences.

3. The Settlement Section has a specialized team in the area of oil and minerals.

4. The Settlement Section is directed by a Head of Section, appointed in accordance with the law.

Article 20 Department of Collection, Control and Refunds

1. The Collection, Control and Refunds Department is responsible for supervising the acts of collection of taxes and other levies, and financial contributions in favor of the State, under the administration of the TA, as well as controlling respective payments and reimbursements.

2. It is incumbent upon the Department of Collection, Control and Refunds to, namely:

a) Define administrative procedures for the collection, collection and recovery of taxes and other levies and financial contributions to the State that are assigned to the TA;

b) Define administrative procedures for control of payments, refunds and reimbursements;

c) Provide collection estimates;

d) Estimate, monitor and report on the collection, refunds and reimbursements;;

e) Systematize administrative decisions related to collection procedures and prepare instructions to standardize the application of service rules and procedures;

f) To propose to the competent unit of the TA the adoption and updating of computer applications related to the collection procedures;

- g) Generate and update models and forms;
- h) Prepare technical opinions, technical and statistical studies within the scope of its competences;
- i) Study, prepare and propose legislative and regulatory measures in its area of operation;
- j) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
- k) Perform other functions assigned by superior officer within the scope of its competences.

3. The Department of Collection, Control and Refunds is directed by a Head of Department, appointed under the law.

Article 21

Collection Section

1. The Collection Section is responsible for supporting its department in the exercise of its functions, regarding acts of collection of taxes and other levies, and financial contributions in favor of the State and payments control, under the administration of the TA.

2. It is incumbent upon the Collection Section to, namely:

- a) Identify the debts that remain after the voluntary payment period and issue the respective certificate;
- b) Verify the offset of the tax debts with the credits that taxpayers can legally dispose of;
- c) Verify the existence of default and compensatory interests and report to the Settlement Section for due purposes;
- d) Identify situations of absence of declaration or omissions in the declaration, file administrative infraction proceedings and report the infractions detected to the settlement section or other services deemed necessary;
- e) Consider requests for payment in installments, as legally provided for;
- f) Prepare estimates of collection;
- g) Estimate tax debts in cases where there are previous payments;
- h) Estimate, monitor and prepare reports on collections;
- i) Prepare technical opinions, technical and statistical studies within the scope of its competences;
- j) Carry out other functions as assigned by the superior officer, within the scope of its competences.

3. The Collection Section has a specialized team in the area of oil and minerals.

4. The Collection Section is directed by a Head of Section, appointed in accordance with the law.

Article 22

Control and Refund Section

1. The Control and Refund Section is responsible for supporting the respective department in the performance of its duties regarding the control of reimbursements and refunds of taxes and other levies and financial contributions to the State under the administration of the TA.

2. The Control and Refund Section is responsible for, namely:
 - a) Send taxpayers information on their tax situation, when legally required;
 - b) Ensure the procedures for reimbursements and refunds to taxpayers, including payment of compensatory interests and other compensations;
 - c) Report situations of non-compliance with other TA services, namely those in the inspection sector;
 - d) Prepare technical and statistical opinions and studies within the scope of its competences;
 - (e) Carry out other functions as assigned by the superior officer, within the scope of its competences,
3. The Control and Refund Section has a specialized team in the area of oil and minerals.
4. The Control and Refund Section shall be directed by a Head of Section, appointed in accordance with the law.

Subsection III

National Directorate of Revenue Accounting

Article 23

Competences

1. The National Directorate of Revenue Accounting is tasked with ensuring the accounting of the tax revenues collected by the TA.
2. The National Directorate of Revenue Accounting is headed by a National Director, appointed in accordance with the law.

Article 24

Organization

The National Directorate of Revenue Accounting comprises the following Departments:

- a) The Department of Domestic Tax Revenues Accounting;
- b) The Department of Oil and Mineral Revenue Accounting.

Article 25

Department of Domestic Tax Revenue Accounting

1. The Department of Domestic Tax Revenue Accounting is responsible for carrying out the transactions necessary for accounting for domestic tax revenue.
2. In execution of this responsibility pertaining to taxes and other levies, and domestic financial contributions, the Department of Domestic Tax Revenue Accounting shall, namely:
 - a) Provide accounting for settlements, collections, cancellations, refunds and reimbursements;
 - b) Prepare the accounting and statistical information that should be provided to the various services and entities;
 - c) Carry out or collaborate in calculating the amounts of revenues collected to be transferred to other budgets and entities;

- d) Ensure, in collaboration with the other entities and services, the reconciliation of information and the control and correction of anomalies;
- e) Determine the recovery charges and amount of revenues to be allocated to the various entities;
- f) Issue opinion on the inclusion of new revenues that may be collected by the TA;
- g) Prepare information on the evolution of tax collection, on a regular basis;
- h) Provide supporting information in preparation of the General State Budget or other instruments of budget execution and planning;
- i) Study and submit legislative and regulatory measures;
- j) Prepare technical opinions and carry out studies, technical and statistical works related to its respective areas of intervention;
- k) Submit to the Public Prosecutor's Office cases arising from improper handling of reimbursement or refund processes;
- l) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
- (m) Carry out other functions as assigned by the superior officer, within the scope of its competences.

1. The Department of Domestic Tax Revenue Accounting is directed by a Head of Department, appointed under the law.

Article 26

Department of Petroleum Revenue and Mineral Accounting

1. The Department of Petroleum Revenue and Mineral Accounting is responsible for carrying out the necessary operations for the accounting of oil and mineral revenues.

2. In execution of this responsibility pertaining to taxes and other levies, and domestic financial contributions regarding petroleum and minerals due to the State, the Department of Petroleum Revenue and Mineral Accounting shall, namely:

- a) Provide accounting for settlements, collections, cancellations, refunds and reimbursements;
- b) Prepare the accounting and statistical information that should be provided to the various services and entities;
- c) Carry out or collaborate in calculating the amounts of revenues collected to be transferred to other budgets and entities;
- d) Ensure, in collaboration with the other entities and services, the reconciliation of information and the control and correction of anomalies;
- e) Issue opinion on the inclusion of new revenues that may be collected by the TA;
- f) Prepare information on the evolution of tax collection, on a regular basis;
- g) Provide supporting information in preparation of the General State Budget or other instruments of budget execution and planning;

- h) Study and propose legislative and regulatory measures;
- i) Prepare technical opinions and carry out studies, technical and statistical works related to the respective area of intervention;
- j) Submit to the Public Prosecutor's Office the cases arising from improper handling of refund or reimbursement processes;
- k) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
- l) Carry out other functions as assigned by the superior officer, within the scope of its competences.

3. The Department of Oil and Mineral Revenue Accounting is directed by a Head of Department, appointed under the law.

Subsection IV National Directorate of Tax Inspection

Article 27 Responsibilities

1. The National Directorate of Tax Inspection is responsible for carrying out tax inspections, as well as identifying situations of risk and irregularities, coordinating plans, strategies and methodologies, with the goal of enforcing taxpayers' compliance with national tax legislation and preventing and combating fraud and tax evasion.
2. The National Directorate of Tax Inspection is directed by a National Director, appointed in accordance with the law.

Article 28 Organization

1. The National Directorate of Tax Inspection includes the following departments:
 - a) The Department of Risk Management and Anti-Fraud;
 - b) The Department of Tax Inspection.
2. The Risk Management and Anti-Fraud Department comprises the following sections:
 - a) The Section for Major Taxpayers;
 - b) The Section for Small and Medium Taxpayers;
 - c) The Petroleum and Minerals Section.
3. The Department of Tax Inspection comprises the following sections:
 - a) The Section for Major Taxpayers;
 - b) The Section for Small and Medium Taxpayers;
 - c) The Oil and Minerals Section.

Article 29 Department of Risk Management and Anti-Fraud

1. The Risk Management and Anti-Fraud Department is responsible for carrying out the operations necessary for identifying and managing risks and for combating tax evasion and fraud.
2. It is incumbent upon the Department of Risk Management and Anti-Fraud to, namely:

- a) Study, gather information and propose strategies to combat tax evasion and fraud;
- b) Centralize and process the information on various types of tax evasion and fraud;
- c) Cooperate with other services and entities with inspection or criminal investigation responsibilities for the detection and control of tax evasion and fraud;
- d) Collect, centralize and process information to identify the general risks of fiscal non-compliance;
- e) Define models and methods of information research, inventory and analysis to be adopted in the inspections;
- f) Analyze the risks of fiscal non-compliance and assess their impact;
- g) Propose strategies to reduce the risks of fiscal non-compliance;
- h) Propose the assistance and communication actions to prevent identified risks;
- i) Propose the situations of risk of non-compliance that should be considered in the TA activity and inspection plans each year;
- j) Promote articulation with the different TA services with view to an integrated fiscal non-compliance risk management;
- k) Propose the necessary legislative amendments to eliminate specific risks of fiscal non-compliance;
- l) Assess the results of fiscal non-compliance risk management;
- m) Prepare technical opinions and carry out studies and technical work related to the respective area of intervention;
- n) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
- o) Prepare technical opinions and carry out studies and technical work related to the respective area of intervention, namely studies on Industry and companies analysis and transfer prices;
- p) Carry out other functions as assigned by the superior officer, within the scope of its competences.

3. The Department of Risk Management and Anti-Fraud is directed by a Head of Department, appointed under the law.

Article 30

Department of Tax Inspection

1. The Tax Inspection Department is responsible for conducting inspections in the tax domain.
2. It is incumbent upon the Tax Inspection Department to, namely:
 - a) Carry out inspections, due diligence, and any other operational inspection activities;
 - b) Document and organize information and reports from the inspection and due diligence actions carried out;
 - c) Verify, with the use of proper auditing techniques, taxpayer accounts, confirming the veracity of their declarations;

- d) Determine taxpayers' fiscal situation, in particular, by investigating denouncements or complaints and obtaining evidence regarding possible tax crimes, when there is evidence of tax evasion and fraud through omissions of declarations, non-existence, rigging or concealment of accounting, documents or other elements of support of tax events presumably occurred;
- e) Prepare plans and reports in the area of the tax inspection and control its implementation;
- f) Prepare procedures and manuals of inspection to be adopted by the different sections;
- g) Design, test, operationally manage and propose changes to the information systems used by the tax inspection services;
- h) Ensure the harmonization of models and methods of information research, inventory and analysis to be adopted by the different sections with inspection powers and harmonize the procedures for selecting taxpayers that should be monitored;
- i) Promote tax inspection programs, taking into account previously identified risk areas;
- j) Promote the operationalization and optimization of non-intrusive control equipment when exercising inspection powers;
- k) Promote the adoption of criteria and selection of taxpayers for conduction of inspections, based on risk assessment and profiles;
- l) Promote and coordinate the necessary contacts, at the national and international levels, with the competent entities, in the investigations and proceedings related to crimes of fiscal nature, ensuring the necessary articulation with the deconcentrated services in the same field;
- m) Collaborate with other public entities, namely, law enforcement authorities, at the national and international levels, in order to ensure the execution and optimization of inspection actions;
- n) Report to the competent authorities' irregularities or evidences of fraud detected in inspections carried out on taxpayers;
- o) Provide support to TA services and other entities, in processing of information of fiscal nature, including, and in particular, auditing techniques;
- p) Study and propose legislative and regulatory measures;
- q) Ensure, in articulation with the other services, that the information is updated and reliable, as well as harmonized with the information systems of other entities;
- (r) Carry out other functions as assigned by the superior officer, within the scope of their powers.

3. The Department of Tax Inspection is directed by a Head of Department, appointed under the law.

Article 31

Section on Highest Taxpayers

1. It is incumbent upon the Highest Taxpayers Section of the Department of Risk Management and Anti-Fraud and the Department of Tax Inspection to support the respective departments in the exercise of their functions in relation to taxpayers who, according to the law, are considered major taxpayers.

2. It shall be incumbent, in particular, on the Highest Taxpayers Section to:

- a) Monitor the tax behavior of taxpayers and their economic sectors, by verifying declared items and information contained in databases or any available information;

b) Develop techniques of relationship between TA and taxpayers, with a view to establishing codes of good business practices in the field of taxation and in identifying and understanding their needs and associated tax risks.

3. Each Section of the Highest Taxpayers shall be directed by a Head of Section, appointed in accordance with the law.

Article 32

Small and Medium Taxpayers Section

1. It is incumbent upon the Small and Medium-sized Taxpayers Section of the Department of Risk Management and Anti-Fraud and the Department of Tax Inspection to support the respective departments in the exercise of their functions, in relation to taxpayers who, under the law, are considered small and medium taxpayers.

2. In particular, it shall be incumbent upon the Section for Small and Medium-sized Taxpayers to:

a) Monitor the tax behavior of small and medium taxpayers and the sectors of economic activity in which they are inserted, by verifying the declared elements and information contained in databases or any type of information available;

b) Develop techniques of relationship between TA and taxpayers, with a view to establishing codes of good business practices in the field of taxation and in identifying and understanding their needs and associated tax risks.

3. Each Section of Small and Medium Taxpayers shall be directed by a Head of Section, appointed in accordance with the law.

Article 33

Oil and Minerals Section

1. The Petroleum and Mineral Section of the Department of Risk Management and Anti-Fraud and the Department of Tax Inspection shall be responsible for supporting the respective departments in the exercise of their functions in respect of taxpayers and other oil and mineral related taxes.

2. It shall be incumbent, in particular, on the Petroleum and Minerals Section to:

a) Monitor the tax behavior of the taxpayers of taxes and other oil and mineral related levies and of the sectors of economic activity in which they are inserted, by verifying the declared elements and information contained in databases or any type of information available;

b) Develop techniques of relationship between TA and taxpayers, with a view to establishing codes of good business practices in the field of taxation and in identifying and understanding their needs and associated tax risks.

3. Each Section of Oil and Minerals is directed by a Head of Section, appointed in accordance with the law.

Subsection V

National Directorate of Fiscal Justice

Article 34

Responsibilities

1. The National Directorate of Tax Justice is responsible for coordinating and managing the procedures and processes of tax justice, as defined by law, in the areas of tax execution, tax infraction and tax litigation.

2. The National Directorate of Tax Justice is headed by a National Director, appointed under the terms of the law.

Article 35 Organization

The National Directorate of Fiscal Justice comprises the following sections:

- a) The Tax Execution Section;
- b) The Litigation Section.

Article 36 Tax Execution Section

1. The Tax Execution Section is responsible for ensuring coordination of execution procedures for the collection of tax revenues.

2. It is incumbent upon the Tax Execution section to, namely:

- a) Coordinate all tax execution activities;
- b) Manage public credits in the processes of enforcement of non-fiscal debts or other related debt processes;
- c) Study and propose legislative and regulatory measures, in particular in regards to collection of credits;
- d) Prepare technical opinions, carry out studies and technical work related to the respective area of intervention whenever requested to do so;
- e) Standardize the application of tax rules and service procedures, in particular by systematizing administrative decisions and developing instructions guidelines;
- f) Collect, systematize and analyze indicators to monitor the effectiveness of tax execution and forecast their progress;
- g) Support the activities of TA representatives, in the context of legal proceedings for recovery of credits or of other nature;
- h) Provide reports on the status and progress of tax execution;
- i) Ensure administrative and institutional cooperation in regards to the collection of credits;
- j) Carry out other tasks as assigned by the superior officer, within the scope of their powers.

3. The Tax Execution Section is administrated by a Head of Section, appointed under the law.

Article 37 Litigation Section

1. The Litigation Section is responsible for managing all tax justice procedures and proceedings in respect to tax offences.

2. The Litigation Section shall be responsible to, namely:

- a) Initiate and monitor the complaint and other administrative procedures;
- b) Initiate and monitor the procedures resulting from tax infractions;

- c) Initiate the procedures resulting from anonymous or known denunciations, except for complaints against TA officials;
- d) Request taxpayers for clarification and other information that may prove necessary;
- e) Propose general guidelines to be followed by the TA services in regards to tax infraction sanctioning processes;
- f) Keep updated the files on legislation, jurisprudence and administrative guidelines of interest to their respective activities;
- g) Study and propose legislative and regulatory measures;
- h) Prepare technical opinions, carry out studies, and technical work related to the respective area of intervention whenever requested to do so;
- i) Collect, systematize and analyze indicators to monitor the effectiveness of the tax justice activity;
- j) Cooperate with relevant entities in the area of tax evasion and fraud detection and control;
- k) Carry out other duties as assigned by the superior officer, within the scope of its powers

Subsection VI

National Directorate of General Administration

Article 38

Responsibilities

1. The National Directorate of General Administration is responsible for coordinating and implementing the activities of the TA relating to the management and training of human resources, financial resources, facilities and equipment.
2. The National Directorate of General Administration is headed by a National Director, appointed under the terms of the law.

Article 39

Organization

The National Directorate of General Administration includes the following sections:

- a) Human Resources Management Section;
- b) Training Section;
- c) Financial Resources and Logistic Support Section.

Article 40

The Human Resources Management Section

1. The Human Resources Management Section is responsible for coordinating and executing the TA management, recruitment and evaluation policies.
2. It is incumbent upon the Human Resources Management Section to, namely:
 - a) Carry out the procedures related to the recruitment and selection of personnel;
 - b) Ensure procedures related to the management of contracts, personnel placement, assiduity, vacations, licenses and others related to the management of human resources;

- c) Define and promote criteria for the uniform application of a system of regular evaluation of TA personnel;
- d) Collect management indicators and ensure they are permanently updated;
- e) Monitor the implementation of the TA staff's performance evaluation;
- f) Organize and maintain up-to-date personnel charts and central personnel file;
- g) Collect the necessary components for the human resources management;
- h) Ensure that disciplinary action procedures are carried out regarding TA personnel;
- i) Study and propose legislative and regulatory measures;
- j) Prepare technical opinions and carry out studies and technical work whenever requested;
- k) Systematize administrative decisions and prepare guidelines to standardize service procedures;
- l) Organize and maintain individual personnel files;
- m) Perform other duties as assigned by the superior officer, within the scope of their responsibilities.

3. The Human Resources Management Section is directed by a Head of Section, appointed under the law.

Article 41 **The Training Section**

1. The Training Section is responsible for ensuring the training and qualification of TA employees.
2. It is incumbent upon the Training Section to, namely:
 - a) Conduct surveys, analysis and diagnosis of the training needs of TA employees;
 - b) Ensure the implementation of a regular evaluation model for TA employees, including a knowledge assessment test;
 - c) Ensure the technical and professional training of TA employees and their knowledge update, specialization and enhancement;
 - d) Prepare and execute annual training plan;
 - e) Evaluate the results of training activities;
 - f) Define the program content of training activities;
 - g) Establish protocols and training mechanisms with external entities, both national and international, with the goal of training the TA staff, without excluding the creation of an internal pool of trainers;
 - h) Produce and disseminate educational content, pedagogical tools, documentation and other material in support of training activities or other events for which their collaboration is determined;
 - i) Prepare technical studies whenever requested and collect statistical components and management indicators;

- j) Issue training certificates;
 - k) Collaborate in the logistical support of meetings and seminars organized by the TA;
 - l) Perform other duties as assigned by a superior officer, within the scope of its responsibilities.
3. The Training Section is headed by a Head of Section, appointed under the law.

Article 42
The Financial Resources and Logistic Support Section

1. The Financial Resources and Logistics Support Section is responsible for ensuring and coordinating the management of TA related financial resources, as well as logistical support for the structure.
2. It is incumbent upon the Financial Resources and Logistics Support Section to, namely:
- a) Prepare budget proposals for the TA and control budget execution once approved;
 - b) Verify the legality and efficiency of expenditures;
 - c) Develop guidelines to standardize TA service procedures in budget management and expenditure processing;
 - d) Prepare budget implementation follow-up and evaluation reports and propose the transfer and reinforcement of funds as deemed necessary;
 - e) Carry out procedures relating to the processing of salaries and other employee benefits;
 - f) Process the expenses related to the acquisition of goods and services;
 - g) Prepare the annual procurement plan and monitor its execution;
 - h) Support the execution of procedures related to the procurement or rental of goods and services;
 - i) Conduct studies and make proposals regarding the modalities to meet the needs of the TA;
 - j) Organize and keep updated the registry of the TA immovable and movable assets;
 - k) Ensure the management and control of TA revenues;
 - l) Develop and regularly update statistics on the logistics activity developed by the TA;
 - m) Propose practices and procedures that promote expenditure reduction, planning, and greater efficiency in the procurement of goods and services;
 - n) Develop management indicators to monitor the evolution of TA's financial situation;
 - o) Perform other duties as assigned by the superior officer, within the scope of its powers.
3. The Section for Financial Resources and Logistic Support is headed by a Head of Section, appointed under the law.

Subsection VII
Planning and Communication Unit

Article 43
Planning and Communication Unit

1. The Planning and Communications Unit is responsible for ensuring the planning of TA activities and the dissemination of information and communication of TA activities.
2. On matters pertaining to planning, the Planning and Communication Unit shall, namely:
 - a) Ensure the facilitation and dissemination of TA planning and management tools, and control their execution.
 - b) Produce and promote the implementation of strategic and operational management tools in line with the TA service performance evaluation model;
 - c) Participate in the preparation of sector plans ensuring their alignment with TA plans and monitor their execution.
3. On matters pertaining to communication, the Planning and Communication Unit shall, namely:
 - a) Coordinate the dissemination of information regarding tax regulations and compliance with their fiscal obligations;
 - b) Manage and harmonize the information vehicles, namely the management and updating of the contents of the Internet portal and the call center;
 - c) Operationalize a TA call center for taxpayers and the general public;
 - d) Adopt and manage techniques and methodologies for effective customer assistance and call answering techniques;
 - e) Manage information relevant to taxpayers service assistance, helping to simplify and standardize procedures and information to be provided by TA services;
 - f) Collaborate with other public entities in the promotion and development of service channels;
 - g) Develop, in conjunction with the other TA services, initiatives to promote prevention strengthening increased voluntary compliance amongst taxpayers, economic operators and the general public;
 - h) Promote and coordinate information campaigns;
 - i) Collect and analyze media information on tax issues and the TA in general;
 - j) Ensure that TA employees disseminate relevant information to ensure understanding of the strategy and that they are in alignment with the strategic human resources objectives.
4. The Planning and Communication Unit can be organized into work teams to carry out the different functions.
5. The Planning and Communication Unit is headed by a Coordinator, equivalent to National Director, for all legal purposes.

Subsection VIII
Internal Audit Unit

Article 45
Information Systems Unit

1. The Information Systems Unit is responsible for coordinating and planning projects in the field of information technology and systems, ensuring their development, management, operation and security.
2. It is incumbent upon the Information Systems Unit to, namely:
 - a) Develop and manage IT applications and other information systems related to the duties of the TA, in particular in regards to the administration and collection of taxes;
 - b) To update existing information in computer applications/software, in collaboration with the other TA services, namely the person in charge of communication;
 - c) To ensure the maintenance of the IT systems of the TA;
 - d) To ensure the maintenance of technological infrastructures;
 - e) To provide technical support to users of computer applications;
 - f) Ensure the operability and security of computer applications;
 - g) To report the state and evolution of computer projects in articulation with the areas of communication systems;
 - h) To technically support the operation and updating of the portal and the TA website, in collaboration with TA's other services, namely the service responsible for communication;
 - i) To propose the computer equipment and programs to be acquired by TA;
 - j) To support the production, in computer support, of statistics on TA activity;
 - k) To implement the policy of circulation of statistical information within the TA;
 - l) To promote the training of users in the area of computing;
 - m) To carry out other duties which are superiorly determined within the scope of its powers.
3. The Information Systems Unit can be organized into work teams to carry out the different functions.
4. The Information Systems Unit is headed by a Coordinator, equivalent to National Director, for all legal purposes.

Subsection X
Office of Appeal and Legal Support

Article 46
General Competences

1. The Office of Appeal and Legal Support is responsible for assessing the appeals submitted by the taxpayers, providing support in the representation of the TA in the procedures and legal proceedings in which it acts and legal support to the TA services.

2. It is incumbent upon the Office of Appeal and Legal Support, namely:
- a) To support the competent authorities in the legal assistance and representation in court of the TA services;
 - b) To support the competent authorities in the legal assistance of TA workers in the situation of accused or defendants in legal proceedings, for acts or omissions occurring in the exercise.
 - c) To collaborate with the Public Prosecutor's Office in the defense of the State's interests, providing the technical support requested;
 - d) To analyze the fiscal resources presented in accordance with the law;
 - e) To request clarification or additional documentation to taxpayers, whenever it proves necessary;
 - f) To conduct studies and issue technical opinions and information of a legal nature related to matters of an administrative and tax nature;
 - g) To provide legal support, to the TA services in the areas of its competence;
 - h) To provide technical and professional support and technical opinions for the purposes of reviewing appeal requests;
 - i) To collaborate in preparing or issuing technical opinions on draft diplomas on the duties of the TA;
 - j) To propose guidelines and instructions that contribute to the interpretation and more uniform application of the general legislation, in administrative and tax matters.
 - k) To carry out other duties which are superiorly determined within the scope of its powers.
3. The Office of Appeal and Legal Support may be organized into work teams to carry out the different functions.
4. The Office of Appeal and Legal Support is directed by a Coordinator, equivalent to National Director, for all legal purposes.

Section XI

Deconcentrated Services

Article 47

General Competences

1. The TA's deconcentrated services are intended to ensure the continuation of the duties of the TA in its area of jurisdiction, mainly performing the activities of support to the taxpayer in areas of operational nature.
2. The deconcentrated services should focus on their proximity to the public, providing the necessary technical and informational support.

Article 48

Tax Office

1. The TA has, at the national level, the following tax offices, with municipal territorial scope:

- a) Aileu;
- b) Ainaro;
- c) Baucau;
- d) Bobonaro;
- e) Cova Lima;
- f) Dili;
- g) Ermer
- h) Lautém
- i) Liquica
- j) Manatuto;
- k) Manufah
- l) Viqueque

2. The TA also has a Tax Office of Oe-Cusse Ambeno, which covers the Special Administrative Region of Oe-Cusse Ambeno.

Article 49 Management

The Tax Offices shall have a Chief who, for remuneration purposes, is equal to a Municipal Director and reports directly to the Director General (DG), notwithstanding the functional dependence on the respective officers of the TA departments, depending on their activities.

Article 50 Structure

1. Tax Offices may have work teams which will be created by order of the DG.
2. The creation of work teams must be adequate to the respective area of jurisdiction, as well as to the specificity, nature and volume of the service.
3. The organization and exercise of the activities of the Tax Authorities, within the scope of their attributions, are defined by order of the member of the government responsible for the area of finance.
4. The Tax Offices can integrate in their facilities other deconcentrated services of the State, with the goal to guarantee integrated support to the citizen.

Chapter III Competences of Management Positions

Article 51 General Director of the Tax Authority

1. The Director General of the TA shall be responsible for planning, organizing, directing, inspecting, monitoring and disciplining all TA's services and personnel, namely:
 - a) To ensure the regular rotation of personnel by the different organs and services of the TA;
 - b) To manage the resolution of conflicts of competence between the different TA services;
 - c) To ensure the exercise of competences of the National Directors and Unit Coordinators in case of vacancy of position or in cases of absence or impediments;
 - d) To report to the member of the Government responsible for the area of finance the progress of TA's activities, in particular regarding tax revenue and management of TA activity;

- e) To superintend the TA services, coordinate and direct its activity according to the law and to the orientation of the member of the Government responsible for the area of Finance;
- f) To ensure the monitoring and evaluation of the policies, plans, programs, budgets and procedures approved for the area of competence of the TA;
- g) To approve the administrative rules and / or instructions necessary for the functioning of the TA, including in the application of tax legislation;
- h) To decide on the application of administrative sanctions and hierarchical resources;
- i) To participate in the selection process for positions of management and leadership within the scope of the TA;
- j) To execute administrative and disciplinary authority over all TA personnel, including processing performance evaluation, disciplinary proceedings and enforcement, as provided by law;
- k) To administer the implementation of Codes of Conduct for TA employees;
- l) To issue technical opinions and provide technical support in its area of competence to the Government in general and, in particular, to the member of the Government responsible for Finance

2. It shall be incumbent, in particular, on the Director General:

- a) To promote the correct implementation of tax policy and regulations;
- b) To look after public interest, respecting the rights and guarantees of taxpayers and tax obligations;
- c) To collaborate in the development of public policies in tax matters, preparing and presenting to the member of the Government responsible for the finance area with the necessary information for this purpose;
- d) To direct and control the services of the TA and supervise the management of their resources, in order to promote their effectiveness, efficiency and the quality of the respective services;
- e) To authorize the use of services of external entities, to support the pursuit of the attributions of the TA, in particular, in the field of inspections, tax justice and information systems;
- f) To promote the evaluation of the results achieved by the TA and its organization and functioning, in particular through the use of external entities with experience and credibility in the area;
- g) To submit the reports with the presentation of the results to the member of the Government responsible for the area of Finance of evaluations and audits to the TA by external entities;
- h) To ensure, in coordination with the entities responsible for the fight against corruption, regular preventive actions and preparation of a plan to combat corruption and ensure institutional integrity;
- i) To safeguarding the integrity and security of TA premises and staff, based on surveillance mechanisms that safeguards privacy and other constitutionally protected rights;
- j) To propose the creation and amendment of laws and regulations necessary for the effectiveness and efficiency of the tax system in relation to the taxes administered by the TA;

k) To exercise the function of representation of TA and its institutional relations, with national and international organizations in the fiscal area;

l) To exercise the other powers conferred by law.

3. The Director General is also responsible for exercising the powers conferred by tax legislation and other legislation, and those delegated or subdelegated.

4. In fulfilling its responsibilities, the Director General is supported by a support office composed of a maximum of two staff members.

5. The Director-General may delegate, in accordance with the law, the powers referred to in paragraph 1 (a) to (h), (j) to (m) and in points (f), (g), (h) and 2.

6. The Director General shall be appointed in accordance with the law and shall be replaced in his/her/absences and impediments by his/her appointment or in the order set out in article 9.

Article 52

National Directors and Unit Coordinators

1. The National Officers and TA Unit Coordinators are competent to technically manage and supervise their departments or units, ensuring the technical rigor in the implementation of the competences legally bound to them.

2. The National Director shall be responsible for:

a) To ensure the technical direction and ensure the operational management of the respective National Directorate or Unit, in accordance with the guidelines of the Director General;

b) To prepare the necessary instructions for the functioning of the departments and sections that comprise the respective National Directorate, and present them to the superior decision;

c) To report any violations of Codes of Conduct and support the Director General in the exercise of disciplinary authority;

d) To ensure the exercise of competences of the Heads of Department that integrate the respective Directorate, in case of vacancy or in cases of absence or impediments;

e) To participate in current management meetings established for the TA;

f) To issue opinions and provide technical support to the Director General within its area of competence;

g) To exercise other competences conferred by law or delegated to him/her superiorly.

3. The National Directors and Unit Coordinators shall report directly to the Director General.

Article 53

Heads of Department and Heads Tax Offices

1. The Heads of Department and the Heads of Tax Offices are responsible for managing the Department or office they are responsible for, ensuring the exercise of the competences legally committed to them.

2. It is incumbent upon the Heads of Department and Heads of the Tax Offices, namely:

- a) To superintend the services of the respective Department or office, coordinate and direct its activity in accordance with the law and the guidance of the National Director or Director General;
 - b) To propose to the competent authorities' administrative rules and /or instructions necessary for the implementation of the attributions and competences of the respective Department or Office;
 - c) To ensure the exercise of the competences of the Heads of Section that integrate the respective Departments or Tax Offices, in case of vacancy or in cases of absence or impediments;
 - d) To exercise other competences conferred by law or delegated to him/her superiorly.
- 3. The Heads of Department respond directly to the National Director.
 - 4. The Chiefs of Tax Offices respond directly to the Director General.

Article 54 **The Heads of Section**

- 1. The Heads of Section are responsible for managing the sections that correspond to them, guaranteeing the exercise of the competences of the respective Section.
- 2. It shall be incumbent upon the Heads of Section, in particular:
 - a) To superintend the Services of the respective Section;
 - b) Coordinate and direct its activity in accordance with the law and the guidance of the National Director or the Head of Department, as the case may be;
 - c) To exercise other competences conferred by law or delegated to him/her superiorly.
- 3. The Chiefs of Section respond directly to the National Director, or the Head of Department, as the case may be.

Chapter IV **Personnel**

Article 55 **Personnel**

- 1. TA personnel shall have a special career regime to be approved by an antonymous diploma, taking into account the high level of skills, specialization and integrity required in the performance of their duties.
- 2. Officials of the TA are recruited in accordance with the law, and with highly demanding selection of merit process, which aim to assess technical knowledge, ethical behavior and standards.
- 3. TA officials shall exercise the powers of authority assigned to them under the law.
- 4. Notwithstanding the provisions of paragraphs 1 and 2, the TA may appeal, under the terms of the Civil Service Statute, to other officials and agents of the State Administration.
- 5. In order to carry out its duties, TA may also have recourse to the contracting of national and international consultants and specialized companies, in accordance with the law.

Article 56

Code of Conduct

1. In addition to the rules applicable to State Administration officials, in respect to conflicts of interest, impediments, incompatibilities and general duties, TA officials are still obliged to comply with standards to be defined in a specific diploma, namely:

- a) To a special rules of conduct;
- b) To the presentation of a declaration of interests;
- c) To the regime of disciplinary responsibility.

Article 57

Training and Evaluation

1. The TA staff shall be subject to a permanent evaluation system aiming at the following objectives:

- a) Conduct diagnoses on the competence of employees;
- b) To allow the planning and implementation of actions aimed towards adjusting personnel competencies to the requirements of their current and future functions;
- c) Allow greater objectivity in evaluating employees' merit, with the goal to promote and advance their careers.

2. TA officials are also subject to a system of on the job training, which aims to provide employees with the appropriate technical, professional, ethical and personal skill requirements related to the positions and functions they carry out or will assume.

Chapter 5

Financial Regime

Article 58

Revenues

TA revenues come from appropriations allocated to it in the State Budget.

Article 59

Collection

1. TA may charge voluntarily, under the terms of the law:

- a) The amounts derived from the supply of IT goods and services in the areas of its attributions;
- b) The amount of the fees and emoluments that may be collected under the law;
- c) Fines;
- d) The proceeds from the sale of printed matter and publications;
- e) The product of reimbursement of paper, photocopies and mail, in the interest of taxpayers;
- f) The amount due for the urgent provision of binding information.

2. The amounts referred to in the previous number are defined by the order of the member of Government responsible for the area of Finance.

3. 40% of the amounts collected pursuant to paragraph 1 may be allocated to the acquisition of capital goods and of services to AT.

Article 60 **Expenses**

1. TA expenses are those that result from charges arising from the pursuit of the duties entrusted to it under the law.

Article 61 **Succession**

1. TA succeeds in the attributions of the Directorate General of Taxes (DGI), of the Ministry of Finance, as well as in its legal obligations and of contractual nature.

2. The TA also succeeds the DGI in any procedures and processes initiated or with the participation of the DGI and that are in course at the date of entry into force of this decree-law.

3. After the entry into force of this decree-law references made in any laws or documents to the DGI, are considered as made to the TA.

Article 62 **Personnel Map**

The personnel map of TA shall be established, in accordance with the law, taking into account the needs of human resources, in light of the duties and technical quality required of TA employees.

Article 63 **Regulation**

The following shall be established by ministerial order of the member of the Government responsible for Finance:

- a) The symbols representing the TA;
- b) The uniform of the TA staff;
- c) The employee ID card template.

Article 64 **Revocation**

Article 5 (1) (a) and Articles 6 to 13 of Decree-Law No. 38/2015 of 7 October, which approve the Organic Law of the Ministry of Finance.

Article 65 **Installation Commission**

1. The Tax Authority Installation Commission, hereinafter referred to as the Commission, is set up to carry out the tasks necessary for the installation of the TA's bodies, services and personnel.

2. The Commission Shall:

- a) Approve the staff of the TA;
- b) Ensure all procedures leading to the recruitment required for TA;
- c) To promote training actions and tests to measure knowledge;
- d) Approve the instruments of planning and management of the TA arising from the law,

namely those aimed at the exercise of the powers of the entity;

e) To submit to the Council of Ministers every six months reports on the installation of the TA and the exercise of its powers.

3. The Installation Commission includes the following elements:

- a) The member of the Government responsible for strategic planning and investment, who chairs;
- b) The deputy minister of finance, who is in charge of tax reform;
- c) The member of the Government who coordinates economic affairs;
- d) The Coordinator of the Fiscal Reform Commission;
- e) A Commissioner of the Civil Service Commission.

4. The Commission shall be coordinates and technically supported by the Fiscal Reform Commission.

5. The Commission shall be terminated within one year of its formation.

6. The bodies and services of the DGI provide full cooperation to the Installation Commission.

Article 66 **Transitional Regime**

1. The exercise of functions in the DGI, including those of management and leadership, at the date of entry into force of this decree-law does not imply integration in the personnel map of TA, the employees and agents shall be transferred from the DGI, to other organs and services of the State Administration, under the law

2. Notwithstanding the provisions of the preceding paragraph, officials, agents and directors who exercise their functions in the DGI at the date of entry into force of this Decree-Law may apply for the recruitment process of TA personnel.

3. The recruitment of TA personnel is prior subject to knowledge tests, only those with academic qualifications can apply.

4. Candidates who obtain a positive classification in the knowledge test referred to in the previous number, are subject to a training action, which will be then evaluated through testing, for certification of competencies.

5. The DGI staff and officers who perform duties on the date of entry into force of this Decree-Law who do not have academic qualifications but who have proven professional experience can apply for knowledge tests.

6. In the cases referred to in the preceding number, once a positive classification in the knowledge test is obtained, it becomes mandatory to carry out training, evaluated with new knowledge test, with the goal to obtaining a certificate proving the competences necessary for the performance of the duties.

7. Applicants who have obtained the competency certification referred to in paragraphs 4 and 6 may apply for admission to TA's special career.

Article 67
Effectiveness

1. The present decree-law takes effect 180 days from the date of entry into force.
2. Notwithstanding the provisions of the preceding paragraph, Article 65 shall take effect on the date of entry into force of this Decree-Law.

Article 68
Entry into Force

This decree-law shall enter into force on the day following its publication.

Approved by the Council of Ministers on November 15, 2016.

The Prime Minister

Dr. Rui Maria de Araújo

The Minister of Finance

Santina Cardoso

Promulgated on 17 March 2017

The President of the Republic

Taur Mata Ruak