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Approved by the Council of Ministers on February 23, 2023.

The Prime Minister,

the stone of the dead body

The Minister of Tourism, Trade and Industry,

Jose Lucas of Carmo da Silva

Promulgated on 15/5/2023.

Public.

The President of the Republic,

Jose Ramos-Horta

DECREE-LAW No. 41/2023

May 31st

ANIMAL HEALTH AND QUARANTINE

The legal framework for animal health is established in Decree-Law No. 21/2003 of 31 December on the Legal Regime for Quarantine in the Import and Export of Goods and on the Health Control of International Navigation. This decree-law adopts a biosafety approach that combines plants, animals and their products in a single legal instrument.

As the Democratic Republic of Timor-Leste moves towards greater integration into the international trading system, copes with the increasing flow of goods to and from the country and places greater emphasis on food security, livestock production and trade and trade in aquatic products, this decree-law aims to provide an improved and more effective framework for defining mechanisms for the protection of animal health and for the trade in animal products, in order to align procedures with international trade standards.

Thus, this decree-law provides a legal regime for the trade of animals and products of animal origin distinct from that applicable to plants and products of plant origin and also provides a comprehensive system that responds to animal health and quarantine risks in the territory of Timor-Leste.

The main objectives of this decree-law are to protect animal health and ensure safe animal products, free from diseases that may threaten these resources, and thus ensure the protection of the economy and food security. Its objectives are also to provide a clear, efficient and conducive framework for trade and business activities and facilitate private sector activities, empower public officials, support livestock production activities and prevent animal diseases and quarantine risks to public health and food security.

This law establishes, on the one hand, the legal basis for the import and export of animals, animal products and related articles, as well as general animal health measures. On the other hand, this law contains provisions relating to animal welfare and the prevention of cruelty to animals, defines specific standards in the field of aquaculture and aquatic animal health, establishes functions for veterinary public health issues, creates a framework for disease control and response, regulates veterinary medicines and provides a system for the identification and traceability of animals. It also establishes that the ministry responsible for agriculture and fisheries has the responsibility and competence to ensure or supervise the implementation of animal health and welfare measures, international veterinary certification and other standards and recommendations throughout the territory of Timor-Leste.

The framework established in this decree-law will be developed through regulations, which will define procedures and other technical details.

Therefore, the Government decrees, in accordance with subparagraph o) of paragraph 1 of article 115 and subparagraph d) of article 116 of the Constitution of the Republic, to be valid as law, the following:

CHAPTER I
GENERAL PROVISIONS

Article 1.
Object

The purpose of this diploma is to establish the framework for animal health and welfare, prevent the introduction and spread of animal diseases in Timor-Leste, control the spread and eradication of animal diseases, control the movement of animals, animal products and related articles, upon entry and exit from Timor-Leste, facilitate trade, allow animal welfare, protect veterinary public health, regulate veterinary products and create an animal identification system.

Article 2
Scope

This diploma applies to the entire national territory.

Article 3. Goals

The objectives of this diploma are:

- (a) Protect and promote the health of terrestrial and aquatic animals and ensure biosecurity to prevent the introduction and spread of animal diseases;
- b) Facilitate trade, particularly the import and export of animals and products of animal origin;
- c) Serve as a basis for carrying out epidemiological surveillance, control and eradication of diseases of great economic and/or public health importance;
- d) Serve as a basis for compensation for losses caused by animal diseases;
- e) Serve as a basis for compliance with the conditions of well-being of animals;
- f) Protect public veterinary health.

Article 4. Definitions

1. For the purposes of this diploma, the following definitions apply:

- a) «AIFAESA», the Authority for Inspection and Supervision of Economic, Health and Food Activity, IP, as established under the terms of Decree-Law No. 26/2016, of June 29;
- (b) 'risk analysis' means the process of hazard identification, assessment, management and communication of risks in accordance with internationally accepted procedures and standards;
- (c) «Stray land animal» means an animal that is not under direct control or is not owned by a person or is not prevented from roaming loose;
- (d) 'animal' means a land animal or an aquatic animal;
- (e) 'Land animal' means a mammal, bird or bee;
- (f) 'aquatic animal' means all stages of life, including eggs and gametes, of fish, molluscs, crustaceans and amphibians originating from aquaculture facilities or from the wild, for the purposes of farming, release into the aquatic environment or human consumption;
- (g) 'related articles' means parts of animals, animal by-products, animal fodder, bedding, animal waste and any packaging, containers, equipment or other apparatus used on animals, as well as any object or material that may contain or spread animal diseases;
- h) «Risk assessment» means the processes of identifying and evaluating risks associated with the import of a commodity and evaluating the biological and economic consequences of these risks;

- i) «Bedding», straw or any other substance commonly used as bedding for animals or used in connection with them;
- j) «Aquatic animal health certificate» means the certificate issued in accordance with the Animal Health Code Aquatic;
- (k) 'veterinary certificate' means the certificate describing the animal health or public health requirements that are met by exported goods;
- l) «National Chief Veterinary» means the person appointed by the Minister in accordance with paragraph 2 of article 9;
- (m) 'compartment' means the animal subpopulation contained in one or more establishments under a common biosecurity management system with a distinct health status in relation to a specific disease or diseases for which surveillance, control and biosecurity measures have been applied for the purposes of international trade;
- (n) 'free compartment' means a compartment where the absence of the animal pathogen responsible for the disease in question has been demonstrated by compliance with all the requirements specified by OMSA;
- (o) 'disinfection' means the application, after thorough cleaning, of procedures designed to eliminate infectious or parasitic agents of animal diseases, including zoonoses, applied to facilities, vehicles and various objects that may have been directly or indirectly contaminated;
- (p) 'disease' means the clinical or pathological manifestation of an infection or infestation;
- q) «Notifiable disease» means the disease listed by the Ministry, through ministerial diploma, which as soon as it is detected or about which there is a suspicion must be brought to the attention of the Ministry, in accordance with this diploma;
- r) «Emerging disease», the new infection resulting from the evolution or alteration of an existing pathogen or parasite, which results in a change in the host range, vector, pathogenicity or strain or in the occurrence of a previously unrecognized infection or disease;
- (s) 'packaging' means any container, box, covering, wrapping or other thing in which animals or related articles are, have been or are likely to be imported, kept or transported from one point to another;
- (t) 'establishment' means the premises where animals are kept, raised, kept or slaughtered;
- (u) 'aquaculture establishment' means the installation where the

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aquatic animals for farming, breeding or marketing are bred or kept for exploitation, release into the aquatic environment or human consumption;

(v) 'quarantine station' means an establishment under the control of the Ministry where animals are kept in isolation without any direct or indirect contact with other animals, to ensure that there is no transmission of the specified pathogen outside the establishment while the animals are subjected to observation for a specified period of time and, where appropriate, tested and treated;

w) «Animal health status» means the status of a country or area in relation to an animal disease, in accordance with the criteria set out in the OMSA Code relating to that disease;

x) "Stipulated" means the provisions of this diploma or any implementing regulations;

y) "Exporter" means the person who removes or to whom any animal, animal product or related article is removed from Timor-Leste, including the owner, the holder of the good, the person who has control over the good or who is the beneficial owner with an interest in the good, at the time of or after the declaration of export and before its export;

z) 'normal working hours' means the working hours established as stipulated;

(aa) 'animal identification' means the combination of the identification and registration of any animal, individually, with a unique identifier, or collectively, by its epidemiological unit or group, with a unique group identifier;

bb) «Importer» means any person by or for whom any animal, product of animal origin or related article is landed or likely to be landed in Timor-Leste, from a point outside Timor-Leste, which includes the sender, recipient, broker or agent, or a person who is, who becomes the owner of or who is entitled to possession of or who is beneficially interested in that animal, product of animal origin or related article at the time and from the time of importation until the completion of import formalities;

cc) "Import", means to bring into Timor-Leste by any means quite;

(dd) 'inspection' means the official visual examination of any animal, animal product or related article to determine compliance with this Regulation, which includes documentary inspections of the documents accompanying that animal, animal product or related article;

(ee) 'premises' means any building, tent or other structure, whether permanent or not, including the land on which it is located and any adjoining land used in connection therewith, for activities carried out in relation to animals, animal products or related articles;

(ff) 'veterinary medicinal products' means any product, including medicinal or biological veterinary products, proven to have a prophylactic, therapeutic or diagnostic effect or to modify physiological functions when administered or applied to an animal;

gg) 'Ministry' means the ministry responsible for agriculture and fisheries;

hh) "Minister" means the Minister responsible for the area of agriculture and fisheries;

ii) «OMSA Standards», the Health Code for Terrestrial Animals, the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, the Code Aquatic Animal Health and Safety Manual Diagnostic Tests for Aquatic Animals, adopted and published by OMSA;

jj) «Occupant», in relation to any land or building, the person who actually occupies the same or, if there is no such thing, the owner of the land or building;

kk) 'WHO' means the World Organisation for Animal Health;

ll) "Animal parts" means any part of an animal that has been separated from the carcass and is not intended for human consumption;

mm) "Person" means a natural or legal person;

nn) 'Animal products':

i. In relation to terrestrial animals, animal derivatives for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use;

ii. In relation to aquatic animals, products derived from aquatic animals, namely fresh fish, processed whole fish or edible fish products that have been subjected to treatment, such as cooking, drying, brining, smoking or freezing;

oo) 'pre-approval' means veterinary certification or verification in the country of origin, carried out by or under the regular supervision of the Ministry;

pp) «Official control program» means the program approved and managed or supervised by the Ministry for the purposes of controlling a vector, pathogenic agent or disease, through specific measures applied throughout the national territory or within a zone or a compartment in Timor-Leste;

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qq) «Owner», in relation to anything, any person who currently has possession, custody or control thereof;

rr) «Animal traceability», the ability to follow any animal or group of animals during all stages of their life until slaughter or death;

ss) «SERVE», the Business Registration and Verification Service, IP, created by Decree-Law No. 7/2017, of March 22;

tt) «Early detection system», the system under the control of the Ministry for the timely detection and identification of any incursion or emergence of diseases or infections in the Country in a zone or compartment;

(uu) 'animal by-products' means any animal parts not intended for human consumption that have been separated from the carcass;

vv) «Vehicle» means an aircraft, train, sea vessel, motor vehicle or other thing used to transport animals, products of animal origin or related articles from one place to another;

ww) «Sell», offer, advertise, keep, store, display, transmit, dispatch, deliver or offer for sale, exchange or dispose of to any person in any way, whether for a fee or not, the expressions «sold», «for sale» and «sale» having the corresponding meanings;

xx) «Zona»:

i. In relation to terrestrial animals, a clearly defined part of a territory containing a subpopulation of animals with distinct health status, with respect to a specific disease, to which surveillance, control and biosecurity measures have been applied for the purposes of international trade;

ii. In relation to aquatic animals, a part of one or more countries, consisting of:

i. An entire river basin, from the source of a waterway to the estuary or lake;

ii. More than a river basin;

iii. Part of a watershed, from the source of a waterway to a barrier that prevents the introduction of a specific disease or diseases;

iv. Part of a coastal area with a precise geographical delimitation;

v. An estuary with a precise geographical delimitation;

yy) 'aquatic zone' means that part of the aquatic environment of Timor-Leste that is clearly defined and that contains a subpopulation of aquatic animals with a distinct health status with respect to a specific disease to which appropriate surveillance, control and animal health measures are applied, including aquaculture facilities and sites ;

(zz) 'containment zone' means the area defined around the place where control measures have been applied to prevent the spread of infection, including suspected or infected establishments, taking into account epidemiological factors and the results of investigations;

aaa) «Free zone», the zone in which the absence of the disease in question has been demonstrated through compliance with all requirements specified by OMSA;

bbb) 'zoonosis' means a disease or infection naturally transmissible from animals to humans;

ccc) «Zoosanitary», relating to the preservation and protection of animals and fauna in general and/or relating to the monitoring of the movement of animals or products and by-products of animal origin.

2. The definitions contained in this article must be interpreted in accordance with the glossaries of the OMSA Terrestrial Animal Health Code and the OMSA Aquatic Animal Health Code and its amendments.

Article 5. Responsibilities

The Directorate-General for Quarantine and Biosafety, in conjunction with the other services of the Ministry with related responsibilities, ensures the application of the rules of this diploma.

Article 6. Executing entities

1. The implementation of this diploma is the responsibility of the Directorate-General for Quarantine and Biosafety, hereinafter referred to as DGQB, in coordination and collaboration with the relevant national directorates of the Ministry with responsibilities in the area of animal health.

2. Entities at local level, including municipalities, to which powers have been delegated act on behalf of the DGQB.

3º The DGQB may revoke or suspend the effectiveness of a decision taken or instruction transmitted by the entity at local level, including municipalities, to which competence has been delegated under the terms of this diploma.

**Article 7.
DGQB Competencies**

Compete at DGQB:

- a) Delegate powers to Ministry entities at a level local;
- b) Ensure the protection of Timor-Leste's animal resources by establishing veterinary and administrative standards that must be observed for the import, export and cultivation of products subject to control;
- c) Develop programs and adopt standards with a view to carrying out surveillance, control and eradication of animal diseases;
- d) Establish control measures in infected areas;
- e) Define, coordinate and evaluate the application of the standards inherent to the surveillance, control and eradication programs for infectious and parasitic diseases in animals;
- f) Maintain and develop the epidemiological information system. logic;
- g) Establish the List of Notifiable Diseases;
- h) Establish cooperation with other countries in animal health activities at regional or international level;
- i) Promote the dissemination of this diploma.

**Article 8
Responsibilities of local authorities**

1. Local authorities, including municipalities, must provide DGQB with all necessary collaboration and support to comply with this diploma.
2. Local authorities, including municipalities, must communicate to the DGQB any change in the health status of animals in their respective area of jurisdiction.

**CHAPTER II
ADMINISTRATION OF ANIMAL HEALTH AFFAIRS**

**Section I
Functions related to animal health**

**Article 9.
Animal health administration**

1. The DGQB, in collaboration with the other relevant services of the Ministry, is responsible for implementing the animal health functions established in the following article and the Minister, by means of a ministerial diploma, lists the national directorates competent in matters of terrestrial animal health and aquatic animals to implement this diploma.
2. The National Chief Veterinary Officer, appointed in accordance with the law by the Minister, under whose direct supervision he is, is responsible for coordinating animal health and quarantine.

**Article 10.
Animal health functions**

1. The DGQB, within the scope of its powers and under instructions from the Minister, in conjunction with the different national directorates of the Ministry, coordinates the following functions:
 - a) Prevent the introduction and entry into East Timor of notifiable animal diseases;
 - b) Prevent the establishment or spread of animal diseases in Timor-Leste and eradicate animal diseases in Timor-Leste;
 - c) Develop policies and programs aimed at preventing and controlling animal diseases in all or part of the territory;
 - d) Propose, review, prepare, implement and enforce animal health measures established by the Minister under this statute;
 - e) Allow public consultations during development animal health measures;
 - f) Carry out risk analyses and assessments;
 - g) Inspect and test any animal, animal product or animal-related *item* for the purpose of preventing the introduction and spread of animal diseases;
 - h) Carry out surveillance and activities to detect animal diseases and maintain updated information on the animal health status of Timor-Leste;
 - i) Develop and update the list of reportable diseases for East Timor;
 - j) Establish control measures for infected areas;
 - k) Based on disease surveillance and control activities, establish free areas, free compartments, aquatic areas and containment areas;
 - l) Establish an early detection system;
 - m) Undertake emergency actions for diseases and outbreaks of pathogens;
 - n) Distribute information to farmers, fishermen, aquaculture facility owners and the public on notifiable animal diseases and the means of their prevention and control;
 - o) Protect veterinary public health in collaboration with the ministry responsible for public health and AIFAESA;
 - p) Issue import licenses;
 - q) Inspect and control imports of animals, animal products and articles related to animals;

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- r) Carry out pre-approval inspections whenever requested;
- s) Carry out inspections and certification of animals, animal products and animal-related articles intended for export and issue a certificate relating to the health or any quarantine period of any animal in Timor-Leste and any other information required by any country importing an animal, animal product or article related to animals from Timor-Leste;
- t) Issue transit authorizations;
- u) Provide information regarding current import and export regulations and technical requirements for animals and animal-related items upon request from any interested organization or person;
- v) Ensure the disinfection, where appropriate, of consignments of animals or products of animal origin intended for import into or export from Timor-Leste, as well as their containers, packaging, storage locations and transport facilities;
- w) Through inspections and sanitary measures, ensure that waste from vehicles and aircraft arriving at Timor-Leste, ships or other vessels arriving at Timor-Leste seaports or facilities where imported animals or animal products are processed, handled or stored do not pose a risk to human or animal health;
- x) Notify WHOSA of reportable disease outbreaks and comply with other international reporting requirements under regional and international bodies;
- y) Participate in the work of WHO and its subsidiary bodies through the National Chief Veterinary Officer and other international, non-governmental and regional animal health entities;
- z) Inform and collaborate with the ministry responsible for human health and AIFAESA on any necessary actions whenever an animal disease or other danger may pose a risk to human health;
- aa) Develop animal health diagnostic and analysis capabilities;
- bb) Supervise the training and development of veterinary inspectors and assist in the selection, training and equipping of animal health technicians and other professional veterinarians in disease surveillance, control and reporting roles and ensure their continuing professional development;
- cc) Develop manuals, standard operating procedures and other guidelines for the effective implementation of the Ministry's functions;
- dd) Supervise and control quarantine posts and related quarantine activities;
- ee) Communicate and coordinate with local and regional authorities and community leaders, as necessary, and provide them with the technical assistance and training necessary to implement this statute at the local level;
- ff) Perform any other function that the Minister considers necessary for the purposes of this diploma.

2° The national directorates mentioned in § 1° of article 6° are responsible for the execution of the norms contained in Chapter VIII of this diploma, within the scope of their competences.

**Article 11.
Coordination and information**

The Minister must establish, by ministerial decree, a clear and efficient coordination and information line for risk detection, response and animal health control, including veterinary certification.

**Article 12.
Delegation of functions**

1. The Minister may, by contract or written agreement, designate any public or private veterinarian, any professional veterinarian, or any other person or entity with the stipulated qualifications and who has no conflict of interest with the matters subject to the delegation, to perform any of the functions provided for in Article 10.
2. Whenever necessary, the National Chief Veterinary Officer shall develop training actions to ensure that the persons performing the delegated functions have the necessary skills to perform their functions efficiently.
3. The Minister may not delegate the following functions:
 - a) Official liaison responsibility or any reporting responsibilities to other ministries or foreign authorities;
 - b) Approval of animal health measures or requirements;
 - c) Other functions, as stipulated in the regulation.

**Article 13.
Delegation agreement or contract**

The delegation agreement or contract established under the terms of the previous article between the Ministry and the public or private person to whom functions are delegated must specify these functions, complying with the applicable legislation in Timor-Leste, in terms of contracts and include at least the following aspects:

- a) The duration;
- b) The specific tasks covered by the delegation and any specific methodologies to be used where necessary;
- c) Control and supervision mechanisms for delegated functions;
- d) The value corresponding to the performance of delegated functions;
- e) The skills and abilities required of the person or entity to whom the function was delegated;
- f) The conditions for revocation of delegated functions.

Section II Guys

Article 14. Supervision and ministerial powers

Upon recommendation of the National Chief Veterinary Officer, the Minister must:

- a) Designate the entry and exit points for the purposes of this diploma;
- b) Designate official and reference laboratories and quarantine stations;
- c) Declare animal health emergencies;
- d) Designate free zones and compartments.

Article 15. National Chief Veterinarian

1. The National Chief Veterinary Officer appointed by the Minister under Article 9.2 must possess specialist qualifications and knowledge in veterinary medicine.
2. The National Chief Veterinary Officer, hereinafter referred to as CVN, he must:
 - a) Advise the Minister on matters of animal and veterinary health;
 - b) Only in matters of animal and veterinary health, supervise, coordinate and give technical instructions to the national directorates referred to in paragraph 1 of article 6 to ensure a seamless and coordinated animal health system for Timor-Leste;
 - c) establish minimum qualifications for the development of veterinary inspectors and other persons involved in animal health and veterinary matters, as well as supervise their training.
3. The CVN must coordinate with the general directorates and national directorates referred to in paragraph 1 of article 6 to ensure

that national directorates collaborate effectively with each other and with other ministries and bodies in order to promote harmonious, unitary, integrated and coherent performance of animal health functions.

4. The CVN is responsible for proposing employment agreements, contracts or other cooperation mechanisms between the Ministry and other entities for the Minister's approval.
5. The CVN is responsible for serving as a delegate for the OMSA, being responsible for establishing mechanisms for participation and cooperation with the OMSA.
6. The CVN, with the support of the Ministry, is responsible for:
 - (a) in cooperation with other relevant authorities, negotiate bilateral agreements on matters relating to animal health and trade in animals, animal products and animal-related articles;

- b) Provide information on animal health measures and the animal health situation in Timor-Leste to other countries in accordance with international obligations;

- c) Notify trading partners of relevant cases of non-compliance with import requirements that may be established;

- d) Recommend to the Minister the quarantine posts, entry and exit posts and official and reference laboratories to be used for the purposes of this diploma and establish procedures for them.

Article 16. Designation of laboratories and analysts

1. It is the responsibility of the Minister, upon recommendation of the CVN, designate:
 - a) Any diagnostic, research or other laboratory such as a reference laboratory or official laboratory;
 - b) Any analyst as an official analyst.
2. Any laboratory or analyst designated under this article must meet the requirements stipulated in a ministerial decree, including the requirements of impartiality and independence.
3. The conditions for the classification, approval, operations and supervision of laboratories are defined by ministerial diploma.

Article 17. Animal health technicians

1. Animal health technicians are coordinated and trained by the Ministry and must be provided with the materials, means and equipment necessary to perform their functions, including transport and communication.

2. Animal health technicians:

- a) They treat animals for payment, according to the stipulated guidelines;
- b) Collect census and research data;
- c) Collect and transmit epidemiological data to regional and local authorities for the surveillance system;
- d) Report on the occurrence of animal diseases;
- e) Disseminate information regarding awareness and recognition of notifiable diseases among communities;
- f) Assist in the identification of animals;
- g) Carry out diagnoses and initial control of the main notifiable animal diseases;
- h) Perform other functions conferred by the Ministry in order to achieve the objectives of this diploma.

Section III

Coordination, consultation and cooperation

Article 18.

Duty to assist and cooperate

1. The ministries and other entities responsible for customs, ports and airports, airlines and shipping companies, post offices, police, regional and local authorities, public health and the environment, as well as other relevant public authorities, shall assist the DGQB in the performance of its functions and in the exercise of its powers under this diploma, by providing the necessary facilities and assistance, as requested by the Ministry.
2. Customs authorities and other border entities must cooperate with the DGQB with regard to border controls and must inform it whenever any shipment containing animals, products of animal origin or related articles arrives at the border for import or export.

Article 19.

Collaboration and working agreements with AIFAESA, Ministry of Health and Customs Authority

1. The CVN must guarantee collaboration, through operational working agreements and other coordination mechanisms, with:
 - a) AIFAESA, in accordance with articles 6, 7, 29 and 31 of Decree-Law No. 26/2016, of June 29, in particular:
 - i. At the border;
 - ii. In slaughterhouses;
 - iii. In aquaculture facilities;

iv. In the disposal of carcasses and animal waste;

v. During food production and preparation, transportation and sale of meat;

(b) the ministry responsible for public health, in relation to food safety and zoonoses and other animal health and public health crossovers; and

c) The authority responsible for customs, in relation to biosecurity and border controls.

2. The DGQB ensures that a technical direction on animal health and a line of coordination are maintained, especially in response to animal health emergencies.

Article 20

Advisory Committee on Terrestrial Animal Health

1. The Advisory Committee on Terrestrial Animal Health is hereby established, composed of members appointed by Government resolution, in order to ensure broad and representative inclusion of the public and private sectors.
2. The CVN chairs the Advisory Committee for Health Land Animals.
3. The Advisory Committee on Terrestrial Animal Health shall define its operational and procedural rules.
4. The Advisory Committee on Terrestrial Animal Health is an advisory body of the Ministry responsible for:
 - a) Serve as a mechanism for regular and periodic consultation on matters relating to animal health policy and regulation, international trade and other matters related to this diploma, and may, for this purpose, invite other interested parties other than integrate it;
 - b) Serve as a mechanism for the coordination of stakeholders and Committee members;
 - c) Provide advice on animal health policies, programmes and requirements, in particular on:
 - i. The development and testing of the animal identification and traceability system and the surveillance system;
 - ii. Information campaigns to raise awareness about animal diseases;
 - iii. Designing training programs on initial response and disease communication at the village level;
 - iv. The preparation of priority implementation regulations;
 - v. Any other matters relating to health and well-being animal.

Article 21**Animal Health Biosecurity Working Group**

1. The Working Group on Animal Health Biosecurity, hereinafter referred to as GTBSA, is hereby created.
2. The GTBSA is composed of:
 - a) CVN and National Phytosanitary Chief;
 - b) DGQB employees, appointed by the CVN;
 - c) Focal points of the ministry's services with responsibilities on the matter;
 - d) Representatives of AIFAESA, officials of the Customs Authority, members of the private sector and other ministries or individuals, whenever necessary.
3. The GTBSA's function is to develop and adopt:
 - a) Work plans, strategies and mechanisms for coordination and implementation of the functions described in article 10, to be proposed to the CVN for approval by the Minister;
 - b) Strategies and best practices for efficient and effective control and inspections of Timor-Leste's borders.

Article 22**Duties of postal authorities and express delivery operators**

1. Any employee of the postal service or employee of an express delivery operator who has knowledge of or suspects the arrival or importation of any animal product or related article into Timor-Leste shall notify the veterinary inspector.
2. The postal service employee must seize the animal, animal product or related article for inspection by the veterinary inspector and must not release or dispose of it unless authorized by a veterinary inspector.
3. The seizure carried out under the previous number is considered as an action taken by or by delegation of the DGQB.

Section IV**DGQB documentation, requirements and measures****Article 23****Principles for approval and implementation of animal health measures**

Animal health measures approved by the DGQB must:

- a) Be in harmony with international standards, namely the OMSA standards;
- b) Be based on a risk analysis or assessment, as well as a scientific basis;

- c) Be the least restrictive option that achieves the appropriate level of animal health protection for Timor-Leste;
- d) Be necessary to achieve the appropriate level of protection Timor-Leste animal health;
- e) Be proportionate to the risk to animal health.

Article 24**Review and amendment of animal health measures and standards**

1. The CVN shall undertake periodic reviews of any measures, requirements and regulations and recommend changes to the Minister when:
 - a) New facts emerge;
 - b) There are changes to international standards and requirements;
 - c) There is a risk analysis that requires this; or
 - d) Conditions change, forcing a change.
2. The DGQB must publicize and publicize to the public the proposed changes to this diploma or the corresponding implementing regulations through the Consultative Committee for the Health of Terrestrial Animals, by posting them on the Ministry's electronic *websites*, as well as by other means.
3. Except in cases of emergency or provisional measures before the approval of the proposed measure or legislation, the Ministry must reserve at least 60 days for interested parties to submit comments on the proposed amendments.
- 4th The Minister must promote the publication, in *Jornal da República*, of any changes to animal health measures and regulations, as well as their wide dissemination by the Ministry.

Article 25.**Dissemination and publication of animal health regulations**

1. At the request of interested parties, the DGQB must provide free of charge any information relating to this diploma or other legislation issued under it and must establish contact points to answer questions relating to animal health legislation.
2. The DGQB must widely disseminate the regulations on animal health, including the forms and notifications relating to this matter and whose publication is promoted by the Minister in *the Official Gazette*, must allow wide dissemination by interested parties and the general public and must share the regulations with commercial partners, as stipulated.
3. DGQB must ensure that all animal health regulations, including forms and notifications, are made available quickly and free of charge via *websites* or other electronic means.

Article 26
Technical review and audit

1. The CVN must guarantee the periodic review and technical audit of the services carried out under this diploma and the effectiveness of the measures adopted under it.
2. The CVN must monitor and evaluate the implementation of this diploma and prepare an annual report on it, which it submits to the Minister.

Article 27
Manuals

The DGQB, in conjunction with the relevant services of the Ministry with responsibilities over animal health, must develop detailed guidelines in manuals and standard operating procedures that define the actions, measures and procedures to be taken by the DGQB in the implementation of this diploma.

Article 28
Records

1. The DGQB shall maintain all records concerning imports, exports and animal health incidents that may be necessary to efficiently manage the animal health status in Timor-Leste.
2. For the purposes of this article, the DGQB may use and have access to the registration systems established by other government bodies, and may enter into information sharing agreements with these bodies and define mechanisms to ensure the protection, confidentiality and security of information related to the import, export or transit of animals, products of animal origin and related articles.

Article 29.
Confidentiality

Without prejudice to the restrictions on disclosure provided for by law, the DGQB may disclose confidential information:

- (a) To a court, when authorized or instructed by a judge, in connection with a legal action;
- b) To the competent authority of the Government of Timor-Leste for effects of:
 - i. Prevention, detection, investigation, prosecution and punishment of offences;
 - ii. Protection of public health and safety;
 - iii. Protection of animal health;
 - iv. Border security;
- c) To the competent authority of a foreign country, under of an international agreement or treaty;
- d) To a border authority, to comply with the

functions of that authority that are related to the processing of the import, export or transit of goods, in accordance with the procedures and conditions agreed between the Ministry and that border authority to ensure the security and protection of information.

CHAPTER III
IMPORTS

Section I
Import requirements, restrictions and prohibitions

Article 30
Equivalence agreements and other animal health matters

Without prejudice to the powers of the ministry responsible for foreign affairs, the DGQB may negotiate bilateral and multilateral agreements:

- (a) For the evaluation and, where possible, acceptance of alternative animal health measures proposed by the veterinary authority of an exporting country as equivalent to the animal health measures required of Timor-Leste; East, under this diploma; and
- b) In the context of other matters related to animal health and trade in animals and products of animal origin.

Article 31
Import requirements

1. Any animal, animal product or related article may be imported into Timor-Leste only through a designated point of entry.
2. The Minister shall approve the list of designated entry points for the purpose of importing animals, animal products and related articles.
3. The CVN must, in coordination and collaboration with the relevant services of the Ministry with responsibilities over animal health, approve a list of all animals and products of animal origin that require an international veterinary certificate, an aquatic animal health certificate or an import authorization.
4. The CVN must approve the list of all animals and products of animal origin that require prior authorization from the DGQB and, with regard to other animal articles that do not require prior approval, the importer must submit them directly to inspection at the entry point.
5. Any person may import an animal or animal product into Timor-Leste only when:
 - a) Possess, when necessary, an import license, granted under this diploma;
 - b) Possess, when necessary, a veterinary certificate, aquatic animal health certificate or other certificate issued by the exporting country;

c) Possess any other document stipulated by this diploma, by applicable regulations or in any other commercial or customs legislation;

d) All stipulated requirements are met.

6. The DGQB may require that the product of animal origin be sent to post-entry quarantine establishments that meet the prescribed requirements and that have been approved by the DGQB.

7. The DGQB should not include requirements for the exclusion of animal pathogens or animal diseases that are present in Timor-Leste and are not subject to any official control program.

8. Measures imposed on imports to manage the risks posed by a specific animal pathogen or animal disease should not be more stringent than those applied as part of the official control program in national territory.

9. Customs or other border authority must notify DGQB when receiving information that a shipment containing an animal, animal product or related item has arrived or will arrive at a point of entry.

10. The DGQB and customs must ensure an effective collaboration process for the purposes of this diploma.

Article 32

Import restrictions and prohibitions

1. Anyone who does not meet the requirements of this diploma may not import any animal, product of animal origin or related article.
2. The import into Timor-Leste of any animal, product of animal origin or related article that does not comply with the requirements established by the DGQB is prohibited.
3. Whenever it is necessary to adopt temporary measures, declare an animal health emergency or take any other necessary measures to prevent the introduction or spread of a notifiable disease, after the opinion of the CVN and based on a risk analysis or assessment, the Minister may prohibit or restrict the entry of any animal, product of animal origin or related article.
4. After the opinion of the CVN, the Minister must publish, by ministerial decree, a specific regime for the import of certain stipulated goods, including the requirements for post-entry quarantine or quarantine before release and a list of prohibited products.

Article 33

Special imports

Without prejudice to the provisions of the previous article, in the event of a natural disaster and for humanitarian purposes or for research, educational, experimental or other stipulated purposes and

upon the opinion of the CVN, the Minister may authorize the import of any animal, animal product or related article, in the quantities stipulated and subject to any conditions and safeguards stipulated as necessary.

Article 34

Related articles

1. The veterinary inspector may prohibit the importation of any item that has been used with any animal and that, in the opinion of the inspector, may carry a notifiable disease or any other infectious or contagious disease affecting animals.
2. Whenever the veterinary inspector is satisfied that any related article can be disinfected, the inspector may authorize its entry, under the conditions and in accordance with the guidelines defined by him in writing.
3. The DGQB may require that the related article be dispatched to establishments approved or supervised by the DGQB.
4. Whenever a related article is landed in violation of this article or any condition or direction imposed, the article may be seized by the veterinary inspector and retained, destroyed or disposed of, as determined by the DGQB.

Article 35

Import license

1. Any person intending to import an animal, animal product or related article must apply for an import license issued by the DGQB.
2. Whenever, under this article, an import license is required, the importer must submit an application, in a model approved by ministerial diploma, to the DGQB and pay the applicable fee.
3. When assessing the application for an import license, the DGQB must apply the international standards in force and carry out a risk analysis or assessment.
4. The DGQB must approve the application when it complies with the prescribed requirements or reject it when it does not comply with these requirements, and in both cases must inform the applicant in writing.
5. The DGQB may include in the import license any conditions it deems necessary.
6. Whenever this is justified by reason of the risk and when there is information that the importation of a consignment presents a risk to animal health higher than the level of protection for Timor-Leste, the DGQB may review, modify or revoke the animal health license. import of any stipulated animals or products of animal origin.

Article 36
Border inspection posts

When requested in writing by the DGQB, the owner or operator of any border inspection post at a designated point of entry shall make available and maintain suitable areas, offices and other facilities, including buildings, furniture and fixtures, for inspection or for any other purposes related to the application of this Regulation.

Section II
Import inspection

Article 37
Arrival and inspection

1. The importer must notify the arrival of animals, products of animal origin or articles related to DGQB, using the form stipulated for this purpose.
2. Any animal, animal product or related article imported into Timor-Leste may be subject to documentary or physical inspection by a veterinary inspector and, where necessary, samples may be taken for testing purposes, in accordance with stipulated sampling procedures and methodologies.
3. All imports of animals, products of animal origin or related articles remain in the custody of the DGQB until official release by the DGQB.

Article 38
Place and time

1. Any import inspection must be carried out by veterinary inspectors at the designated point of entry, at transshipment points, at a quarantine station or at other facilities approved by the DGQB.
2. Without prejudice to the provisions of the previous paragraph, import inspections must be carried out at the final destination, upon request by the importer and payment of the stipulated fee and in accordance with the stipulated biosafety and procedural conditions.
3. Import inspections must be carried out during normal working hours, except when the product of animal origin is extremely perishable or when its entry has been delayed, in which case, at the request of the importer and upon payment of the stipulated fee, the DGQB may agree to carry out the inspection outside normal working hours.
4. DGQB may enter into bilateral agreements or other types of agreements with commercial partners in order to carry out pre-shipment inspections in the country of origin.

Section III
Animal health actions in imports

Article 39
Non-compliance measures

1. When, following an inspection, the inspector verifies

If the veterinary inspector determines that the animal, product of animal origin or related article is not accompanied by the stipulated documentation or presents some risk of introducing or spreading diseases, the veterinary inspector must seize the article and, in accordance with the provisions of the inspection manual and the instructions of the CVN, carry out or order one of the following actions:

- a) Require the importer to present the documentation correct within the stipulated period;
 - b) Carry out tests;
 - c) Treat or disinfect the item in order to remove the scratch;
 - d) Transfer the item to a quarantine station or other approved facilities;
 - e) Resend the article to the country of export;
 - f) Destroy the article.
2. The methods and procedures to be adopted for actions within the scope of animal health must be stipulated by the DGQB, in accordance with the law.
 3. Where, after its entry into Timor-Leste or after treatment, any animal, animal product or related article remains unclaimed for a stipulated period, the Ministry may take measures to dispose of it.

Article 40
Notification

1. In accordance with the provisions of the previous article, any non-compliance measure adopted by a veterinary inspector must be preceded by written notification to the importer, which sets out the grounds for applying the chosen measure.
2. Without prejudice to the provisions of the previous paragraph, when the veterinary inspector considers that the elimination of the animal, product of animal origin or related article is urgent or when notification is impracticable, the veterinary inspector may not notify the importer and carry out any of the non-compliance measures.

Article 41
Notification of non-compliance to the exporting country

Any situation of non-compliance is notified to the exporting country by the DGQB.

Article 42
Costs and responsibility

1. Whenever non-compliance measures are adopted, the method used to calculate the costs charged must be in accordance with the stipulated procedure and be carried out only for the recovery of such costs.

2. The costs and responsibility for any measures taken under this section are borne by the importer.

3. The confiscation, elimination or destruction of any animal, product of animal origin or related article in accordance with the provisions of this diploma does not generate liability on the part of the State.

Article 43 **Import clearance**

Whenever the veterinary inspector determines that the imported animal, product of animal origin or related article does not present any risk of introducing and spreading diseases and complies with the requirements of this diploma, he may release the shipment by officially communicating it to the importer.

Section IV **Animal health controls for risks arising from abroad**

Article 44 **Vehicles**

Any road, water or aircraft vehicle may be subject to sanitary measures as determined by the DGQB in accordance with the law.

Article 45 **Duty to declare**

1. Anyone arriving in Timor-Leste with an animal, product of animal origin or related article must declare it upon arrival to a customs or DGQB official and, when this declaration is made to a customs official, he transmits the information to the DGQB in the stipulated manner.
2. Any commercial flight, ship or other means of transport entering Timor-Leste must, prior to arrival at a point of entry, inform passengers and crew of their duty to declare upon arrival any animal, product of animal origin or related article.

Article 46 **Designated points**

1. After receiving the opinion of the CVN, the Minister must designate, from the list of entry and exit points established by the customs authority, by ministerial decree, the entry and exit points for animals, products of animal origin or related articles that require a veterinary certificate or a health certificate for aquatic animals or for which inspections or treatment are necessary.
2. Designated entry and exit points must be equipped with stipulated facilities and equipment.
3. DGQB must display the veterinary import requirements at designated points of entry.

Article 47 **Emergency landing**

1. When, for reasons beyond the control of its captain, a vehicle disembarks or lands anywhere other than at a designated entry point or is forced to land or enter a port in Timor-Leste even though it has no intention of doing so. Therefore, due to an emergency, the vehicle captain must immediately notify the nearest port authority.
2. No animal or person on board the vehicle nor any accompanying equipment, bedding, animal feed or packaging materials are permitted to leave the vicinity of the docks or the unloading site until the measures stipulated by the DGQB have been carried out.
3. When the DGQB considers that the risk has been reduced to an acceptable level, the CVN may authorize the vehicle to proceed to the port where it was initially supposed to land or disembark or to an alternative entry point.
4. The captain of the vehicle must take all necessary measures to maintain the health and safety of passengers, crew, assistants and animals on board.

CHAPTER IV **QUARANTINE**

Article 48 **Quarantine stations and other facilities**

1. The DGQB may designate certain facilities as quarantine stations where animals, animal products or related articles may be held for observation, isolation, investigation, inspection, testing, treatment, seizure or disposal.
2. Any quarantine station designated under this diploma must comply with the standards stipulated for the reception and quarantine of the terrestrial animals it hosts, including those relating to food and water, and must have a veterinary inspector or a veterinarian, authorized by the DGQB, which provides daily veterinary care at the station.
3. Quarantine stations are established for quarantine relating to international trade as well as for domestic quarantine.
4. The DGQB may designate certain locations for inspection purposes and may approve facilities owned and operated by third parties, whether public or private, to be used for inspections under its supervision.

Article 49 **Quarantine of land animals**

1. The DGQB must place any terrestrial animal in quarantine for the period and subject to the conditions stipulated, in the following cases:

a) When necessary for pre-export isolation;

b) When unloaded for import, unless waived in writing in the import license issued by DGQB;

c) Whenever a veterinary inspector has reason to believe that the land animal may be suffering from or has been in contact with or exposed to an animal that has or is suspected of having a notifiable disease or other infectious or contagious animal diseases.

2. The DGQB shall stipulate the rules relating to the treatment and confinement of animals under quarantine and specify the circumstances and reasons why different animal health measures may be taken that are necessary to prevent the risk of disease spreading in Timor-Leste.

3. Any land animal removed from quarantine without written authorization from the DGQB may be confiscated, retained, destroyed or disposed of by a veterinary inspector, as decided by the DGQB.

Article 50.

Aquatic animal quarantine

The DGQB shall establish the rules for the treatment and confinement of aquatic animals in quarantine facilities and specify the circumstances and reasons why different aquatic animal health measures may be taken to prevent the risk of spreading disease in Timor-Leste.

CHAPTER V

EXPORT AND TRANSIT

Section I

Export

Article 51. Order

1. Whenever the importing country requires the issuance of a veterinary certificate, health certificate for an aquatic animal, treatment or tests, the exporter must request from the DGQB an export certificate relating to the animal, product of animal origin or part of an animal that must be covered by the certificate.
2. The exporter must submit the application to the DGQB in the stipulated form, including all stipulated documentation, and must pay the stipulated fee.

Article 52. Inspection

The exporter must make the animal, animal product or related article available for inspection purposes and the DGQB, after receiving the export application, must inspect the consignment without undue delay.

Article 53

Issuance of veterinary certificate

1. All exports or re-exports must be certified in accordance with the requirements of the importing country.
2. In order to issue a veterinary certificate or aquatic animal health certificate and to ensure compliance with the requirements of the importing country, the veterinary inspector may subject the animal, animal product or animal part to appropriate treatment.
3. Whenever the animal, product of animal origin or animal part complies with the documentary or animal health requirements of the importing country and whenever the exporter satisfies the other requirements of the applicable legislation, the veterinary inspector must issue the veterinary certificate or the aquatic animal health certificate in the stipulated form.
4. The veterinary inspector must reject the issuance of the veterinary certificate or the aquatic animal health certificate when the animal, product of animal origin or animal part does not comply with the import requirements of the importing country or when the exporter does not satisfy the other requirements of the applicable legislation.
5. After the international veterinary certificate or aquatic animal health certificate has been issued, the exporter shall export the consignment in accordance with any DGQB instructions regarding handling and transport after certification and prior to export.

Article 54

Designated exit points

1. Upon the opinion of the CVN, the Minister must designate, by ministerial decree, from the list of exit points established by customs, the exit points for animals, products of animal origin or related articles.
2. Designated exit points must be equipped with stipulated facilities and equipment.

Section II Transit

Article 55. Request for shipment transit

Any person intending to transit an animal consignment, animal product or related article through Timor-Leste must submit an application to the Ministry in the stipulated form and pay the stipulated fee.

Article 56. Issuance of transit authorization

The DGQB must grant the transit request when it meets the stipulated requirements or reject it when it does not meet these requirements and may include the necessary transit conditions in the transit authorization form.

Article 57**Animal health measures for consignments in transit**

1. The veterinary inspector may inspect the animal, animal product or related article that is in transit at any point of entry and may, upon detection or suspicion of a notifiable disease, notify and request approval from the CVN to:
 - a) Refuse entry or transit;
 - b) Retain or confiscate the animal, animal product or related article;
 - c) Apply treatment;
 - d) Destroy the shipment.
2. Vehicles transporting animals or products of animal origin or related articles that stop at a port or airport or pass through a port located in the territory of Timor-Leste on their way to another country must comply with the conditions stipulated by the DGQB, under the terms of the law.
3. Consignments in transit through the territory of Timor-Leste must proceed from the point of entry by the route and within the period of time specified by the DGQB to the point of exit from the country, when the veterinary inspector confirms that the consignment has left the territory.
4. No compensation is due for the actions taken under this article.

CHAPTER VI**CONTROL OF ANIMAL DISEASES AND ZOOSES****Section I
Control measures****Article 58
General animal health measures**

DGQB can:

- a) Prohibit or regulate the movement of animals, products of animal origin, related articles, people and vehicles, into, into or out of infected areas or zones, aquatic zones, free zones or containment zones;
- b) Provide for the establishment of compartments and diversified control measures for each compartment;
- (c) confiscate, treat, destroy or dispose of animals, animal products or related articles or order the confiscation, treatment or disposal of animals, animal products or related articles and, in taking these measures, ensure the welfare of any animal confiscated or disposed of;
- d) Separate, isolate, observe or keep in quarantine any animal that is infected or suspected of being infected;

e) Treat, clean or disinfect facilities, equipment and means of transport, whether or not they are infected;

f) Prohibit animal feeding practices that may spread disease;

g) Implement any disinfection measures, eradication measures, vaccination regimes or official control and eradication programmes;

(h) Take any other measures necessary to control or eradicate animal diseases, as well as to prevent their introduction or spread.

**Article 59
Disinfection**

1. With regard to notifiable animal diseases or emerging diseases, the DGQB must determine the selection of disinfectants and disinfection procedures, taking into account the causal agents of infection and the type of facilities, vehicles and objects to be treated.
2. With regard to aquatic animals, disinfection is established in a biosafety plan, which is a disease management tool in aquaculture establishments.

**Article 60
Lists of notifiable diseases**

1. The DGQB, in coordination and collaboration with the relevant services of the Ministry with responsibilities on animal health, must create lists of mandatory notifiable diseases applicable to terrestrial and aquatic animals, based on risk analysis, and must periodically carry out the your review.
2. The DGQB shall publish and communicate the lists, as well as any subsequent changes, in the stipulated manner, to Timor-Leste's trading partners, OMSA and relevant international organizations.
3. The CVN provides lists of notifiable diseases to the Minister, who orders them published by ministerial diploma.

**Section II
Surveillance system****Article 61
Surveillance and animal health status**

1. The DGQB, in coordination and collaboration with the relevant services of the Ministry with responsibilities for animal health, must create a surveillance system that allows the collection, transmission and use of epidemiological data relating to diseases subject to mandatory notification, as well as other animal diseases for which a country has susceptible species, in order to demonstrate the presence or absence of such diseases.

2. The DGQB shall ensure transparency in the planning and execution of surveillance activities, as well as in the analysis and availability of data and information.
3. The DGQB determines the animal health status of Timor-Leste with regard to notifiable diseases.
4. The DGQB surveillance system is coordinated with the Ministry of Health in epidemiological surveillance activities and data collection methodologies and relies on the collaboration of community health centers and health posts of the Ministry of Health throughout the national territory.

Article 62

Emerging diseases

DGQB monitors and responds to emerging diseases in Timor-Leste.

Article 63

Early detection system

1. The DGQB must establish:
 - (a) An early detection system to detect animal diseases or animal health hazards;
 - b) Reporting requirements and guidelines for detecting, responding to, and reporting terrestrial and aquatic animal diseases and animal health risks.
2. The DGQB, in coordination and collaboration with the relevant services of the Ministry with responsibilities over animal health, must establish a training program on the detection and reporting of unusual animal health incidents for veterinarians, veterinary technicians, livestock owners and other people involved in the handling of terrestrial animals.
3. DGQB should establish a training programme on detecting and reporting unusual animal health incidents for fish inspectors and other personnel involved in the handling of aquatic animals.

Article 64

Duty to notify DGQB

1. Any person who knows or suspects that an animal is infected with a notifiable disease must immediately report this information to the DGQB, the person in charge of the nearest police station or the person in charge of the nearest agricultural authority.
2. When the person notified under the previous paragraph is not a DGQB employee, that person must immediately transmit the information to the DGQB.
3. Any veterinarian or animal owner who has reason to suspect that an animal is infected with a notifiable disease must immediately report the facts to the veterinary inspector or the nearest regional or local authorities.

Section III

Declaration of infected area

Article 65

Suspected presence of a notifiable or emerging disease

1. Whenever an animal owner, animal health technician or any other person suspects the presence of a notifiable or emerging disease, they must segregate the animals in question and take the measures stipulated in the previous article.
2. Whenever, following an inspection, after notification under the previous article or due to surveillance or other data, a veterinary inspector has reason to suspect that a notifiable disease, emerging disease or other, which causes If a serious threat to animal, human or environmental health may be present in any area or premises, the inspector must, as appropriate:
 - a) Entering that area or facilities;
 - b) Inspect the premises and examine any animals that may be affected by the disease;
 - c) Take samples;
 - d) Confiscate any animal or order its removal to a quarantine station for the purpose of observing or treating it;
 - e) Provide all necessary instructions to the owner or person in charge of the animals in order to stop the spread of the disease;
 - f) Carry out any provisional animal health measures stipulated to prevent the spread of the disease.
3. The veterinary inspector must immediately inform the CVN and ensure immediate delivery of the sample to the laboratory for analysis.
4. Until the disease is confirmed, the CVN may instruct the veterinary inspector to implement any provisional and interim animal health measures, for a determined period, in order to prevent its possible spread.

Article 66

Declaration of infected area

1. Whenever the DGQB confirms the presence of a notifiable or emerging disease in any area or facilities, the Minister, after an opinion from the CVN, must declare the area infected by ministerial diploma.
2. The declaration of an infected area must define its geographical scope and the confinement zone, the species affected, the duration, the animal health measures to be taken in order to prevent the spread of the notifiable or emerging disease and the conditions for subsequent renewals, as well as the other elements stipulated.

3. The DGQB must develop operational activities to contain or eradicate notifiable diseases or emerging diseases, in accordance with the relevant plans, which must include the criteria for lifting restrictions.

4. The CVN, in coordination and collaboration with the relevant services of the Ministry with responsibilities over animal health, must regularly review the conditions and requirements related to the declaration and must advise the Minister on any revisions that should be made to it, including amending measures, extensions and revocations, when necessary.

5. DGQB notifies the measures in force, orally and in writing, to the owners of affected animals in the area covered by the declaration.

Article 67

Response procedures for notifiable or emerging diseases

1. The DGQB establishes the following procedures:

a) By veterinary inspectors, when there is suspicion or confirmation of a notifiable or emerging disease;

b) For actions to be taken in containment zones.

2. Veterinary inspectors shall notify in writing the owner of the animal or premises or the person responsible for the animal or premises that is located in a containment area or zone and in respect of which the presence of a notifiable disease is suspected. The notification may specify, with regard to animals, products of animal origin or related articles affected by the notifiable disease:

a) Precise demarcation of the infected zone;

b) Identification of the notifiable disease and the animal species, products of animal origin or related articles affected;

c) The measures that the owner or occupier must take in order to contain or eradicate the disease;

d) Any restrictions, prohibitions or other measures to be applied in the infected zone;

e) The duration of the measures to be taken.

3. Whenever the owner or occupant of the premises fails to comply with the notification within the period provided for therein, the CVN may authorize a veterinary inspector to enter the premises and adopt the necessary measures to limit the spread of or to eradicate the notifiable or emerging disease.

4. With regard to the infected area, the CVN may, as if applicable:

a) Inform, whenever necessary, the veterinary authority of trading partners, neighbouring countries, OMSA and any relevant international organizations;

b) Review the issuance of any recently issued veterinary certificates or aquatic animal health certificates from the infected zone, depending on the needs of the countries for which

East Timor exports;

c) Suspend export certification whenever necessary.

Article 68

Revocation of the declaration of infected area

1. When the DGQB determines that the notifiable disease is no longer present or that it is no longer appropriate to maintain the declaration in respect of part or all of the area or premises, the CVN shall advise the Minister to revoke the declaration of an infected area.

2. The CVN must notify in writing the revocation of the declaration of infected area to all owners of the animals or occupants of the premises and inform the veterinary authority of trading partners, neighbouring countries, the WHO and any relevant international organisations, where necessary, of the change of status and revocation of the declaration.

Section IV

Containment zones and disease-free zones and compartments

Article 69.

Declaration of containment zone

Following advice from the CVN, the Minister, for the purposes of preventing, controlling or eradicating a notifiable animal disease, may declare any land, premises, area or location as a containment zone and may specify any prohibitions, restrictions and requirements to be applicable in such an area.

Article 70.

Disease-free zones and compartments

Whenever the DGQB, in coordination and collaboration with the relevant services of the Ministry with responsibilities over animal health, establishes the necessary measures to maintain the status of disease-free zones and compartments, after the opinion of the CVN, the Minister must declare, by ministerial diploma, the disease-free zones and compartments.

Section V

Disease control measures

Article 71

Circulation control

1. During emergencies or in infected areas, compartments and containment zones or any other area or zone,

as stipulated, or where there is an official control programme for a particular disease, the Ministry may establish restrictions or prohibitions on the movement of animals, animal products or related articles.

2. Any restrictions on movement must be justified on the basis of a risk assessment.

3. Whenever a prohibition under paragraph 1 is in force, no person shall:

(a) Remove from or take into the infected area, infected or confinement zone or compartment any animal, product of animal origin, related article or other thing covered by a restriction or prohibition of movement made under this diploma without written authorization issued by a veterinary inspector;

b) Leave the infected area without having taken such reasonable precautions as may be required by the veterinary inspector to prevent the spread of the animal disease.

4. Whenever the veterinary inspector believes, on reasonable grounds, that any animal, animal product or related article has been moved in violation of this article, the inspector may:

a) When there is a risk to animal health, seize the animal article;

b) Return it to, remove it from or take it to any place or require the owner to do so, specifying the period for such action;

c) Postpone the move for a specified period;

d) Take any other necessary health measures.

5. Any communication with the owner or person responsible for the animal, animal product or related article must be in writing and delivered in person and, in addition, oral communication may be necessary, in order to facilitate the understanding of the requirements by that person.

6. The DGQB may request the assistance and cooperation of the police, coastal authorities and local authorities to implement movement restrictions.

Article 72

Segregation of sick animals

Any owner of an animal that is infected or suspected of being infected with a notifiable disease must keep that animal separate from animals that are not infected or suspected of being infected and keep the animal tethered, confined, or placed in a pen.

Article 73

Reporting sick animals

1. Any owner of an animal infected or suspected of having

is infected with a notifiable disease must immediately report the suspected case of infection to the nearest animal health technician or competent regional, local or agricultural authority.

2. The person to whom the communication is made must, if not a veterinary inspector, immediately notify the DGQB.

Article 74

Slaughter of animals infected with a notifiable disease

Upon authorization from the CVN, any inspector may have any animal infected with a notifiable disease or any animal that has been in the same location, group or in contact with any animal that is or is suspected of being infected with a notifiable disease, and must follow applicable animal welfare standards.

Article 75.

Disposal of dead animals

1. In accordance with guidance issued by the DGQB, any animal slaughtered for the purposes of disease control under this statute or which dies as a result of infection with a notifiable disease is, as quickly as possible, destroyed, buried or properly disposed of, in order to prevent the spread of pathogenic organisms.

2. DGQB must collaborate with public health and environmental authorities and other authorities, whenever necessary, with regard to the disposal of dead animals.

Section VI

Animal disease emergency

Article 76

Emergency Response Plan

1. The DGQB, after the opinion of the Advisory Committee for the Health of Terrestrial Animals, must develop an emergency response plan for notifiable diseases, which must include, at least, the following:

a) The chain of command and communication, including the administrative and logistical organization of institutions and people responsible for responding to disease outbreaks;

b) Disease-specific considerations for main sensitive species;

c) Special and temporary measures necessary to respond to risks to human or animal health.

2. The emergency response plan shall be drawn up by the DGQB, subject to broad consultation, including the participation of regional and local authorities and community leaders, and shall be updated annually.

3. In order to maintain the state of response readiness, the DGQB must ensure the necessary training programs to ensure that field skills and administrative and diagnostic procedures are maintained.

Article 77**Declaration of Animal Health Emergency**

1. Where the CVN confirms that an outbreak of any notifiable disease has occurred and that such an outbreak constitutes a serious threat, it shall recommend to the Minister that he declare an animal disease emergency.
2. After the CVN's opinion, the Minister must declare the animal disease emergency and publish it, by ministerial decree, within 24 hours.
3. After the declaration of animal disease, the DGQB shall implement the animal disease emergency response plan and coordinate the emergency assistance and response of other ministries, departments and persons as identified in the animal disease emergency response plan.
4. The CVN must coordinate the response through the Terrestrial Animal Health Advisory Committee.
5. After receiving the opinion of the National Health Surveillance Agency, the Minister may request and has the right to receive cooperation from the ministries responsible for health, environment, trade, disaster prevention and response, civil protection and security forces and other public authorities to respond to the animal disease emergency, in accordance with the technical instructions of the Ministry.
6. Any declaration made under this Article shall be time-bound, based on a risk assessment and proportionate and limited to what is strictly necessary to minimise the threat.
7. The declaration must be subject to periodic review and evaluation by the Minister.
8. The Minister shall ensure that information on the declaration of an animal disease emergency and the measures to be taken as a result of this emergency are widely published and disseminated to the general public, regional and local authorities, animal health officials, animal owners and other ministries.

Article 78**Revocation of the declaration of animal health emergency**

Whenever the DGQB determines that it is no longer appropriate to maintain the state of animal disease emergency and whenever the circumstances that gave rise to the threat no longer justify the continuation of the state of emergency, the CVN advises the Minister to revoke the declaration, by means of a diploma ministerial.

Article 79.**Operational budget for emergency response**

The operational budget to be used exclusively for animal health emergencies after the declaration of an animal health emergency, under this diploma, comes from the budget allocated to the Ministry.

CHAPTER VII**HEALTH CONTROL DURING PRODUCTION
ANIMAL AND ANIMAL WELFARE****Section I****Production****Article 80****Biosafety plan for livestock and aquaculture establishments**

The DGQB must define, based on a risk assessment, the specific biosafety requirements and other disease prevention and control requirements that are applicable to livestock establishments and aquaculture establishments.

Article 81**Biosafety for animal production**

1. DGQB must, in collaboration with other relevant services of the Ministry, ensure biosafety and control of animal health during production, including:
 - a) Develop an animal identification and traceability system;
 - b) Develop animal welfare for the purposes of preventing cruelty and promoting animal health and well-being;
 - c) The use of veterinary medical products to protect animal health;
 - d) Control of animal diseases in slaughterhouses.
2. DGQB shall collaborate with relevant departments of the Ministry in developing requirements for the collection, preparation, treatment, processing, use and disposal of animal by-products.

Article 82**Animal markets and other gatherings**

The DGQB shall stipulate health measures for animal markets and other commercially or epidemiologically significant animal gatherings, including the establishment of a system of veterinary controls, and shall stipulate cleaning and disinfection procedures and measures relating to animal welfare.

Article 83**Veterinary medicines**

1. No veterinary medicine may be imported,

sold or distributed in Timor-Leste, unless registered as stipulated, except in the quantities and under the conditions defined by the DGQB in the following cases:

- a) To respond to animal health emergencies;
 - b) When the DGQB determines that there is insufficient availability or accessibility of registered veterinary products to meet a veterinary need;
 - c) For research or testing purposes.
2. The registration requirement does not apply to traditional medicinal products for animals produced and administered in small quantities in accordance with customary use.
 3. The DGQB may at any time prohibit the use of ingredients and substances that may be used as or for the production of veterinary medicinal products and may, where necessary, prohibit or restrict non-therapeutic uses of antimicrobials.
 4. The DGQB must coordinate with the ministry responsible for health on issues relating to the registration and labeling of veterinary products and establishing withdrawal periods and maximum residue limits (MRLs) of veterinary products in food and animal feed.
 5. The DGQB must define the following:
 - a) Professionals who have the right to issue prescriptions for veterinary medicines, as well as the conditions and forms to be used for veterinary prescriptions;
 - b) Permitted uses, especially with regard to minimizing or progressively eliminating non-therapeutic use;
 - c) Data collection, record keeping and documentation obligations and communication regarding the prescription and use of antimicrobial agents;
 - d) The labelling, packaging and advertising of veterinary medicinal products;
 - e) The sale and distribution of veterinary medicines and animal feed containing veterinary medicines, with special attention to antimicrobials, especially those used in human medicine.
 6. The DGQB must regulate the use of coccidiostats, antibiotics, growth promoters, hormones and other medicines and therapeutic substances in animal feed.

Section II Animal welfare

Article 84

Control of stray land animals and management of abandoned animals

1. In order to prevent the spread of animal diseases and

zoonoses and ensure public safety, the DGQB must, in coordination and collaboration with the relevant services of the Ministry with responsibilities over animal health, implement control and prevention measures targeting stray land animals.

2. The seizure and, where necessary, the slaughter of any animal under this Article shall be carried out in accordance with the stipulated procedures and methods.

3. The DGQB shall collaborate with the authority responsible for public health, security forces, regional and local authorities, private sector veterinarians and other interested parties in the application of this section.

CHAPTER VIII EXECUTION

Section I Powers of veterinary inspectors

Article 85 Conduct, rights and obligations

1. The veterinary inspector must perform his duties in accordance with the legislation applicable to public servants.
2. In carrying out any duty under this diploma, the veterinary inspector must identify himself by showing his identification card or other proof of his appointment or designation as veterinary inspector.
3. Whenever a veterinary inspector suspects that the rules of this diploma have been or are being violated, he may carry out investigations and request information or documentation.
4. In the performance of any obligation under this diploma, the veterinary inspector may request and has the right to receive assistance from the police and other security forces, as the CVN considers necessary for the effective execution of the veterinary inspector's duties.
5. The veterinary inspector may be accompanied by a dog or bring and use any object that assists in the exercise of inspection powers.
6. No one may block or impede the work of the veterinary inspector and any person who is subject to an inspection or owns or is responsible for a thing subject to inspection must give all assistance and cooperation to the veterinary inspector.
7. The veterinary inspector may require the owner or person responsible for animals, related articles or establishments to provide assistance or carry out such instructions as may be reasonably necessary to facilitate the performance of their functions or to enforce the provisions of this statute.
8. Whenever authorized by the CVN, the veterinary inspector may make announcements, issue notices and provide information on veterinary matters.

9. The veterinary inspector must carry out inspections immediately, without delay and in a manner that facilitates business and trade.
10. Unless equipped with a court order, the veterinary inspector may not enter a dwelling without the owner's consent.

Article 86**Notification of animal health measures**

1. Any veterinary inspector who promotes the seizure, retention, elimination or destruction of any animal, product of animal origin or related article under the terms of this Law must immediately notify the owner or responsible person in writing, in a stipulated form, immediately signed by the person notified. , and the notification must include a description of the measures taken or to be taken or a description of the prohibited activity and the corresponding justification.
2. Whenever necessary, in addition to the notification provided for in the previous paragraph, the inspector must orally communicate its contents to the person notified, in order to facilitate their understanding.
3. When the owner or responsible person is not present on the premises, the veterinary inspector must post the notification in a visible place and carry out personal notification as soon as possible.
4. Whenever it is impracticable to substantiate the seizure or when the situation requires emergency action, the veterinary inspector may not inform the owner of the reason for the confiscation, in which case he must notify the owner or the person responsible within 48 hours of the action.
5. The veterinary inspector may notify in writing the owner of any areas, facilities or any animal, product of animal origin or related article of the obligation to implement one or more animal health measures within the scope of this statute, within a defined period of time.
6. When the owner fails to comply with any of the terms of the written notification, the veterinary inspector may enter the land or establishment in question in order to implement the terms of the notification and, where circumstances so require, carry out any of the measures animal health in order to eradicate, contain or restrict the spread of the disease.
7. The veterinary inspector must submit a copy of any written notification made to the DGQB within 72 hours of its issuance.

Article 87**Rights during inspection**

1. Any person who is subject to inspection or is the owner or person in charge of premises subject to inspection has the right to accompany the veterinary inspector at all times during the inspection.

2. Any owner or person responsible for an animal, animal product or other related item has the right to receive information about the reasons for the inspection.

Article 88**Document inspection**

During the inspection, the veterinary inspector may take photographs or request from the owner or person responsible for the area or premises any information relating to an animal, product of animal origin or related item, including official documents, and may examine them, make copies or remove extracts from any books, statements or other documents found in that area or premises, as well as requesting the owner or responsible person for an explanation of any information contained in these documents.

Section II**Implementation measures****Article 89****Animal health sampling and measurements**

1. In order to prevent the introduction or spread of diseases, the veterinary inspector may carry out any stipulated animal health measures, in accordance with the provisions of the inspection manual and the instructions of the CVN.
2. The veterinary inspector may enter any area or establishment in order to inspect any animal, animal product or related article that is stored or in transport, may inspect a consignment for import, transit or export and may also:
 - a) Inspect, examine and collect samples of any animal, product of animal origin or related article, and may send these samples to be analyzed in an official laboratory;
 - b) Carry out the animal health measures defined in the inspection manuals or in accordance with the CVN instructions.
3. A veterinary inspector shall not enter a dwelling without the owner's consent under this statute unless he has a warrant signed by a judge.
4. The owner of any animal, animal product or related article may request a second test on any sample taken under this diploma and, in such case, the veterinary inspector must ensure that the confiscated samples or articles remain in the custody of the DGQB or are stored or quarantined, as stipulated by the Ministry, until the results of the second test are available.
5. The cost of testing, maintenance, quarantine or storage under this article is the responsibility of

responsibility of the owner of the animal, animal product or related article sampled or confiscated.

Article 90

Seizure of objects, disposal and other subsequent measures

1. The veterinary inspector may seize any animal, product of animal origin or related article, electronic devices, documents or other objects that appear to serve as evidence of violation of the provisions of this statute and must immediately notify, in writing, the owner, who signs the notification.
2. Whenever a veterinary inspector takes possession of a document under the terms of the previous paragraph, he must make a certified copy of the document with the competent authority, in accordance with the applicable legislation, as being a true copy, and all copies so certified are admissible evidence in all courts as if they were original.
3. The DGQB may store, treat, quarantine or dispose of the animal, animal product or related article at the place where it was seized or move it to any other place for storage, treatment, quarantine or disposal, in the manner and under the terms of the procedures defined by the DGQB, or require the owner or responsible person to take the specified action.
4. The animal, animal product, related article or other thing confiscated and seized under this diploma shall not be seized after determination by the DGQB that the animal, animal product, related article or other thing complies with the provisions of this diploma.
5. The CVN may order the destruction and disposal of any animal, animal product, animal-related article or other thing or require its owner or responsible person to dispose of it, when the animal, animal product, animal-related article or other thing:
 - a) Has been in contact with or in proximity to another animal, animal product, related article or other thing or is suspected of having been infected or contaminated by a notifiable disease, disease-causing agent or toxic substance at any time of contact or proximity;
 - b) You are or are suspected of being infected or contaminated by a disease or a toxic substance;
 - c) Is or is suspected of being a vector of a pathogen, disease-causing agent or toxic substance.
6. In accordance with this article, DGQB may be required to eliminate the animal to prevent its suffering or take measures to ensure the animal's well-being.

7. No person may remove or interfere in any way with any animal, animal product, related article or other thing seized and detained under this law.

Article 91

Vehicle stop and inspection

1. Whenever he has reasonable grounds to believe that a contravention of this statute is being committed, the veterinary inspector may stop and search any vehicle.
2. Where the veterinary inspector is satisfied that there has been a failure on the part of the driver or captain of any vehicle to comply with a requirement of this Act or a condition imposed under it and this represents a danger to veterinary health, the inspector can:
 - a) Accompanied by a customs inspector, detain or stop the vehicle for a maximum period of four hours, and must immediately request confirmation of this measure from the CVN;
 - b) Notify the driver or captain of the vehicle in writing of the arrest, justifying the non-compliance.
3. Upon receipt of communication by the veterinary inspector under this article, the CVN shall immediately order an investigation to be carried out and maintain the arrest or stop of the vehicle for the period defined for taking such animal health measures, as appropriate.

Article 92

Distribution interruption

1. Whenever the veterinary inspector considers it necessary to interrupt distribution for the purpose of preventing the spread of diseases or the violation of the provisions of this diploma, the veterinary inspector must submit a request to the CVN so that it issues a written notification for the suspension of the distribution, sale or use of any animal, product of animal origin or related article during a stipulated period.
2. Whenever necessary, for reasons of animal health protection, the CVN may request the Minister to definitively prohibit the distribution or sale of any animal, product of animal origin or related article.
3. After the opinion of the CVN, the Minister may notify in writing the owner or person responsible to immediately cease the distribution of animals, products of animal origin or related articles, and the notification must contain the grounds for the cessation.

Article 93

Confiscation and disposal of unclaimed items

1. The DGQB may confiscate or eliminate any animal, pro-

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product of animal origin or related article that, after its entry into Timor-Leste, remains unclaimed for a stipulated period of time.

2. For the purposes of the previous paragraph, DGQB must notify the owner or responsible person, in writing, of the reasons for confiscation and destruction.
3. The DGQB shall claim the costs of the measures taken under this Article from the owner or person responsible for the unclaimed animal, animal product or related article.

Article 94
Issuance of DGQB decisions

1. Whenever someone submits an application to the DGQB under this diploma, he/she must submit all the requested documentation and any samples or other elements that are requested in connection with the application.
2. Whenever the DGQB requests in writing further information regarding a request submitted under the terms of the previous paragraph, the applicant must comply with the period indicated in the DGQB's written request.
3. Without prejudice to the deadlines for deciding established in this diploma or in other applicable rules, the DGQB decides on the request within 30 days from the submission of all documents.
4. Whenever DGQB does not comply with the provisions of the previous paragraph, it must inform the applicant, in writing, before the end of the period, describing the reasons for the extension and indicating the new deadline for the decision.
5. Before the decision by the DGQB, the applicant must be notified in writing for a preliminary hearing.
6. Whenever an application is rejected, the applicant must be notified in writing and the notification must contain the reasons for the rejection and mention the right to resource.
7. Without prejudice to urgent measures that may be necessary for animal health reasons, the DGQB's decision shall take effect after the end of the appeal period, under the terms of this diploma.

Article 95
Administrative appeal

1. Any person injured by an action or decision of a veterinary inspector or an official analyst adopted under this diploma may appeal, within 15 days from the date of the action or decision, to the CVN, in the stipulated manner.
2. When the person, following a decision by the CVN, taken within 30 days, does not comply with it, he or she may, within the stipulated deadlines and in the manner stipulated, appeal to the Minister.
3. The Minister shall decide on the appeal within the stipulated period.

4. The Minister's decision is final on technical matters and does not prejudice the right to appeal to the courts.

5. The right to appeal administratively does not preclude the right of the DGQB to take urgent measures in the field of animal health, whenever necessary.

Article 96
Protection of DGQB employees

The Ministry must, under this diploma, guarantee the protection of DGQB employees and agents in the exercise of their official functions.

Section III
Misdemeanors and other administrative sanctions

Article 97
Serious misdemeanors

1. The following constitutes a serious infraction, punishable by a fine of US\$1,000 to US\$50,000:
 - a) Failure to comply with any legal order or directive issued under this law;
 - b) Import any animal, animal product or related article in violation of any stipulated requirement;
 - c) Export any animal or product of animal origin, except as provided;
 - d) Not allow a search, inspection or collection of any sample authorized under this diploma;
 - e) Breaking the seal of a sealed container containing any animal, animal product or related article, except in the presence of a veterinary inspector or when the breaking is done by a customs officer in accordance with the provisions of applicable legislation;
 - f) Consciously or unconsciously, provide false information for the purpose of obtaining any document under this statute;
 - g) Alter, forge, deform or destroy any document issued under the terms of this diploma.

2nd In the case of a repeat offense within a period of 12 months, the minimum and maximum limits set out in the previous paragraph are doubled.

Article 98
Very serious misdemeanors

1. The following constitutes a very serious infraction, punishable by a fine of US\$1,000 to US\$75,000:
 - a) Sell, offer for sale, transport or distribute in any way any animal, product of animal origin

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animal or related article knowing that it is infected with an animal disease;

b) Allow, introduce or intentionally cause the introduction or spread of a notifiable disease;

c) Moving an animal or distributing a product of animal origin or article that has been placed under bond or following an administrative offence or an inspection that has prohibited the distribution or circulation of the animal, product of animal origin or related article;

d) Assault, resist, intimidate, threaten, abuse in any way or obstruct a veterinary inspector from exercising his/her legal powers under this diploma.

2nd In the case of a repeat offense within a period of 12 months, the minimum and maximum limits set out in the previous paragraph are doubled.

Article 99**Fixed fine notification for minor infractions**

Infringements not provided for in the previous articles are punishable by a fine of US\$100, without prejudice to any other fines applicable for the continuation of the infraction.

Article 100**Suspension and revocation of licenses and authorizations**

1. The CVN may suspend or revoke any license or other authorization issued under this diploma.

2. In cases of serious or repeated violation, the CVN may recommend the revocation of the commercial license and the closure of the establishment to SERVE or other authority that issued the commercial license or any other license to operate and, whenever it is not necessary to have license, DGQB may close the establishment.

3. Upon receipt of the recommendation provided for in the previous paragraph, the authority that issued the commercial license or other license to operate must revoke the license within three days.

Article 101**Violation by public servant**

1. A veterinary inspector, official analyst or other personnel of the DGQB commits an infraction when:

(a) To ask for or receive, directly or indirectly, any personal payment or other reward in connection with any official functions;

b) Agree to do, refrain from doing, authorize, hide or collaborate in any act or thing contrary to the correct execution of their official functions under the terms of this diploma or other applicable legislation;

c) Disclose any information obtained in the performance of his official functions relating to any person, company or business, except when required by his supervisor in the exercise of official functions, including for the purposes of border cooperation, by order of the court or pursuant to article 30 .º;

d) Abuse their powers granted under the present diploma.

2.If found guilty by a court under this article, the veterinary inspector, official analyst or other DGQB personnel may be dismissed or dismissed, may no longer be reappointed, and is subject to the other sanctions applicable to public officials.

Section IV**Sanctioning procedure****Article 102****Decision and procedure for sanctioning infringement**

1. Whenever a veterinary inspector reasonably believes that a person has violated any of the provisions of this diploma, he must communicate this information to the CVN, which, based on an opinion issued by the respective legal support unit, determines whether:

a) The infringement may constitute a criminal sanction and, in that case, it shall be communicated to the competent authority for criminal action;

b) An administrative sanction must be applied, in accordance with articles 97 to 101 and the following paragraph; or

c) There is room for the application of both.

2.With regard to the payment of fines, the veterinary inspector may issue a fine at the time to the offender, which indicates that the offender may either appear before the adjudicating authority in accordance with the applicable procedures after a notification or pay the fine with the stipulated authority.

3. Whenever the offender does not pay the fine within the stipulated period, the CVN must decide whether:

a) Gives the offender more time to pay the fine fine;

b) Increases the value of the fine to be paid, upon written notification, which defines a new deadline for payment; or

c) Refer the case to the bidding authority.

Article 103**Criteria for determining sanctions**

When considering the seriousness of the offence and the sanction to be applied, the CVN must consider, supported by an opinion issued by the respective legal support unit:

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- a) The damage or threat of damage caused by the breach;
- b) Fraud or negligence;
- c) The economic situation of the offender;
- d) The benefit the offender derived from the offense; and
- e) Recidivism.

Article 104
Confiscation

1. Where a person is convicted of committing an offence under this law, the contracting authority may, in addition to any other sanction imposed, order that any *item* used in the commission of the offence be forfeited to the Government.
2. In cases where the court does not order the confiscation of the animal, product of animal origin, related article or any product derived from its disposal, it must be returned to the owner or person responsible at the time of its seizure, unless such return constitutes risk to animal health, in which case the object is destroyed.
3. The CVN must determine the appropriate form for the custody, at the owner's expense, of any animal, product of animal origin or related article seized or confiscated under this diploma before its disposal by the contracting entity.
4. The CVN must ensure that any decision taken under this article does not create a risk of entry or spread of diseases and, if such a risk exists, it must apply the provisions of article 90.
5. If no appeal is filed before the final decision is made, any confiscated animal, animal product or related article shall be destroyed, sold, rented or donated to a charity after the offender is convicted.
6. The proceeds of any sale of any article confiscated in accordance with this section are deposited with Banco Nacional do Comércio de Timor-Leste, SA (BNCTL).

CHAPTER IX
FINAL PROVISIONS

Article 105
Cost of animal health measures

1. Except where the Minister, based on the opinion of the National Council of Health, determines that the Government should assume responsibility for the associated costs for reasons that may be stipulated, the owner of the animal, animal product or related article or of premises for animals or animal products is responsible for paying the expenses of any measures taken in relation to his property or premises.

2. The costs relating to animal health measures within the scope of this diploma and the method used to calculate them are defined in regulation.

Article 106
Indemnity

1. Upon recommendation of the CVN, the Minister may determine the payment of compensation in the following cases:
 - (a) in infected areas or containment zones or during a declaration of emergency or when the owners of the animal, animal product or related article are affected by disease control measures;
 - (b) If the affected person's economic circumstances and means of subsistence require the Government to compensate the owner of the premises or affected animal for disease control measures taken under this statute.
2. The tables and amounts of compensation are established in a ministerial decree and include a reference to the following:
 - a) Which animals should be slaughtered and in which area or areas;
 - b) Copy of the payment table;
 - c) Certificate of disposal form.
3. When compensation is authorized by the Minister, the following steps must be followed at the time of slaughter:
 - (a) A model claim form shall be provided to each owner together with a copy of the payment scale;
 - b) Owners indicate their agreement or disagreement with the compensation amount on the respective compensation request form, provided that the lack of agreement on the amount does not stop or delay the slaughter of the animals in question or the disposal of the carcasses.
4. Without prejudice to receiving the compensation amount provided for within the defined period of time, owners who dispute the compensation amount may appeal the decision under the terms of article 95.
5. Only by court order can the DGQB be required to pay additional compensation for compulsory slaughter.
6. Compensation shall not be paid to anyone who commits an infringement of this statute and claims compensation in respect of any premises or thing through or in relation to which the infringement was committed.
7. Compensation paid under this Article shall not exceed the fair market value of the animal immediately prior to destruction.

Article 107
Collection of fees

1. Under the general law governing cost recovery, the DGQB may charge fees for inspections, sampling and analysis, processing and issuing of licenses, as well as for other services of the Ministry, as specified by this law, and the calculation of these fees must be based solely on the recovery of actual costs.
2. The Minister, by order, must publish the value of the costs provided for in this diploma and respective regulations.

Article 108
Documents and statements

1. Any document or statement required to be produced under this statute or any regulation may be provided in an electronic format as stipulated, in accordance with the rules governing electronic transactions and as defined by the Minister, in a ministerial document, in consultation with the Information and Communication Technologies Agency, IP - TIC TIMOR.
2. DGQB must establish requirements relating to the creation, receipt, storage, sharing and sending of certificates and other documents in electronic format.

Article 109
Regulation

1. Unless otherwise provided, all regulations provided for in this diploma must be approved by the Minister, through a ministerial diploma.
- 2º When the law assigns the DGQB the competence to approve technical standards, they are published in the official gazette by means of an order from the Minister.
3. All approved legislation and regulations must be published through the Ministry's *website*.

Article 110.
Transitional rule

Until legislation on veterinary products is adopted, Article 83 shall apply.

Article 111.
Revocation rule

The following are revoked:

- a) Decree-Law No. 21/2003, of December 31, on the legal regime of quarantine in the import and export of goods and in the sanitary control of international navigation;
- b) Government Decree No. 1/2006, of 20 September, on the General Quarantine Regulations.

Article 112.
Entry into force

This diploma shall come into force three months after its publication.

Approved by the Council of Ministers on March 15, 2023.

The Prime Minister, in substitution,

José Maria dos Reis

The Minister of Agriculture and Fisheries,

Pedro Dos Reis

Promulgated on 18/5/2023.

Public.

The President of the Republic,

Jose Ramos-Horta

DECREE-LAW No. 42/2023

May 31st

**SECOND AMENDMENT TO DECREE-LAW No. 19/2019,
OF JULY 31, ORGANIC LAW OF THE MINISTRY
AGRICULTURE AND FISHERIES**

Considering that Timor-Leste is moving towards greater regional and international integration in international trade, dealing with an increase in the flow of goods to and from the country and placing greater emphasis on food security, agricultural production and investment in agriculture, livestock and fisheries, this proposed amendment to the organic structure aims to restructure the services of the Ministry of Agriculture and Fisheries in order to establish a more structured framework to strengthen the Government's policy for the quarantine and biosafety sector. In this sense, it is necessary to promote the ministry's quarantine and biosafety services in order to better comply with international standards, in sanitary and phytosanitary matters, established by international organizations of which Timor-Leste intends to be a member.