

Government Decree No. 4/2018

Of 7 March

First amendment to Government Decrees No. 19/2017, of 12 May, and No. 21/2017, of 17 May

The legal and regulatory rules governing the electoral process were approved very recently for the 2017 presidential and parliamentary elections. Thus, there is no need to approve new legislation for the recently decided early parliamentary elections.

However, from the electoral experience of the past year there is a need to change or improve, in some specific aspects, the aforementioned regulation. The approval of the present diploma intends to bring minor corrections of detail not only in the scope of electoral registration procedures but also in the voting procedures in the country and abroad.

Therefore,

The Government decrees, pursuant to the provisions of article 4.5 and article 36.3, and article 77(c) and (d) of Law no 6/2006, of 28 December, as amended by Law no. 9/2017, of May 5, to be valid as a regulation, the following:

Article 1

Object

The present law regulates the process of issuing declarations of residence for the purpose of voter registration, as well as amending Government Decree No. 19/2017, of May 12, approving the technical procedures for the holding of the Parliamentary Elections and Government Decree No. 21/2017 of 17 May, which regulates the organization and operation of polling stations and the procedures for voting, counting of votes and the determination of results.

Article 2

New Sucos

In the 2018 legislative elections, resident voters who have not changed their census following the approval of Ministerial Diploma No. 16/2017 of March 31, which approved the creation of new Sucos, may vote in the previous Suco, such as is indicated on their electoral card.

Article 3

Declaration of residence

1. For the purposes of registration and change of residence in the voter registration process in 2018, the residence permit may be issued, in addition to the Chefe Suco of the place of residence,

- a) by the Rector of the National University Timor Lorosa'e (UNTL), regarding the university students of that University;
- b) by the Director General of Higher Education of the Ministry of Education and Culture, in relation to university students with the exception of those enrolled in UNTL;
- c) by the Dean of the Faculty of Engineering, Science and Technology of UNTL, in Hera, for students enrolled in this university;
- d) by the head of the administrative post of the place of residence.

2. The forms of declaration of Residence to be issued by the entities provided for in the preceding paragraphs are those included in Annex I to this statute and of which they form an integral part.

Article 4
Amendment to Government Decree No. 19/2017, of May 12

Article 32 of Government Decree No. 19/2017, of May 12, shall be replaced by the following:

"Article 32
(...)

1. (...).
2. (...).
3. The secretary of the polling station, in the presence of the representatives of the political parties, shall assess whether the companion has been freely chosen by the voter to accompany him in exercising his right to vote.
4. (...).
5. (...). "

Article 5
Amendment to Government Decree No. 21/2017, of May 17

Articles 31 and 44 of Government Decree No. 21/2017 of 17 May, are now worded as follows:

"Article 31
(...)

1. (...).
2. (...).
3. The secretary of the polling station, in the presence of the representatives of the political parties, shall assess whether the companion has been freely chosen by the voter to accompany him in exercising his right to vote.
4. (...).
5. (...).

Article 44
(...)

1. (...).
2. (...).
3. (...).
4. (...).
5. (...).
6. (...).
7. (...).
8. The directors of prison establishments and the directors of national and reference hospital establishments must send to STAE, at least 10 days in advance, the list of prisoners and prison guards

working on election day and, in the case of hospital establishments, the list for election day, of working medical and nursing staff, as well as hospitalized patients and an accompanying person for hospitalized patients.

Article 6
Attachments

1. Annexes II, II and IV are amended to Government Decree No. 21/2017, of May 17, which shall be those contained in Annex II to this Decree.
2. Paragraph 21 is added to Article 53 of Government Decree No. 21/2017, of May 17, with the following wording:

"21. The model of municipal / RAEOA tabulation is included in Annex V to this Decree, of which it forms an integral part."
3. Annex V is added to Government Decree No. 21/2017, of May 17, pursuant to the previous paragraph, which is included as Annex III to this diploma and of which it forms an integral part.

Article 7
Entry into force

This Government Decree enters into force on the day after its publication in the *Official Gazette*.

Approved by the Council of Ministers on March 1, 2018.

TO be published

The Prime Minister,
Dr Mari Bim Amude Alkatiri

The Minister of State Administration
Dr. Valentim Ximenes