

**GOVERNMENT DECREE No. 12/2016
of 21 September**

**APPROVES TECHNICAL PROCEDURES FOR THE IMPLEMENTATION OF VOTER REGISTRATION
AND UPDATING OF THE DATABASE OF VOTER REGISTRATION**

The Constitution of the Democratic Republic of Timor-Leste establishes that voter registration is mandatory, official, unique and universal, and updated for each election.

In this sense, all national citizens, over seventeen years of age, have the right and the duty to register themselves during the voter registration process and to verify that they are duly registered as a requirement for the exercise of their right to vote in all elections of the elected bodies of sovereignty, for local authority bodies and referendums.

With the entry into force of Law no. 6/2016 of May 25, in addition to national citizens residing in Timor-Leste, it is also possible for those residing abroad to register during the voter registration process. In order to ensure regular and effective implementation of voter registration operations in the national territory and abroad, it is necessary to establish the necessary technical procedures for this purpose, which is done through this Decree.

Thus, the Government decrees, under the provisions of article 53 of Law no. 6/2016, of May 24, to have validity as a regulation, the following:

CHAPTER I

General provisions

Article 1

Objective

The present Government Decree establishes the technical procedures for the operation of registration, change of registration in the voter register, as well as the updating of the Voter Registration Database.

Article 2

Territorial scope

The rules provided for in this Decree apply to voter registration operations throughout the national territory and abroad.

Article 3

Geographical unit of registration

1. The geographical unit of registration in the national territory is the administrative post.
2. The geographical unit of registration abroad is the consular district of the area of residence of the voter who intends to register or, if that does not exist, it is the country of residence of the voter.

CHAPTER II

Voter registration bodies

Article 4

Registration bodies

1. In the national territory, voter registration is implemented by the Technical Secretariat for Electoral Administration, hereinafter referred to as STAE, through its decentralized offices.
2. Abroad, voter registration commissions are tasked to implement voter registration.

Article 5
Registration staff in the national territory

For the purposes of the provisions at paragraph 1 of the previous article, STAE shall designate for each of its decentralized offices at least two registration officers that ensure, specifically:

- a) The registration of new voters;
- b) The registration, alteration and change of electoral data for voters in the relevant geographic unit;
- c) Correction of errors or omissions contained in the electronic files of voters;
- d) Communication with the direct, indirect and autonomous administration services of the State regarding the confirmation of voters' data;
- e) The performance of other tasks that are requested by their superiors and that are not assigned to another body or service.

Article 6
Voter registration commissions

1. The voter registration commissions are composed of employees referred to in sub paragraph b) of paragraph 1 of Article 9 of Law no. 6/2016, of May 25.
2. The members of voter registration commissions are not subordinated hierarchically to the consular representative, to the ambassador or Minister for Foreign Affairs, with regard to the competencies described in the following Article.
3. The delegate of STAE reports directly to STAE's Director-General.
4. The delegate of the National Election Commission, hereinafter referred to as CNE, reports directly to the CNE.

Article 7
Competencies of voter registration commissions

1. The following are the competencies of the voter registration commissions:
 - a) Explain to voters about the dates, locations, times and the registration process, and modification, changes and updates of voters' data;
 - b) Announce the information described in the previous paragraph through public notices to be displayed in public places and through the media;
 - c) Ensure the registration of Timorese citizens by receiving their registration form and other legally prescribed documents;
 - d) Verify that the registration form is correctly filled, make sure of the veracity of the information contained therein and the authenticity of the documents presented;
 - e) Send the electronic files of voter registration to the STAE General Directorate for inclusion in the Voter Registration Database;
 - f) Organize the list of all registered voters at the relevant registration posts abroad, to ensure its updating and to make the necessary corrections;
 - g) Receive and forward to the Director General of STAE, complaints on information contained in the lists of voters during the period of their public display;
 - h) Receive and decide on the complaints that are presented in relation to rejection of registration and data updates;
 - i) Receive and forward to the Director General of STAE the appeals filed against the decisions that have been made on the complaints presented about rejections of registration or update of voters' data;
 - j) Promote the registration of persons who have an active electoral capacity and are not listed yet in the voter register;
 - k) Ensure the transfer of voter registration due to a change of place of residence;
 - l) Issue the voter card and proceed with its delivery;
 - m) Issue a certificate of personal registration contained in the BDRE, when requested by the interested party or in accordance with the provisions of the law;

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- n) Send to the Director General of STAE fortnightly reports on the results of registrations and updates carried out in the voter registration process;
 - o) Perform other tasks that are provided for by law, in regulation or assigned by the Director General of STAE and are not assigned to another body or service.
2. In the situations referred to in sub-paragraph k) of the preceding paragraph, the voter registration process that relates to the transfer of voters, updates his/her data and communicates to the registration commission of the registration post where the voter was enrolled, about his/her change of residence, in order to delete his/her file from the former geographical registration unit.
 3. The competencies provided for in Article 5 of this Decree shall apply to voter registration commissions.

Article 8 **Opening of voter registration posts**

1. The Director General of STAE orders, by a notice, the opening of registration posts in the national territory, in situations where there is a verified population of at least twenty voters, located in remote or hardly accessible areas, and after consultation with the representative of the Government in the municipality.
2. The notice described in the preceding paragraph indicates:
 - a) The geographical **area** of jurisdiction of the registration post;
 - b) The place of operation of the registration post;
 - c) The length of the voter registration period.
3. The notice is published in series II of the *Jornal da República* (The Official State Gazette).

Article 9 **Opening of registration posts abroad**

1. Voter registration commissions abroad determine, through a notice, the opening of registration posts when the following requirements are cumulatively fulfilled:
 - a) At least fifty voters residing in the geographical area of jurisdiction of the registration post to be created;
 - b) The existence of technical and security conditions for operating of the registration post;
 - c) There is no opposition to the opening of the registration post by the national authorities in the geographical area of jurisdiction of the registration post;
 - d) Availability of funds to support the expenses of the activities to be carried out by the registration post to be opened.
2. For the purposes of the preceding paragraph, STAE consults beforehand the Ministry of Foreign Affairs and Cooperation, hereinafter referred to as MNEC.
3. After approval of the MNEC, there must be funds allocated in the General State Budget for this purpose.
4. It is the duty of the STAE delegate to designate the STAE sub-delegate at the registration post.
5. It is the duty of the CNE delegate to designate the CNE sub-delegate to the registration post of the geographical unit of registration of its registration commission.

CHAPTER III **Voter registration database**

Article 10 **Content of database of and files of voters**

1. In addition to voter's identification data provided for in paragraph 1 of Article 13 of Law 6/2016 of May 25, the following information is included in the voter registration database abbreviated as BDRE and in the voter's files:

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- a) Information on the document used to prove citizenship of the voter and its validity;
 - b) The number, reference and place of issue of the document to which the preceding paragraph refers;
 - c) Photograph of the voter;
 - d) Gender;
 - e) Date of registration of the voter;
 - f) Number assigned to the voter;
 - g) Identification data of the witness, in cases of completion of a sworn form, death or change of residence of the voter;
 - h) Consular registration number, country and city where the voter resides, in case of registration of voters residing abroad;
2. To collect biometric data, the voter places the thumb of his/her right hand in the electronic device prepared for the purpose.
 3. When the voter cannot place his/her right thumb, because of physical impossibility, he/she places the thumb of his/her left hand or another finger of one of the hands.
 4. In situations where full collection of a voter's biometric data is not possible, the voter registration officer requests the Director General of STAE to authorize voter registration without collecting the fingerprint and records the information on the back of the voter registration form, dating it and signing it.
 5. In a situation where the voter cannot sign, cancel the field for placement of signature on the form for registration or update of voter registration, and the registration officer records this information on the back of the form for registration or updating of the voter's data, dating and signing it.

Article 11 Data inalterability

Without prejudice to the voter registration process being continuous, from the thirtieth day before the electoral event until the election results are announced, the lists of voters cannot be changed.

CHAPTER IV Voter Registration Operations

Section I Registration

Article 12 Process of registering a voter on the voter register

1. For registration, the voter presents one of the following documents:
 - a) The Identity Card of the Democratic Republic of Timor-Leste;
 - b) Passport of the Democratic Republic of Timor-Leste;
 - c) Birth certificate of the Democratic Republic of Timor-Leste;
 - d) Certificate of baptism;
 - e) Personal certificate of the Islamic community or other religious denominations.
2. Citizens who register abroad, do not have to present a certificate of residence, but must present proof of consular registration.
3. Once the identity of the voter has been proven, the registration officer fills the registration form for the voter, in accordance with the template approved by Government Decree, presents it to the voter to be signed and then enters the data on the form into the electronic system and proceeds to collect the biometric data of the voter.
4. After confirming the veracity of the provided by the voter and the documents presented by him/her, and where there are no doubts persisting as to the identity of the voter, the voter card is issued and handed over to the voter.

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Article 13 Registration form

1. The registration form shall consist of one original, one duplicate and one triplicate.
2. The duplicate of the registration form is sent to The original of the registration form, after information being filled in with the voter identification data, signed and dated by the registration officer, is filed in decentralized offices of STAE.
3. the central office of STAE, in order to be included in the national voters' file.
4. The triplicate of the registration form is sent to the municipal administration service human resources department for the municipal archive.
5. Abroad, the original of the registration form is archived in the voter registration commission where the voter conducted his/her registration, the duplicate is sent to the central office of STAE and the triplicate is sent to and archived in the National Archive of Timor-Leste.

Article 14 Registration of undocumented citizens residing in National territory

1. Citizens who do not have the documents referred to in paragraph 1 of Article 12, request their registration by filling in a sworn form, in accordance with the template approved by Government Decree.
2. This rule does not apply to Timorese citizens residing abroad.

Article 15. Registration of undocumented citizens residing abroad

1. A citizen, with a usual residence abroad, registers in the voter register in accordance with Article 12 of the current document and upon presentation of the corresponding consular card.
2. In a situation where it is not possible to present one of the identification documents provided for by law, the voter registration form is accompanied by an official document, issued by the authority of the country of usual residence of the voter, stating that the voter was born in Timorese territory or is the son/daughter of a father or mother of Timorese nationality.

Section II List of voters on the voter register Article 16 Organization and content of lists

1. Lists of voters are organized in such a way that no more than 16 voters appear on each page.
2. The lists of voters include:
 - a) The number of the voter card;
 - b) The full name of each voter.
3. Lists of voters are arranged alphabetically.

Article 17 Display of lists of voters for review

1. Thirty days before the election, STAE's Director General shall provide a true copy of the lists of voters for the decentralized offices of STAE and the voter registration commissions for the purposes of review and complaint by interested parties.
2. In duly substantiated cases, the Director-General of STAE orders, through a notice, the display of lists of voters in all *sucos (village)* and *aldeias (hamlets)* scattered throughout the national territory.
3. During the period of the display of the lists of voters, held for between three and five working days, interested parties may present complaints to the decentralized offices of STAE or to the voter registration commissions.

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4. After the deadline set forth in the preceding paragraph, the decentralized offices of STAE and the voter registration commissions shall, after deciding on the complaints, proceed with amendments resulting therefrom and notify STAE for their inclusion in the BDRE within twenty-four hours.
5. Once the amendments have been made, the interested parties are notified by displaying the lists in the building where the decentralized offices of STAE and the voter registration commissions are located.

Article 18 Maintaining lists of voters

1. Without prejudice to the provisions of Article 46 of Law no. 6/2016, of May 25, voter registration commissions ensure the maintenance and security of lists of registered voters abroad.
2. In situations in which it is not possible for the voter registration commission to ensure the maintenance and security of lists of voters registered abroad, they shall inform the Director General of STAE so that he may take the necessary steps to ensure that lists are maintained.

CHAPTER V Monitoring of voter registration Section I Supervision of voter registration Article 19

Request for accreditation as a political party agent

1. Political parties that wish to appoint agents (*fiscais*) to monitor voter registration operations inside or outside the national territory shall submit a request in writing to the Director General of STAE for accrediting their agents, without which they do not have access to the premises used for voter registration.
2. The request referred to in the preceding paragraph shall be accompanied by a complete list of the agents, which shall include:
 - a) The full name of each agent;
 - b) The voter number of each agent;
 - c) A photocopy of the Identity Card or Voter Card of each agent;
 - d) 2 passport-type photographs for each inspector to be accredited.
3. The Director General of STAE shall decide on the request within forty-eight hours of its receipt.
4. Credentials are issued within five days of the request formulated pursuant to paragraph 1 of this document.
5. An appeal can be filed with the CNE against a decision to reject accreditation, within twenty-four hours from the notification of the decision issued on the request for accreditation.
6. Once STAE's response is received, which shall be presented within a maximum of twenty-four hours, the CNE shall decide within a maximum period of forty-eight hours and communicate its decision to the political party to which the agent belongs or to the coalition of parties that has appointed him/her, and to STAE.

Article 20 Accreditation card of a political party agent

1. The political party agent's accreditation card contains the following information:
 - a) Full name of the agent;
 - b) Current photo of the agent;
 - c) The number of the agent's voter card;
 - d) The political party or coalition of parties that the agent represents;
 - e) The date of issue of the accreditation card;
 - f) The signature of the Director General of STAE;
 - g) The hologram with the emblem of STAE.

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2. The template for the political party agent accreditation card or party coalition is included in Annex I to this Government Decree, of which it is an integral part for all legal purposes.

Article 21 Rights of agents for voter registration

The following are the rights of agents for voter registration:

- a) To circulate in all the voter registration posts scattered throughout the national territory;
- b) To circulate in diplomatic missions and consular posts where voter registration commissions operate;
- c) To request explanations from the electoral administration bodies on matters related to the voter registration process and obtain, within three days, the required explanations;
- d) To have access to official documentation of voter registration;
- e) Cooperate with the other agents in order that the phase of voter registration and updating of the database is conducted in a transparent and orderly manner;
- f) Access and communicate with media representatives;
- g) Provide statements as they see fit to the media, as long as they do not jeopardize the regular operation of voter registration;
- h) Submit, in writing, complaints and appeals on decisions regarding the legal compliance of the registration activities and updating of the registration database.

Article 22 Obligations of agents for voter registration

The obligations of agents for voter registration are to:

- a) Respect the sovereignty of the Timorese State, the Constitution of the Democratic Republic of Timor-Leste and laws in force;
- b) Act with independence and transparency;
- c) Carry out an objective, responsible and conscious inspection;
- d) Communicate to the electoral administration bodies any irregularity or complaint verified during the process of registration and updating of the database;
- e) Not interfere, disturb or obstruct the development of ongoing voter registration operations;
- f) Refrain from giving orders or instructions to the voter registration officials;
- g) Be equipped with the accreditation card issued by STAE and identify themselves with this accreditation card and voter card to any authority or voter registration official that requests.

Article 23 Revocation of agent's accreditation card

1. STAE shall revoke the decision to accredit an agent who fails to comply with the laws in force in the Democratic Republic of Timor-Leste or violates the obligations set out in Article 22 and shall notify the agent in question and the political party or coalition of parties that the same represents.
2. The revocation decision can be appealed to the CNE, to be filed within twenty-four hours.
3. Upon receipt of STAE response, which shall be submitted within twenty-four hours, the CNE shall, within forty-eight hours, decide on the appeal filed to the CNE, communicating the decision to the agent, to the political party or coalition of parties that this agent represents and to STAE.

Section II Voter registration observation

Article 24 Request for accreditation as an observer

1. National and international organizations that have the objective of conducting electoral observation missions, inside or outside the national territory, shall request in writing to the Director General of STAE the accreditation of their observers.

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2. The request referred to in the preceding paragraph is accompanied by an official document of the organization and rules of operation of the organization that proposes to carry out electoral observation activities and a complete list of observers that compose the mission, and for each observer the proposal should contain the following information:
 - a) The full name of each observer;
 - b) The observer's voter number;
 - c) A photocopy of the Identity Card or observer's voter card;
 - d) The photocopy of passport, when it is an international observer;
 - e) 2 passport photographs of the observer.
3. Upon receipt of the documents instructing the observer accreditation process, the Director-General of STAE shall decide on the issue of the respective accreditation cards within forty-eight hours.
4. The accreditation cards are issued within five days after the date when the request is made to the STAE office by the organization that requires accreditation of its observers.
5. A decision to reject can be appealed to the CNE within twenty-four hours, counting from the notification of the rejection decision.
6. Once STAE's response is received, which is submitted within twenty-four hours, the CNE shall, within forty-eight hours, decide on the appeal that was filed and communicate its decision to the observer, to the organization that the observer represents and the Migration Directorate of the National Police of Timor-Leste.

Article 25

Accreditation card of voter registration observer

1. The Observer's accreditation card shall contain the following information:
 - a) Full name of the observer;
 - b) Current photograph of the observer;
 - c) The voter card number, for a national observer;
 - d) The passport number, for an international observer;
 - e) The name of the organization that the observer represents;
 - f) the date of issue of the observer's accreditation card;
 - g) The signature of the Director General of STAE;
 - h) The hologram with the emblem of STAE.
2. The observer accreditation card template is included in Annex II to this Government Decree, of which it is an integral part for all legal purposes.

Article 26

Rights of national and international observers

The rights of national and international observers are:

- a) Obtain the authorization to enter and stay in Timor-Leste, in the case of international observers;
- b) To circulate in all the places where voter registration operations are carried out scattered throughout the national territory;
- c) Obtain necessary clarifications on the legislative framework of voter registration;
- d) To request clarifications from the electoral administration bodies on matters related to the electoral process and to obtain, within three days, the clarifications required;
- e) Have access to official documentation of the registration;
- f) Access and communicate with representatives of the media.

Article 27

Obligations of national and international observers

1. Observers of voter registration are obliged to:
 - a) Respect the sovereignty of the Timorese State, the Constitution of the Democratic Republic of Timor-Leste and other laws in force;
 - b) Act with independence, transparency and neutrality;

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- c) Not interfere with, disturb or obstruct the development of ongoing voter registration operations;
 - d) Refrain from giving orders or instructions to the registration officials;
 - e) Prepare and send to the electoral administration bodies a copy of the electoral observation report produced;
 - f) Communicate to the electoral administration bodies any situation that may create a conflict of interest with their functions.
2. An observer shall identify himself to any official or voter registration authority, by presenting the accreditation card issued by STAE and the voter card or passport.

Article 28 Revocation of observer accreditation

1. STAE revokes the observer's accreditation when it verifies one of the following situations:
 - a) Violation of the laws and regulations in force in the Democratic Republic of Timor-Leste;
 - b) Infringement of the obligations provided for in Article 27;
 - c) Conducting activities incompatible with observer status;
 - d) Other situations expressly provided in law or in the present document.
2. STAE shall communicate the revocation decision to the observer, the organization that he/she represents and the Migration Directorate of the National Police of Timor-Leste.
3. After notification of the revocation decision, the observer shall return the accreditation card issued to him/her, within a maximum period of twenty-four hours.
4. In situations where the observer does not voluntarily return the accreditation card, STAE notifies the decision to the municipal directors of STAE and the National Police of Timor-Leste to initiate the necessary steps to collect the accreditation card.
5. The revocation decision may be appealed to the CNE, to be filed within twenty-four hours.
6. The CNE decides the appeal that has been filed within forty-eight hours, starting from the presentation of STAE's response.
7. CNE's decision is notified to the observer, the organization he/she represents, STAE and the Migration Directorate of the National Police of Timor-Leste.

Article 29 Special duty of collaboration

1. STAE and the Ministry of Interior collaborate to guarantee the issuance of authorization for entry and stay to international observers who intend to follow the process of voter registration in the national territory.
2. The procedure for international observers to request permission to enter and stay shall be submitted by STAE to the Minister of the Interior so that the international observer may be granted a visa by the competent services.

CHAPTER VI Miscellaneous provisions

Article 30 Support for the voter registration process

1. The bodies and services of the Local Administration and Sucos provide support to STAE for voter registration operations.
2. Abroad, the staff of diplomatic missions and consular posts provide all logistical and material support requested by voter registration commissions.

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**Article 31
Training**

1. The voter registration officers designated by STAE receive appropriate training for the performance of their duties, provided by STAE.
2. It is also the duty of STAE, as well as the National Election Commission, to organize and conduct training activities on voter registration to MNEC staff who perform functions as delegates of the voter registration commissions.

**Article 32
Electronic Communications**

Communications between STAE, its decentralized offices and voter registration commissions are preferably carried out through electronic means for communication of voter data.

**CHAPTER VII
Transitional and final provisions
Article 33
Temporary exercise of duties**

In the absence of sufficient human resources in diplomatic missions or consular posts, delegates of voter registration commissions shall temporarily exercise the functions of the sub-delegates for a period of no more than seven consecutive days.

**Article 34
Implementation**

This Government Decree shall enter into force on the day after its publication in the *Jornal da República* (the Official State Gazette).

Approved by the Council of Ministers on September 13, 2016.

To be published.

The Prime Minister

Dr. Rui Maria de Araújo

The Minister of State Administration

Dionísio Babo Soares, PhD

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ANNEX I

DEMOCRATIC REPUBLIC OF TIMOR-LESTE
TECHNICAL SECRETARIAT FOR ELECTORAL ADMINISTRATION

VOTER REGISTRATION

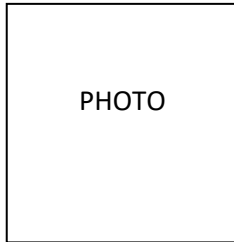
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NAME: _____

VOTER CARD NUMBER: _____

PARTY: _____

DILI, / /2016



ACILINO MANUEL BRANCO
DIRECTOR GENERAL

PARTY AGENT

ANNEX II

DEMOCRATIC REPUBLIC OF TIMOR-LESTE
TECHNICAL SECRETARIAT FOR ELECTORAL ADMINISTRATION

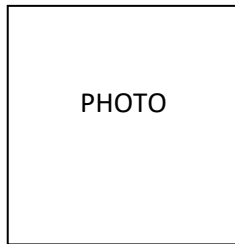
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VOTER CARD NUMBER: _____

ORGANIZATION: _____

DILI, / /2016



ACILINO MANUEL BRANCO
DIRECTOR GENERAL

NATIONAL OBSERVER

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DEMOCRATIC REPUBLIC OF TIMOR-LESTE
TECHNICAL SECRETARIAT FOR ELECTORAL ADMINISTRATION

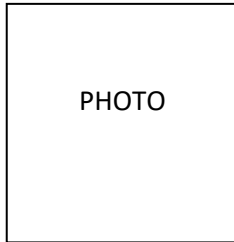
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STAE /X/STAE-RE/FP/2016

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PASSPORT NUMBER: _____

ORGANIZATION: _____

DILI, / /2016



ACILINO MANUEL BRANCO
DIRECTOR GENERAL

INTERNATIONAL OBSERVER