

## DECREE-LAW No. 64/2022

of August 31

**FIRST AMENDMENT TO DECREE-LAW No. 30/  
2011, OF JULY 27, CONDITIONS AND  
PROCEDURES TO BE OBSERVED REGARDING THE  
IMPORT OF MOTOR VEHICLES**

- a) The amounts due, under the terms of the law, for the acts of evaluation and accreditation;
  - b) Remunerations due for other services rendered;
  - c) Contributions or subsidies granted by any entities, as well as the product of donations, inheritances or legacies;
  - d) The product of the services provided to third parties and the sale of its publications and studies;
  - e) The product of technical or professional training courses in the areas related to the attributions of ANAAA, IP;
  - f) Any other income provided for by law.
2. Revenues are settled and collected under the terms to be defined in rules approved for the purpose by the Executive Director, in compliance with the financial rules in force for public institutions.
3. The amount due to ANAAA, IP, for each assessment and accreditation must:
- a) Reflect the average costs of the services provided;
  - b) Be contained in values determined from criteria of economy, efficiency and effectiveness, as well as the best international practices in the matter.

**CHAPTER IV  
FINAL DISPOSITIONS**

**Article 26  
Publicity of acts**

The decisions of ANAAA, IP, in terms of evaluation and accreditation and the reports that support them are published in Series II of the *Journal of the Republic*.

**Article 27  
professional secret**

1. The members and holders of the bodies and the staff at the service of ANAAA, IP, are subject to professional secrecy regarding the facts and data which they obtain in the exercise of their functions, and may not disclose or use them, for their own benefit or for others, directly or through an intermediary.
2. Professional secrecy shall be maintained after the members and holders of the bodies and staff have ceased to function.

**Article 28  
Internal Regulation**

The internal regulations of ANAAA, IP, are prepared by the Technical Secretariat, under the supervision of the Executive Director, and approved by the Board of Directors.

Through Decree-Law no. 30/2011, of 27 July, the conditions and procedures to be observed regarding the importation of motor vehicles were approved. More than ten years after the approval of the aforementioned diploma, there is a need to introduce more demanding conditions for the importation of vehicles and to control import operations more effectively, in order to ensure the protection of the consumer and the environment. For this purpose, the present decree-law prohibits the importation of light passenger and mixed vehicles that do not comply with the technical conditions of circulation in the national territory and creates an administrative offense regime to punish non-compliance with the rules contained in this diploma, also extending the its scope to motorbikes. The procedure for importing vehicles is also simplified,

Therefore, the Government decrees, under the terms of subparagraph o) of paragraph 1 of article 115 and subparagraph d) of article 116 of the Constitution of the Republic, to have the following effect as law:

**Article 1  
Object**

This diploma makes the first amendment to Decree-Law no. 30/2011, of 27 July, Conditions and Procedures to Observe Regarding the Import of Motor Vehicles.

**Article 2  
Amendment to Decree-Law No. 30/2011, of 27 July**

Articles 1, 2, 3, 4, 6, 7 and 9 of Decree-Law no. essay:

**"Article 1  
[...]"**

1. This statute regulates the conditions and procedures to be observed in relation to the importation of light passenger and mixed vehicles, motorcycles and mopeds.
2. For the purposes of this decree-law, light passenger and mixed vehicles, recreational vehicles, vans, microletes, passenger transport vehicles with 20 or less seats, light commercial vehicles and trucks with load capacity of less than four tons.

3. Motorcycles are considered for the purposes of this

diploma, vehicles equipped with two or three wheels with a propulsion engine with a cylinder capacity greater than 50 cm<sup>3</sup> or that, by construction, exceed a speed of 45 km/h by level.

4. For the purposes of this law, mopeds are considered to be vehicles equipped with two or three wheels equipped with an engine with a cylinder capacity not exceeding 50 cm<sup>3</sup>, if it is an internal combustion engine and with a maximum speed, on a level and by construction, that does not exceed 45 km/h.

## Article 2 import ban

1. The importation of light passenger and mixed vehicles, motorcycles and mopeds older than five years from the date of manufacture is prohibited, without prejudice to the exceptions provided for in the following article.
2. The importation of light passenger and mixed vehicles, motorcycles and mopeds that do not comply with the technical conditions for circulation in national territory provided for by law, regardless of the age of the vehicle, is prohibited.

## Article 3 [...]

The importation of light passenger and mixed vehicles, motorcycles and mopeds with more than five years from the date of manufacture is allowed, under the following conditions:

- a) Vehicles imported by residents in national territory over 17 years of age, after a period of residence of twelve months abroad, provided that the vehicle has been purchased and registered in the name of the importer and has remained in their possession, in the abroad, for at least twelve months before importation into Timor-Leste;
- b) Vehicles imported under international agreements;
- c) Imported vehicles identified as collectors' items, namely:
  - i. "Veteran" collectibles, manufactured before 1909;
  - ii. "Epoch" collection vehicles, manufactured before 1930;
  - iii. "Classic" collectibles, manufactured before 1980;
- d) Vehicles donated to duly registered non-profit legal entities of social solidarity that are intended to be used for assistance to the community, upon prior opinion of the member of the Government responsible for social solidarity.

## Article 4 vehicle import

1. Vehicle importers verify compliance with the rules provided for in this statute before the vehicle is shipped.

2. The imported vehicle must be presented to customs within 30 days from the presentation by the carrier of the cargo manifest that includes the imported vehicle.

3. Failure to present the imported vehicle to customs within 30 days from the presentation by the carrier of the cargo manifest that includes the imported vehicle determines the need to present a new cargo manifest that includes the imported vehicle, unless the importer proves that the delay is the responsibility of the carrier or is due to force majeure, namely strike, natural disaster or political or military unrest.

4. The importation of vehicles in breach of the rules provided for in this statute determines:

- a) The determination of administrative offences;
- b) The re-export of the vehicle within 30 days, the costs of the entire process being borne by the importer.

5. If the importer does not re-export the vehicle within 30 days, the vehicle is seized and must be declared lost in favor of the State under the terms of article 368 of the Customs Code.

## Article 6 [...]

1. In the event that the importer has falsified or falsified documents in order to circumvent the rules regarding the importation of vehicles, the imported goods are seized by the Customs Authority, and must be declared as lost in favor of the State under the terms of article 368. of the Customs Code, without prejudice to criminal and/or administrative liability that may be determined against the importer.
2. In the event that the importer has falsified or falsified parts of the vehicle, in order to circumvent the rules relating to the importation of vehicles, the imported goods are seized by the Customs Authority, and must be declared as lost in favor of the State under the terms of article 368 of the Customs Code, in addition to the criminal liability and/or administrative offense that may be determined against the importer.

3. *[revoked]*.

## Article 7 [...]

1. The Customs Authority is the entity responsible for verifying compliance with the rules provided for in this statute, namely:

- a) The type of vehicle;
- b) The age of the vehicle;

- c) Ownership of the vehicle;
- d) The condition and technical characteristics of the vehicle;
- e) The grounds for importation and its proof.

2. The verification of imported vehicles at the time of their presentation to customs is carried out by a joint team formed by the Customs Authority, the National Directorate of Land Transport and the National Directorate of Foreign Trade, each entity being responsible for verifying the elements that fit it due to its legal competences.
3. The decision to verify the joint team results from the decisions of each entity that integrates it, requiring the positive decision of unanimity.
4. The Customs Authority Commissioner may, for reasons of storage convenience, order the removal of vehicles from the customs space to another place defined for this purpose, without cost to the importer.

#### Article 9

supplementary regime

[...].”

#### Article 3

##### Addendum to Decree-Law No. 30/2011, of 27 July

Articles 8-A, 8-B and 8-C are added to Decree-Law No. 30/2011, of 27 July, with the following wording:

#### “Article 8-A

administrative offenses

1. The following fines apply to the administrative offenses provided for in this article, without prejudice to the application of the most serious penalty or sanction that may be imposed on them by virtue of another legal provision:
  - a) When the importer is a legal person, a fine of US\$4,000 to US\$30,000 per vehicle;
  - b) When the importer is a natural person, a fine of US\$ 2,000 to US\$ 15,000 per vehicle.
2. In case of negligence, the maximum amounts provided for in the previous number are US\$ 20,000 for legal entities and US\$ 10,000 for individuals.
3. Constitutes an administrative offence:
  - a) The presentation to customs of light passenger and mixed vehicles, motorcycles and mopeds with more than five years from the date of manufacture, except under the conditions provided for in article 3;
  - b) Presentation to customs of light passenger and mixed vehicles, motorcycles and mopeds that

present material damage that affects the integrity and quality of the vehicle, its suitability for road traffic and the safety of the driver, passengers and third parties, whether the damage is the result of a road accident, transformation or any other circumstance, regardless of age of the vehicle;

- c) Presentation to customs of falsified or falsified documents with the aim of circumventing the rules relating to the importation of vehicles;
- d) Presentation to customs of vehicles with forged or falsified parts with the aim of circumventing the rules relating to the importation of vehicles;
- e) Failure to re-export the vehicle whose importation is prohibited under the terms of this statute, within 30 days.

4. The attempt is punishable.

5. In case of attempt, the minimum and maximum limits of the fines provided for in the previous numbers are reduced by half.

#### Article 8-B

Competence

1. It is incumbent upon the Customs Authority to instruct the infringement proceedings in accordance with the regime established by the present diploma.
2. It is incumbent upon the Commissioner of the Customs Authority to apply fines and ancillary sanctions, in accordance with the regime established by this statute.

#### Article 8-C

Payment and collection of fines

1. Collection of fines must be promoted by the Customs Authority, through the issuance of a payment slip.

two. The proceeds from the fines revert to the Treasury.

3. When not paid voluntarily, the fines imposed in administrative proceedings may be coercively collected.”

#### Article 4

##### Systematic changes

1. The heading of Chapter I of Decree-Law no. 30/2011, of 27 July, is renamed “General provisions”.
2. In Decree-Law no. 30/2011, of 27 July, the following are created:
  - a) Chapter II, which includes articles 2 to 8, entitled “Import of vehicles”;
  - b) Chapter III, which includes articles 8-A to 8-C, with the heading “Regime of administrative offences”;

c) Chapter IV, which includes articles 9 and 10, entitled "Final provisions".

**Article 5**  
**transitional regime**

Until the approval of the legal diploma on the technical conditions that must be met by light passenger and mixed vehicles, motorcycles and mopeds to circulate in national territory, provided for in paragraph 2 of article 2 of Decree-Law no. /2011, of 27 July, with the wording given by the present diploma, the importation of light passenger and mixed vehicles, motorcycles and mopeds that present material damage that affects the integrity and quality of the vehicle, its suitability for circulation and the safety of the driver, passengers and third parties, whether damage resulting from a road accident, transformation or any other circumstance, regardless of the age of the vehicle, related, in particular, to:

- a) Existence of vehicle identification elements;
- b) Integrity of the bodywork, cab, body and windows;
- c) Correct operation of the closing and opening systems of the doors, trunk lids, engine and others;
- d) Mechanical condition and functioning of the braking equipment;
- e) Mechanical condition and functioning of the steering elements;
- f) Status of the visibility of the vehicle and related elements;
- g) Operation of lighting equipment and electrical system components;
- h) Mechanical condition of axles, wheels, tires and suspension;
- i) State of the frame and frame accessories.

**Article 6**  
**revocation rule**

Article 5, paragraph 3 of article 6 and article 8 of Decree-Law no. 30/2011, of 27 July are revoked.

**Article 7**  
**republication**

Decree-Law no. 30/2011, of 27 July, with the current wording and the necessary grammatical and legal corrections, is republished as an annex to this diploma, of which it forms an integral part.

**Article 8**  
**Effects production**

1. This statute applies to import processes that begin after its entry into force.

The present diploma also applies to import processes that have started before its entry into force but have not yet been concluded, if the regime provided for herein is more favorable to the importer.

**Article 9**  
**Implementation**

This statute enters into force on the day following its publication.

Approved by the Council of Ministers on 20 July 2022.

The Prime Minister,

\_\_\_\_\_  
**TaurMatan Ruak**

The Coordinating Minister for Economic Affairs,

\_\_\_\_\_  
**Joaquim Amaral**

The Minister of Finance,

\_\_\_\_\_  
**Rui Augusto Gomes**

The Minister of Transport and Communications,

\_\_\_\_\_  
**Jose Agustin da Silva**

The Minister of Tourism, Commerce and Industry,

\_\_\_\_\_  
**Jose Lucas do Carmo da Silva**

Enacted on 8/22/22.

Publish yourself.

The President of the Republic,

\_\_\_\_\_  
**José Ramos-Horta**

Attachment

(referred to in Article 7)

**Decree-Law No. 30/2011**

from 27th of July

**Conditions and Procedures to Observe Regarding the Import of Vehicles Engines**

Importing vehicles allows the promotion of economic development. For this reason, it is essential to define the characteristics of vehicles to be imported into Timor-Leste, in order to protect the consumer and the environment.

On the other hand, the establishment of a prior authorization system for the importation of vehicles makes it possible to achieve effective control over import operations and to establish a system that makes it possible to verify whether vehicles brought into the country comply with the technical characteristics defined by law.

It is therefore with the aim of regulating the conditions and procedures relating to the importation of vehicles that this decree-law is approved.

Thus, the Government decrees, under the terms of subparagraph o) of paragraph 1 of article 115 of the Constitution of the Republic, to have the following effect as law:

**Chapter I  
general provisions**

**Article 1  
Object**

1. This statute regulates the conditions and procedures to be observed in relation to the importation of light passenger and mixed vehicles, motorcycles and mopeds.
2. For the purposes of this decree-law, light passenger and mixed vehicles, recreational vehicles, vans, microletes, passenger transport vehicles with 20 or less seats, light commercial vehicles and trucks with load capacity of less than four tons.
3. For the purposes of this law, motorcycles are considered to be vehicles equipped with two or three wheels with a propulsion engine with a cylinder capacity greater than 50 cm<sup>3</sup> or that, by construction, exceed a speed of 45 km/h by level.
4. For the purposes of this law, mopeds are considered to be vehicles equipped with two or three wheels equipped with an engine with a cylinder capacity not exceeding 50 cm<sup>3</sup>, if it is an internal combustion engine and with a maximum speed, on a level and by construction, that does not exceed 45 km/h.

**Chapter II  
vehicle import**

**Article 2  
import ban**

1. The importation of light passenger and mixed vehicles, motorcycles and mopeds older than five years from the date of manufacture is prohibited, without prejudice to the exceptions provided for in the following article.
2. The importation of light passenger and mixed vehicles, motorcycles and mopeds that do not comply with the technical conditions for circulation in national territory provided for by law, regardless of the age of the vehicle, is prohibited.

**Article 3  
exceptions**

The importation of light passenger and mixed vehicles, motorcycles and mopeds with more than five years from the date of manufacture is allowed, under the following conditions:

- a) Vehicles imported by residents in national territory over 17 years of age, after a period of residence of twelve months abroad, provided that the vehicle has been purchased and registered in the name of the importer and has remained in their possession, in the abroad, for at least twelve months before importation into Timor-Leste;
- b) Vehicles imported under international agreements;
- c) Imported vehicles identified as collectors' items, namely:
  - i. "Veteran" collectibles, manufactured before 1909;
  - ii. "Epoch" collection vehicles, manufactured before 1930;
  - iii. "Classic" collectibles, manufactured before 1980;
- d) Vehicles donated to duly registered non-profit social solidarity legal persons that are intended to be used for community assistance, upon prior opinion of the member of the Government responsible for social solidarity.

**Article 4  
vehicle import**

1. Vehicle importers verify compliance with the rules provided for in this statute before the vehicle is shipped.
2. The imported vehicle must be presented to customs within 30 days from the presentation by the carrier of the cargo manifest that includes the imported vehicle.
3. Failure to present the imported vehicle to customs in the