Law No. 10/2021
of June 16
PROCEEDS THE FIRST AMENDMENT TO LAW No. 11/ 2017, OF MAY 24, MIGRATION AND ASYLUM LAW

The Migration and Asylum Law, approved in 2017, establishes the legal framework that allows, in particular, to control and monitor the entry and stay of foreign citizens in national territory, in the context of internal security policy.

The Agreement between the Democratic Republic of Timor-Leste and the Holy See, ratified by National Parliament Resolution No. 18/2015, of 11 November, enshrines specific rules regarding the entry and stay in the country of foreign missionaries.

In this context, recognizing the deep historical relations between the Catholic Church and Timor-Leste, and within the framework of current legislation, the temporary residence permit issued to foreign missionaries under the Agreement is enshrined in law, as well as the procedures to be adopted for its granting.

Thus, the National Parliament decrees, under the terms of Article 95.1 of the Constitution of the Republic, to be valid as law, the following:

Article 1

This law proceeds to the first amendment to Law No. 11/2017, of May 24, Law on Migration and Asylum, rectified by Rectification Declaration No. 9/2017, published in the Official Gazette, Series I, No. 27, of July 12, 2017.

Article 2

Amendment to Law No. 11/2017, of 24 May 2017

Articles 13, 41, 59 and 127 of Law No 11/2017 of 24 May are amended as follows:

« Article 13.o [...]

1. [...]
2. [...]
   a) [...]
   b) [...]
   c) [...]
   (d) produce evidence that they apply for the type B temporary residence permit referred to in the Article 59(4);

   (e) [Former point (d)].
3. [...]

Article 41
[...]

Foreign citizens do not need a visa for temporary residence:

a). Mentioned in article no 3 and article no 70;

b) [...]

ANNEX
Republication of Law No. 11/2017, of May 24 Migration and Asylum Law

The continuous increase in the mobility of people, the globalization of social and economic challenges affecting various regions of the globe, terrorism, and transnational organized crime are key aspects of the new international paradigm and imply continued attention from States regarding the control of migration flows.

Due to its strategic geographic location and growing economic development, Timor-Leste has been increasingly taking on the nature of a host country, making it essential to develop and consolidate public policies in the field of migration. In addition, in an era when the reality of refugees is increasingly poignant, there is the need to fully respect the Universal Declaration of Human Rights, the Geneva Convention of July 28, 1951 and the Additional Protocol of January 21, 1967, embodying the tradition and democratic spirit of the Timorese state in welcoming those most in need.

During the validity of Law 9/2003, of October 15, there were also some discrepancies between the reality of migratory movements and the internal security needs of the country.

In this context, it is urgent to reformulate the legal framework that regulates the entry, stay and exit of foreigners and the entry and exit of nationals from national territory, thus enabling Timor-Leste to provide a more adequate response to the challenges posed in this area.

Among the innovations introduced by the present diploma, one can highlight the increase of definitions that assist in the interpretation and application of the law, the reformulation of the concept of special stay permit, making it clearer which foreigners can benefit from this stay regime, the redefinition of the range of visas that can be granted by Timor-Leste, highlighting the introduction of the courtesy visa the business visa and the temporary stay visa for dependents, the creation of clearer rules for the extension of visas and for obtaining a residence permit, the clarification of the procedure to obtain asylum, the increase of fees and fines, and, finally, the criminalization of the violation of the measure of prohibition of entry and of marriage for convenience.

As for the tariffs, their creation is subordinated to the principles of economic equivalence for the service provided by the State, so that their respective value was set considering the real costs of their emission, in respect for the pursuit of public interest and the satisfaction of the State's financial needs.

The National Parliament enacts, pursuant to the Article 95(1) of the Constitution of the Republic, to be valid as law, the following:

CHAPTER I GENERAL PROVISIONS
Article 1
Object and scope

1.

j) "National interest" means the set of material and immaterial values that are protected by law and by public policies established by the competent bodies;

k) "Minor" means a person who, according to the applicable law, has not yet reached the age of majority;

l) "Unaccompanied minor" means a minor who enters and leaves national territory unaccompanied by an adult who is his or her legal representative, or while not effectively taken into the care of such a person, or who has been abandoned after entering national territory;

m) "Reasons or grounds for persecution", are all acts of persecution that are capable of founding the right to asylum or, irrespective of their individual or collective character, which constitute a serious violation of fundamental human rights by their nature or repetition, or the set of measures which, by their cumulation, nature or repetition, affect the alien or stateless person in a similar manner to that resulting from a serious violation of fundamental rights;

n)

Article 6
Right to work

1. Foreigners are entitled to engage in salaried activities, either independently or as

2. The member of the Government that oversees migration communicates the facts foreseen in the previous number to the Public Prosecutor's Office for possible extinction of the association and criminal proceedings against those responsible.

Article 9
Restrictions

1. It is prohibited for foreigners to:
   a) To participate in the political life and public affairs of the RDTL;
   b) Own private property in the country;
   c) Provide religious assistance to the Defense and Security Forces, except in cases of absolute necessity and urgency or when duly authorized by the Government;
   d) To interfere, directly or indirectly, in the affairs of the State;
   e) Pressuring or coercing any person, group or association to adhere to the ideas, programs or norms of action of political parties or factions in any country.

2. The restriction provided for in paragraph d) of the previous number does not include:
   a) Activities of a strictly academic nature;
   b) Foreign technical assistance contracted by State institutions;
   c) Assistance programs agreed upon bilaterally or multilaterally aimed at capacity building and strengthening the democratic institutions provided for in the Constitution and regulated by law.

CHAPTER III
ENTRY, STAY AND EXIT FROM THE NATIONAL TERRITORY

SECTION I
General Provisions

Article 10
Border posts

1. Entry into and exit from the national territory shall take place exclusively at border crossings authorized for this purpose and during their opening hours, without prejudice to entry and exit at land border crossing points used for traditional, customary or commercial reasons, under conditions that have been bilaterally agreed upon between the Democratic Republic of Timor-Leste and the Republic of Indonesia.

2. All persons entering or leavin

Article 11
Right of Entry and Exit

1.

complicity of those accompanying them, without prejudice to the criminal procedural measures applicable under the terms of the law.

8. Minors who are not accompanied by their legal representatives or when those accompanying them do not have the respective minor's exit permit will be refused exit from national territory.

Article 20
Authorization of entry in exceptional cases

1. In situations of relevant national interest or for urgent humanitarian reasons, the entry into national territory of foreigners who do not meet the legal requirements may be permitted.

2. Without prejudice to the regime foreseen in Chapter VIII concerning the right to asylum, the competence to authorize entry under the terms of the previous number is that of the member of the Government responsible for migration and, in situations of urgent humanitarian reasons, the competence to authorize entry is that of the head of the public service responsible for migration, with the possibility of delegation to those in charge of border posts.

3. The authorizations referred to in the previous number require a reasoned order.

4. The maximum validity of the authorization of entry and stay is thirty days, and may be extended for equal and successive periods.

Article 21
Laissez-passer

1. The head of the public service responsible for migration may issue the laissez-passer provided for in Article 12(3)(b) to aliens who

   a) Demonstrate difficulty or impossibility to leave national territory because they do not possess a travel document;

   b) Subject of a measure to expel them from national territory and are in possession of no travel document.

2. The travel document issued by the public service responsible for migration on national territory is intended to allow the holder to leave national territory and is valid for one single journey.

3. The travel document issued in accordance with the above paragraphs must only be issued if it is guaranteed that the authorities of the country to which the alien wishes to travel will allow him/her to enter its territory.

e) Presenting false documents or make statements that are manifestly inconsistent with the true purpose of their stay on national territory.

2. The refusal of entry that does not depend on deadlines defined under the terms of the present diploma is periodically reviewed with a view to its maintenance or revocation.

3. The member of the government responsible for migration, upon proposal by the head of the public service responsible for migration, is competent to create a list of people who are not admissible to national territory.

4. The judicial and police authorities, within the limits of their respective powers, can request the interception of persons at the borders, upon request to the head of the public service responsible for migration, who organizes and disseminates a list of persons subject to entry or exit restrictions.

5. Entry cannot be refused to foreign citizens who were born in the territory of the RDTL and habitually reside here, or who are legal representatives of minors of Timorese nationality orminors who are nationals of a third State legally residing in Timor-Leste over whom they exercise paternal power or ensure their support and education.

Article 24
Decision refusing entry

1. The decision to refuse entry may only be taken after hearing the foreign national, whose statements may be reduced to writing by him/her.

2. The power to refuse entry into national territory belongs to the head of the public service responsible for migration, with the possibility of delegation to the heads of border posts.

3. For the purposes foreseen in the previous numbers, the officers and employees of the border posts will give the highest priority and urgency to the resolution of pending situations and adopt the legally admissible precautionary measures that are humanely necessary until a decision is made regarding refusal of entry or admission.

4. A non-admitted alien may be placed, while awaiting a final decision or repatriation trip, in a temporary reception center, if any, in the international zone of the border post or in an equivalent place.

5. The person concerned will be notified in writing of the decision to refuse entry, in the official language and in a language which he/she understands, within 48 hours of his/her making his/her statement, stating the grounds on which it is based and setting out his/her rights and obligations, including the right to appeal, the time limit for lodging an appeal and the right to be assisted by a public defender or a lawyer duly authorised and freely chosen by him/her, at his/her own expense.

6. If an alien refused entry has not travelled by his own means, the carrier shall also be notified of the decision to refuse entry.

Article 25
Seizure of travel documents

1. When an alien presents a counterfeit, forged, foreign or fraudulently obtained document for entry into national territory, the competent authorities, after refusing entry, must

    a) In the case of entry of foreigners who are travelling by their own means, seize their documents and proceed to deliver them and their foreign national to the police authorities of the country from which he/she intended to enter national territory;

    b) In the case of the entry of aliens travelling by carrier, seize their documents

Article 30
Valid documents

Valid documents for affixing visas are the travel documents defined as such in this diploma, with the exception of those which, due to their nature, do not have a place for affixing visas.

In the cases provided for in the last part of the previous number, visas shall be affixed on a separate sheet.

Article 31
Visas in family passports

1. Whenever family passports are presented, visas and respective control stamps will be issued in a number corresponding to the number of persons requesting entry and stay in the DRTL.

2. The entry of two or more persons under a family passport presupposes the corresponding extension of stay and exit of all persons covered, under penalty of illegal stay.

3. The provisions of the preceding paragraph are without prejudice to the special provisions set out in international agreements ratified by Timor-Leste.

SECTION II
Types of Visas

Article 32
Typology

1. Visas shall be granted in conformity with the purpose of entry into national territory and with the typology established in the following number.

2. The following types of visas are granted
   a) Courtesy visa;
   a) Transit visa;
   b) Tourist visa:
   c) airport transit visa;
   d) Working visa;
   e) Business visa Class I and Class II;
   f) Temporary stay visa;
   g) Residence Establishment Visa

Article 33
Courtesy Visa

1. A courtesy visa is granted by the Ministry responsible for foreign affairs to a foreigner who is traveling to the national territory on a business or official visit.

2. The visa referred to in the previous number is valid for one year, allows for periods of stay of up to thirty days and multiple entries.

Article 34
Transit visa

1. The transit visa is intended for foreign nationals who intend to enter national territory on a trip to another country.

2. The visa referred to in the previous number is valid for a maximum period of seventy two hours, allows for two entries and, except as provided for in Article 51, cannot be extended.

Article 35
Tourist visa

1. The tourist visa is for foreigners who travel to national territory for tourism purposes.

2. The tourist visa is valid for thirty days and can be extended once for the same period of time, allowing for a single entry, except when the foreigner is traveling to or from Oe-Cusse Ambeno, in which case multiple entries are permitted.

3. The foreigner holding the tourist visa is not authorized to exercise any professional activity in the national territory.

Article 36
Airport transit visas

1. The airport transit visa is intended for foreigners who only wish to have access to the international zone of the airport and who continue their journey in the same or another aircraft, in accordance with the title of transport and, except for the provisions of Article 51, it cannot be extended.

2. Nationals of the States identified in a Government Resolution are subject to the airport transit visa.

Article 37
Work visa

1. The purpose of a work visa is to allow its holder to enter national territory in order to carry out a professional activity for hire or reward, in the form of an employment contract or as a service provider.

2. Foreigners who intend to do voluntary work for periods of more than 120 days per year must obtain a work visa for this purpose.
3. The work visa is valid for a maximum of one year, can be extended for equal periods and allows multiple entries.

4. The work visa only allows the holder to engage in the professional activity for which it was issued and has the limitations set forth in Article 6.

5. If the employment relationship on the basis of which the work visa was issued terminates, this must be communicated to the public office responsible for migration for cancellation of the visa in accordance with Article 49(1)(b) or authorisation to engage in another activity in accordance with Article 6(3).

Article 38
Business visa

1. A business visa is divided into class I and class II and is granted to foreigners who intend to carry out business activities in national territory in accordance with Article 2(1)(c).

2. A Class I business visa is issued to foreigners intending to enter Portuguese territory for the purpose of developing business or investment prospection activities.

3. The Class I business visa is valid for a maximum period of sixty days, allows multiple entries and, except as provided for in article 51, is not extendable.

4. The Class II business visa is destined for foreigners who intend to establish themselves in national territory to carry out business activities within the meaning of paragraph c) of no. 1 of article 2, by virtue of being a partner or administrator of a commercial company registered or to be registered in the RDTL, and who perform a certain important function therein, as long as they remain or intend to remain in national territory for a period of more than one hundred and eighty three days per year.

5. The Class II business visa is valid for an initial period of six months, can be extended for periods of two years and allows for multiple entries.

f) [Revoked]
g) [Revoked]

SECTION III
Visa Applications and Issuance

Article 42
Place of application

1.

3. Foreigners under the age of sixteen are exempt from presenting a criminal record.

Article 44
Competence for granting

1. The granting of courtesy visas is the responsibility of the member of Government that is responsible for foreign affairs.

2. The granting of work visas, business visas, temporary stay visas and visas for establishing residence shall be the responsibility of the member of the government responsible for migration.

3. The granting of transit visas, tourist visas and airport transit visas is the responsibility of the head of the public service responsible for migration.

4. Without prejudice to the provisions of Article 35(3), the visas referred to in the previous number may be applied for orally and obtained upon arrival of the interested party at the border posts, provided that the other requirements established by law are met.

The Extension of stay in national territory is done in accordance with the provisions of the

3. Once the period referred to in the previous paragraph has expired, either parent or legal representative may still apply to the member of the Government that oversees migration, for the granting of the appropriate visa or residence authorization for the minor by means of a reasoned request and presentation of the minor's birth registration.

Article 57
Waiver of Residence Authorization

1. The residence permit is not required of diplomatic, consular and similar agents, accredited in the DRTL, nor of the members of their families.

2. The permanence of the administrative, domestic, and similar personnel that work in the diplomatic missions or consular posts is ruled by the provisions of the Vienna Convention on Diplomatic Relations and the Vienna Convention on C

4. A person identified as a victim of trafficking in persons or as a victim of action to facilitate illegal immigration may be granted a reflection period not exceeding ninety days before deciding to cooperate with the competent authorities.

5. During the reflection period, no measure of expulsion from the national territory may be enforced against the victim of human trafficking.

6. The residence permit provided for in this article, and the rights granted during the reflection period, shall be extended to the family members of the victim.

7. The residence permit granted to victims of human trafficking or of networks that facilitate illegal immigration and their family members may be cancelled when

   a) The victim has actively and voluntarily re-established contacts with the alleged perpetrators of human trafficking or illegal immigration aid networks;

   b) The authority responsible for issuing the permit considers that the collaboration is fraudulent or that the victim's complaint is unfounded;

   c) The victim expressly or tacitly ceases to cooperate with the competent authorities.

Article 62
Granting of residence permits for exceptional reasons

1. In exceptional cases, of recognized national interest or humanitarian nature, a temporary residence permit may be granted to foreigners who do not meet the entry requirements foreseen in the present diploma.

2. A residence permit for exceptional reasons may also be granted at the initiative of the member of the Government responsible for migration, by means of a reasoned order, to an individual who has submitted an asylum application that has been rejected but who, due to personal circumstances, is unable to return to his/her country of origin or country of habitual residence, namely if

   a) There are strong indications that he or she may be subjected to torture, degrading treatment or punishment;

   b) There are serious indications that such return would endanger his or her physical integrity.

3. Residence permits for exceptional reasons may also be granted following an application submitted to the public office in charge of migration by the interested party, in which he/she states all relevant facts and may provide evidence.

4. For the purposes of the previous number, the public service responsible for the migration shall carry out the instruction of the respective process, collecting for this purpose all relevant elements and documents, namely those related to the exceptionality or national interest invoked.

5. Once the instruction referred to in the previous number has been concluded, a report is prepared with a duly substantiated decision proposal, which, together with the respective process, is sent for decision.

6. For the purposes of paragraphs 1 and 3, the Prime Minister and the member of the Government responsible for migration shall be responsible for deciding on the request in a joint duly reasoned order.

SECTION III
Permanent Residence Permit

Article 63
Authorization of permanent residence

The permanent residence permit does not have a validity limit, and the respective title must be presented for renewal whenever there is a change in any of the records it contains.

Article 64
Requirements for granting a permanent residence permit

1. Without prejudice to the Nationality Law, the permanent residence permit may be granted to foreigners who cumulatively

   a) Have been legal residents in national territory for at least ten consecutive years, or are minor children or dependents of national citizens, or have been foreign citizens married to a national citizen for more than five years, or have had a temporary residence permit for at least six years;

   b) During the period of residence foreseen in the previous paragraph, have not been convicted of intentional criminal offenses with a penalty or penalties that, alone or cumulatively, exceed one year of effective imprisonment;

   c) have maintained, throughout the time they have resided in national territory, adequate means of lodging and subsistence and provided that it is foreseeable that they will continue to maintain them;

   d) The purpose of obtaining permanent residence declared in the application is not contradictory to the documents presented, or the declarations made;

e) During their stay in Timor-Leste, they have made a positive contribution to the economy or to the social welfare of the country.

2. The provisions of paragraphs b) to e) are not applicable to minors who are dependents of national citizens.

SECTION IV
Application, Cancellation and Renewal

Article 65
Application for Residence Authorization

1. The application for granting of a residence permit is formulated in a specific form, duly completed and signed by the applicant or, in the case of minors or incapacitated individuals, by their legal representative, and is accompanied by

a) Complete identification of the applicant through an authenticated photocopy of

b) Has been sentenced by a final judgment to an effective prison sentence of more than one year for a felonious crime;

c) Has made false statements or submitted false documents in the process of granting a visa or residence permit;

d) Being the holder of a temporary residence permit, is absent from national territory without justifiable and reasonable reasons, for a period equal to or exceeding six consecutive months or, within a period of two years, ten months interpolated;

e) Being the holder of a permanent residence permit, if he/she is absent from national territory without reasonable and reasonable reasons, for a period of twenty-four consecutive months or, in a three-year period, thirty months interpolated;

f) Has contracted a marriage with a Timorese citizen whose objective was to obtain a residence permit.

2. If the holder of the permanent residence permit is the family member of a national citizen, the residence permit may not be cancelled by order of the member of the Government in charge of migration, due to humanitarian and family reasons.

Article 67
Renewal of temporary residence permit

1. The renewal of the temporary residence permit must be requested by the interested party at the public service responsible for migration up to thirty days before its expiration.

2. The application for renewalce permit m

a) When the person concerned does not meet the conditions of accommodation and means of subsistence, except in the cases of paragraph 3 of the preceding article;

b) When the family member for whom reunification is requested is prohibited from entering national territory;

c) When the decision to reject the family reunion request is based on reasons of public order or security, or on the dangers that may result from the family member's stay in national territory.

2. Before a decision to deny family reunification is issued, the following must be taken into consideration
   a) The nature and solidity of the existing family ties;
   b) The foreign national's length of residence in the RDTL;
   c) The existence of family, cultural and social ties with the country of origin.

3. The person concerned shall be notified of any such decision, with a clear statement of the reasons therefor.

4. An

d)

Article 82

provided by law, the measures requested by the person against whom the case was brought, when he/she considers the alleged facts to be sufficiently proven.

3. Once the investigation is concluded, the respective report is drawn up, in which the instructor describes the facts found and proposes the resolution he/she considers appropriate, after which the case is forwarded to the entity competent to pronounce a decision.

Article 86
Expulsion decision

1. The administrative decision to expel a person falls under the competence of the member of the Government responsible for migration.

2. The expulsion decision must contain

   a) The facts and the legal grounds;

   b) The deportee's legal rights and obligations, namely the right to appeal;

   c) The prohibition on entering national territory with an indication of the respective period of time;

   d) Indication of the country to which the foreign national is to be sent.

3. The deportation decision is notified to the person against whom the proceedings have been instituted, in an official language and in a language he/she is presumed to understand.

4. Execution of the decision entails entry of the deportee on the non-admissible persons list.

Article 87
Appeal

1. The decision to deport may be contested by appeal.

2. Appeals against decisions against foreigners who have legally entered and remained in national territory shall have suspensive effect.

3. Appeals against decisions taken against foreign nationals who have entered or remained illegally in Brazilian territory shall have devolutive effect only.

4. The time limit for lodging an appeal shall be fifteen working days, counting from the date of notification of the deportation decision to the interested party.

2. Asylum may also be refused if the granting of asylum would result in manifest danger or a well-founded threat to internal or external security or to public order.

Article 94
Effects of granting asylum

The granting of asylum under the terms of the present chapter confers the beneficiary the refugee status, subjecting him/her to the precepts of this diploma, without prejudice to any special regimes contained in any international treaties or conventions to which the DRTL is a party or adheres.

Article 95
Extension of asylum to family members

1. The effects of asylum are extended to the spouse and minor children, adopted or incapacitated dependents, whenever the applicant so requests.

2. The family reunification regime provided for in Articles 70 et seq. shall apply to family reunification of refugees mutatis mutandis.

Article 96
Effect of asylum on extradition

Final judgment on any extradition procedure concerning the applicant which is pending shall be suspended while the application for asylum is under consideration.
The granting of asylum shall prevent any further application for extradition of the refugee based on the facts on the basis of which asylum is granted.

Article 97
Effects of asylum on entry violations

1. Administrative proceedings or criminal proceedings against the asylum seeker and his family for illegal entry into national territory shall be suspended at the time the application for asylum is made, until a final decision is taken.

2. Where asylum is granted to the applicant, the procedure or proceedings mentioned in the previous paragraph shall be discontinued if it can be demonstrated that the illegal entry into national territory was due to the same facts that justified the granting of asylum.

Article 98
Refugee status

1. A refugee enjoys the rights and is subject to the duties of foreigners residing in the DRTL, insofar as they do not contradict the provisions of this law, the 1951 Geneva Convention and the 1967 New York Protocol.

Article 104
Inadmissibility of the application

1. An application for asylum shall be considered inadmissible if, through the procedure provided for in this diploma, any of the situations referred to in Article 93 are immediately found to be manifest or when

   a) It is immediately evident that the request does not meet any of the criteria defined by the 1951 Geneva Convention as being unfounded;

   b) it is clearly fraudulent or constitutes a misuse of the asylum procedure;

   c) It is made by an applicant who is a national or habitual resident of a country that can be qualified as a safe country or a third country of refuge;

   d) The application is unjustifiably submitted after the time limit provided for in Article 100.

2. For the purposes of paragraph 1(b), there are indications that the application is clearly fraudulent or constitutes a misuse of the asylum procedure, inter alia, where the applicant

   a) Based and substantiates his application on evidence emanating from counterfeit or falsified documents;

   b) Has destroyed documents that prove his identity;

   c) Makes false statements relating to the subject matter of his/her application with prior knowledge of the falsity;

   d) Deliberately conceals the fact that he/she has already applied for asylum in one or several countries with possible use of a false identity.

Article 105
Summary examination and decision

1. It is the responsibility of the head of the public service responsible for migration, after a summary examination, to issue a reasoned decision on the refusal or admission of the application within thirty working days.

2. The absence of a decision within the period referred to in the previous number is equivalent to tacit acceptance of the admissibility of the request.

3. The UNHCR representative shall be informed of the decision.

4. Admission of the application shall not imply recognition of the right to asylum.

2.

SECTION IV
Granting of asylum

Article 112
Provisional residence permit

1. The public service responsible for migration shall issue to persons covered by an asylum application that has been admitted a provisional residence permit, valid for a period of sixty days counting from the date of submission of the application and renewable for periods of thirty days until a final decision is made.

2. Family members entitled to protection under the terms of this diploma must be mentioned in the applicant's residence permit by means of an endorsement.

Article 113

Article 114
Effects of the decision

The granting of asylum shall confer on the applicant refugee status in accordance with Article 98.

An appeal against a refusal of asylum may be lodged within fifteen working days; the appeal shall have suspensive effect.

Article 115
Effects of refusal of asylum

1. Where an asylum application is rejected, the applicant may remain in the national territory for a transitional period not exceeding twenty working days, without prejudice to the right to appeal.

2. The applicant shall be subject to the general provisions set out in the present diploma as from the end of the period provided for in the previous number.

3. Whenever the Court's decision confirms that of the member of the Government responsible for migration, the suspension of the time limit is lifted and the process of deportation or extradition is initiated.

SECTION V
Loss of the right to asylum

Article 116
Causes of extinction of the right of asylum

Causes of extinction of the right to asylum shall constitute grounds for terminating the right of asylum:

g) The voluntary acquisition by the refugee of a new nationality, provided he/she enjoys the protection of the respective country;

h) The voluntary resettlement in the country he/she left or outside of which he/she remained for fear of persecution;

i) The cessation of the reasons that justified the granting of the right to asylum;

j) The judicial decision to expel the refugee;

k)

SECTION VI
Resettlement

Article 120
Resettlement request

Applications for the resettlement of refugees under the UNHCR mandate are submitted by the UNHCR representative to the member of the Government responsible for migration.

It is for the member of the Government referred to in the previous paragraph to decide on the admissibility and granting of asylum, taking into account the particular circumstances of the case and the legitimate interests to be safeguarded.

SECTION VII
Reception Conditions

Article 121
Guarantee of Reception

The RDTL ensures to asylum seekers, until the execution of the final decision of the application, directly or through protocols celebrated with international organizations or non-governmental organizations, conditions of installation and survival that respect human dignity.

Article 122
Support

1. Economic and social support and medical and medicinal assistance shall be provided to applicants and asylum seekers in a situation of economic and social need, as well

3. Whoever repeatedly commits the acts provided for in the preceding paragraphs shall be punished by imprisonment for a term of 3 to 8 years.

4. Attempt shall be punishable.

Article 135
Aiding and abetting illegal migration

1. Whoever favours or facilitates by any means the irregular entry or stay of a foreigner in national territory, or his or her departure in cases where it was forbidden, shall be punished by imprisonment of up to one year.

2. If the perpetrator carries out the conduct referred to in the preceding paragraph with the intention of profiting, he or she will be punished by imprisonment for a term of 2 to 5 years.

3. If the conduct referred to in paragraph 1 is committed with intent to make profit by a person who makes a living out of it, or does so in an organized manner or in collaboration with one or more other persons, he or she shall be punished by imprisonment of between 3 and 12 years.

4. Punishment for the conduct provided for in the preceding paragraphs does not exclude liability for any other criminal offenses that the same conduct may have fulfilled.

5. Attempt is punishable.

Article 136
Illegal procurement of labour

1. Whoever places or mediates the placement, for remuneration in cash or in kind, of a foreign national to work in any branch of economic activity who does not hold a visa or residence permit appropriate for the purpose shall be punished by imprisonment of one month to three years.

2. Punishable offense.

Article 137
Kidnapping, enslavement, trafficking in and sale of persons

The crimes of abduction, subjection to slavery, trafficking in persons or human organs and sale of persons in connection with immigration and asylum offences shall be punishable in accordance with the general criminal law regime and other applicable special legislation.

SUBSECTION II
Regime of Administrative Offenses and Fines

Article 149
Notice

1. Without prejudice to the following article, for each infraction that results in the application of a fine under the terms of this document, the public service responsible for migration shall draw up a record of the infraction.

2. If more than one infraction is detected in relation to the same agent, a single official report shall be prepared for all of them.

3. The official report shall contain the place and date of the infraction, the name of the infractor and of his or her legal representative, if applicable, the respective address, the circumstances that led to the infraction, the legal norms infringed, the name and contact details of the witnesses who witnessed the infraction, and the identification and signature of the agent who drew up the report.

Article 150
Notification for voluntary payment and complaint

1. The official report is immediately notified to the infractor, together with the information that he or she may voluntarily pay the fine within ten working days, at the legal minimum, or within the same period complain against the fine.

2. The complaint referred to in the previous number is addressed to the head of the public service responsible for migration and must be accompan 0 g 72 0 595.4 841.8 re W* n BT /F

The complaint referred to in the previous number is addressed to the head of the public service responsible for migration and must be accompanied

the District Court of the place where the infraction was committed in order to proceed with enforcement.

2. execution.

3. Once the case file has been received, the judge records the special procedure for execution and sets a date for the hearing, notifying the offenders and the infractor, informing the latter that he may present no more than three witnesses and provide other means of proof.

4. The attendance of the offender at the hearing is not mandatory and the Court will rule in his absence provided it is shown that he was duly summoned to attend.

5. At the end of the production of evidence and if the Court does not decide for acquitta, it will proceed to convict and fix the fine in accordance with the criteria defined in the

CHAPTER XI
FINAL AND TRANSITORY PROVISIONS

Article 155
Identification of foreigners

For the purposes of this law, the public service responsible for migration may use the n8(t)15 12 Tf 1 0 0 1 231

Article 160
Transitory provision

1. Special status permits, visas and residence permits granted or refused under Law 9/2003, of 15 October, shall remain valid until they expire.

2. The current regulations of Law 9/2003, of October 15, shall remain in force until a new regulation is issued.

Article 161
Revocation

Law 9/2003 of 15 October, Decree-Law 5/2010 of 16 March and any other legal or regulatory provisions contrary to the provisions of this law are hereby revoked.

Article 162
Entry into Force

The present law shall enter into force 90 days after its publication.

Approved on March 7, 2017.

The Speaker of the National Parliament,
Adérito Hugo da Costa

Promulgated on May 19, 2017.

Published.

The President of the Republic,
Taur Matan Ruak