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DIPLOMA MINISTERIAL N.º 9 /2018

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SOBRE APROVAÇÃO DO RESULTADO DA AVALIAÇÃO PROGRAMÁTICA DO ENSINO SUPERIOR DE 2016-2017

Tendo em conta a disposição legal contida no Decreto-Lei n.º 35/2017, 21 de Novembro, do seu artigo 18.º, n.º 1, que afirma o Ministério da Educação e Cultura é órgão central do Governo responsável pela conceção, execução, coordenação e avaliação da política, definida e aprovada pelo Conselho de Ministros, para as áreas do ensino, da ciência e tecnologia, e da cultura;

Considerando o Decreto-Lei n.º 27 /2014, de 10 de Setembro, a Primeira alteração ao Decreto-Lei n.º 21/2010, de 1 de dezembro, que aprova o regime geral de avaliação do ensino superior e cria a Agência Nacional para a Avaliação e Acreditação Académica (ANAAA);

Considerando o Decreto-Lei n.º 26/2017, de 26 de Julho sobre

o regime de avaliação e acreditação das instituições do ensino superior e dos ciclos de estudo, em articulação com o artigo 3.º, do n.º 1, confere à Agência Nacional para a Avaliação e Acreditação Académica, adiante designada por ANAAA proceder à avaliação externa que serve de base aos processos de acreditação e tomar a decisão final em matéria de acreditação;

Considerando que a ANAAA tem registado um conjunto de 99 programas de estudo oferecidos pelas instituições de ensino superior acreditadas (IESA) e estes são considerados como cursos já devidamente definidos e preparados para a avaliação programática. Deste total decidiu-se iniciar a avaliação programática de 65 cursos das três áreas de concentração: Economia, Educação e Engenharia a partir de 2016/2017. Deste conjunto de 65 cursos a ANAAA já concluiu a avaliação de 37 cursos (11 cursos no ano de 2016 e 26 cursos no ano de 2017). O resultado deste processo de avaliação foi apreciado pelo Conselho Diretivo da ANAAA no dia 11 de Setembro de 2017 e com a devida aprovação pelo Ministro da Educação e Cultura no dia 25 de Outubro de 2017.

Considerando que nos termos do artigo 22.º, do Decreto-Lei n.º 26/2017, de 26 de Julho, os procedimentos para a acreditação institucional e programática são aprovados pelo Conselho Diretivo da ANAAA, com base nos requisitos previstos na Lei de Bases da Educação, critérios previstos no presente diploma e demais legislação relevante.

Por esses motivos,

O Governo, pelo Ministro da Educação e Cultura, manda, ao abrigo do previsto no artigo 30.º do Decreto-Lei n.º 26/2017, de 26 de Julho, conjugado com o Decreto-Lei n.º 35/2017, 21 de Novembro, do seu artigo 18.º, n.º 1, al. f), publicar o seguinte diploma:

CAPÍTULO I OBJETO E ÂMBITO DE APLICAÇÃO

Artigo 1.º Objeto

1. O presente Diploma aprova os resultados da avaliação programática das instituições de ensino superior acreditadas no período de 2016 a 2017;
2. Publicar os resultados da avaliação programática das instituições de ensino superior acreditadas;

CAPÍTULO V
DISPOSIÇÕES FINAIS

Artigo 10.º
Regulamentação

Cabe à ANAAA, emitir instruções e procedimentos necessários com vista a uma eficaz implementação do regime de avaliação e acreditação conforme os definidos no Decreto-Lei n.º 26/2017, de 26 Julho, sobre o Regime de Avaliação e Acreditação das Instituições do Ensino Superior e dos Ciclos de Estudo.

Artigo 11
Aprovação

É da competência do Ministro da Educação e Cultura, aprovar os resultados da Avaliação Programática do ano de 2016-2017, apresentados pela ANAAA, na ocasião do encontro com a mesma que teve lugar em 25/10/2017, no Ministério da Educação e Cultura.

Artigo 12.º
Entrada em vigor

O presente Diploma Ministerial entra em vigor no dia seguinte à data da sua assinatura

Díli, 23 de Abril de 2018

Professor Doutor Fernando Hanjam
Ministro da Educação e Cultura

MINISTERIAL STATUTORY ORDER
N.º 10 /2018

of May 9

REGULATIONS FOR LABELING OF TOBACCO
PRODUCTS

Decree-Law n.º 14/2016 of June 8, of the Regime for Tobacco Control, which entered into force in November of 2016, has the primary purpose of fighting tobacco use, insofar as its provisions are especially aimed at preventing the consumption of tobacco products, as well as raising awareness and education for health.

Whereas the packaging of tobacco is the medium for advertising the product that is most used to reach consumers, the Decree Law mentioned above accorded special attention to health, chiefly aimed at the youngest bracket of consumers

Whereas Ministerial Statutory Order n.º 2/2018, of January 13, sought without success to establish the implementation of certain provisions of the aforesaid Decree-Law, particularly those concerning packaging and information regarding the product, which were without regulation, insofar as situations arose in which implementation was difficult.

Bearing in mind the need for clarification of the inconsistencies detected, so as to ensure proper implementation of the regulation of tobacco products.

Accordingly, the Government, acting through the Minister of Health, pursuant to what is set forth in Article 12 of Decree-Law n.º 14/2016, of June 8, orders publication of the following statutory order:

Article 1.
Purpose

This statutory order regulates the labeling of tobacco products, as well as reports on the product to be submitted to the Ministry of Health.

Article 2.
Definitions

1. The terms and definitions set forth in Decree-Law n.º 14/ 2016, of June 8, when used in this statutory order, have the same meaning as that which is attributed to them therein.
2. For the purposes of this statutory order, the following definitions shall apply:
 - a) *Decree-Law* - Decree-Law n.º 14/2016, of June 8, approving the Regimen for Tobacco Control;
 - b) *Front outside surface*:
 - i) In relation to a cigarette pack, one of the two largest surfaces of the package that includes the front of the folding lid when there is one;
 - ii) In relation to a pouch, the surface that is folded over by the opening of the pouch; or
 - iii) For any other package of tobacco, one of the largest surfaces of the package.
 - c) *Back outside surface*: – one of the two largest outside surfaces of the cigarette pack, which is diametrically opposite the *Front outside surface*; or for any other package of tobacco products, one of the largest surfaces other than the front one.
 - d) *Upper outside surface (on the top)*:
 - i) In relation to a cigarette pack, one of the smaller surfaces perpendicular to the outside front, back and lateral surfaces;

- ii) In relation to any other package of tobacco, the surface on the top of the package of tobacco (if any)

e) Lower outside surface (on the bottom):

- i) In relation to a cigarette pack, the surface diametrically opposite the upper outside surface;
- ii) In relation to any other package of tobacco, the outside surface of the bottom of the package of tobacco (if any)

f) Primary Packaging - a receptacle for retail sale, in which the tobacco product is directly placed;

g) Secondary Packaging - a receptacle, in which the tobacco product in a primary package is placed for retail sale (excluding any transparent wrapping);

h) Lateral outside surface - the two surfaces perpendicular to the front and back outside surfaces of the package of tobacco products, other than the surfaces of the top or the bottom.

Article 3.

Labeling and tagging of packaging

1. The outside surfaces of packages for any tobacco product to be imported, distributed or offered for retail sale in East Timor, must comply with the following requirements:

a) The health warnings indicated in Article 13 of the Decree-Law and the respective images, as illustrated in Annex I of this statutory order, which comprises an integral part hereof, must cover 85% of the entire outside front surface of any primary and/or secondary packaging of tobacco, such that:

- i) The health warning, including the phone number for specialized consultations for quitting tobacco, covers 20% of the upper part of the upper part of the outside surface; and

- ii) The image covers 65% of the outside front surface.

b) The health warnings indicated in the sub-paragraphs of no. 1 of Article 13 of the Decree-Law, written in the Tetun language, correspond to the images in Annex I of this statutory order, which jointly comprise the labeling templates referred to in no. 1 of Article 12. of the Decree-Law.

c) The health warning and the respective image must cover 100% of the back outside surface of any package of tobacco, such that:

- i) The health warning, including the phone number for specialized consultations on quitting tobacco, should cover 20% of the upper part of the back outside surface; and

- ii) The image should cover the remaining 80% of the back outside surface.

d) In relation to cigarette packs and any other packaging of tobacco products with an upper outside surface (on the top) and a lower outside surface (on the bottom), the health warning must cover 100% of the top surface, and at least 80% of the bottom, respectively.

2. The information on tar, nicotine and carbon monoxide content, as indicated in n.º 3 of Article 12. of the Decree-Law, must cover 50% of the lower part of outside lateral surfaces on the right side of any primary or secondary packaging for cigarettes and tobacco products

3. The bar code and other product information must be exhibited on packages of tobacco in the lower part of the outside lateral surface on the left side, as follows:

- a) The bar code must be printed in black and white on the upper part of the space that is provided for it, and must cover 30% thereof.

- b) The product lot number and information on the place and date of production should occupy 20% of the left outside lateral surface, just below the bar code, or when this should prove impossible, up to 20% of the lower external surface (bottom)

4. The bar code can be shown on any outside surface of packages of tobacco products other than cigarette packs, as long as it does not conceal any of the health warnings.

5. Any health warnings required pursuant to the terms of this statutory order must be presented:

- a) In one of the official languages, as per Annex IV;

- b) In a clear and legible fashion;

- c) In the Calibri font;

- d) In upper case letters, or, for the information required by n.º 2 of this article, in a combination of upper case and lower-case letters;

- e) In white letters on a black background.

6. The size of the letters for the information on cigarette packs must comply with what is established in Annex II of this statutory order, and can be reduced as long as the letters occupy most of the area that is reserved for them pursuant to the terms of this statutory order.

7. On secondary packaging, the size of the health warnings and other product information should be in proportion to the space provided for them, keeping in mind the typeface indicated in Annex II for cigarette packs, with the understanding that in all cases, they should cover the greater part of the space provided for them.
8. The health warnings and respective images, as required by this statutory order, can be trimmed, provided that:
 - a) It proves necessary to do so to adjust the image to the respective outside surface of the tobacco package; and
 - b) The overall purpose of the image is not impaired by the trimming.
9. The brand or logo of the manufacturers/importers of tobacco products can only be placed on the outside front surface, parallel to the lower edge, and occupying up to 15% of the aforesaid surface.
10. The brand or logo of the manufacturers/importers of tobacco products, as long as it does not impair the brand logo, must be white on a background of Aluminum Gray (RAL9007).
11. It is strictly prohibited for manufacturers/importers to use the surface mentioned in number 7 to convey messages about the product, particularly through the use of texts, colors or figures, designations, marks and figurative symbols or other signs that suggest that a particular product is less harmful than others, including trademarks such as “light, ultra-light, mild, lower tar, elegant” or the respective translations, as well as any graphic element associated with tobacco or intended to associate it with the descriptions.
12. All outside surfaces of packages for tobacco products that are not covered by health warnings and the respective images, or the required information as set forth in Annex II of this statutory order, shall be in Aluminum Gray color (RAL 9007).
13. On one of the outside lateral surfaces, there should be explicit reference to the minimum age for sale of the product, which cannot be less than the legally established minimum age for the purchase of tobacco products.
14. On the outer lateral surface opposite the one mentioned in the foregoing paragraph, the necessary space must be reserved for placement of the tax stamp legally approved for such purpose.
15. Images associated with the health warnings must be of high quality, at least 300 ppi.
16. What is set forth in this article is applicable, with the appropriate adaptations, to the adhesive stickers mentioned in paragraph 7 of Article 12. of the Decree-Law.
17. Without impairment to the duty to comply with what is set forth in the Decree Law and in this Statutory Order, the Ministry of Health may make available to producers, importers and/or distributors of tobacco, the templates of approved labels in Annex I of this statutory order in digital format.
18. The dimensions and technical characteristics of the information that must appear on cigarette packs, applicable to the required adaptations for other packages of tobacco products, are set forth in and illustrated in Annex II of this statutory order, and in the event of discrepancies, the text of the standards contained in this Statutory Order should prevail.

Article 4. Tests

1. For the purposes of what is set forth in Article 10 of the Decree-Law, manufacturers/importers of products to be sold in East Timor must annually communicate to the Ministry of Health, the average levels of tar, nicotine and carbon monoxide, respectively, produced by their cigarette brands (relating to each one of their varieties), when tested, in accordance with the following standards:
 - (a) ISO 3308 (*Routine analytical cigarette-smoking machine – Definitions and standard conditions*); e
 - (b) ISO 10315 (*Cigarettes – Determination of nicotine in smoke condensates – Gas – Chromatographic method*).
2. The results of the tests required pursuant to the terms set forth in Article 10. of the Decree-Law must be submitted to the appropriate Departments of the Ministry of Health within a period of 60 days counting from the end of the calendar year, in accordance with the template established in Annex III of this Statutory Order.

Article 5.**Reports on ingredients**

1. For the purposes of what is set forth in n.º 1 of Article 11 of the Decree-Law, the report to be submitted to the appropriate Departments of the Ministry of Health, should be drawn up in accordance with the template established in Annex III of this Statutory Order.
2. For the purposes of what is set forth in n.º 2 of Article 11 of the Decree-Law, the report to be submitted to the appropriate Departments of the Ministry of Health, should be drawn up in accordance with the template established in Annex III of this Statutory Order.
3. The reports required pursuant to the terms of n.º 1 of Article 11 of the Decree-Law, must be submitted to the appropriate Departments of the Ministry of Health within 60 days following the end of each calendar year, and the report required pursuant to the terms set forth in n.º 2 of Article 11 must be submitted 30 days prior to the date indicated for the commencement of sales in the Country.

Article 6**Revocation**

Ministerial Statutory Order nº 2/2018, of January 13, is hereby rescinded by the present Statutory Order.

Article 7.**Entry into force**

1. This statutory order shall enter into force 120 days after its publication.
2. Without impairment to what is set forth in the foregoing paragraph, importers and distributors, wholesalers and retailers, shall have an additional period of 60 days counting from the date of entry into force of this statutory order for shipment and sale of tobacco products that are located in the national territory on this date.

Dili, May 2, 2018.

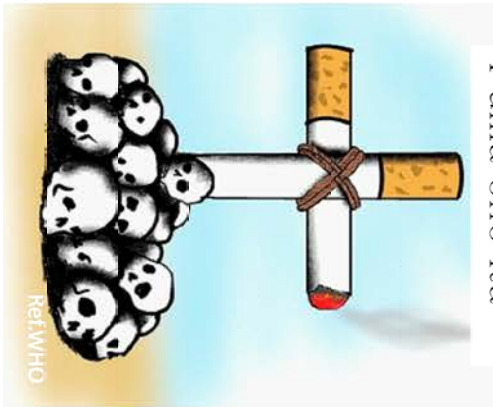
Dr. Rui Maria de Araújo

Minister of State and Minister of Health

Anexo I: Quadro de Imagens ilustrativas correspondentes às Advertências Sanitrias

Fuma oho ita

Imagem A



Fuma kauza Pulmaun Kroniku

Imagem B



Fuma kauza impotensia

Imagem C



Fuma kauza Abortu

Imagem D



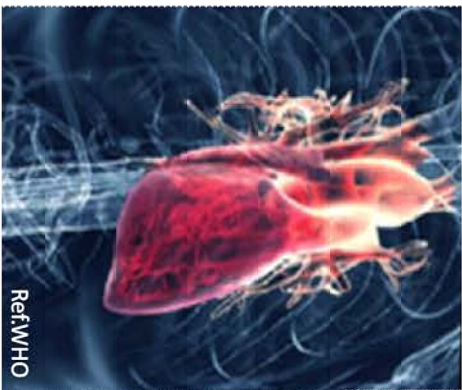
Fuma provoca Kankru

Imagem E

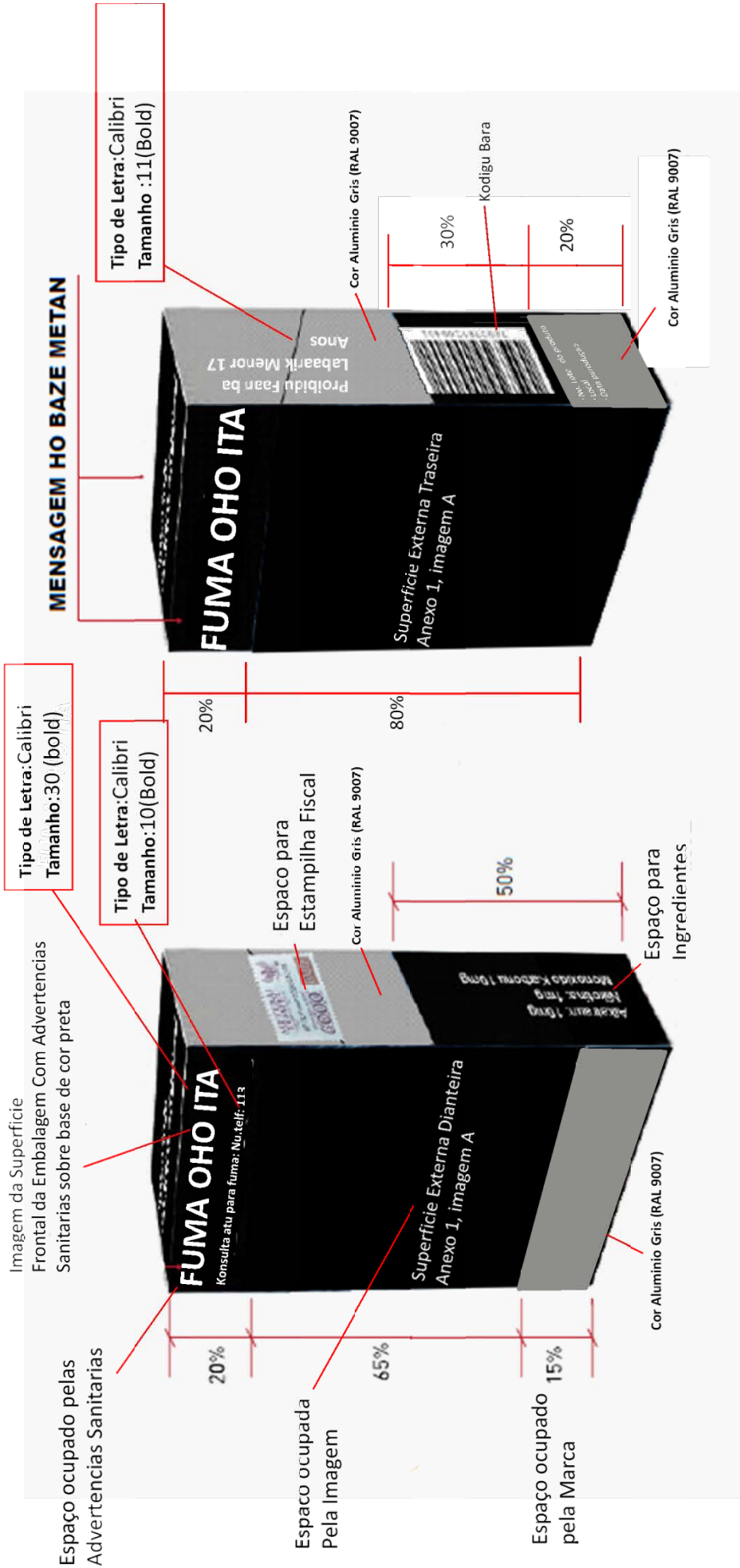


Fuma provoca Moras fuan

Imagem F



Anexo II
EX : Modelo Embalagem com características técnicas













LETTERS USED IN THE COLOR



COLORS THAT CAN BE USED



BLACK BACKGROUND COLOR



WHITE COLOR FOR TEXT OF MESSAGE

FONTS THAT CAN BE USED

Calibri

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Light

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Regular

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Bold

Annex III**Report template (tests)***Manufacturer or importer:**Calendar year:**Laboratory: Product:*

Brand and name of variant	Tar (mg)	Nicotine (mg)	CO (mg)
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I, [full name] residing at [address], [position held in testing laboratory], certify that this report reflects the results of all tests conducted at the laboratory in [place] by or on behalf of, [name of manufacturer] in the year [year] for purposes of compliance with the [Regulations]

Place:

Date:

Report template (ingredients)*Manufacturer or importer:**Calendar year:**Name of tobacco product:**Class of tobacco product:*

Cigarette / cigarette tobacco / pipe tobacco / cigar / other [specify]*

- a) Weight of tobacco by product class:
- b) Total weight of additives by product class:
- c) List of additives and amounts not exceeded for each brand and brand variety in this declaration:

Amount not exceeded**Common botanical or chemical name****(percentage of weight):**

I, [full name] residing at [address], [position held], recorded in, and/or attached to * this report is correct in compliance with the purposes of [Regulations].

Place:

Date:

Report template (ingredients of new Tobacco Products)

Manufacturer or importer:

Name of tobacco product:

Scheduled release date:

Class of tobacco product:

Cigarette / cigarette tobacco / pipe tobacco / cigar / other [specify]*

a) Weight of tobacco by product class:

b) Total weight of additives by product class:

(c) List of additives and amounts not exceeded for each brand and brand variety
in this declaration:

**Common botanical or chemical
name**

**Amount not exceeded
(percentage of weight)**

I, [full name] residing at [address], [position held], recorded in, and/or attached to * this report is correct in compliance with the purposes of [Regulations].

Place:

Date:

ANEXO IV**REDAÇÃO DE INFORMAÇÃO A CONSTAR NAS EMBALAGENS**

PORTUGUÊS	TÉTUM
Fumar mata	Fuma oho ita
Fumar provoca cancro	Fuma provoka kankru
Fumar causa impotência	Fuma kauza impoténsia
Fumar na gravidez causa aborto	Fuma kauza abortu
Fumar causa doenças respiratórias	Fuma provoka pulmaun króniku
Fumar causa doenças cardiovasculares	Fuma provoka moras fuan
Proibida a venda a menores de [...] anos	Proibídu fa'an ba labarik menór ho tinan[...]
Consulta para parar de fumar: Número telef. 113	Konsulta atu hapara fuma: Númeru telf. 113.
Alcatrão	Alkatraun
Nicotine	Nikotina
Monóxido de Carbono	Monóksidu-Karbonu
Data de Produção	Data Produsaun
Produzido em [...]	Prodús iha [...]
Produzido por [...]	Prodús husi [...]