

## Land

### Legal Framework:

Land access for investors is based on the following laws:

- Decree Law No. 19/2004 (Leasing State Property)
- Law No.13/2017 (Real Estate Ownership)
- Law No. 06/2017, April 19 (Regional Planning Public Policy)
- Law No. 08/2017, April 26 (Expropriation for Public Utility)

### Access to Land Summary:

Access to land in Timor-Leste for foreign investors can be summarised as follows:

Access to Land	State Property	Private Property	Communal Land
Can a foreign citizen buy ?	No	No	No
Can a foreign legal entity buy ?	No	No	No
Can a foreign citizen lease ?	Yes	Yes	Yes
Can a foreign legal entity lease ?	Yes	Yes	Yes

### Leasing and Buying Land:

**Leasing Government Land** (refer Gov. Decree Law No. 19/2004);

Typical rental condition for investors is a Lease Agreement. A government lease agreement can be categorized into two different types; residential and commercial. The requirement for a Residential Lease Agreement is to fill out an application form at Land & property office (DNTPSC) and annex with Electoral Card

The requirement for a commercial lease agreement can be categorised into two categories; normal economic activities and investment based activities with certain amount of capital investment. The process involves filling out an application form at Land & Property office (DNTPSC), annex Certificate of Economic Activities for the category of normal economic activities and Annex Certificate of Investor for the Investment based activities.

The duration for the lease agreement normally starts from 3 years as a minimum, up to 50 years as a maximum period of agreement. The first lease agreement might be made only up to 50 years and it's renewable until 150 years as a maximum. After 150 years, the lease agreement can be renewed again but it depends on company's performance in terms of contribution to the development of the social and economic development.

### Finding and Applying for Land;

There are no estate agents currently in Timor-Leste. New customers may make pre-identification by direct observation, or by simply googling maps to find the target place or area. Once some land has been identified the investor may submit an application directly to

the Land and Property department for further actions or work with TradeInvest to coordinate with Land & Property.

If the investor is applying for Government land which is empty the Land & Property department will conduct a survey and provide it to the applicant company. If the investor is applying for Government land which is occupied the Land & Property department will work closely with Relevant Ministry to conduct a survey and assist with any negotiations.

### **Registering Land**

The process for registering land involves working with the Land and Property Department (who register the land) and includes:

- Socialization of the application
- Conducting the survey; subjective and objective identification
- Public announcement based on final result, addressing any complaints
- Assign Certificate of Land Registration (not Certificate of Land Ownership)

Please note, there is environmental legislation that the investor must observe.

### **Access to Electricity**

The process for getting access to electricity includes:

- Contact ETDL (Electricidade De Timor-Leste) Customer Services on +670 233 00 20 and obtain application form
- Submit application to ETDL
- Pay for connection
- Establish regular bill payment mechanism

### **Relevant Authorities:**

Land and Property (Ministry of Justice) are responsible for land processes maintenance of a land registry (cadastre).

<http://www.mj.gov.tl/?q=node/487>

Please contact TradeInvest for further information and we can help you work through corporate taxation processes in Timor-Leste.

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