



**REGULATION NO. 2000/4**

**ON THE REGISTRATION OF BUSINESSES**

The Special Representative of the Secretary-General (hereinafter: Transitional Administrator),

Pursuant to the authority given to him under United Nations Security Council resolution 1272 (1999) of 25 October 1999,

Taking into account United Nations Transitional Administration in East Timor (UNTAET) Regulation 1999/1 of 27 November 1999 on the Authority of the Transitional Administration in East Timor,

After consultation in the National Consultative Council,

For the purpose of registering businesses in East Timor,

Promulgates the following:

Section 1  
Operation of a business

1.1 Every person and every legal entity operating or intending to operate a business in East Timor shall register the business.

1.2 Businesses that have commenced their operation prior to the date of entry into force of the Regulation shall register their business by no later than 20 February 2000.

1.3 For the purposes of the present regulation, a business shall be considered every undertaking, operated by an individual or a legal entity, which facilitates or transacts the exchange of goods or services with the objective of making a profit.

1.4 The present regulation shall not apply to street peddlers or market hawkers, as defined by an UNTAET directive.

Section 2  
Registration

2.1 An application for registration shall comprise the following information:

(a) Name of the enterprise;

- (b) Nature or field of operation of the enterprise;
- (c) Current business address of non-corporate entities and residential address of individuals;
- (d) Place and date of first and subsequent registration(s) of business name and company name both in East Timor and elsewhere;
- (e) Official extract of company registration showing names and address of all office bearers, and if a publicly listed company, the identity of all shareholders with holdings greater than 25%;
- (f) Names of all persons including corporate entities with any beneficial interest in the proposed enterprise;
- (g) The identity of any related companies.

2.2 An application shall include a declaration by the applicant or registered office bearer that the entity has not been the subject of an insolvency application.

2.3 The Transitional Administrator may refuse to register a business if the name of the proposed business is reasonably likely to be confused with any names resembling the name of a current national or international governmental or non-governmental organization, a likely future development corporation or a local government entity.

2.4 Upon approval and payment of the registration fee a Certificate of Registration shall be issued in the form prescribed by the Transitional Administrator.

2.5 The information shall be entered into a register with the UNTAET Business Registration Unit that shall be publicly accessible.

2.6 The Certificate of Registration shall be displayed at the principal place of business.

### Section 3 Change of Address and Effective Control

3.1 The UNTAET Business Registration Unit shall be informed, in writing, within 30 days of any change

- (a) in effective control of any registered business;
- (b) in location or business address.

3.2 For the purpose of the present regulation, 'change in effective control' means a change in the name of the individual entity conducting that business, the addition of any further individual, or, a change in ownership of more than 25% of the registered shareholding.

### Section 4 Registration fee

4.1 Upon registration, a non-refundable fee of US \$100 shall be paid by incorporated entities, or a non-refundable registration fee of US \$10 for individuals.

4.2 Pending an UNTAET regulation designating a legal tender for compulsory payments, the payment of the business registration fee may be made in any other currency in use in East Timor, in accordance with UNTAET Regulation 2000/2.

4.3 The fee shall be paid into an account that shall be administered by the Central Fiscal Authority, in accordance with UNTAET Regulation No. 2000/1.

#### Section 5 Duration of registration

5.1 The registration, and any renewal thereof, shall be valid for a period of two (2) years following the date of registration or renewal, and shall lapse unless renewed on or before the date of its expiry.

5.2 Requests for renewal shall be directed to the UNTAET Business Registration Unit, no later than 28 days before the date of expiry of the registration.

5.3 All applications for renewal of registration shall include notification of any change in the information provided for initial registration and a further declaration in the terms of Section 2.2 of the present regulation. All such information shall be publicly accessible from the UNTAET Business Registration Unit.

5.4 The Transitional Administrator may refuse to register or renew the registration of a business, if that business fails to comply with the requirements of the present regulation.

#### Section 6 Penalty

6.1 The failure to comply with the above registration requirement shall incur a penalty of US \$500. The penalty shall be imposed by the UNTAET Business Registration Unit. The provisions of Section 4.2 of the present regulation shall apply accordingly.

6.2 The penalty shall accrue to the East Timor Consolidated Budget, as provided for under UNTAET Regulation No. 2000/1.

6.3 Pending the establishment of adequate judicial procedures for administrative matters, the individual or the representatives of the legal entity operating the business against which a measure under this present Section has been taken, may challenge the measure with the competent judicial authorities in East Timor.

#### Section 7 Other permissions

The present regulation shall not affect the obligation of the enterprise or individual to obtain any permission that may be required under law applicable in East Timor, pursuant to UNTAET Regulation No1999/1.

#### Section 8 Entry into force

The present regulation shall enter into force on 20 January 2000.

Sergio Vieira de Mello  
Transitional Administrator