

Minister Benjamin Zymler

Born: March 25, 1956 – Rio de Janeiro- RJ

Parents: Julio Zymler and Chaja Zymler

Graduation:

- 2000 - Masters Degree in Law and State – University of Brasilia;
- 1996 – Graduated in Law from the University of Brasilia;
- 1978 – Graduated in Electrical Engineering from the Military Engineering Institute.

Professional Activities:

- 2012: Auditor and Minister of the Federal Court of Accounts. President of the Court of Accounts since January 2011;
- 1997: Finance and External Control Analyst of the Federal Court of Accounts;
- 1991: Electrical Engineer, Advisor, Consultant, Head of Department and Regional Manager at FURNAS Centrais Elétricas and at MAIN Engenharia S.A.

Publications:

- “O Regime Diferenciado de Contratações públicas (RDC) aplicável às contratações necessárias à realização da Copa do Mundo 2014 e das Olimpíadas de 2016” (“*The applicable differential public procurement regime to the necessary hiring for the 2014 World Cup and the 2016 Olympic Games*”), published on the Fórum de Contratação e Gestão Pública report (Public Employment and Management Forum report)- FCGP, Belo Horizonte, year 11, n. 125, May 2012. Co-authorship with Laureano Canabarro Dios.
- “O Tribunal de Contas da União – 20 anos após a Constituição Federal de 1988” (“*The Federal Court of Accounts – 20 years after the Federal Constitution of 1988*”), published on the Revista Justiça e Cidadania, 130th Edition, June 2011.
- “O novo posicionamento do TCU acerca da repactuação contratual” (“*The Federal Court of Accounts new positioning on contract rearrangement*”)- published on the Revista Fórum de Contratação e Gestão Pública, Fórum Publishing.
- “Direito Administrativo e Controle” (“*Administrative Law and Control*”), 2nd Edition, Fórum Publishing, Belo Horizonte.
- “Direito Administrativo – Série Primeiras Linhas” (*Administrative Law*), 2nd Edition, Fortium Publishing, Brasília. Co-authorship with Guilherme Henrique de La Rocque Almeida and Ricardo Neiva de Almeida.
- “Direito Administrativo – Série Resumos”, Fortium Publishing, Brasília.
- “Direito Administrativo e Controle” (“*Administrative Law and Control*”), Forum Publishing, Belo Horizonte.
- “O Controle Externo das Concessões de Serviços Públicos e das Parcerias Público-Privadas” (“*External Oversight of Public Services and Public-Private Partnership*”)

- Concessions*”), Forum Publishing, Belo Horizonte. Co-authorship with Gustavo Henrique de La Rocque Almeida.
- “A Interpretação da Lei de Responsabilidade Fiscal Frente à Constituição Federal”, published on the Fórum Administrativo Magazine, year 2, n.16, July 2002
 - “A Atuação do Tribunal de Contas da União no Controle das Obras Públicas” (*“The Federal Court of Accounts Performance on Public Works Control”*), published on Revista Forum de Contratação e Gestão Pública (Public Employment and Management Forum Magazine), February 2002.
 - “O Papel do Tribunal de Contas da União no Controle das Agências Reguladoras”, (*“The Role of the Federal Court of Accounts on the Control of Regulatory Agencies”*) published on the Forum Administrativo Magazine, year 2, n. 11, January 2002.
 - “Política, Direito e Reforma do Estado: uma visão funcional-sistêmica” (*“Politics, Law and State Reform: a functional-systemic vision”*), published on Revista de Informação Legislativa (Legislative Information Magazine) , n.147, year 37, July/September 2000 – Brasília.
 - “Política e Direito: uma visão autopoietica” (*“Politics and Law”*), Paper presented at the LL.M. in Law and State, University of Brasilia, published in 2002, Juruá Publishing.
 - “Ação Direta da Inconstitucionalidade no. 939 – DF. Tribunal Pleno (RTJ 151/755) (Instituição do IPMF) - Comentários” (*“Direct Action of Unconstitutionality”*), published on “Revista da Notícia do Direito Brasileiro” n. 3, January/July 1997 – Brasília.
 - “Questões de controle, controle das finanças públicas no Brasil – visão atual e prospectiva” (*“Control Matters, Control of Brazilian Public Finances”*), published on TCU Magazine, v.29, n.76, April/July 1998. Brasília.
 - “Contratação Indireta de Mão-de-Obra Versus Terceirização” (*“Indirect Labor Hiring Versus Outsourcing”*), published on TCU Magazine, v.29, n.75, January/March 1998, Brasília.
 - “Exame Crítico de Acórdãos – STF – ADIN n. 539/DF – Instituição do IPMF” (*“Critical Analysis of Judgements”*), published on “Revista Notícia do Direito Brasileiro” n.3, II Semester of 1997.
 - “Processo Administrativo no Tribunal de Contas da União” (*“The Brazilian Federal Court of Accounts Administrative Procedures”*), Serzedello Corrêa Award on the Monography Contest promoted by the Brazilian Federal Court of Accounts.

Educational Experience:

- 2012- Administrative Law for the Legal Science Post Graduation Course Professor at Centro Universitário de Brasília – UniCeub.
- 2008 – Administrative Law I and II Professor at Instituto de Educação Superior de Brasília – IESB.
- “Topics of Theory of the State, Politics and External Oversight” Professor of Specialization in Public Law and External Oversight for the Federal Court of Accounts analysts and technicians, at the Federal University of Brasília.
- Administrative Law Professor at the Supreme Federal Court, promoted by the National School of Government.
- Administrative Law professor at ESA-GO, for Specialization in Administrative Law.

- 2005- Administrative Law professor at Brasília's Institute of Public Law post graduation courses – IDP.
- 2004 – Administrative Law professor at Processus.
- 2005 – Administrative Law I and II professor at Instituto de Educação Superior de Brasília – IESB.
- 2005 – Administrative and Constitutional Law professor at Instituto dos Magistrados do Distrito Federal – IMAG/DF
- 2005 – Administrative and Constitutional Law professor at Escola de Magistratura do Distrito Federal e Territórios.
- 2002 – Constitutional Law I and II professor at Instituto de Educação Superior de Brasília – IESB.
- Administrative Law professor at Escola Superior de Advocacia of the Brazilian Bar Association – DF.
- 2003 – Administrative and Constitutional Law professor at Processus.
- Administrative Law professor at Escola de Magistratura do Trabalho da 10a Região – EMATRA X.
- Administrative Law professor at Fundação Escola Superior of the Office of the Public Prosecutor of the Federal District and Territories.
- “General Theory of Public Law” professor at the Federal University of Brasília.
- 1996 – “Basic Legislation and Procedural Standards” Instructor for the Finance and External Oversight Analysts Training Program, promoted by the Serzedello Corrêa Institute of the Brazilian Federal Court of Accounts (20 hours).

Participation in Lectures:

- “Sustentabilidade e contas públicas” (*“Sustainability and Public Accounting”*), opening class at Escola de Contas e Capacitação of the Court of Accounts of the State of Minas Gerais.
- “O Tribunal de Contas da União e a gestão do Sistema S” (*“The Federal Court of Accounts and the S System Management”*), at an event promoted by Fiesp/SP.
- “Regime Diferenciado de Contratações Públicas” (*“The Differential Public Procurement Regime”*), at an event promoted by the Court of Accounts of the State of Paraíba.
- “A importância da fiscalização de obras públicas sob a ótica do Tribunal de Contas da União” (*“The importance of overseeing public works from the Federal Court of Accounts’ point of view”*), at the II Seminar: Pricing in Public Works: fair price, concluded work, satisfied society, promoted by the Court of Accounts of the State of Sergipe.
- “Regime licitatório diferenciado nas contratações públicas para obras da Copa do Mundo e das Olimpíadas” (*“Differential Public Procurement Tendering Regime for the World Cup and the Olympics public works”*), at the XXVI Courts of Accounts Congress, promoted by the Brazilian Courts of Accounts Members Association.
- “Regime Diferenciado de Contratações Públicas e a organização da Copa do Mundo e dos Jogos Olímpicos e Paraolímpicos no Rio de Janeiro” (*“Differential Public Procurement Regime and organization of the World Cup and Olympic and Paralympic Games in Rio de Janeiro”*), at an event promoted by the Court of Accounts of the State of Rio de Janeiro.

- “Organização, funcionamento e competência do Tribunal de Contas da União” (*“Organization, functioning and jurisdiction of the Federal Court of Accounts”*), at an event promoted by the Brazilian Air Force Command and General Staff College.
- “O controle da Administração Pública e as atribuições do Tribunal de Contas da União” (*“Public Administration control and the Federal Court of Accounts assignments”*), at an event promoted by the Brazilian Naval War College, Rio de Janeiro.
- “Controle Social da Administração Pública” (*“Public Oversight of Public Administration”*), at the IV TCE/PA and Jurisdiction Forum.
- “Regime licitatório diferenciado para as contratações necessárias à realização da Copa do Mundo de 2014 e dos Jogos Olímpicos de 2012” (*“Differential Public Procurement Regime for the 2014 World Cup and the 2012 Olympic Games”*), at the X Administrative Law Congress of Goiás, promoted by the Administrative Law Institute of Goiás.
- “Responsabilidade de Agentes Públicos perante os Tribunais de Contas” (*“Public Officer’s Liabilities before the Courts of Accounts”*), at the VII Administrative Law Congress of Minas Gerais, promoted by the Administrative Law Institute of Minas Gerais.
- “Contratação na Administração Pública” (*“Government Contracts in Public Administration”*), at the Brazilian Naval War College, Rio de Janeiro.
- “Questões polêmicas sobre licitações na modalidade pregão” (*“Intense issues on electronic and open outcry bidding system”*), at the 1st Auctioneers Congress of Amazon, promoted by the Government of the State of Pará.
- “Teoria dos contratos administrativos” (*“Theory of Administrative Contracts”*), at the Public Law Institute of Brasília – Brasília.
- “A efetividade de atuações dos Tribunais de Contas no combate aos desvios de recursos públicos” (*“The effectiveness of the Courts of Accounts performances on the fight against embezzlement”*), held at an event promoted by the Office of the Public Prosecutor of the State of Goiás.
- “As Parcerias Público-Privadas” (*“The Public-Private Partnership”*), held at X SINAOP, promoted by the Court of Accounts of the State of Pernambuco.
- “A responsabilização dos advogados públicos e o controle da legalidade dos atos administrativos” (*“Liabilities of public attorneys and lawfulness of administrative acts”*), held at the II State Law National Seminar, promoted by the Federal Attorneys National Association (Associação Nacional dos Advogados da União)
- “Autocontrole das Licitações na Lei no. 8.666/93”, “Controle pelos Licitantes” (*“Bidders oversight”*) and “Controle Externo Popular” (*“Public Oversight”*), “O direito de Representação (CF/88 art. 74 §2nd)” (*“The Right for Representation”*), “O Controle Externo Institucional pelo Tribunal de Contas” (*“Court of Accounts External Oversight”*) and “O Controle de Contratos – casos concretos apreciados pelo TCU” (contracts control), held at the II Bids and Contracts Forum, promoted by Forum Publishing.
- Lectured at the Alternate Federal Judges of the 1st Region Course.
- “Controle das Licitações e Contratos Administrativos pelos Tribunais de Contas” (*“Bids and Administrative Contracts Oversight”*), held at a seminar promoted by the Court of Accounts of the State of Pará.

- “O Tribunal de Contas da União e o Controle Externo” (*“The Federal Court of Accounts and the External Oversight”*), held at the I Bids and Government Contracts Study Cycle, promoted by the Administrative Law Institute of Goiás.
- “Controle e Fiscalização do TCU nas Licitações e Contratos” (*“The Federal Court of Accounts Bids and Contracts Oversight and Monitoring”*), lecture for Logistics Management on Public Administration and Budget and Financial Management on the public sector MBA Students – UniDF.
- “O Exercício do Controle Externo pelo Tribunal de Contas da União” (The Federal Court of Accounts External Oversight Exercise”), held at “Defensoria Autônoma – Novos Rumos e Desafios” (*“Private Defender – New Paths and Challenges”*) Seminar, promoted by the National Association of Public Defenders.
- “A Competência do Tribunal de Contas no Controle Externo do Município” (*“The Court of Accounts Jurisdiction on External Oversight of the County”*), held at the II Municipal Law Brazilian Forum, promoted by Forum Publishing.
- “O Controle das Parcerias Público-Privadas pelo Tribunal de Contas” (*“The Federal Court of Accounts Public-Private Partnership Oversight”*), held at the II Public Management Oversight Brazilian Forum.
- “O Controle Preventivo e Corretivo de Licitações e Contratos pelos Tribunais de Contas” (*“Courts of Accounts Preventive and Corrective Control of Bids and Contracts”*), held at the III Contracts and Public Management Forum.
- “O Exercício do Controle Externo pelo Tribunal de Contas da União” (*“The Federal Court of Accounts External Oversight Exercise”*), held at “Defensoria Autônoma – Novos Rumos e Desafios” Seminar (*Private Defender – New Paths and Challenges*), promoted by the National Association of Public Defenders.
- “A Responsabilidade Subjetiva dos Gestores Públicos no Âmbito do Controle de Contas” (*Public Managers Subjective Responsibility on Accounts Control*), held at the I Brazilian Forum on Fighting Corruption, promoted by Fórum Publishing.
- “O Princípio da Legalidade e o julgamento dos Contratos Administrativos” (*“The Principle of Legality and the Administrative Contracts Trial”*), held at the I Brazilian Forum on Administrative and Constitutional Law, promoted by Fórum Publishing.
- “A Visão dos Tribunais de Contas Sobre os Contratos Administrativos” (*“The Courts of Accounts perspective on Administrative Contracts”*), held at the II Public Procurement and Public Management, promoted by Forum Publishing.
- “Controle Externo dos Serviços Públicos” (*“Public Services External Oversight”*), held at the I Brazilian Forum on Public Administration Oversight, promoted by Forum Publishing
- Lectured at the Bids and Contracts Symposium, promoted by Victor Nunes Leal Study Center, Office of the Attorney General in partnership with the Legal Support Center of the State of Rio Grande do Sul.
- “El Control de las obras públicas” (*“Public Works Control”*), held at the III Simpósio de Fiscalización, Auditoria y Control de La Gestión de lós Fondos Públicos (III Symposium on Supervision, Auditing and Control of Public Funds Management), promoted by the University of Salamanca /Spain.

- “Direito e Política – uma visão autopoiética” (*“Law and Politics – na autopoietic perspective”*), held at Escola Superior do Ministério Público do Distrito Federal e Territórios.
- “A ‘Procedimentação’ do Direito Administrativo” (*“Proceedings on Administrative Law”*), held at Cycle of Lectures – 2003, promoted by the Attorney General’s Office in partnership with the Centro de Estudos Jurídicos do Ministério Público de Contas do Distrito Federal.
- “Processo Administrativo” (*“Administrative Proceedings”*), held at the 1st Legal Studies Day, promoted by the National Association of the Federal Government Attorneys and Attorneys of Federal Entities.
- “O Tribunal de Contas da União e o Controle Externo” (*“The Federal Court of Accounts and the External Oversight”*), held at the Senior Officers Staff Course, promoted by the Brazilian Naval War College.
- “Controle Externo no Brasil” (*“External Oversight in Brazil”*), held at the Training Course for Finance and Control Analyst – Federal Secretariat for Internal Control, Brazilian Office of the Comptroller General, the Presidency of the Republic of Brazil. Promoted by the School of Treasury Management.
- “O Controle Externo: O Tribunal de Contas da União” (*“External Oversight: The Federal Court of Accounts”*), held at the Brazilian Air Force Command and General Staff School.
- “O Controle Externo: o Tribunal de Contas da União” (*“External Oversight: The Federal Court of Accounts”*), held at the Training Course for Legal Assistants of the Federal Attorney General’s Office, promoted by the Vitor Nunes Leal Study Center.
- “A atuação do TCU no controle das Obras Públicas” (*“TCU Performance on Public Works Control”*), held at the “Liabilities of Professional Practice and its branches” Seminar, promoted by CONFEA and CREA/SE.
- “Quem controla as Agências Reguladora de Serviços Públicos?” (*“Who controls the regulatory agencies for public services?”*), held at the II International Seminar on Regulatory Agencies, promoted by the Helio Beltrão Institute.
- “Controle Externo no Contexto da Reforma do Estado” (*“External Oversight in the context of the State Reform”*), held at the III National Seminar on Internal and External Oversight of the National Federation of Public Servants of the Courts of Accounts.
- “A Melhoria dos Serviços Públicos como Objetivo Final do Sistema de Controle” (*“The Enhancement of Public Services as a Final Goal of the Control System”*), held at the Special Cycle of Lectures on Audit and Control, promoted by the Brazilian Federal Court of Accounts.
- “Questões de Controle – Controle das Finanças Públicas no Brasil – Visão Atual e Prospectiva” (*“Control Issues – The Control of Brazilian Public Finances – Current and Prospective Perspectives”*), held at the Brazilian Army Command and General Staff School.
- “Contratação Indireta de Mão de Obra X Terceirização” (*“Indirect Labor Hiring Versus Outsourcing”*), held at the V EDICON – V National Meeting of Internal Control Managers

Professional Background:

- 2011 – President of the Federal Court of Accounts;
- 2011 – Minister of the Federal Court of Accounts;
- 02/03/1998 to 91/10/2001 – Auditor and Alternate Minister;
- 09/27/1996 to 02/02/1998 – External Oversight Secretary of the 10th SECEX;
- 09/05/1995 to 09/26/1996 – Chief of Staff of the Deputy Attorney General LUCAS ROCHA FURTADO, Office of the Public Prosecutor and the Federal Court of Accounts;
- 07/08/1994 to 09/04/1995 – Advisor of the Attorney General JATIR BATISTA DA CUNHA, Office of the Public Prosecutor and the Federal Court of Accounts;
- 03/08/1993 to 07/07/1994 – Chief of Staff of the Attorney General FRANCISCO DE SALLES MOURÃO BRANCO, Office of the Public Prosecutor and the Federal Court of Accounts;
- 07/07/1992 to 03/07/1993 – External Oversight and Finance Analyst of the 9th External Control Secretariat;
- 09/02/1985 to 10/30/1991 – Worked as Advisor of the Operations Management Board, at MAIN Engenharia S.A., Head of the Electrical Systems Department and Regional Manager of Brasilia Office;
- 02/01/1979 to 08/30/85 – Worked as an Engineer at FURNAS Centrais Elétricas S.A.

Civil Service Examination:

- 1997: Auditor of the Brazilian Federal Court of Accounts;
- Local prosecutor of the Brazilian Social Security Institute (INSS);
- 1991: Tax Auditor of the Brazilian National Treasury Secretariat;
- 1991: Financial Analyst and External Oversight of the Brazilian Federal Court of Accounts.