

POLITICAL SYSTEM AND ADMINISTRATION



Political Structure

Macao People Governing Macao with a High Degree of Autonomy

Macao became a Special Administrative Region (SAR) of the People's Republic of China on 20 December 1999. The MSAR's constitutional document, the Basic Law of the Macao Special Administrative Region, also came into force on the same day.

The Basic Law of the Macao Special Administrative Region establishes, at the highest level of legal authority, the guidelines and policies of the Central People's Government regarding Macao. It stipulates the system to be practised in Macao, and lays down the political and administrative framework of the MSAR for 50 years from 1999.

The systems and policies of the MSAR – including its social and economic systems; safeguards for the fundamental rights and freedoms of its residents; the executive, legislature and judiciary; and Government policies – are all based on the provisions of the Basic Law.

Under the Basic Law, the MSAR is entitled to a high degree of autonomy in all areas except defence and foreign affairs. It enjoys executive autonomy, legislative autonomy, an independent judiciary and the right to final adjudication. The executive and the legislature of the MSAR consist only of permanent Macao residents. The MSAR maintains the status of free port and independent tariff region. It also maintains the free flow of capital and the freedom of operations of financial institutions. It may, under the name “Macao, China”, independently maintain, develop relations with and sign agreements with various countries, regions and international organisations in fields such as the economy, trade, finance, transportation, communications, tourism, culture and sports.

The principles of “One country, two systems”, “Macao people governing Macao” and a high degree of autonomy have passed their initial tests with flying colours, and are now broadly recognised in Macao and infused into its social and political culture. Macao people governing Macao” means that the people of Macao are in charge of their own affairs. Macao's Chief Executive, principal officials, members of the Executive Council and the Legislative Assembly, the President of the Court of Final Appeal and the Public Prosecutor-General shall be permanent residents, and some of these positions may only be assumed by permanent residents of Macao who are also Chinese citizens.

“A high degree of autonomy” means that the National People's Congress (NPC) authorises the MSAR to exercise a high degree of autonomy in accordance with the Basic Law, and that the Central People's Government will not interfere in affairs that fall within the autonomy of the MSAR. The MSAR enjoys executive, legislative and independent judicial power and the power of final adjudication, as well as other powers authorised by the NPC, the Standing Committee of the NPC and the Central People's Government.

However, a high degree of autonomy does not mean full autonomy. In order to maintain a unified China and to safeguard the sovereignty and territorial integrity of the country, the Central People's Government retains certain essential powers – for example, the Central People's Government is responsible for the MSAR's foreign affairs and defence.

Chief Executive

The Chief Executive is the head of the MSAR and is accountable to the Central People's Government

and the MSAR.

The Chief Executive is charged with the responsibility of leading the MSAR Government; implementing the Basic Law and other laws applicable to Macao; signing bills passed by the Legislative Assembly and promulgating laws; signing budgets passed by the Legislative Assembly and reporting those budgets and final accounts to the Central People's Government for the record; making decisions on SAR Government policies and issuing executive orders; formulating by-laws and promulgating them for implementation; nominating and reporting to the Central People's Government candidates for the posts of Secretaries, Commissioner Against Corruption, Commissioner of Audit, and leading officials of the Police and Macao Customs Service, and recommending to the Central People's Government the removal of the above officials; appointing a proportion of the members of the Legislative Assembly; appointing and removing members of the Executive Council; nominating and reporting to the Central People's Government the appointment of the Public Prosecutor-General and recommending his or her removal; appointing or removing presidents and judges of the courts at all levels, public prosecutors and civil servants; and, under particular circumstances, dissolving the Legislative Assembly.

The first and second Chief Executive of the MSAR was Edmund Ho Hau Wah. The third Chief Executive is Chui Sai On, currently serving his first term of office.

The Executive Council

The Executive Council assists the Chief Executive in policymaking. Article 58 of the Basic Law stipulates that, except for the appointment, removal and disciplining of officials and the adoption of emergency measures, the Chief Executive shall consult with the Executive Council before making important policy decisions, introducing bills to the Legislative Assembly, formulating by-laws or dissolving the Legislative Assembly. If the Chief Executive does not accept a majority opinion of the Executive Council, the specific reasons should be put on record.

Article 57 of the Basic Law stipulates that the Executive Council shall be composed of seven to 11 Chinese citizens who are permanent residents of the MSAR. The Chief Executive shall appoint them from among principal officials, members of the Legislative Assembly and other public figures. The Chief Executive shall decide the appointment or removal of Executive Council members. The term of office of members shall not last beyond that of the Chief Executive who appoints them, but the members shall remain in place until the new Chief Executive takes office.

Article 58 of the Basic Law stipulates that the Executive Council shall be presided over by the Chief Executive and meet at least once a month. The proceedings of the Executive Council meetings are confidential, but a spokesperson announces important decisions to the public. The Executive Council held 39 formal meetings during 2012.

The first and second Chief Executive Edmund Ho appointed 10 members to the Executive Council in both his terms.

The third Chief Executive Chui Sai On appointed 10 members to the Executive Council: one Secretary, three Members of the Legislative Assembly and six public figures.

The Legislature

According to the Basic Law, the MSAR enjoys legislative autonomy and the Legislative Assembly is its sole legislature.

The Macao SAR has full legislative autonomy, which embodies and guarantees Macao's high degree of autonomy. The legislative power of Macao is exercised solely by the Legislative Assembly. No other body or entity has legislative power. Laws formulated by the Legislative Assembly shall conform to the Basic Law.

The Legislative Assembly exercises its legislative power and supervisory power under the Basic Law and the Rules of Procedure of the Legislative Assembly.

Legislative Authority

The term “legislative authority” broadly refers to the power to formulate general and abstract laws that are applicable to the MSAR and its residents. More specifically, the powers of the Legislative Assembly include the right to make laws, the right to amend laws, the right to suspend the execution of laws, and the right to abolish laws.

According to the Basic Law and the Rules of Procedure of the Legislative Assembly, Legislative Assembly members and the Government have the right to introduce bills and propose amendments. The Government has exclusive sponsorship rights in the four following respects: electoral law for the Legislative Assembly, public income and expenditure, political structure and Government operation.

Bills passed by the Legislative Assembly shall come into effect only after being signed and promulgated by the Chief Executive.

Supervisory Authority and Other Responsibilities

The responsibilities of the Legislative Assembly include: examining and passing budgets introduced by the Government; examining the Government's reports on budget implementation; deciding on Government motions on taxation; approving debts to be taken on by the Government; and debating the policy addresses of the Chief Executive.

The term “issue of public interest” encompasses all aspects of Macao society; the Legislative Assembly may hold meetings to discuss such issues, and may require relevant Government officials to attend those meetings.

The Legislative Assembly receives and handles residents' complaints; it receives complaints concerning the existing legal system, but it does not directly handle individual cases or applications for legal consultations.

The Legislative Assembly also has the authority to impeach the Chief Executive. Members of the assembly may also address enquiries regarding the Government's work.

Composition and Term of Office of the Legislative Assembly

Members of the Legislative Assembly shall be permanent residents of the MSAR. The majority of

them are elected and the term of office, except for the first term, is four years.

The first Legislative Assembly of the MSAR had 23 members, eight of whom were elected directly, eight indirectly and seven appointed by the Chief Executive. Their term of office expired on 15 October 2001. The second Legislative Assembly had 27 members, 10 of whom were elected directly, 10 indirectly and seven appointed by the Chief Executive. Their term expired in 2005. The third and the fourth Legislative Assembly likewise had 29 members, 12 of whom were elected directly, 10 indirectly and seven appointed by the Chief Executive. The fifth and the succeeding Legislative Assembly will have 33 members, 14 of whom are elected directly, 12 indirectly and seven appointed by the Chief Executive. However, the aforementioned does not apply to the amendments made through legal procedures to the method for forming the Legislative Assembly of the Macao Special Administrative Region.

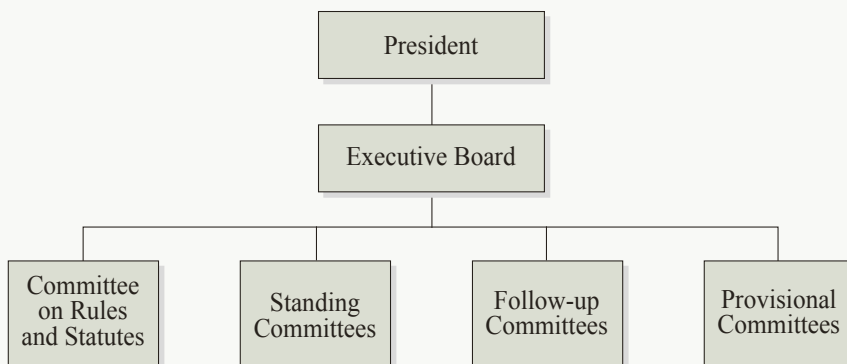
The Legislative Assembly has one president and one vice president, elected by and from among its members. The president and vice president shall be permanent Chinese residents who have lived continuously in Macao for at least 15 years.

Structure and Operation of the Legislative Assembly

The structure of the Legislative Assembly comprises the president, the Executive Board, the Committee on Rules and Statutes, standing committees, follow-up committees and provisional committees. The president represents the Legislative Assembly and leads and coordinates the assembly's work. The president performs his or her duties in accordance with the Basic Law and the Rules of Procedure of the Legislative Assembly.

Each Legislative Assembly usually serves four sessions. Each session lasts one year, normally from 16 October to 15 August of the following year. The Legislative Assembly uses Chinese and Portuguese, Macao's two official languages.

Organisation Chart of the Legislative Assembly



Administrative Agencies and Technical Support Offices

The administrative agencies of the Legislative Assembly include the president, the Executive Board and the Administrative Committee, all of which are responsible for the administrative affairs of the Assembly.

The Legislative Assembly's technical support offices report directly to the Executive Board. If the term of the Legislative Assembly expires or if the Legislative Assembly is dissolved, the Executive Board shall retain its responsibilities until the first meeting of the new Legislative Assembly. The technical support offices, consisting of staff of the Legislative Assembly, are led by the president and the Executive Board, and they report directly to the secretary-general. The technical support offices are divided into sections to handle different portfolios and to provide the Legislative Assembly and its administrative agencies with technical and administrative support.

The Legislative Assembly's Public Feedback System

The Legislative Assembly has established a public feedback system to collect opinions, suggestions and criticisms concerning legislation, Government activities, policies and other issues of public interest. The system also aims to explain the work of the Legislative Assembly and help citizens to exercise their rights to submit petitions and make complaints.

Citizens may voice their opinions via the feedback system in person or by telephone, post, fax or e-mail. Public reception is available during normal hours of government service.

In addition, legislators receive citizens by appointment from noon to 1.00pm on Mondays, Wednesdays, and Fridays. Legislators make themselves available according to a roster compiled by the Legislative Assembly.

Electoral Law

Macao's electoral system is based on the Voter Registration Law (Law No. 12/2000 as amended by the Law No. 9/2008) and the Legislative Assembly Election Law of the Macao Special Administrative Region (Law No. 3/2001 as amended by the Law Nos. 11/2008 and 12/2012). The two laws govern both the direct and indirect elections of the Legislative Assembly, and the appointment of legislators as prescribed in Annex II (1) of the Basic Law.

The Voter Registration Law contains 60 articles, which govern the voter registration procedures for natural persons and legal persons, whereas the Legislative Assembly Election Law contains 205 articles, which govern the direct and indirect elections of members of the Legislative Assembly.

Electoral System for the Legislative Assembly

Under the Legislative Assembly Election Law, there are direct and indirect elections.

In direct elections, any individual aged 18 years or older and who is a permanent resident of the MSAR may, after registration under the Voter Registration Law, vote for the 14 directly elected members of the Legislative Assembly.

In indirect elections, representatives of legal persons who are confirmed as members of the relevant sectors for at least four years may, after being registered with and given legal personality by the Identification Services Bureau for at least seven years under the Voter Registration Law, vote for the 12 indirectly elected members of the Legislative Assembly.

Under the two election systems, the method used for converting the number of votes into seats in the Legislative Assembly is as follows: the first candidate on each list receives a quotient equal to the number of votes recorded for that list. The second candidate on each list receives a quotient equal to half the number of votes recorded for that list. The third candidate on each list receives a quotient equal to a quarter of the number of votes recorded for that list, and so on. Legislative Assembly seats are then awarded to the candidates who, among all lists, have the highest quotients. As regards the assignment of the final seat: if two candidates from different lists have equal quotients, the seat shall be given to the candidate from the list that has yet to win a seat. If both lists have won one or more seats, the seat shall be given to the list that received the most votes. If both lists have won the same number of votes, the winner of the seat shall be determined by the open drawing of lots.

The Chief Executive shall appoint seven legislators to the Legislative Assembly within 15 days of receiving the final verified results, as stipulated in Clause 2 of Article 133 of the Legislative Assembly Election Law.

Legislative Assembly Electoral Affairs Commission

The Electoral Affairs Commission is responsible for promoting, coordinating and supervising the elections of the Legislative Assembly.

The members of the Legislative Assembly Electoral Affairs Commission are appointed by the Chief Executive. The commission has one chairman and four members, appointed from among appropriately qualified citizens. The Public Administration and Civil Service Bureau provides support to the commission.

The Judiciary

The courts of the MSAR have judicial autonomy. They are subordinate only to the law and are guaranteed to be free from any interference. The MSAR has a Court of First Instance, a Court of Second Instance and a Court of Final Appeal. The power of final adjudication is vested in the Court of Final Appeal.

The Court of First Instance may, when necessary, establish special courts. The previous criminal prosecution system has been maintained since the establishment of the MSAR.

The MSAR also has an Administrative Court, which is responsible for administrative and tax litigation. Defendants and plaintiffs who find the ruling of this court unsatisfactory can file an appeal to the Court of Second Instance.

Judges at all levels are appointed by the Chief Executive on the recommendation of an independent commission composed of local judges, lawyers and prominent members of the community. The Chief Executive appoints the presidents of the courts from among the judges.

The President of the Court of Final Appeal shall be a Chinese citizen who is a permanent resident of the MSAR. Any appointment or removal of the President of the Court of Final Appeal shall be reported to the Standing Committee of the NPC for the record.

The Public Prosecutions Office is independent and free from interference, as defined by law.

The Public Prosecutor-General shall be a Chinese citizen who is a permanent resident of the MSAR. He or she shall be nominated by the Chief Executive and appointed by the Central People's Government. Other public prosecutors shall be nominated by the Public Prosecutor-General and appointed by the Chief Executive. The structure, powers, functions and remit of the Public Prosecutions Office are prescribed by law.

Relationship between the MSAR and the Central People's Government

The MSAR is a local administrative region with a high degree of autonomy under the Central People's Government of the People's Republic of China. No department, province, autonomous region or municipality under the Central People's Government may interfere in the MSAR's internal affairs as specified in the Basic Law. Any person from another province, autonomous region or municipality must apply for an entry permit to enter Macao. If there is a need for central government departments, provinces, autonomous regions or municipalities to set up an office in Macao, they must obtain the consent of the MSAR Government and the approval of the Central People's Government.

The Central People's Government is responsible for the MSAR's defence and foreign affairs. However, it authorises the MSAR to conduct certain external affairs on its own, under the name of "Macao, China". The Central People's Government appoints and removes the Chief Executive, principal officials and the Public Prosecutor-General.

Laws enacted by the legislature of the MSAR must be reported to the Standing Committee of the NPC for the record. However, such reporting shall not affect the entry into force of such laws.

National laws shall not be applied in the MSAR except the following, which shall be promulgated or legislated by the MSAR.

The national laws applicable in the MSAR by the end of 2012 were:

- Resolution on the Capital, Calendar, National Anthem and National Flag of the People's Republic of China;
- Resolution on the National Day of the People's Republic of China;
- Nationality Law of the People's Republic of China;
- Regulations of the People's Republic of China Concerning Diplomatic Privileges and Immunities;
- Regulations of the People's Republic of China Concerning Consular Privileges and Immunities;
- Law of the People's Republic of China on the National Flag;

- Law of the People's Republic of China on the National Emblem;
- Law of the People's Republic of China on Territorial Sea and the Contiguous Zone;
- Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf;
- Garrison Law of the Macao Special Administrative Region of the People's Republic of China; and
- Law of the People's Republic of China on the Immunity of the Property of Foreign Central Banks from Judicial Compulsory Measures.

The MSAR has no jurisdiction over acts of state such as defence and foreign affairs.

Chinese citizens who are residents of the MSAR are entitled to participate in the management of state affairs according to law.

Liaison Office of the Central People's Government in the MSAR

As a working agency stationed in Macao by the Central People's Government, the Liaison Office of the Central People's Government in the MSAR shall, in the light of the principles of "One country, two systems" and "Macao people governing Macao", support the SAR Government in administration in line with the Basic Law, and be responsible for liaison between mainland China and Macao.

The liaison office is responsible for contacting the MSAR Commission of the Ministry of Foreign Affairs of the PRC and the People's Liberation Army Macao Garrison; contacting and assisting mainland China authorities in managing mainland Chinese-funded organisations in Macao; promoting social and economic exchanges and cooperation between mainland China and Macao; reporting to the Central People's Government the opinions of Macao people about mainland China; handling Taiwan-related affairs in the MSAR; and handling any other matters assigned by the Central People's Government.

In addition, the liaison office shall, through various channels, promote ties with all social segments in Macao, pay attention to development and stability issues, and provide assistance wherever necessary.

Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Macao Special Administrative Region

Under the Basic Law, the Central People's Government is responsible for handling foreign affairs related to the MSAR. To this end, the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the MSAR was established on 20 December 1999.

The duties of the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in the MSAR are:

1. Handling foreign affairs issues related to the MSAR that are the responsibilities of the

Central People's Government;

2. Handling and coordinating affairs related to the MSAR's participation in international organisations and conferences; issues concerning international organisations and associations that establish branch offices in the MSAR; and matters related to inter-governmental conferences to be held in the MSAR;
3. Handling matters concerning the application of international treaties in the MSAR; and assisting with issues concerning the Central People's Government's processing of authorisation for the MSAR Government to negotiate bilateral agreements with foreign countries;
4. Coordinating and handling issues related to the establishment of foreign consular bodies, or other official and semi-official organisations in the MSAR, and dealing with relevant consular affairs; and
5. Handling any other responsibilities assigned to it by the Central People's Government and the Ministry of Foreign Affairs.

The People's Liberation Army Macao Garrison

The People's Liberation Army Macao Garrison took up its role in Macao on 20 December 1999 with the establishment of the MSAR.

According to the Garrison Law of the Macao Special Administrative Region of the People's Republic of China, the Macao garrison is responsible for the defence of Macao without interfering in the local affairs of the MSAR. The MSAR Government may, if necessary, ask the Central People's Government for assistance from the Macao garrison in maintaining social order and relieving natural disasters. The Macao garrison has strictly observed the Basic Law and the Garrison Law, loyally fulfilled its duty, strengthened exchanges with various sectors of Macao society, and actively participated in charitable activities.

Executive Structure

The MSAR Government is the executive authority of the MSAR. The Chief Executive is the head of the Government, supported by secretariats, bureaux, departments and divisions.

Secretariats: there are five secretariats in the Government, namely the Secretariat for Administration and Justice, the Secretariat for Economy and Finance, the Secretariat for Security, the Secretariat for Social Affairs and Culture, and the Secretariat for Transport and Public Works. Each is headed by a secretary. The secretaries, in the above order of seniority, stand in for the Chief Executive when the Chief Executive is unable to perform his or her duties.

Bureaux: units directly under the secretariats, performing designated functions.

Departments: units affiliated to the bureaux, responsible for establishing operational procedures.

Divisions: units affiliated to the bureaux or departments, responsible for operational duties.

In addition, the Government structure includes affiliated units, such as teams and sections.

The principal officials of the Government are the secretaries, the Commissioner Against Corruption, the Commissioner of Audit, and leading police and customs service officials. Principal officials of the MSAR shall be Chinese citizens who are permanent residents of Macao and who have ordinarily resided in Macao for a continuous period of not less than 15 years.

The Government is responsible for formulating and implementing policies; conducting administrative affairs; managing external relations as authorised by the Central People's Government under the Basic Law; drawing up and introducing budgets and final accounts; introducing bills and motions and drafting by-laws; and designating officials to attend meetings of the Legislative Assembly to listen to opinions or to speak on behalf of the Government.

The Government must abide by the law and be accountable to the Legislative Assembly; implement laws passed by the Legislative Assembly and already in force; present policy addresses regularly to the Legislative Assembly; and answer questions raised by members of the Legislative Assembly.

Secretary for Administration and Justice

The Secretary for Administration and Justice holds authority in areas including: public administration; civil affairs; legal translation and promotion; legislative affairs and legal administration; the social rehabilitation of discharged prisoners; civil and criminal records; regulation of the registration and notarisation system; and publication of the *Macao SAR Gazette*.

In 2012, the Secretary for Administration and Justice attended the 17th EC-Macao Joint Committee Meeting in Brussels; and signed on behalf of the MSAR Government the Agreement between the Government of the Macao Special Administrative Region of the People's Republic of China and the Government of the Republic of Serbia on Mutual Abolition of Visa Requirements, and the Agreement between the Government of the Macao Special Administrative Region of the People's Republic of China and the Government of the Russian Federation on Mutual Exemption of Visa Requirements.

Secretary for Economy and Finance

The Secretary for Economy and Finance is responsible for the Government budget; supervision of industry, commerce and gaming; offshore businesses (except those under the jurisdiction of other secretaries); the currency, foreign exchange and monetary system (including the insurance sector); administration of public finances and the tax system; statistical data; labour and employment; vocational training; and consumer rights protection.

In 2012, the Secretary for Economy and Finance paid visits to various countries including the United Kingdom, the United States, Brazil, Portugal, Angola, Italy, France, Switzerland, Jamaica and Canada. The Secretary for Economy and Finance signed on behalf of the Government the Agreement between the Government of the Macao Special Administrative Region of the People's Republic of China and the Government of the Republic of India for the Exchange of Information with Respect to Taxes and the Agreement between the Government of the Macao Special Administrative

Region of the People's Republic of China and the Government of Jamaica for the Exchange of Information Relating to Taxes.

Secretary for Security

The Secretary for Security holds authority over the internal security of the SAR; criminal investigation; immigration control; supervision of maritime traffic and the application of penalty provisions; civil protection; coordination and management of the prison system; and customs affairs as defined in Law No. 11/2001.

Secretary for Social Affairs and Culture

The Secretary for Social Affairs and Culture is responsible for education, health, social affairs, culture, tourism, sport, youth affairs and social security.

In 2012, the Secretary for Social Affairs and Culture visited Malaysia, the United Kingdom and Portugal, to attend the opening ceremony of the Macao Gallery in Malacca established by the Government, the 30th Olympic Games, and activities in the 2012 China-EU Year of Intercultural Dialogue including concert performances by Macao orchestras in Guimaraes. Agreements signed included the Cooperation Agreement on Joint Promotion of Projects for the Disabled and the Education Exchange and Cooperation Agreement between the Ministry of Education of the People's Republic of China and the Secretariat for Social Affairs and Culture of the Macao SAR Government.

Secretary for Transport and Public Works

The Secretary for Transport and Public Works is responsible for land regulation; traffic management; aviation and port affairs; infrastructure and public projects; transport and communication; environmental protection; Home-Ownership Scheme housing and public housing; and meteorology.

In 2012, the Secretary for Transport and Public Works led a delegation to Japan for exchanges with local light rail operation companies and observed their production, maintenance, monitoring and management work; and visited Guangzhou to attend the Guangdong-Macao Conference on Water Supplies and the third leading group meeting on the new cross-border route between Guangdong and Macao. Agreements signed included the Framework Agreement for Cooperation on the New Border Crossing between Guangdong and Macao, and the Contract on Lease of State-owned Land for Construction.

Commission Against Corruption

The Commission Against Corruption functions independently. The Commissioner Against Corruption shall be appointed by the Central People's Government on the nomination of the Chief Executive. The commissioner is accountable to the Chief Executive.

The Commission Against Corruption is responsible for tackling corruption and fraud. It investigates, in accordance with the law, corruption and fraud among civil servants and among individuals involved in voter registration and elections. It also promotes the protection of human

rights, freedom, legal guarantees, and legitimate rights and interests, and aims to ensure the justice, legitimacy and efficiency of public administration, and investigates corruption in the private sector in accordance with the law.

In 2012, the Commissioner Against Corruption attended the Board of Directors' Meeting of the International Ombudsman Institute (IOI), the Board of Director's Meeting of the Asian Ombudsman Association (AOA), the 4th Seminar and the 6th Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities (IAACA), the 17th Steering Group Meeting and Regional Seminar of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the 10th International Ombudsman Institute (IOI) World Conference.

Commission of Audit

The Commission of Audit has been set up in accordance with the Basic Law. It functions independently and is not subject to interference. The Commissioner of Audit is accountable to the Chief Executive.

The major duties of the Commission of Audit are to monitor the implementation of the Government budget; to compile an audit report on the overall Government accounts; to monitor the implementation of target departments' budget and the final accounts, as well as the management and expenditure of capital not included in the budget, together with assessing everything including assets, debts, profits, losses, and accounts, and verifying that all public expenditure is according to the proper purview of audit; and to conduct "value-for-money" assessments, through reviewing efficiency and cost-effectiveness.

The following bodies are subject to audit: (1) Those deriving over half their income from the Government; (2) Those with less than half their income from the Government, but subject to audit by written consent.

For public interest, the Chief Executive can issue a written authorisation to the Commissioner of Audit to audit and inspect any person of interest.

In 2012, the Commissioner of Audit attended the 12th Annual Meeting of the Asian Organization of Supreme Audit Institutions (ASOSAI) and the 7th annual meeting of the Organization of Supreme Audit Institutions of Portuguese Speaking Countries.

Unitary Police Service

The Unitary Police Service is part of Macao's internal security system, and it is responsible for the coordination of Macao's security affairs. It commands and leads police units that now include the Public Security Police and Judiciary Police.

The Commissioner-General is the head of the Unitary Police Service, and he or she is appointed by the Central People's Government on the nomination of the Chief Executive, to whom he or she reports. However, this shall not affect the supervisory power of the Secretary for Security granted through by-laws.

In 2012, the Commissioner-General attended the 81st INTERPOL General Assembly.

Macao Customs Service

The Macao Customs Service (Macao Customs) has been established in accordance with the Basic Law. It is a public body with administrative autonomy, which is responsible for directing, implementing and supervising customs policies, as well as conducting policing functions such as customs administration and supervision (as specified in Article 1 of Law No. 11/2001). The head of the Macao Customs, the Director-General, is appointed by the Central People's Government on the nomination of the Chief Executive, to whom he or she reports. However, this shall not affect the supervisory power of the Secretary for Security granted through by-laws (as specified in Clause 6 of Article 50 in the Basic Law and Article 6 of Law No. 11/2001).

Office of the Government Spokesperson

The Office of the Government Spokesperson is responsible for formulating information strategies and coordinating their implementation; ensuring government communications are coherent and efficient; and fostering the Government's relations with the media and the public, in accordance with the Government's policies, measures and work.

The Office of the Government Spokesperson reports directly to the Chief Executive and operates according to the Chief Executive's guidelines. The office collaborates with the Government Information Bureau when initiating activities. The office is run by a government spokesperson and a deputy government spokesperson.

Policy Research Office of the MSAR Government

The Policy Research Office is responsible for carrying out research and related work on political, legal, economic, social, and cultural issues; assessing, formulating, and following up public policies, development plans and administrative agendas; and providing technical and organisational support to the Chief Executive, with the aim of realising democratic, scientific and highly-efficient policy-making.

Office of the Macao Special Administrative Region in Beijing

The Office of the Macao Special Administrative Region in Beijing reports directly to the Chief Executive, and it represents the MSAR in Beijing with administrative autonomy.

In 2012, the Office of the Macao Special Administrative Region in Beijing participated in the 18th China Lanzhou Investment and Trade Fair to promote and expand publicity regarding Macao's culture and tourism; co-organised with the Hong Kong and Macao Research Center of Peking University and the Hong Kong and Macao Research Center of Tsinghua University an academic seminar on the constitutional development and legal reform of the Macao Special Administrative Region; and co-organised with the Beijing office of the Air Macau Company a promotional event in Beijing introducing Macao's tourism products to the governments, travel agencies and dealers in Beijing, Tianjing, and Hebei.

In 2012, the office assisted liaisons between the MSAR Government and mainland China authorities, and liaisons between enterprises and organisations in Macao and mainland China, to seek opportunities for mutually beneficial development; and assisted Macao and mainland China residents with solving disputes and difficulties faced in investing, living, studying, and travelling in unfamiliar places. During the year, over 10 organisations from Macao and mainland China visited the office.

In 2012, the office promoted Macao culture and tourism and released news stories via the Internet, showcasing Macao's current situation, establishing an effective communication and interactive platform for the public, and allowing more mainland China and overseas people to get to know and understand Macao. The office opened official accounts on Internet media such as Sina.com and People.com; its Weibo account on Sina.com (<http://weibo.com/draemp>) attracted more than 170,000 followers.

Macao Economic and Trade Office in Lisbon

The Macao Economic and Trade Office in Lisbon, which represents and supports the MSAR in Portugal and has administrative autonomy, is responsible for safeguarding the MSAR's interests in Portugal.

In 2012, the office prepared and followed up on work related to the Secretary for Social Affairs and Culture, former Chief Executive Edmund Ho Hau Wah and staff of the Chief Executive Office's participation in the meeting of the Macao-Portugal Joint Committee, and the Hong Kong and Macao Affairs Office of Guangdong's visit to Portugal. The office also provided assistance to the Macao Trade and Investment Promotion Institute (IPIM) and the delegation of the Forum for Economic and Trade Cooperation between China and Portuguese-speaking Countries, and followed up on and assisted visits to Portugal by delegations from the Macao Polytechnic Institute, the Tertiary Education Services Office, City University of Macau Foundation, the 4th Judicial Training Course, the third Chinese-Portuguese Translation and Interpretation Training Programme, Macao Chinese Orchestra, the Cultural Affairs Bureau, and the Social Welfare Bureau.

The office participated in the executive committee meeting of the Union of Portuguese-speaking Capital Cities (UCCLA), the technical meeting themed "UCCLA City Defence", and the technical meeting themed "Protecting and Promoting the Value of the Historic Centre of Macao".

The office also organised multiple art exhibitions, conferences, introductions to books, and activities on new releases of materials related to Macao.

Macao Economic and Trade Office to the European Union

Based in Brussels, the Macao Economic and Trade Office to the European Union represents the MSAR, has administrative autonomy, and assists the Chief Executive with economic and trade liaison and cooperation between the MSAR, the EU and related organisations.

In 2012, the office provided assistance to Macao Customs, translators receiving practical training in Brussels and Macao graduates visiting Europe, and offered technical and logistic support to the 17th meeting of the EU-Macao Joint Committee.

Macao Economic and Trade Office to the World Trade Organization

Based in Geneva, Switzerland, the Macao Economic and Trade Office to the World Trade Organization (WTO) represents the MSAR, promotes and handles economic and trade relations and cooperation between the MSAR and WTO members.

In 2012, the office received a Health Bureau delegation participating in the annual World Health Assembly, and SAR delegations attending the annual conference of the International Labour Organization and the meeting of the United Nations Committee on the Rights of Persons with Disabilities (CRPD).

Macao's Economic and Cultural Office in Taiwan

Macao's Economic and Cultural Office in Taiwan provides comprehensive services for Macao citizens working, studying, travelling, doing business or living in Taiwan; promote economic, trade, cultural, education, health, social services exchange and cooperation between Macao and Taiwan; and enhance crime fighting and judicial support.

Municipal Services

The Civic and Municipal Affairs Bureau (IACM) carries out the functions of now defunct municipal bodies that formerly provided cultural, recreational, and environmental hygiene services. It has also taken on responsibility for affairs concerning people's livelihoods and the living environment; formulating and organising civic education activities; assisting non-governmental organisations and developing community spirit. It resolves practical problems encountered by Macao residents by receiving and handling their requests and complaints concerning their daily lives.

The IACM is composed of an Administration Committee, a Consultative Committee and a Supervisory Committee. The Administration Committee is an executive body that supervises subordinate departments of the Civic and Municipal Affairs Bureau. It holds regular closed meetings to deal with relevant issues. The committee arranges public sessions every month to listen directly to citizens' suggestions, opinions or criticisms.

The Macao Foundation

The Macao Foundation's goal is to promote, develop and implement research relating to Macao's cultural, social, economic, educational, scientific, academic and philanthropic activities, including activities aimed at promoting Macao.

Subsidies and Charity Work

In 2012, the Macao Foundation approved 776 sponsorship applications, totalling 854 million patacas. Most subsidies (43.36 percent) were given to the social sector.

The Macao Foundation continued to cooperate with local social services groups and organisations

during the Chinese New Year and the Mid Autumn Festival, to distribute Macao Foundation Blessing Packs, and visited grassroots services and social services groups to understand their operational needs.

The foundation followed up on recommendations in the value-for-money audit report on the disbursement of sponsorships by the Macao Foundation to local organisations, and held numerous seminars to consult various sectors on the new format of the grant application form. The grant application, evaluation and follow up process also underwent significant improvements, including as a result of a study on the system for evaluating grant applications and the electronic system for fund-raising, facilitating further progress with the system for granting funds.

The foundation cooperated with local art groups, Caritas Macau, and the China Soong Ching Ling Foundation to launch a project focusing on public charity.

Youth Work and Scholarships

The foundation granted scholarships to 340 Macao, foreign and mainland China students enrolled in Macao's tertiary education programmes in 2012, including 40 students who benefited from the Special Scholarship Scheme that is solely operated by the foundation.

In 2012, the Macao Foundation strengthened its engagement and participation in the youth sector. The foundation cooperated with the Chinese People's Political Consultative Conference, the Liaison Office of the Central People's Government in the Macao SAR, the Union of Associations of Professional Accountants of Macau, Teledifusão de Macau, China Space Foundation, and Fundação Serralves de Portugal to develop cultural exchange projects.

Academic Research and Publishing

The Macao Foundation organised numerous academic seminars including the "Macao: Past and Present" international academic conference, the Third International Conference on Macaology, the Second Forum of Portuguese-speaking Countries and Regional Higher Education Management, and Prospects of Chinese Literature in the World - China, Taiwan, Hong Kong and Macao, and a training program in Nanjing for Macao social science scholars.

The foundation also commenced work on compiling of the Macao Volume of the Chinese Folk and Ethnic Culture and Arts Collection, and edited and reprinted 45 books and academic journals. The foundation participated in book fairs in Taipei, Yinchuan and Hong Kong, and donated a total of 1,783 foundation publications to 48 basic and higher education organisations.

Organising Cultural Activities

In 2012, the Macao Foundation organised and co-organised over 28 exhibitions, performances and arts appreciation events; and launched the Scheme of Work for Writer-in-Residence in Literature and Art Fields in cooperation with the University of Macau.

External Cooperation

The three Sichuan earthquake post-disaster reconstruction projects supported by the Macao Foundation – reconstruction of Qing Cheng Shan Temple ancient architectural complex, the Beichuan Qiang Folk Museum and the Sanxingdui Ruins Museum – were completed in 2012.

In 2012, the foundation made donations to support the UNESCO Asia-Pacific Awards for Cultural Heritage Conservation, organised participation by Macao students in the UNESCO Children's Performing Arts Festival of East Asia in Ulaanbaatar of Mongolia, and nominated the works of four local artists for an exhibition at Olympic Fine Arts 2012, London.

As a founding member of the Boao Forum for Asia, the Macao Foundation sent a delegation to participate in the Boao Forum for Asia Annual Conference 2012 and the 2012 Education Forum for Asia Annual Conference.

Through the China Association of Inventions, the foundation awarded the Macao Foundation Invention Prize to Jwo Hwu Yi and colleagues of the Kaohsiung University of Applied Sciences of Taiwan for their project, which seeks a solution to maintain the normal operation of wind turbines during strong winds, at the Seventh International Exhibition of Inventions.

Office for Personal Data Protection

The Office for Personal Data Protection operates independently under the supervision of the Chief Executive. Its responsibilities are to monitor and coordinate the enforcement and implementation of the Personal Data Protection Act, to formulate confidentiality rules for personal data, and to monitor how the act is put into practice.

In 2012, the office received 118 complaints regarding, or reports of, leaks or mishandling of personal data; 40 requests for advice; 291 notifications concerning personal data processing; 25 applications for authorisation of data sharing; and 990 legal inquiries. The office held or co-organised 30 briefing sessions, four seminars, and 45 training courses on the Personal Data Protection Act. In all, there were 3,780 attendees.

Civil Service System

The general eligibility requirements for civil servants are that they should be permanent residents of the MSAR (junior civil servants are exempt from this requirement), aged between 18 and 64; should possess relevant educational qualifications or work experience and be capable of performing the roles required; have no criminal record or other conditions as laid down by law that would render a person inappropriate for the post or job concerned on a full-time or part-time basis; and be of sound health and mind.

Civil servants are recruited either by appointment or on contract terms. The promotion and relocation of civil servants are prescribed by law. Civil servants who breach disciplinary rules may be sanctioned by written warning, fine, suspension, forced retirement or dismissal.

Concerning the continued service, appointment and employment of civil servants, under Articles

98 and 99 of the Basic Law, Macao's serving civil servants, including the police and supporting members of the judiciary, remained in employment after the establishment of the MSAR. They may remain in the civil service and retain their seniority with pay, allowances, benefits and conditions of service no less favourable than before. The Government shall pay such civil servants, or their dependents, all pensions and allowances due to them on terms no less favourable than before, and irrespective of their nationality or place of residence.

The Government may employ Portuguese and other foreign nationals previously employed in the civil service who are permanent residents of the MSAR to serve as public officials in government departments at all levels, unless otherwise prohibited by the Basic Law. The Government may also employ Portuguese and other foreign nationals as advisers or to fill professional and technical posts. These persons shall be employed only in their individual capacities and shall be responsible only to the Government.

At the end of 2012, Macao had 26,943 civil servants (excluding 32 people recruited through the outsourcing contract system and labour provision contracts) of whom 26,751 were recruited locally and 192 from elsewhere. Of this total, 58 percent were male and 42 percent female. There were 15,989 civil servants with tertiary education qualifications, representing 59.3 percent of the total; 691 of the bureau directors, department heads, division and section chiefs – 90.6 percent of the total – held tertiary education qualifications.

Improving Public Services

To enhance the operations and services of public departments and uphold the “Putting people first” service spirit, the first Government Service Quality Award presentation ceremony was held in October 2012.

The continued development of the Government Integrated Service Centre included the addition of dedicated service zones to provide services on traffic affairs, investments, public works, employment, social security, public notary service, education, telecommunications, retirement and pension affairs for civil servants, leisure and sports, cadastre, applications for importing foreign domestic helpers and environmental protection.

Strengthen Human-based Management and Cohesion

The Government promotes the culture of lifelong learning and self-learning among civil servants to improve individuals and promote public administration reform. The Civil Servant Creativity Scheme and Civil Servant Book-Reading Essay Competition continued in 2012.

E-Governance

The Government continues to promote scientific management to align with the ongoing public administration reform. From planning, information infrastructure, management and digitising services, the Government intensifies the development of electronic administration to improve efficiency, transparency and effectiveness, thus offering faster and more convenient public services.

In 2012, the 2013-2014 e-Governance Development Plan was formulated as a blueprint for developing the basis of reforming public services, procedural reform and human resources management. It aims to promote the development and application of e-governance as a basis for long-term development in corporate structure and standards, document management, procedural management, knowledge management and centralised human resources management. A plan has been devised for the new generation of the government portal website and development of the electronic information kiosk as an interactive platform for disseminating government information.

The information facilities hosting service and the disaster recovery application of the Government Central Data Centre continued to be expanded to improve security and share the benefits of information management. To date, there are 23 government departments using the various hosting services offered by the centre, which also cooperates with seven departments to construct a mechanism for information system disaster recovery, assist in handling information failure incidents, and maintain normal operations of public services.

The overall system analysis and design of the e-governance application platform has been completed. The workflow involves applications, processing, approvals and filing. The shared components are analysed and developed to assist with the future development and application of different working procedures.

The integrated solutions for electronic identification have been completed. These combine electronic certificates, smart identity card and ePass, allowing various departments to launch more public e-services and enabling the public to access relevant services more safely and conveniently. In 2012, the electronic information kiosk for self-service voter registration was introduced, enabling qualified citizens to register as voters at any time that is convenient to them.

Training of Civil Servants

The objective of establishing the Civil Servant Training Centre under the Public Administration and Civil Service Bureau is to build up a team of high-quality civil servants by consolidating training resources, strengthening coordination and planning, and building a more systematic programme framework according to the development of civil service grades and duties. Civil servant training comprises compulsory and elective courses.

In line with the training requirements for promotion in the Rank and Grade System for Civil Servants, the Government has included training as an important condition for civil servant promotion. Training for promotion is divided into two types: lecture-based training courses and targeted training courses.

Official Languages

In accordance with Article 9 of the Basic Law, in addition to the Chinese language, Portuguese may also be used as an official language by the executive authorities, the legislature and the judiciary of the MSAR.

Award of Decorations, Medals and Merit Certificates

To commend individuals and organisations for their outstanding performance – in terms of personal achievements, contributions to the community or service to the MSAR – Chief Executive Edmund Ho in November 2001 promulgated By-law No. 28/2001, which established rules for awarding decorations, medals and merit certificates to them. It stipulated four categories of decorations and merit certificates in the MSAR: the Decoration of Honour, Medal of Merit, Medal for Distinguished Services and Certificate of Merit.

As of 2012, the Chief Executive signed administrative orders to award decorations and certificates to 12 batches of individuals and entities.

Flag and Emblem of the MSAR

The flag of the MSAR has identical patterns and colours on both sides, with the five stars, lotus flower, bridge and seawater design on the front and back. The rectangular flag has a green background and a 3:2 length-height ratio. A white, three-petal lotus flower is in the centre of the flag. Five golden stars, including a larger one in the middle, form an arch over the lotus flower. Below the lotus flower, a white bridge and seawater are represented as green and white stripes (See Appendix II of Law No. 6/1999).



The Flag of the MSAR

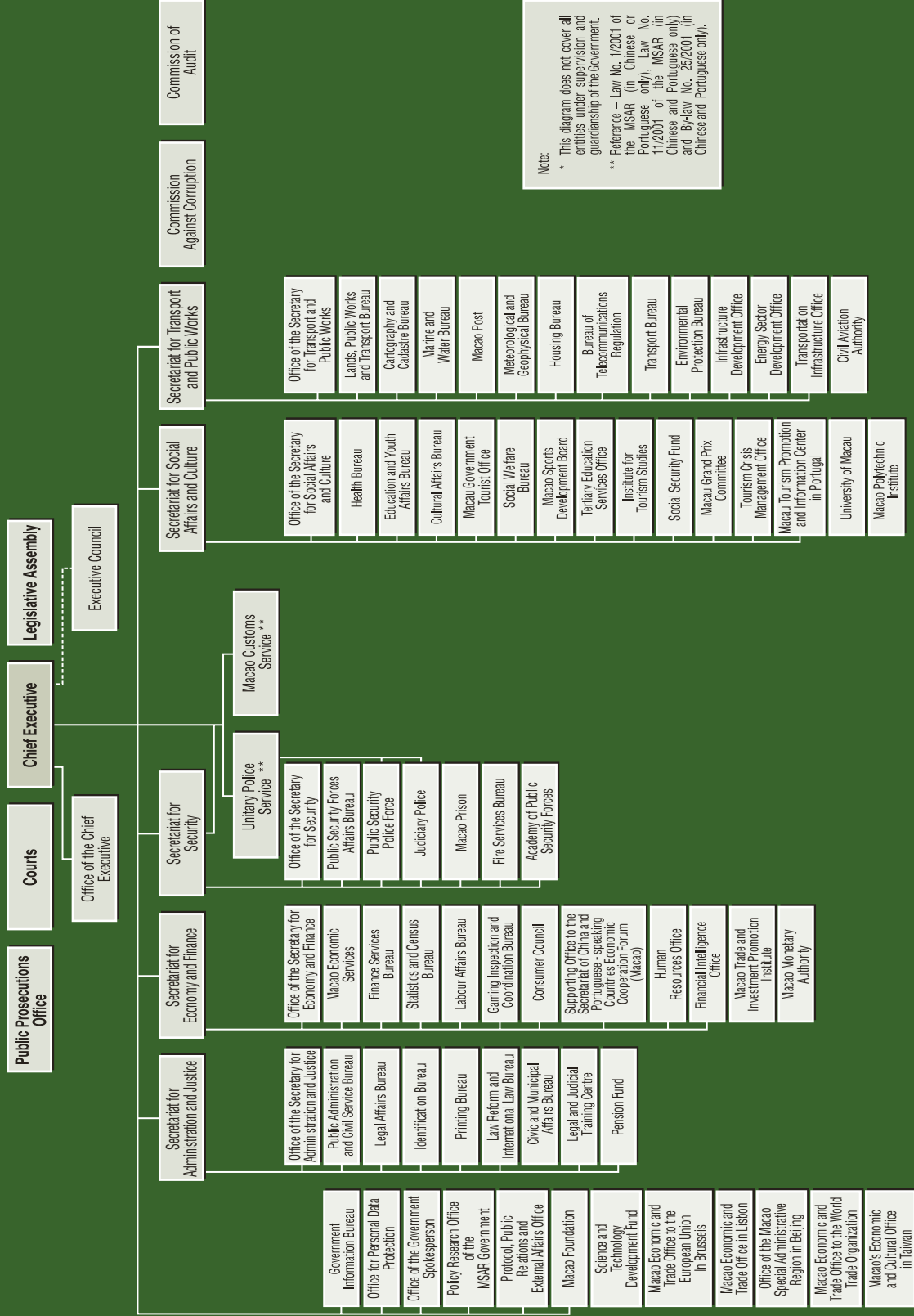
The circular MSAR emblem consists of a narrow green border, a ring of characters on a white background, a green inner circle and elements including stars, a lotus flower, a bridge and seawater. The outer ring of characters lies between the narrow green border and the green inner circle. In the upper half of the ring of characters, 14 Traditional Chinese characters meaning “The Macao Special Administrative Region of the People’s Republic of China” are set in a standard traditional font, evenly distributed along the width of the arch. The lower portion of each character points to the centre of the emblem. In the lower half of the ring of characters, the Portuguese word “Macau”

is printed in a standard font. The letters are evenly spaced, with the upper portion of each letter pointing to the centre of the emblem. Both the Chinese and Portuguese characters are distributed symmetrically on opposite sides of a vertical axis through the emblem. A white lotus flower with three petals is in the centre of the green inner circle. Above the lotus flower, five golden stars, of which the middle one is largest, radiate from the centre of the emblem. The lower points of the stars are directed at the centre of the emblem. Below the lotus flower, a white bridge and seawater are represented as green and white stripes.



The Emblem of the MSAR

Structure of the Macao SAR Government *



Note:

* This diagram does not cover all entities under supervision and guardianship of the Government.

** Reference – Law No. 1/2001 of the MSAR (in Chinese or Portuguese only), Law No. 11/2001 of the MSAR (in Chinese and Portuguese only) and By-Law No. 25/2001 (in Chinese and Portuguese only).



Macao Government Headquarters

The Macao SAR Government Headquarters comprises three buildings and a garden.

The front block is for the Chief Executive and the Secretaries to meet visiting guests and hold other activities. On the ground floor, it houses the Executive Council chamber, a multi-functional meeting room, and the Lotus Chamber. The office of the Chief Executive is on the first floor, together with the Green Chamber, the Yellow Chamber and the Blue Chamber, which are for greeting guests and holding meetings and banquets. The middle block is the Government Headquarters office building, while the rear block is the administration building.

First built in 1849, the Macao Government Headquarters was formerly the office of the governor and top officials of the Portuguese administration. After the establishment of the SAR Government, the buildings were renovated, and since 2001 the headquarters has been open to the public and tourists on its annual open day.





