

In promoting computer-assisted audit, with assistance from the Computer Technology Centre of the National Audit Office the CA completed the upgrade of the “Auditor Office” system, and developed new “Electronic Data-aided Tools”, to facilitate audit supervision of all public sectors according to the law.

According to the Order of Commissioner of Audit No. 2/2019, departments have to prepare and submit designated electronic files related to their account management, and accounting and financial management information for the previous financial year, in accordance with electronic data formats or template forms specified by the CA.

Since several organisations were using the data-aided tools for the first time, in March the CA arranged an introduction session on the “Electronic Data-aided Tools”, focusing on explaining the specific operation of the “Aided tools for export and import of CSV files” and the “Electronic Data-aided Tools”, helping the departments to ensure that their electronic CSV data conforms with the required format and specifications, while deepening participants’ understanding of the system’s features.

Regarding publicity and promotion, the CA continued organising seminars on audit culture, to promote the message of good use of public resources for public department staff, cadets of the Academy of Macao Public Security Forces attending promotion courses, and new government recruits.

Growing Trend of Electronic Judicial Systems and Strengthening of People-oriented Justice



Number of Cases Admitted by the Three-tier Court System

| 2021 | Court of Final Appeal | Court of Second Instance | The Primary Court (including the Examining Magistracy) | The Administrative Court | Total |
|-----------------|-----------------------|--------------------------|--|--------------------------|---------------|
| Cases admitted | 171 | 1,111 | 16,809 | 136 | 18,227 |
| Cases concluded | 161 | 1,200 | 16,843 | 139 | 18,343 |
| Cases pending | 108 | 437 | 12,289 | 117 | 12,951 |

The majority of the cases admitted to the three-tier court system were criminal and criminal labour cases, which totalled 6,099 (excluding Examining Magistracy cases). Ranking second were civil cases and civil labour cases, which totalled 4,076. There were also 364 administrative cases, and 7,688 other cases.

Law Promotion and Legal Consulting Services

To strengthen the promotion of the law and foster transparency of the judicial system, starting from 9 October 2013, the court has been issuing press releases about typical concluded cases, and publishing them on the websites of the court and the Government Information Bureau. Various media may republish and report on these cases, which can hopefully promote legal awareness and law abidance in society, and inform the public regarding the judicial approaches and methods for settling various disputes. As at the end of 2021, an accumulated total of 873 articles had been published, 134 of which were published in 2020.

In 2021, the Primary Court continued to provide consulting services, with details as follows:

| 2021 | The Criminal Court | The Civil Court | The Small Claims Court | Total |
|---|--------------------|-----------------|------------------------|--------------|
| Number of enquiries received | 1,823 | 4,218 | 1,966 | 8,007 |
| Number of cases involved | 1,921 | 3,849 | 1,966 | 7,736 |
| Number of enquiries directly handled | 1,842 | 3,681 | 1,966 | 7,489 |
| Number of enquiries transferred to the Public Prosecutions Office | 74 | 121 | --- | 195 |
| Number of enquiries transferred to other departments | 5 | 47 | --- | 52 |
| Telephone enquiries | 455 | 867 | --- | 1,322 |

Legal Assistance and Enforcement

Regarding delivery of judicial writs and assistance in investigations and evidence collection in civil and commercial cases, in 2021 the Court of Final Appeal received 193 judicial writs from mainland China courts, and delivered 71 judicial writs to mainland China courts on behalf of the courts in Macao.

In 2021, the Court of Second Instance received 18 requests for reviewing and endorsing judgments made by mainland China courts or arbiters; they included three judgments endorsed by the Court of Second Instance that were sent to the Primary Court for enforcement.

On 7 January 2013, the MSAR Government and the Hong Kong SAR Government signed the Arrangement Concerning Reciprocal Recognition and Enforcement of Arbitral Awards between the Hong Kong Special Administrative Region and the Macao Special Administrative Region, which came into effect on 16 December 2013. As at the end of 2021, the Court of Second Instance had admitted four cases involving requests for the confirmation of arbitral decisions.

Besides, the MSAR Government and the HKSAR Government signed the Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Cases between the Macao Special Administrative Region and the Hong Kong Special Administrative Region on 5 December 2017, which came into effect on 1 August 2020. As at the end of 2021, the Court of Final Appeal had received 13 judicial writs from Hong Kong courts, and delivered 22 judicial writs to Hong Kong courts on behalf of courts in Macao.

Declarations of Assets and Interests

In 2021, the Court of Final Appeal followed the stipulations in Law No.11/2003, which had been amended according to Law No.1/2013, in the process of receiving individuals for the declaration of assets and interests. It opened 190 individual dossiers, received 1,930 documents for the declaration of assets and interests that involved 1,498 people, and sorted and updated the contents of the individual dossiers according to the law.

According to the stipulations in the aforementioned Law No. 11/2003, the Office of the Court of Final Appeal has uploaded Part IV of the disclosure document on asset declarations to the website of the Courts of the Macao SAR, ensuring it is available in the public domain as required by law. In 2021, the disclosure documents (Part IV) of 409 individual dossiers involving 304 people were published online. There is a total of 4,076 accumulated disclosure documents, involving 891 people.

Summary of the Work by and Outlook for the MSAR Courts

In 2021, although the MSAR Government was still affected by the COVID-19 pandemic, the three-tier court system continued to function normally and efficiently. The number of admitted and concluded cases were both similar to the previous year, with a total of 18,227 cases admitted during the year, and a record of under 20,000 cases for the second consecutive year. Of these cases, 171 were filed with the Court of Final Appeal, 1,111 with the Court of Second Instance, 16,809 with the Primary Court (including the Examining Magistracy), and 136 with the Administrative Court. There were 18,343 concluded cases, of which 161 were concluded by the Court of Final Appeal,

1,200 were concluded by the Court of Second Instance, 16,843 were concluded by the Primary Court (including Examining Magistracy cases), and 139 were concluded by the Administrative Court. There were 12,951 pending cases, indicating a decrease for the fourth consecutive year; of these, 108 cases were further pending by the Court of Final Appeal; 437 were from the Court of Second Instance; 12,289 pending cases were from the Primary Court (including Examining Magistracy cases); and 117 pending cases were from the Administrative Court.

Speaking at the Opening Ceremony of the 2021-2022 judicial year, the President of the Court of Final Appeal, Sam Hou Fai, said that the court had begun perfecting various software and hardware facilities during the previous Judicial Year:

1. Enhancing judicial efficiency and making progress with the digitalisation of judicial operations

The court facilitated the amendments to the “Arrangements for Mutual Entrustment in Civil and Commercial Matters for the Service of Judicial Documents and Investigation and Obtainment of Evidence Between the Courts in Mainland China and the Macao Special Administrative Region”, to replace the delivery of judicial documents and obtainment of evidence in cooperation with mainland China via post with electronic channels. The time required was shortened by 30 days on average, thus further enhancing judicial efficiency.

Also, the court cooperated with the MSAR Government in preparations for introducing an electronic litigation system. Two e-services for courts were launched in the first phase, enabling electronic submissions of litigation documents and settlements of litigation fees. It is believed that the implementation not only responds to society’s needs and enhances judicial efficiency, but can also provide experience for the launch of electronic notifications and electronic summonses in the next phase, further intensifying the digitalisation of judicial operations.

2. Enhancing the quality of judiciary staff, striving to commence promotion and training for supporting members of the judiciary

The Legal and Judicial Training Centre and the National Judges College organised national education training courses to support members of the judiciary in the MSAR Government, with the aim of strengthening their understanding of national education in terms of politics, economics, history and culture, as well as the Constitutional and the Basic Law, which allows them to comprehensively and accurately understand and implement the principles of “One country, two systems”.

The appointment and training course for supervisory personnel in the three-tier court system also commenced. This marked the first time of organising this kind of courses after Macao’s reunification with the motherland. Upon completion of the programme in the second half of 2022, all general secretaries, assistant general secretaries and chief secretaries will be officially appointed on a regular basis. This will change the situation in which all supervisory personnel in the judiciary had been fulfilling their duties on an acting basis since reunification.

3. Induction training programme for newly inaugurated judicial officers of courts

In order to cultivate newly inaugurated judicial officers of courts, the sixth induction

training programme for judicial officers of courts and the Public Prosecutions Office will commence. This marks the first year of organising such a programme after the amendments to the related induction training system. It is estimated that 20 participating students will officially start training in early 2022, and will join the team of judicial officers of courts in 2024. Apart from making preparations for a possible manpower shortage caused by some judges meeting retirement conditions in the coming few years, this also satisfies the demand for rapid future development of the Greater Bay Area, especially the Guangdong-Macao Intensive Cooperation Zone in Hengqin, providing a safeguard in terms of judicial human resources.

4. Improving working conditions of the judiciary, constructing the three-tier court building

With the support from the MSAR Government, the plan for constructing the three-tier court building has been almost finalised, and entered the design stage. The soil exploration work for construction of the Court of Second Instance Building and the Primary Court Building have also commenced. It is expected that some judicial bodies that have operated separately in different commercial buildings will truly become history in the near future.



The overall operations of the Macao Special Administrative Region Public Prosecution Office in 2021 can be summarised as follows:

- (1) Compared with the previous year, the number of criminal cases, civil cases and administrative cases accepted by the Public Prosecution Office increased. However, the numbers of labour cases and cases involved in the trial procedures of the Court of Second Instance and Court of Final Appeal decreased. As the number of land dispute cases dropped significantly, the Public Prosecution Office will continue upholding the principles of legality and objectivity

in exercising its functions and powers in accordance with the law, and strive to maintain the social order and public interest of Macao.

- (2) In response to illegal acts that disrupted pandemic prevention work, the Public Prosecution Office and functional departments worked closely together to perform their duties in accordance with the law; strengthened the procedures of accountability for those who violated anti-pandemic laws and regulations; protected the health and safety of Macao citizens by legal means; and safeguarded the overall public interest of Macao.
- (3) With the impact of COVID-19, global travel has been restricted. As social life transformed to adopt online approaches, the number of cybercrime cases registered in 2021 significantly increased. These included computer crime cases involving theft of credit card information, lobbying victims to invest in online gambling, and online dating scams. There was also a significant increase in the number of online “naked chat” blackmail cases conducted online. It is necessary to strengthen the public’s vigilance and security awareness, and minimise the cybercrime space for criminals as much as possible.
- (4) The number of registered cases of crimes related to infringement of sexual freedom and autonomy has been on the rise in recent years, with cases involving minors as victims accounting for more than half the total number of registered sex crimes. Offences with pornographic materials involving minors accounted for the majority of the latter, with more than twice as many cases as in 2020. In response, the Public Prosecution Office will continue cracking down on crimes of sexual assault against minors, and maintain communication with all walks of life to help minors increase their awareness of and ability to protect themselves, and jointly safeguard the physical and mental health as well as legitimate rights and interests of minors.
- (5) Due to the pandemic, the number of tourists decreased significantly. The number of criminal cases related to illegal gambling decreased during the pandemic, however, seizing the opportunity arising from some casino VIP rooms suspending services and reducing cash exchanges, crimes involving the use of counterfeit currency for illegal currency exchange fraud (commonly known as “practice banknotes”) have occurred more frequently. Violent crimes arising from illegal currency exchange activities also increased. In order to effectively combat the chaos of illegal exchanges, and correspond with the police’s response strategy of combining prevention and control, the Public Prosecution Office has used litigation procedures to intensify efforts to crack down on illegal exchange activities, creating a safe social environment for the recovery of the tourism industry.
- (6) Also with the impact of the pandemic, global economic activities have slowed down, and the numbers of reports of suspicious transaction or reports of money laundering have dropped significantly, and the rate of initiating cases related to money laundering crimes also dropped. In response to this situation, the Public Prosecution Office will continue maintaining close contact with functional departments and enhance capabilities for supervising prevention of and investigating money laundering, and strengthen international or regional criminal judicial cooperation to collect related criminal evidence, in order to effectively prevent and curb money laundering activities, and effectively maintain the safety and stability of the Macao SAR’s financial system.

- (7) The numbers of international and regional criminal, civil and commercial judicial assistance cases have returned to pre-pandemic levels. In order to continuously improve the efficiency and level of judicial assistance, the Public Prosecution Office will continue adhering to the principle of “One country, two systems”, work in accordance with the provisions of the Basic Law, and cooperate in creating a legal environment to combat crime. In the field of procuratorial work, the office has contributed to the integration of the Macao SAR into the construction of the Guangdong-Hong Kong-Macao Greater Bay Area and its participation in international affairs.
- (8) In response to the relatively tight human resources of the judicial team due to the retirement of judicial officials in recent years, the Public Prosecution Office will strengthen cooperation with the legal department, and continue improving and fostering a systematic ongoing education system for judicial officials, on the premise of rationally establishing and allocating human resources, to improve the professional quality and practical abilities of judicial officers and their services, and ensure the realisation of justice for the people.
- (9) In order to continuously improve the development of procuratorial information technology, the Public Prosecution Office will continue cooperating with the Procuratorate Technology Information Research Centre of Supreme People’s Procuratorate to implement the overall work policy of the MSAR Government, to foster e-government in the judicial field and strengthen the service principle of judicial convenience for the public, and actively cooperate with and promote the development of electronic litigation procedures in Macao.

In 2021, the number of criminal cases initiated by the Public Prosecution Office was 12,715, 17.17 percent more than the figure of 10,852 in 2020. The number of cases concluded by the Examining Magistracy was 13,199 in 2021, representing a slight decrease of 0.77 percent year-on-year; the number of prosecutions was 3,569, 2.43 percent less than the number of cases in 2020; the number of cases filed was 9,386, representing an increase of 0.09 percent; and the number of cases reopened due to discovery of new evidence was 152, representing an increase of 1.33 percent.

Analysing the above statistics, the top five types of crimes with high numbers of investigations in the region during 2021 were:

- 3,366 theft, robbery and property damage cases (up 0.24 percent year-on-year);
- 1,563 fraud and extortion cases (up 32.23 percent year-on-year);
- 1,377 offences involving physical assault (up 17.39 percent year-on-year);
- 1,232 crimes related to traffic accidents (down 22.83 percent year-on-year); and
- 1,133 illegal immigration and immigration-related crimes (up 32.83 percent year-on-year).

In addition, the Public Prosecutions Office initiated relatively high numbers of investigations of the following crimes:

- 999 computer crimes (up 168.55 percent year-on-year);
- 374 cases of forgery (down 33.92 percent year-on-year);
- 327 cases of crimes against personal freedom (up 48.64 percent year-on-year);

- 297 crimes against public authority (up 33.78 percent year-on-year); and
- 195 crimes involving defamation (up 12.07 percent year-on-year).

In terms of civil and labour legal proceedings, the Public Prosecutions Office initiated 883 civil and labour pre-suit cases, 20.14 percent more than the figure of 735 cases in 2020. Among them, the office investigated 53 maternity or paternity cases, and initiated 92 court actions for minors; and processed 738 proceedings concerning interdiction, disqualification, custody, litigation fees, bankruptcy, mandatory property inventories and settlement of unpaid taxes on behalf of the Finance Services Bureau.

When processing labour cases, in order to reduced time needed when protecting the rights of the relatively disadvantaged working class to the greatest extent, the Public Prosecutions Office aimed to first pursue mediation to resolve disputes for civil labour cases, in accordance with the Labour Procedure Code; in 2021, the Public Prosecutions Office was involved in 520 cases in the Labour Court, 11.56 percent less than the figure of 588 cases in 2020, as follows:

- 289 newly initiated cases involving labour accidents and occupational diseases, 375 cases successfully mediated, and 19 cases requiring litigation due to failure to agree on mediation;
- 231 ordinary labour litigation cases were newly initiated, with 218 cases successfully mediated, while further litigation was required for 12 cases; and
- During 2021, 593 workers were involved in successful mediation procedures conducted by the Public Prosecutions Office, and 34 workers were involved in cases initiated following failure to achieve mediation.

In 2021, the two judicial officers of the Office of the Administrative Court at the Public Prosecutions Office received a total of 134 cases, an increase of 17.54 percent compared to 114 cases from the previous year. These included 90 judicial appeals, 16 litigation cases, and 10 cases involving urgent procedures, and six cases of administration of taxation. The Public Prosecutions Office participated in 12 litigation procedures, five of which involved claims arising from follow-ups to the Government announcing annulled land grants.

In 2021, the Public Prosecutions Office before the Court of Final Appeal and the Court of Second Instance participated in handling the following cases:

- A total of 1,082 criminal, civil and administrative cases in the Court of Second Instance, 13.30 percent less than the figure of 1,248 in 2020; these included three local cases; and
- A total of 163 cases in the Court of Final Appeal, 15.98 percent less than the figure of 194 cases in 2020; these included six local cases.