

Major Cases Before the Court and Judicial Defence by the Prosecution



Numbers of cases admitted by the three-tier court system

2023	Court of Final Appeal	Court of Appeal	Court of First Instance (including the Examining Magistracy)	Administrative Court	Total
Cases admitted	114	997	17,139	86	18,336
Cases concluded	137	903	16,656	88	17,784
Cases pending	69	437	12,981	91	13,578

The majority of cases in the three-tier court system were criminal cases and criminal labour cases, which totalled 5,907 (excluding Examining Magistracy cases). Ranking second were civil and labour cases, which totalled 4,041. There were also 304 administrative cases and 8,084 other cases.

Law promotion and legal consulting services

To strengthen promotion of the law and foster transparency in the judicial system, from 9 October 2013 the courts of the Macao SAR began 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 the press releases and report on these cases, which can hopefully promote legal awareness and law abidance in society, while informing the public about the judicial approaches and methods adopted for settling various disputes. As of the end of 2023, an accumulated total of 1,073 articles had been published, 95 of which were published in 2023.

Summary of consulting services provided by the Base Court in 2023:

2023	Criminal Courts	Civil Courts	Small Claims Courts	Total
Total number of inquiries	1,657	4,527	1,506	7,690
Number of cases	1,643	3,998	1,506	7,147
Number of directly handled cases	1,599	3,838	1,506	6,943
Number of cases transferred to the Public Prosecutions Office	44	107	---	151
Number of cases transferred to other departments	0	53	---	53
Number of telephone inquiries	564	1,028	---	1,592

Legal assistance and enforcement

Regarding the delivery of judicial writs and assistance in investigations and evidence collection in civil and commercial cases, in 2023 the Court of Final Appeal received 298 judicial writs from mainland China courts, and delivered 113 judicial writs to mainland China courts on behalf of courts in Macao.

In 2023, the Court of Appeal received 39 requests for reviewing and endorsing judgments made by mainland China courts or arbiters; three judgments endorsed by the Court of Appeal were sent to the Base Court for enforcement. The Base Court received one request on Arrangements Concerning Reciprocal Recognition and Enforcement of Arbitral Awards between mainland China and the Macao SAR.

The Macao SAR Government and the Hong Kong SAR Government signed the Arrangements Concerning Reciprocal Recognition and Enforcement of Arbitral Awards between the Macao SAR

and the Hong Kong SAR on 7 January 2013; the arrangements came into effect on 16 December 2013. As at the end of 2023, the Court of Appeal had handled five arbitral award cases.

The Macao SAR Government and the Hong Kong SAR Government signed the Arrangements for Mutual Service of Judicial Documents in Civil and Commercial Cases between the Macao SAR and the Hong Kong SAR on 5 December 2017; the arrangements came into effect on 1 August 2020. As at the end of 2023, the Court of Final Appeal had received 46 judicial writs from Hong Kong courts and delivered 67 judicial writs to Hong Kong courts on behalf of courts in Macao.

Declarations of assets and interests

During 2023, when receiving individuals for the declaration of assets and interests, the Court of Final Appeal performed its duty according to Law No.11/2003, which had been amended according to Law No.1/2013. It opened 184 individual dossiers, received 2,134 documents for the declaration of assets and interests that involved 1,785 people, and sorted and updated the contents of the individual dossiers according to the law.

According to stipulations in the aforementioned law, the Office of the Court of Final Appeal has uploaded Part IV of the disclosure documents of assets declarations to the website of the courts of the Macao SAR, ensuring they are available in the public domain as required by law. In 2023, the disclosure documents (Part IV) of 443 individual dossiers involving 335 people were published online. There was an accumulated total of 4,994 disclosure documents, involving 1,010 people.

Summary of work in 2023 and outlook for the courts of the MSAR

During the judicial year, Macao's three-tier court system maintained normal operations. The Court of Final Appeal received the most cases on unified judicial opinions in recent years, and rendered four unified judicial opinions after an expanded panel hearing. Through exercising its important judicial function of providing unified judicial opinions, the Court of Final Appeal has resolved conflicts in administrative enforcement and judicial operations arising from laws becoming outdated or ambiguous legal provisions.

After the end of the pandemic prevention measures, there was a significant increase in the number of criminal cases, especially those arising from gaming-related activities. Minor labour cases increased significantly, mainly due to poor business conditions or business closures caused by the adverse economic conditions or other major incidents during the pandemic. Also during the judicial year, the Court of Appeal and the Court of Final Appeal adjudicated five cases on the interpretation and application of relevant provisions of the Basic Law.

In 2023, apart from performing judicial functions in accordance with the law, the courts of the MSAR also implemented the following:

The electronic service for judicial operations and the dedicated electronic platform for the courts maintained smooth operations. Macao's courts continued enhancing digital information sharing with other public departments, to ensure the electronic processing of work and the use of digital information, thereby further enhancing the efficiency of legal proceedings.

The Base Court adjudicated several major cases of public concern. From January to April 2023, the Criminal Courts of the Base Court passed first instance judgments on a case of criminal activity by the Suncity Group, cases of corruption involving former leaders of the former Lands, Public Works and Transport Bureau and businessmen, and a case of criminal activity by the Tak Chun VIP Club. The judges managed to bring the cases to trial expeditiously and efficiently, while ensuring the litigation rights of the parties involved in the proceedings with strict adherence to laws, openness, and transparency.

The system of localised management of judicial support personnel has been fully implemented. Under the oath of office administered by the Presidents of the three levels of courts, three General Secretaries, three Assistant General Secretaries and 17 Chief Secretaries of the three levels of courts took their oaths of office, in batches. This marked the first regular appointments since the handover of local senior judicial support personnel to leadership and supervisory positions.

The Seventh Seminar of Senior Judges of Cross-Strait and Hong Kong and Macao was held in Macao in late September 2023, with the theme “Justice and Efficiency”. Judicial officers of the four regions across the strait attached great importance to the quality of judicial officers, and aimed to set exceptionally high requirements for judicial officers, who shall possess good legal literacy and conviction regarding the rule of law, spirit of service to the people, impartiality, and nobility of character.



In 2023, the Public Prosecutions Office initiated 13,931 criminal cases, 31.33 percent more than the 10,608 cases in 2022, while the number of cases concluded was 12,476, representing an increase of 11.39 percent from the previous year’s total of 11,200 cases. Among these cases, 3,393 resulted in prosecutions after investigations, and 8,808 were archived, representing increases of 17.28 percent and 9.46 percent, respectively. In addition, the number of cases transferred from

2022 was 5,645, 7.58 percent less than the 6,108 transferred cases in 2022.

Based on the case totals, the five types of crimes with the most investigations in 2023 were:

- 4,221 crimes against property rights, involving theft, vandalism and illegal appropriation of found items (up 44.7 percent year-on-year);
- 2,872 fraud and extortion cases (up 73.43 percent year-on-year);
- 1,389 offences involving physical assault (up 10.24 percent year-on-year);
- 951 illegal immigration or stay-related crimes (down 11.53 percent year-on-year); and
- 899 crimes related to traffic accidents (up 16.75 percent year-on-year).

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

- 534 computer crimes (up 76.82 percent year-on-year);
- 317 cases of forgery (up 56.16 percent year-on-year);
- 249 cases of crimes against sexual freedom and sexual self-determination (down 16.72 percent year-on-year);
- 238 crimes against public authority (up 11.21 percent year-on-year); and
- 204 cases of crimes against personal freedom (up 29.11 percent year-on-year).

Regarding civil cases and civil labour cases, the Civil Labour Division of the Public Prosecutions Office handled 894 civil cases, 14.91 percent more than the 778 cases in 2022; and 450 labour cases, 9.22 percent more than the 412 cases in 2022. In addition, the Civil Labour Division initiated 992 pre-litigation cases in accordance with the law, and handled 1,595 pre-litigation cases.

Among the above cases, the cases involving labour litigation procedures exhibited the following characteristics:

- 287 new cases of work accidents or occupational diseases were initiated, 5.59 percent less than the 304 cases in 2022. A total of 303 mediations were conducted for these cases; 12 cases required litigation due to failure to reach a mediation agreement;
- 163 ordinary labour litigation procedures were initiated, significantly more – with a 50.93 percent increase – than the 108 cases in 2022 (165 mediations were conducted, while 14 cases required litigation due to failure to reach a mediation agreement); and
- During 2023, 468 workers were involved in successful mediation procedures conducted by the Public Prosecutions Office, representing an increase of 21.56 percent.

In 2023, the Office of the Administrative Court at the Public Prosecutions Office handled 82 initiated cases in various administrative, tax and customs litigations, of which 49 were judicial appeals, 14 were litigation cases, five were cases involving urgent proceedings, eight were objections to tax enforcement, and six were litigation procedures handled by the Public Prosecutions Office.

In 2023, the overall work of the Public Prosecutions Office before the Court of Final Appeal

and the Court of Appeal was as summarised below:

- Participated in 942 criminal (including traffic and labour misdemeanours), civil (including labour and civil litigation), and administrative proceedings of the Court of Appeal, 3.29 percent more than the 912 cases in 2022; and issued 1,181 opinions on appeals and replies to appeals; and
- Participated in 117 cases of the Court of Final Appeal, 17.02 percent less than the 141 cases in 2022; and issued 87 opinions on appeals and replies to appeals.

In 2022 and 2023, the Public Prosecutions Office before the Court of Final Appeal and the Court of Appeal initiated three and one extraordinary appeals, respectively, on unified judicial opinions to the Court of Final Appeal, in order to facilitate the resolution of conflicting judicial opinions in accordance with the law and ensure the proper understanding and implementation of the law. In 2023, the Court of Final Appeal gave a mandatory judgment on unified judicial opinions regarding legal conflicts in the judgments of each of these four appeal cases.

The work of the Public Prosecutions Office of Macao during 2023 is summarised as follows:

1. The Public Prosecutions Office resolutely fulfilled its constitutional responsibility to safeguard national security, actively participated in and cooperated with the amendment to the Law on Safeguarding National Security, and completed the formulation of internal implementation measures and the new functions entrusted to the Public Prosecutions Office after the amendment, in order to build up a strong judicial defence to safeguard the security of the country and Macao;
2. In response to serious internal corruption cases involving individual judicial officers, the Public Prosecutions Office has imposed severe penalties on offenders in accordance with the law, comprehensively examined internal operations against the strictest standards and blocked loopholes, and perfected the management and supervision of judicial practices, to further strengthen the system for ensuring the integrity of the prosecution team;
3. With the changes in the post-pandemic social landscape and crime patterns, the total number of criminal cases and the crime rate were generally on the rise from 2022, but Macao's overall security environment remained stable;
4. There was a marked increase in the number of fraud cases, computer crimes and gambling-related crimes, while the number of drug-related crimes also rose. These increases were directly related to the full resumption of customs clearance and the rapid recovery of economic activities, as well as criminal activities increasingly involving computers and other technologies. In response, the Public Prosecutions Office will work closely with the security authorities to monitor and curb the proliferation of related criminal activities through appropriate cross-border liaison mechanisms;
5. The number of cases involving offences such as illegal appropriation of found items, evasion of responsibility in traffic accidents, illegal reception of persons connected with illegal entries or illegal stays, and obstruction of public authorities in the performance of their duties exceeded one-fifth of the total number of cases initiated. In view of such offences being associated with weak legal comprehension and little awareness of compliance with the

- law, the Government shall step up efforts in legal education and publicity on legal literacy;
6. The total number of sexual offences against minors decreased from 2022, but the number of cases involving direct offences against minors increased. The Public Prosecutions Office will strengthen interactions with various sectors of the community, and continue to step up its efforts in combating sexual offences against minors, while promoting the formulation of effective measures for protecting minors from sexual abuse;
 7. The number of domestic violence, illegal employment and sham marriages – which are cases of long-term concern to society – continued showing a downward trend, hitting the lowest level since 2021, and the underlying growth of related offences and potential social instability was effectively curbed;
 8. The number of cases initiated for money laundering offences was basically unchanged from the previous year, while the number of cases prosecuted increased. In its practical work, the Public Prosecutions Office has strengthened cooperation with related authorities, and proactively discharged its duties as a member of the interdepartmental task force on combating money laundering and terrorism financing, in order to continue combating money laundering and other financial crimes;
 9. The demand for international and interregional judicial assistance cases has eased after the pandemic, and the number of criminal and civil judicial assistance cases has broadly declined and returned to the pre-pandemic level. The Public Prosecutions Office will expedite the improvement of the legal system for judicial assistance and liaison between internal and external parties, to optimise the mechanism for practical operations in response to the needs of judicial practice;
 10. The Public Prosecutions Office continued to strengthen legal supervision, enhance the protection of public interests, and safeguard the legitimate rights and interests of specific disadvantaged groups such as workers and minors in accordance with the law. In addition, the Public Prosecutions Office strengthened communications and cooperation with government administrative departments, to enhance the quality of investigations and more effectively process cases in the public interest;
 11. With the recovery of economic activities, labour disputes involving the protection of labour rights and interests have been on the rise. The Public Prosecutions Office will effectively discharge its statutory duty to protect the legitimate rights and interests of workers;
 12. In response to the shift in Macao's social development, the Public Prosecutions Office actively participated in and advanced the reform of the Macao's legal system, while providing professional advice to Macao's administrative and legislative authorities, to improve the legal system in accordance with the law;
 13. Based on the needs of judicial practice, the Public Prosecutions Office has proposed expediting the negotiations and legislative process regarding the legal system for interregional mutual legal assistance in criminal matters, extension of the detention period for specified serious crimes, and appropriately raising penalties for corruption offences and the length of prosecution period, in order to improve Macao's criminal legal system in

response to the requirements for progress towards a corruption-free society;

14. The Public Prosecutions Office resumed its regular external exchanges, the “National Studies Tour for Macao Prosecutors”, and the training programme for judicial assistants in mainland China, to enhance the prosecution team’s understanding of national studies and their solidarity with the country; and
15. With construction of the information technology infrastructure complete, the case management system for prosecution work has entered a new stage of digital management. The Public Prosecutions Office will focus on the application of big data to enhance the standard of prosecution work by digital means, thereby improving the quality of service for the public.