

2004

Annual Report of the Commission Against Corruption of Macao

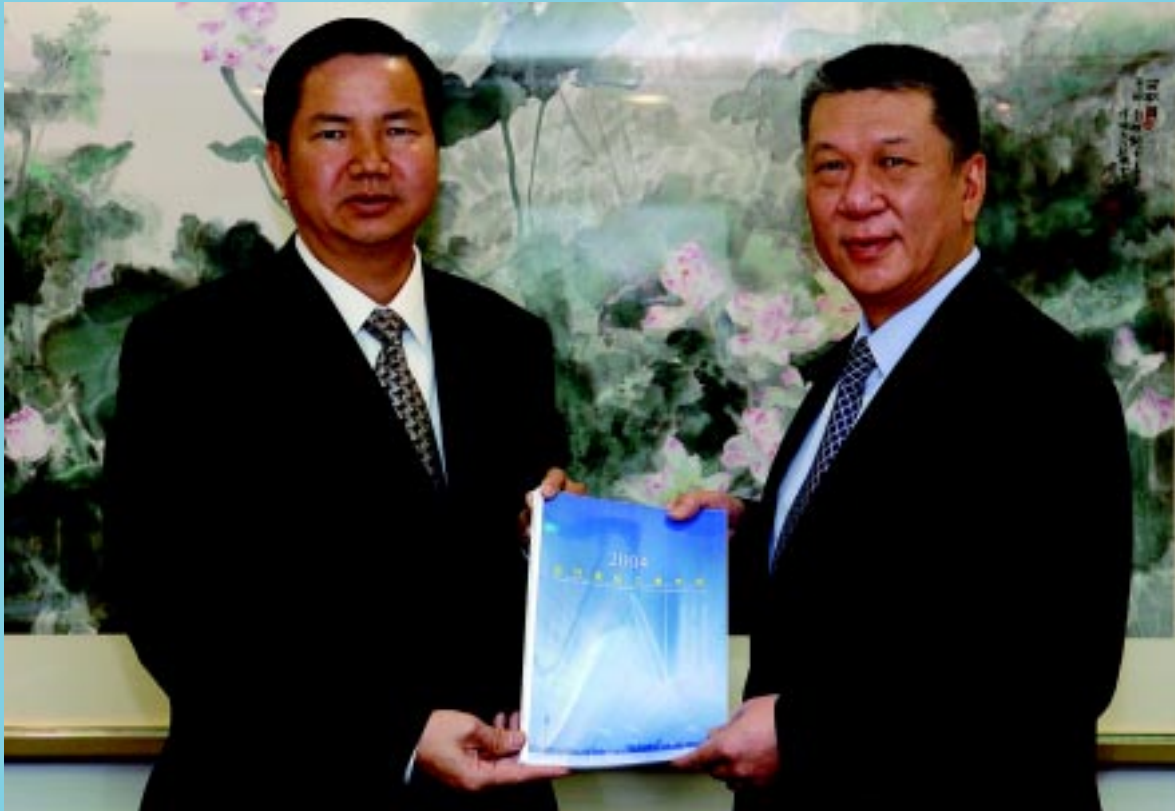


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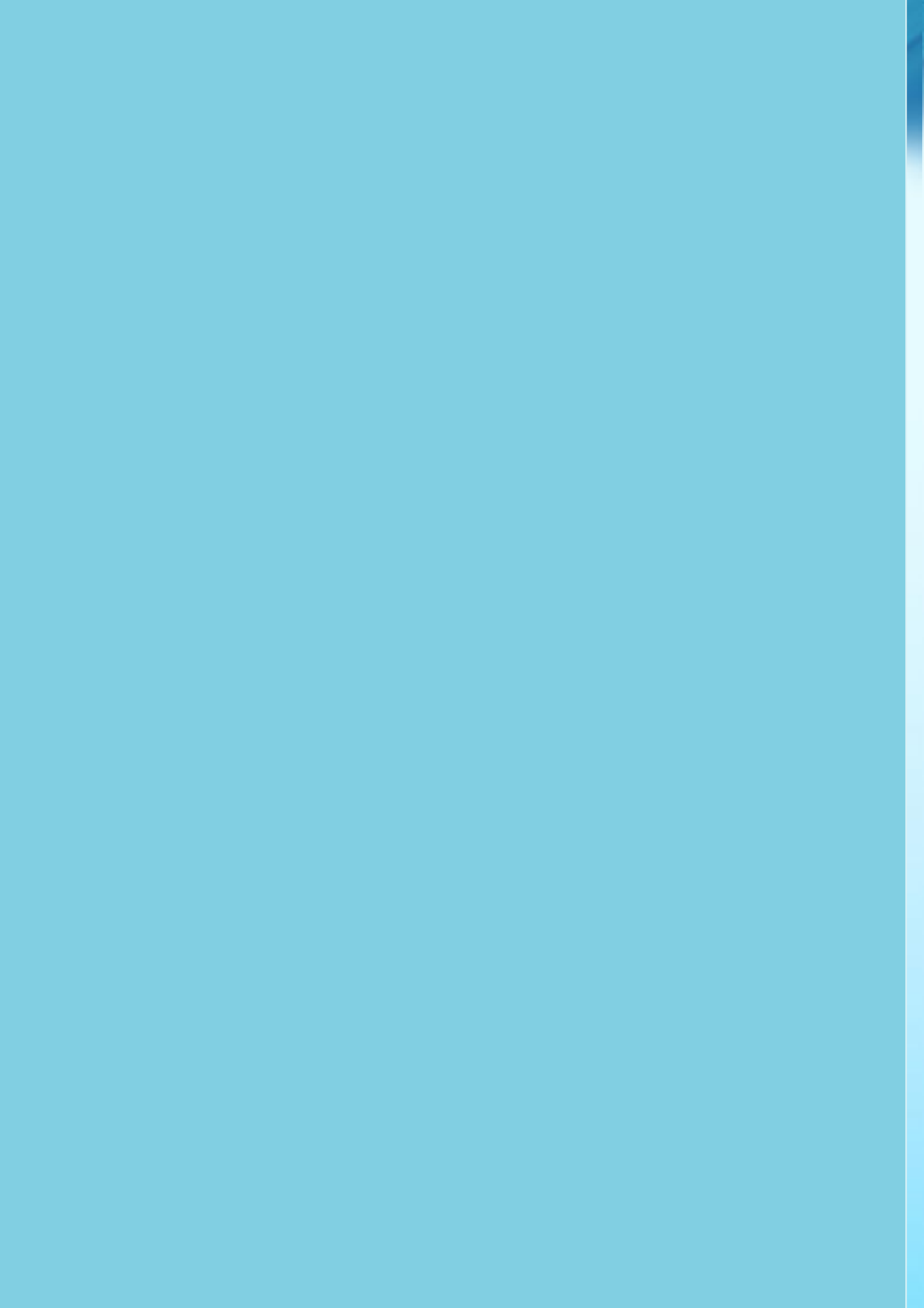
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The CCAC Commissioner Cheong U submits to the Chief Executive, Mr. Ho Hau Wah, the Annual Report of the CCAC 2004 (Photo of GCS)



CHAPTER I
INTRODUCTION



CHAPTER I – INTRODUCTION

2004 is the fifth anniversary of the Commission Against Corruption of Macao (CCAC) and the last year of the first term of the government of Macao Special Administrative Region.

Looking back at the anti-corruption institution over the past five years, the most prominent events have been the approval and promulgation of the Organizational Law of the CCAC (Law No. 10/2000) and the Organization and Operation of the CCAC (Administrative Regulation No. 31/2000) which have determined the position and functions of the CCAC and endured it with necessary competences and resources for fighting corruption and lodging administrative complaints. The successful adoption of the law and the regulation was also a reflection of the public support and expectations for the anti-corruption institution.

Initially, the CCAC adopted a “four pronged strategy: anti-corruption, prevention, law enforcement and education”, aiming at actively investigating the possible corruption and frauds as well as perfecting the anti-corruption system. Over the past five years, thanks to the supports and cooperation of the public, the government and the Legislative Assembly as well as the joint efforts of the CCAC’s personnel as a whole, Macao has witnessed a noticeable decrease of corruption, an increased awareness of integrity and improved social ethos. According to a questionnaire survey carried out by an academic institution on behalf of the CCAC in 2004, the satisfaction rate of the residents on Macao’s current anti-corruption conditions had reached 70.7%, with 86% residents being positive about the possibility of turning Macao into a corruption-free city.

In 2004, on the basis of experiences concluded over the previous years as well as in view of the problems existing in the anti-corruption institution of Macao, the CCAC adopted multidimensional measures. With the continuation of fighting corruption and frauds, several cases of corruption involving public servants (some of them were senior officials) had been referred to the authorities concerned. In the meantime, the CCAC had issued a series of documents as a guide to carry out

uninterrupted public education programmes which have gradually been transformed from general ones to more specifically targeted ones.

In 2004, the CCAC recorded a total of 1,227 complaints, an increase of 13.9% over the 1,077 complaints recorded in the previous year, concentrating on administrative complaints after their functions had been widely publicized by the CCAC and various convenient measures adopted for residents and communities. Out of these 1,227 cases, however, there were only 519 cases meeting the criteria for follow-up, a dramatic decrease of 225 cases compared to that of 2003. A total of 691 cases had been processed by the end of the year, of which 166 cases were transferred from the previous year and 6 cases reopened. In 2004, there were 76 cases commenced for investigation, together with a backlog of the previous year and reopened cases totalling 163 cases, plus 528 cases being processed through preliminary or transferred procedures. Over the year, 415 non-commenced cases and 91 commenced cases were concluded, of which 12 cases were referred to the Public Prosecutions Office and 72 cases left for 2005, a continued decrease over the 81 cases recorded in the previous year.

In 2004, there were almost half of the recorded complaints involving criminal offence, featured with corruption, abuse of power and fraud committed by public servants detected by the CCAC which paid close attention to the corruption and frauds originated from the economic development.

Knowing that fighting against electoral corruption would be a major task for the year 2005, the CCAC set up two special groups against electoral corruption, one for promotion and the second for investigation, for the 3rd Legislative Assembly Election by late 2004, ensuring the integrity and public trust.

Meanwhile, in 2004 there were 24 cross-regional cases that the CCAC assisted in investigating; although a slight decrease in numbers, cross-regional criminal offence has become a trend as case-analysis revealed. Strengthening international and cross-regional cooperation in fighting corruption has thus become one of the main tasks for the anti-corruption entities.

In the area of ombudsman, the CCAC made better efforts to promote adequate ways for residents to lodge their complaints. According to statistics, there was a drastic increase in complaining, reporting offences and requiring consultations as a result of the promotion. In 2004, the CCAC recorded a total of 365 cases commenced for investigation, including 311 complaints and a backlog of recorded cases from the past, a great increase of 42.6% over the previous year, of which 282 cases have been concluded. In dealing with the complaints, the CCAC has adopted a pragmatic measure with reference to the existing laws to avoid time-consuming procedure, in order to solve problems more efficiently for the public. In addition, the CCAC recorded 645 cases from the public for help and consultations, mostly relating to the legal system governing public services and regulations, an increase of 85.9% over the previous year.

Regarding “conflict of interest”, the CCAC compiled *Guidelines on Professional Ethics and Conduct of Civil Servants* and *Recommendations on Formulation of Code of Conduct for Public Services and Institutions* with reference to the practice of case-investigation and system-securitization over the previous years, in order to further infuse the consciousness of integrity to public servants in Macao SAR. In the meantime, the CCAC joined hands with the Civic and Municipal Affairs Bureau, the Health Bureau, and Macao Trade and Investment Promotion Institute in processing the relevant projects and following up on concluded cases.

To consolidate the achievements of anti-corruption entity and build a long-term corruption-free society, it is imperative to carry out a persistent promotion. In recent years, a multidimensional network of integrity culture has gradually been formulated by way of publishing a periodical journal of *CCAC Bulletin* and contributing the “*Clean Administration Forum*” column in the newspapers, holding seminars on “combating corruption and upholding integrity”, making radio-dramas and TV advertisements, distributing posters and leaflets and so on. After several years of promotion, the CCAC has gradually adopted a pertinent strategy for publicity in 2004. There were specified lectures for public servants on anti-corruption and procurement, acquisition of public goods and services. Meanwhile, the “Education

Programme on Honesty” for primary and secondary students and teenagers was carrying on. In 2004, the CCAC held a recorded number of 385 seminars, symposiums and workshops, reaching 30,768 participants.

In order to get closer to the residents, and better listen to their views and suggestions, the CCAC set up its branch office, which was open to the public in December 2003. Over the past year or so, while the branch office had many exchange visits with the northern district community, it also recorded 421 complaints, appeals and enquiries, playing an important and promising role in receiving the public.

In short, over the past five years, thanks to the joint efforts of all sectors of society, the anticipated administrative target has been achieved and the residents are generally satisfied with the current progress of the anti-corruption entity. However, this is only an initial step in terms of public anticipation. As the economy further develops, corrupt skills may become more hidden and complicated, therefore the promotion of integrity culture must be further enhanced.

On 4 December 2004, nominated by the Chief Executive, the State Council of the People’s Republic of China appointed the chief officials including the CCAC Commissioner Cheong U and the general procurator. On 20 December, in the presence of the Head of State Hu Jintao, they took an oath of office. The re-appointment of the Commissioner was an approval for the CCAC from the Central Government and the Chief Executive.


Looking into the future, the CCAC will continuously adhere to the policy of “anti-corruption, prevention, law enforcement and education”, selflessly fight against corruption and frauds. Joining hands with all residents of Macao, we will together build a fair and corruption-free society.



Reception celebrating the 5th Anniversary of Macao SAR on 20 December 2004



The ceremony of the 5th Anniversary of Macao SAR and the inauguration of the second term of Macao SAR Government on 20 December 2004



CHAPTER II
CONSTITUTION AND ORGANIZATION
STRUCTURE

CHAPTER II – CONSTITUTION AND ORGANIZATION STRUCTURE

2.1 Constitution

Following the founding on 20 December 1999 of the Macao Special Administrative Region (Macao SAR), and in accordance with Article 59 of the Basic Law of the Macao SAR, the CCAC was established, functioning independently with the Commissioner being accountable to the Chief Executive.

The Commissioner of the CCAC is nominated by the Chief Executive and appointed by the Central People's Government of the People's Republic of China (PRC).

The CCAC is not a constituent part of the administrative system. It is an independent public institution responsible for the prevention of and crackdown on corruption and for the handling of administrative complaints in accordance with the law.

2.2 Functions and Organization Structure

In August 2000, the Legislative Assembly of the Macao SAR approved the Organizational Law of the CCAC (Law no. 10/2000), vesting the CCAC with more powers, including detention, searches, seizures and use of weapons. Investigators are also granted the status of criminal investigation police, reflecting the determination of the Macao SAR government to stamp out corruption and exercise clean administration.

According to the Organizational Law, the main functions of the CCAC are:

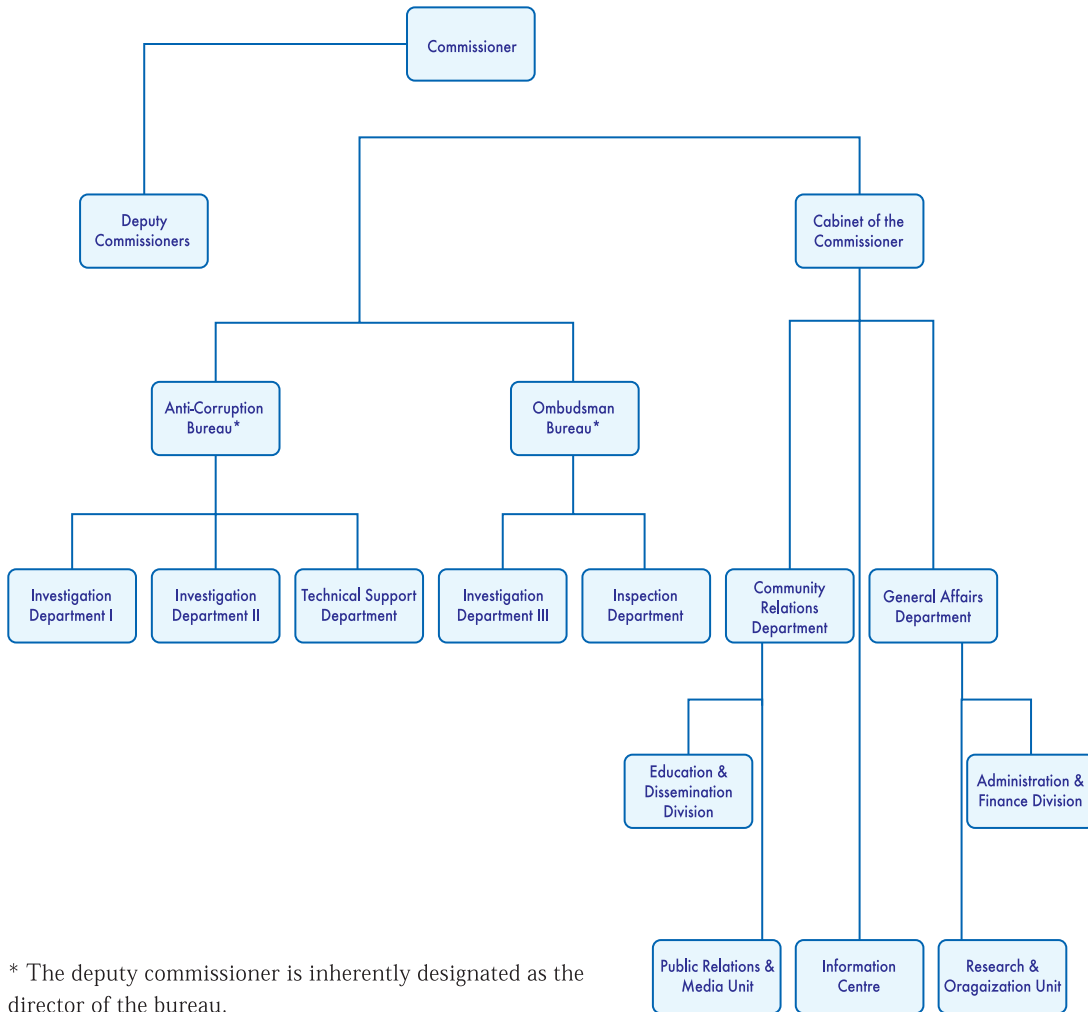
- Taking actions to prevent acts of corruption or fraud;
- Carrying out investigations and enquiries into acts of corruption and fraud committed by public servants;

–Carrying out investigations and enquiries into acts of corruption and fraud relating to electoral registration and elections;


–Protecting the rights, freedom and legitimate interests of individuals and safeguarding the justice, legality and efficiency of public administration.

The Administrative Regulation of the CCAC, i.e., “The Organization and Operation of the CCAC” (no. 31/2000) promulgated on 21 August 2000 provides the CCAC with an improved organization structure and increased manpower. The CCAC consists of the Cabinet of the Commissioner, the Anti-Corruption Bureau, and the Ombudsman Bureau, with functional, administrative and financial autonomy. The two investigation departments of the Anti-Corruption Bureau are responsible for the investigation of acts of corruption and fraud within the powers of the CCAC while the Technical Support Department provides support for combating corruption and accepts complaints and reports of corruption. The Ombudsman Bureau, consisting of Investigation Department III and the Inspection Department, is responsible for taking complaints, rectifying illegal or unfair administrative acts and conducting studies on the improvement of administrative processes and operations of public departments. The Cabinet of the Commissioner consists of the General Affairs Department, Community Relations Department and the Information Centre. These are respectively responsible for the management of finance and personnel, promotion and education, and for the use of information and communication facilities to improve the overall operations of the CCAC.

The Organization Structure of the CCAC



* The deputy commissioner is inherently designated as the director of the bureau.



CHAPTER III
GENERAL DESCRIPTION WITH
STATISTICS

CHAPTER III – GENERAL DESCRIPTION WITH STATISTICS

3.1 Number of Complaints Recorded

There were 1,227 cases recorded in 2004, an increase of 13.9% over the previous year. This was a rebound after the two consecutive years' decrease. The increased cases were mainly administrative complaints not criminal offences, indicating no sign of deterioration in corruption. The rise was largely due to the intensified promotion for understanding the functions of administrative complaints constituted in the CCAC, the opening of the branch office and its improved community work.

Table 1
General trend of complaints recorded from 1992 to 2004

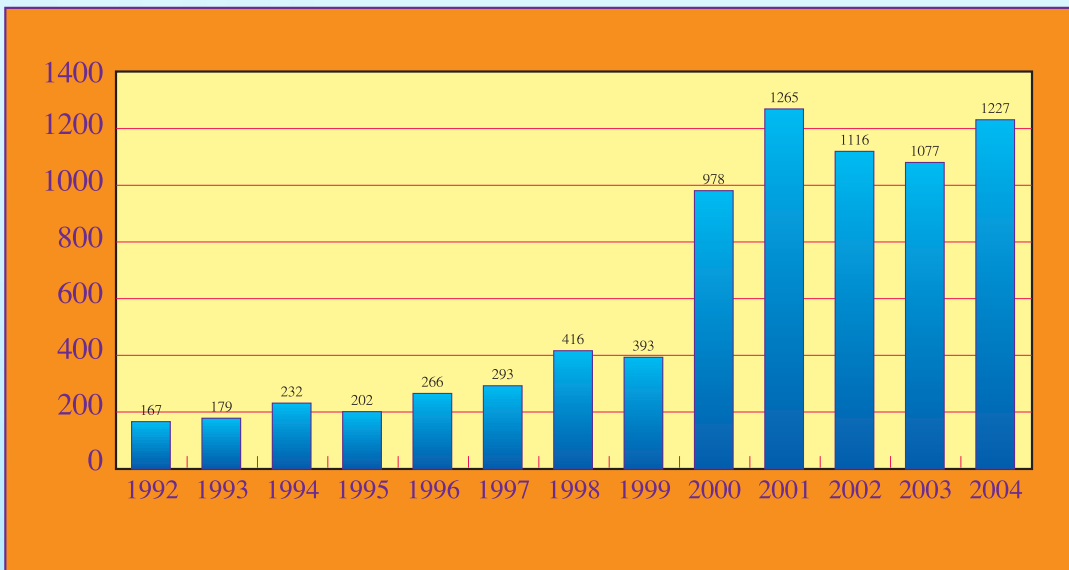
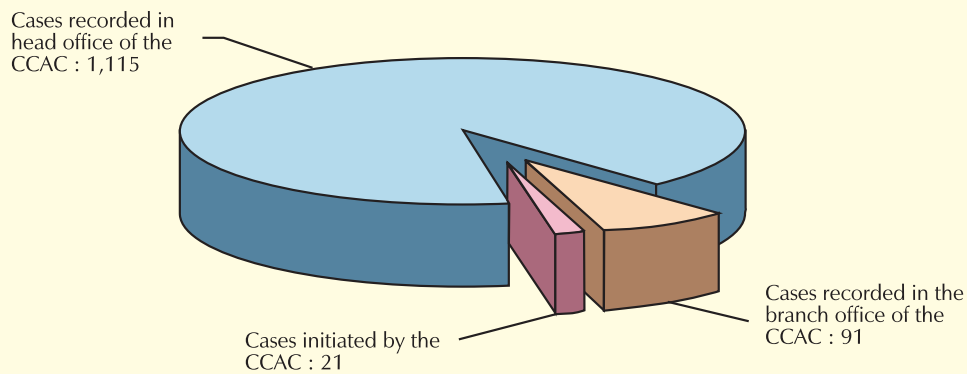


Table 2
Number of complaints recorded in 2004, by source of origin



As far as the sources were concerned, the citizens lodged 94.5% of complaints recorded in 2004. It was a delight to notice that there was a steady increase in the number of the complainants who signed or were willing to provide personal data, showing the growing confidence of the public in the CCAC. Meanwhile there were 44 cases referred, reported or requested by public entities, an obvious increase over the previous years, which indicated the strengthening cooperation between the CCAC and the public entities in combating corruption.

Table 3
Comparison of the number of cases recorded over the past five years, by source of origin

Sources of complaints recorded		2000		2001		2002		2003		2004	
Reported by citizens	Anonymous or requesting anonymity	542	55.4%	813	64.3%	708	63.4%	663	61.6%	661	53.9%
	Signed or willing to provide personal data	392	40.1%	401	31.7%	370	33.2%	363	33.7%	498	40.6%
Referred/reported/requested by public entities		39	4.0%	32	2.5%	28	2.5%	41	3.8%	44	3.6%
Referred/reported by media		2	0.2%	6	0.5%	2	0.2%	2	0.2%	3	0.2%
Initiated by the CCAC		3	0.3%	13	1.0%	8	0.7%	8	0.7%	21	1.7%
Total		978		1,265		1,116		1,077		1,227	

Table 4 shows that phone calls and mails were the main means used by the residents to lodge complaints or report corruption, given the fact that the CCAC has also provided a round-the-clock reporting hotline. Noticeably, the number of residents willing to lodge their complaints in person reached 288 cases, a big jump over 195 cases recorded in the previous year, reflecting a result of the CCAC's policy that encourages citizens to lodge their complaints in person, although the number was still rather low. To boost the public confidence, the CCAC will carry out more efficient promotions on the issue in the coming years.

Table 4
Comparison of the number of the cases recorded in 2003-2004,
by source of reporting method

Reporting methods	2003		2004		+/-
	Number	Percentage	Number	Percentage	
By phone	394	36.6%	414	33.7%	-2.9%
By mail	383	35.6%	395	32.2%	-3.4%
In person	195	18.1%	288	23.5%	+5.4%
By email	84	7.8%	84	6.9%	-0.9%
By fax	13	1.2%	25	2.0%	+0.8%
Initiated by the CCAC	8	0.7%	21	1.7%	+1%
Total	1,077	100.0%	1,227	100.0%	

3.2 Number of Cases Commenced

After receiving complaints, the CCAC would carefully examine the contents and then follow up accordingly. In 2004, through preliminary screening mechanism, 76 cases were commenced for investigation, 708 cases invalidated due to lack of sufficient evidence or inadequate categories, and 443 cases (most of them were administrative complaints) handled by unofficial intervention, such as referring, telephone communication, meeting and so on. In a way, these problems were solved more efficiently.

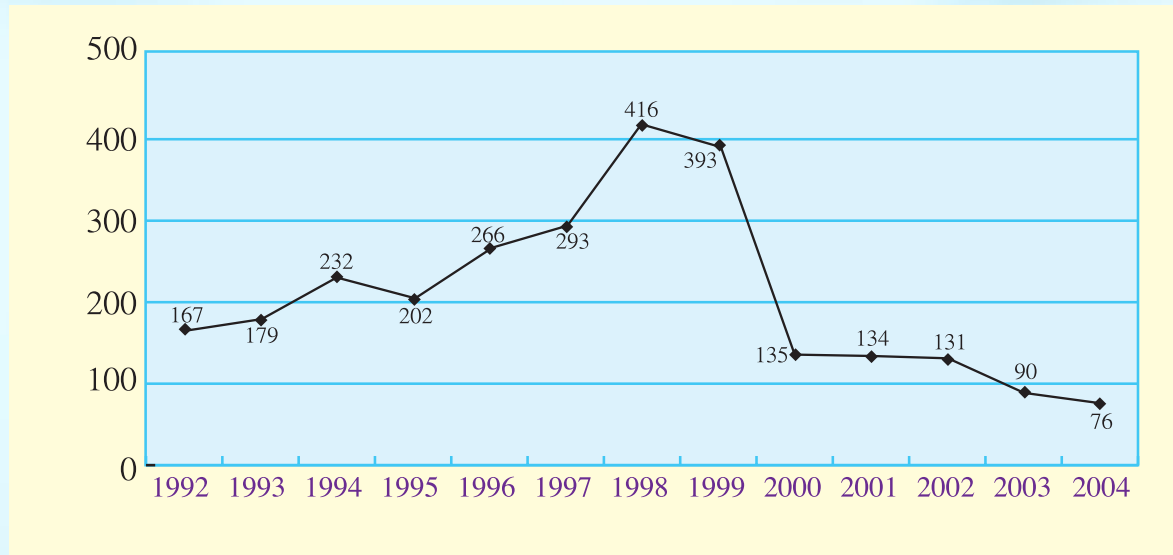
Table 5
Handling methods of the complaints recorded in 2004

Handling methods	Number	Percentage
Cases commenced	76	6.2%
Complaints with inadequate information for investigation	708	57.7%
Complaints referred to other departments	81	6.6%
Complaints handled by unofficial intervention	362	29.5%
Total	1,227	100%

Adhering to the stringent principles, the number of cases commenced for investigation with the CCAC has been continuously declining over the previous years. This helps the CCAC to focus resources on tackling cases supported by sufficient evidence, responding promptly to the complaints and appeals from the community, and fighting corruption more effectively. In 2004, 57 complaints that would have been cases for commencement in previous years were put in the category of preliminary ones. Through the preliminary screening mechanism, which has become an easy way to evaluate cases in terms of investigation for the CCAC, only 11 were commenced for investigation.

The CCAC has recently adopted a flexible handling strategy in accordance with the law, averting the time-consuming investigation process so as to solve the problems more promptly for the public. In addition, the CCAC received 645 requests for consultation, an increase of 85.9% over the previous year. Without these consultations, quite a number of complaints would have been made due to lack of knowledge on public services and relevant legal system.

Table 6
Progress analysis of cases commenced in 1992-2004



In general, despite an increased number of lodged complaints in person in 2004 – which has in some way reflected the growing monitoring power of the society – the number remains relatively low and unfavourable to further investigation. On the other hand, cases initiated by the CCAC had dramatically increased. By encouraging the public to lodge their signed complaints and provide contact details, the CCAC had a better chance of gaining accurate information, making prompt responses and commencing to investigate successfully.

Table 7
Comparison of the number of cases commenced in 1992-2004,
by source of origin

Source of complaints recorded		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Reported by citizens	Anonymous or requesting anonymity	43	60	40	77	83	92	95	165	47	70	65	40	41
	Signed or willing to provide personal data	78	102	139	91	148	158	285	209	55	32	46	26	20
Referred/reported/requested by public entities		2	1	22	17	12	22	11	11	30	20	17	24	2
Referred/reported by media		29	3	6	4	13	3	4	1	0	0	1	0	0
Initiated by the CCAC		15	13	25	13	10	18	21	7	3	12	2	0	13
Total		167	179	232	202	266	293	416	393	135	134	131	90	76

3.3 Progress Analysis of Cases Commenced

In 2004, the CCAC handled a total of 163 officially commenced cases, including 81 cases referred from the previous year, 6 cases reopened. By the end of 2004, there were 91 cases concluded, accounting for 55.8%, with 72 cases left to be handled in 2005, the number that has been constantly declining.

The background is a solid blue color with a subtle, abstract design. A faint, stylized globe is visible in the center, with some light trails and a grid-like pattern overlaid on it. The text is centered and reads:

CHAPTER IV
ANTI-CORRUPTION

CHAPTER IV ANTI-CORRUPTION

In 2004, the criminal complaints did not rise substantially. Most cases detected by the CCAC involved corruption of public servants, abuse of power and frauds. Being fully aware of possible corruption caused by the economic development, the CCAC detected a number of corrupt cases involving bribery and abuse of power of public servants. Meanwhile, in view of 2005 Legislative Assembly Election, in the middle of the year the CCAC also commenced preparation for combating electoral corruption. The CCAC's investigating force has been constantly fortified as more internal trainings were provided and more newcomers recruited.

4.1 Number of Cases Recorded and Commenced

In 2004, there were 1,227 complaints recorded by the CCAC, a slight increase over the previous year; of which about half were criminal offences, the percentage was roughly the same as in the previous years, indicating no sign of deterioration. Most of the complaints involved corruption of the public servants, abuse of power and frauds, bearing resemblance to the cases in recent years.

After going through analysis or preliminary screening process, out of 208 criminal cases, 75 cases found meeting the criteria were commenced for investigation, a decrease of 11.8% when 85 cases were recorded. The number of cases commenced has been on the decrease for three consecutive years. In 2004, there were 145 criminal offences to be handled, including cases brought forward from the previous year and cases reopened.

Compared with the number of complaints, cases commenced for investigation were still relatively low. This may be ascribed to several reasons, such as some complaints were not about corruption and frauds; some had gone beyond the competence of the CCAC and had thus been referred to the perspective departments; some (specially those lodged by mail) failed to be followed up due

to lack of sufficient evidence, as well as some complaints against private bodies that would require actions not supposed to be taken by the CCAC in legal terms.

Besides, from the past experiences it was found that some commenced complaints were proven not to be corruption cases as claimed by the complainants, resulting in a waste of resources. To treat such complaints with caution and to concentrate resources on fighting corruption more effectively, the CCAC had maintained a mechanism of preliminary investigations. In 2004, there were 57 complaints that would have been treated as cases for commencement in previous years were put in the category of preliminary cases, of which 11 cases had been commenced for investigation after going through the preliminary screening process, which has become a simpler and quicker means for the CCAC to decide whether a case is substantiated by sufficient facts to be followed up.

4.2 Cases Filed and Cases Referred to the Public Prosecutions Office

Of the 80 criminal offences concluded in 2004, 12 were cases referred to the Public Prosecutions Office, mainly involving bribery, abuse of power, counterfeiting documents and bilk, with 62 completed and 6 filed after reopened investigations.

In 2004, the CCAC paid close attention to possible corrupt acts associated with the rapid economic growth. In September, the CCAC detected several cases involving policemen or ex-policemen allocating the mainland Chinese girls to work and practise prostitution in the “entertaining industry” in Macao. Some counterfeit travelling documents were also found as permits to allow the mainland girls to work in the “entertaining industry”. In December, the CCAC exposed a case where the supervisors working in government supervisory departments had long engaged in the organized crime of extorting money or benefits from the gamblers. To meet the challenges, the CCAC will enforce its measures in collecting the information and combating corruption.

Following are excerpts of some selected cases referred to the Public Prosecutions Office in 2004:

January: The CCAC exposed a case in which chiefs and public servants were suspected of abuse of power, frauds, counterfeit documents and functional misappropriation. Two medical staff from a private company, when employed as part-timers by the Civic and Municipal Affairs Bureau, purchased a set of medical facilities – initially for private use, when it was found suitable for nothing, the facilities were then sold to the Bureau at a triple price. A senior officer was suspected of granting the right to supply “informally” to the private company where the two part-timers came from. Since the facilities were too complicated and had no practical use to the Bureau, they were left unused ever since. One of the part-timers was suspected of taking away some of the facilities and reselling them to his own company by way of forging an invoice from another company.



February: The CCAC detected a case in which a department head of the Cultural Institute of Macao was suspected of abusing his power in allocating art programmes inappropriately. In August 2003, the chief misused his power in coordinating art programmes, deliberately withholding a documented project worth 500,000 patacas from submitting it for approval.



June: The CCAC tracked down a case where a local businessman and two chiefs of the Land, Public Works and Transport Bureau were suspected of bribery and abuse of power, and dishonesty in declaring their incomes and properties. A department head issued a license to a substandard “entertaining industry”

out-fitting company, and then submitted a distorted report to the department which resulted in an approval. Soon after the approval of the operation license, the department head bought a luxury car worth several hundred thousand patacas with an undeclared income. The section head concerned was also heavily involved with the shareholders and received their free entertainment and travelling package. Apart from the previous cases, the section head also failed to reasonably declare the income for his several million patacas bank deposit.

July: The CCAC discovered two cases of public servants involving in abuse of power for their own benefits and dishonesty in declaration of incomes and properties. A public servant – used to be the department

head and the adviser of the Secretary of the government, was in charge of information coordination in a public body as well as the chairman of the project selecting committee – colluded with a senior information technician and an information supervisor of the Financial Services Bureau in making bidding papers, and taking advantage of a computer company run by one of the above staff members. As a result, the computer company was granted a million-pataca-project of services, and the 3 suspects received a bonus ranging from 100,000 to 300,000 patacas. Previously, two of these public servants had also been involved in illegally obtaining an equipment contract worth 200,000 patacas and the owner of the computer company (public servant) was dishonest in declaring incomes and properties.



August: The CCAC tracked down a case in which two businessmen and six staff members of the Civic and Municipal Affairs Bureau were suspected of corruption. One of them, the chief inspector, was suspected of receiving bribes from the two businessmen and allowing them to enter the reclaiming area to collect recycling stock. The two businessmen also bribed several other public servants working in the reclaiming area who in turn assisted their collection and prohibited others from entering.



November: The CCAC probed into a policeman who was suspected of bribery, abuse of power and sex trafficking. A police on duty colluded with several other men to transfer young girls from the mainland to Macao, introducing them to “entertaining industry” and manipulating the girls to engage in prostitution activities. He then received these girls’ commissions of several thousand patacas each per month, either directly or through a bank account.



Detention made by the CCAC in a night operation

December: The CCAC exposed a case in which two supervisors of the Gaming Inspection and Coordination Bureau were suspected of extorting gamblers. They were appointed supervisors in Galaxy Resort and Casino and had been arrested on the spot by investigators of the CCAC after they extorted a gambler. Chips worth MOP13,000.00 and 20,000 in cash were found in their pockets. The person concerned had admitted to similar ways of receiving bribes before.



In addition, when referring the criminal cases to Public Prosecutions Office, the CCAC will also inform the department of the public servants concerned for disciplinary investigation. Among the different ways of discipline, most take the form of waiting for court's verdict. In 2004, a public servant was sentenced to jail for fraud for six months on one year probation, and the CCAC informed the competent department. Six months later, the CCAC received a reply noticing that the discipline file could not be proceeded due to the delayed disciplinary procedures. Such cases were not uncommon in recent years. According to the current laws of public services, public servants who have violated discipline would cause disciplinary investigation procedures and would be prosecuted simultaneously. The judicial and disciplinary actions can be taken independently. For public servants, who take advantage of their special status and power to commit a crime, which damages the government's reputation and public interests, there shall be adequate measures to deal with promptly. In addition, every year, there have been cases where the court has sentenced public servants and yet the competent departments did not take appropriate disciplinary measures.

4.3 Fighting Against Electoral Corruption and Assistance in Investigations of Cross-Regional Cases of Corruption

Fighting against electoral corruption has been one of the CCAC's important tasks. As the law stipulated, the 3rd Legislative Assembly Election would be held in 2005 by law and the seats were also extended from 27 to 29. In view of the importance of fighting against electoral corruption, the 3rd Legislative Assembly Election would be of great concern. Thus preventing and combating electoral corruption became one of the CCAC's major tasks in 2004 and 2005. Consequently, the CCAC set up two special groups in 2004: one is the "research group against electoral corruption" responsible for promoting clean election, consisting of directors of all departments within the CCAC; the other is the "investigation group" responsible for investigating and collecting the relevant information, which consists of investigators of the Anti-Corruption Bureau. The CCAC will keep a close eye on the election of 2005 at all costs and spare no efforts to create a clean and fair environment.

In 2004, the CCAC assisted some law enforcement departments outside the territory to investigate 24 cases, a decrease of one-third over the previous year when 38 cases were recorded. In terms of cross-regional cases, 10 were concluded with 14 still under investigation. Since cross-regional cases of corruption involving several law enforcement departments outside the territory were cases with complicated factors referred from the previous year, it is difficult to conclude from the declining numbers that cross-regional crime had been changed greatly. Judging by the nature of these cases, cross-regional corrupt activities have become a trend. Crimes committed by corrupt offenders are not confined to Macao or any particular region, hence it is imperative for the CCAC to maintain and strengthen the close cooperation with police departments, customs, public prosecutions offices, law enforcement and anti-corruption bodies in mainland China and overseas.

4.4 Strengthen Investigating Team through Recruitment and Training

In 2004, in order to build a stronger investigating force, the CCAC organized many internal and external training programmes, such as the digital photographing technique course, seminars on gaming, psychology, intelligent ID identifying techniques as well as an invitation to Professor Luo Yaping from the Chinese People's Public Security University to give lecture on forensic analysis techniques.

In the meantime, quite a few batches of the CCAC personnel were sent to the Chinese People's Public Security University in Beijing, the Public Prosecutions Office in Guangdong, Hong Kong ICAC, Hong Kong Police Force and some law enforcement organizations in Asia and Europe for further professional and technical training on topics such as money laundering, weapon training, information collection, financial crime and special equipment handling and so on.



Senior officials of the CCAC with Professor Luo Yaping

Concerning recruitment, after the 17-week professional training, the trainees of the fourth investigator training class, who are university degree holders, joined the workforce in February 2004. As young, energetic and mission-fulfilled novices, they have enriched the investigating force enormously.



CCAC staff members attending a training course at the Chinese People's Public Security University

4.5 Cases Adjudicated by the Court

Table 8
Some excerpts of court verdicts in 2004

Date of Sentence	The accused / suspected	Status of the accused/suspected	Verdicts
09/01/2004	Victor Manuel Leal Almeida	Former General Manager of the Macao Slaughterhouse	Guilty of functional misappropriation. Almeida as a prime culprit was sentenced for 3 years, on 3 years' probation; leong Chan Lam as an accessory was sentenced for 18 months, on 2 years' probation.
	leong Chan Lam	Former head of the Construction Department of the Macao Slaughterhouse	(Due to irremediable flaws in previous verdicts, the case was returned to the lower court and re-judged in January 2005: Almeida was guilty of functional misappropriation, sentenced for 3 years, leong Chan Lam was guilty of functional misappropriation and counterfeiting documents, sentenced for 2 years and 3 months. The accused were not on probation and required payback to Macao Slaughterhouse .)
06/02/2004	U Wai Lon	Former inspector of Labour Affairs Bureau	Guilty of functional misappropriation, sentenced for 1 year and 9 months; guilty of counterfeiting special valuable documents, sentenced for 1 year and 3 months; guilty of misusing other's identity card, sentenced for 7 months. In total, 2 years and 6 months imprisonment, on 3 years' probation on condition of repaying 10,000 patacas.
23/07/2004	Sun Sek Kuan	Former staff of the Land, Public Works and Transport Bureau	Guilty of cheating. Sentenced for 6 months and paying 600 patacas court fee and 700 patacas lawyer fee, on 1 year's probation.
03/12/2004	António M. Santos	Former fulltime delegate of the Executive Committee of the Municipal Council	Guilty of six crimes of abuse of power, sentenced for 10 months for each crime. In total, 2 years and 10 months imprisonment, on 3 years and 6 months' probation on condition of paying 100,000 patacas within 2 months, plus the court fees and compensation for the government (the figure will be specified in the verdict).
	Marcelo dos Remédios	Former sub-director of the Municipal Council	Guilty of five crimes committed. Sentenced for 10 months each. In total, 2 years and 6 months imprisonment on 3 years and 6 months' probation on condition of paying 100,000 patacas within 2 months, plus the court fees and compensation for the government (the figure will be specified in the verdict).
	António Sio	Former vice-president of the Executive Committee of the Municipal Council	Not guilty. There were obvious inappropriate administrative acts in the event since the procurement was carried out not in a formal procedure, the accused shall thus behave himself more appropriately.
10/12/2004	Un Lok	Former staff of the First Notarial Office	Guilty of functional misappropriation, sentenced for 9 months and on 18 months' probation.





CHAPTER V
OMBUDSMAN

CHAPTER V OMBUDSMAN

Through intensive promotions carried out by the CCAC in 2004, more and more residents understood the functions of ombudsman and the channels of consultation. As a result, there was a dramatic increase in the number of complaints and consultation, in ombudsman field, accounting for 42.6% and 85.9% respectively.

Reviewing the cases in both categories, most of them still involved the legal system governing public services, civil affairs and legal consultation. During the handling process, while the CCAC did its best to explain the relevant laws, regulations and administrative operations to the public, great efforts were made to strengthen communications and contacts among various departments so that well-founded complaints, cases of administrative illegality or malpractice detected by the CCAC or situations calling for improvement could be solved promptly.

Constrained by the current conditions, while the institutional examinations were not yet in their full swing to respond to the increasing complaints and requests for consultation, the operational examinations for the existing projects and follow up on the completed ones continued on right track in cooperation with the departments concerned.

Since the *Guidelines for the Procurement and Acquisition of Public Goods and Services* published in 2003, in response to a widespread demand, the CCAC provided various consultations for different departments concerning relevant regulations and principles, and sent representatives to the Public Administration and Civil Service Bureau to hold a “workshop for procurement and acquisition of public goods and services”. This demonstrates the enhanced understanding of duties and responsibilities of the government departments and public servants in procuring goods and services.

In 2004, based on the report of “conflict of interest” as well as incorporated experiences of dealing with individual cases in the past, the CCAC produced *Guide-*

lines on Professional Ethics and Conduct of Civil Servants and Recommendations on the Formulation of Code of Conduct for Public Services and Institutions to further strengthen the integrity awareness of Macao's public servants and protect the government's reputation.

In addition, the CCAC went on various training courses for the investigators of ombudsman and paid attention to building close links with other anti-corruption bodies outside the territory. Through exchanged visits and participation in various seminars on ombudsmanship, the investigators gained a better idea of what ombudsmen elsewhere deal with.

5.1 Investigations

5.1.1 Interventions

In 2004, the CCAC recorded a total of 311 cases of administrative complaints, including 94 cases brought forward from 2003 and excluding 40 overlapping cases. In total, there were 365 cases handled, an increase of 109 cases over the previous year, accounting for 42.6%. In response to these complaints and reports, the CCAC examined the cases and replied with different interventions in accordance with the law. For cases of administrative illegality, frauds or malpractice detected by various ways, the CCAC followed up closely as long as they met the criteria.

Among 311 administrative complaints recorded in 2004, the majority involved the legal system governing public services, civic and municipal affairs and unlawful constructions.

Table 9
Classification of cases of administrative complaints in 2004

Problems involved	Numbers
Relating to the legal system governing public services (conduct of personnel, recruitment and appointments of personnel, rights & interests, avoidance of conflict of interest and discipline)	91
Civil affairs	48
Illegal construction & projects	31
Medical and health matters	15
Traffic offences	14
Disputes between employers and employees	12
Flaws in law enforcement	9
Education	6
Irregularity in administrative procedures	68
Matters outside the competence of the CCAC (private sector or lawsuits)	17
Total	311

Of the 365 cases handled, 282 cases concluded and filed with 83 cases left for 2005 to follow up. Details of the concluded and filed cases are as follows:

- 45 cases were settled properly by way of unofficial interventions in the form of telephone contacts, mails, written explanations, meetings or discussions, on issues of correcting illegal decisions, improving department management, operational routines and providing clarified information to the public etc.;
- There were 2 cases in which mistakes or flaws were corrected through recommendations, and problems were settled in accordance with the law;
- There were 6 cases in which, though involving no administrative illegality, the departments concerned were prompted to accept suggestions to improve their administrative operations and management;
- There were 4 cases in which the root-cause of the problem lies in the flaws of the existing legal system, thus suggestions were prompted for amendments;

- There were 168 cases in which no signs or traces of administrative illegality or malpractice were found;
- There were 40 cases, which could not be followed up due to insufficient information provided;
- There were 10 cases found to be outside of the competence of the CCAC after closer examinations; and
- There were 7 cases in which it was found unnecessary for the CCAC to continue to intervene due to the specific circumstances of their subsequent development.

In other words, of the 282 concluded cases, 57 were intervened by the CCAC, accounting for 20.2%, which were mainly in the areas of the improvement of administration in accordance with the law, administrative operation, and in the promotion of streamlining the legal system. The issues involved were as follows:

Table 10
Classification of intervened cases of administrative complaints in 2004

Matters		Numbers
Public functions	Staff rights and interests	8
	Management	6
	Discipline	3
	Recruitment and promotion	2
Delegacy of public administration (expenditure and signing contracts)		1
Law enforcement		14
Information providing		13
Dispute between employers and employees		3
Public prints		2
Execution of judicial decisions		1
Formulation and revision of legislations		4
Total		57

Cases involved departments or offices of the following:

Secretariat for Administration and Justice	14
Secretariat for Economy and Finance	8
Secretariat for Security	13
Secretariat for Social Affairs and Culture	7
Secretariat for Transport and Public Works	14
Shared with several departments	1

It is worth mentioning that there were 168 cases that could hardly be deemed as administrative illegality or malpractice, accounting for 46%. The reasons for these complaints to be lodged in the first place were mainly ascribed to lack of transparency of decision-making process by the competent departments/offices, which had misled the public. However, after the residents were provided with legal consultation by the CCAC, their doubts normally disappeared. This shows that explaining causes of an administrative operation is as important to the public as whether an operation has been carried out in accordance with the law.

In addition, during the handling process, the CCAC also found that there were many cases being baseless or ignored due to insufficient legal basis according to the existing legal system, which had hindered the normal functions of the public administrative operation and the streamlining of the current legal system.

Once these flaws of the system cost the government greatly in terms of making efficient decisions, it was necessary for the CCAC to come up with initiatives – apart from providing the government departments with legal-based problem-solving schemes, proposals were made to the government departments on issues concerning the public, such as the flaws of the existing laws and regulations, the inconsistency of the rule of law caused by different explanations of the different government departments, law amendments, as well as issues that had severely downgraded the government's reputation.

I. Legal System Governing Public Services

The number of complaints concerning the legal system governing public services has long been very high, which mainly concentrated on the fairness of employment, promotion and disciplines. Meanwhile, different interpretations of laws in various departments have resulted in inconsistent application of the law and impairment of rights and interests. To this end, the CCAC has cooperated with competent departments such as the Public Administration and Civil Service Bureau, Finance Services Bureau, Commission of Audit and so on, in analyzing the flaws of the current system, exchanging views, reaching agreements, and providing alternative plans in terms of amendment as well as exchanging views on different kinds of law enforcement so as to reach a common ground. Consequently, guidelines will be made and delivered to the competent departments.

II. Road Code and its Regulations

Issues like enforcement of law, vehicle inspection, license issuing, renewal, replacement, termination and cancellation and so on are most likely to cause conflicts and concerns between the officials and the public. The CCAC organized meetings with competent departments on problems discovered from individual cases and proposed several suggestions based on wide consultations for law amendments.

III. Laws and Regulations Governing the Procedures of Urban Construction and the Administrative System of Condominiums

The public has long been discontent with unlawful constructions and delayed response to public complaints that are closely related to people's livelihood and have remained for many years. Confronted with this problem, the CCAC paid close attention to the revision of Laws and Regulations Governing the Procedures of Urban Construction and the Administrative System of Condominiums, especially the supervisory power for construction, timing, applicability and preventive force of the punishing procedure. The CCAC also made suggestions to the administrative authority that during the transitional

period of the law and regulation amendments, the residents should be reminded through various channels of not to alter their properties at their wills. In the meantime, different problems should be prioritized and handled promptly in order to avoid any misunderstandings.

IV. General Regulations for Public Areas

Regarding issues concerning civil affairs, there were a lot of complaints about the evaluation process related to occupying public places, expending business premises unlawfully and damaging environment. Some were caused by outdated regulations; others had something to do with gathering evidence and law enforcement. Based on the published *General Regulations for Public Areas*, the CCAC analyzed the problems that were raised either from flaws in the regulations or the procedure of current law enforcement, and proposed timely suggestions to the authority for improvement.

In short, regarding the received complaints, the CCAC took the pragmatic approach to resolve the problems of administrative illegality and flaws in cooperation with other departments, as well as widely collected public opinions on how to improve the functions of public services, to standardize law enforcement and to perfect the current laws and regulations in a way that the nature of ombudsman as a watchdog for law enforcement in public services can be truly manifested, and its legal functions for supervising administrative management in accordance with the law will also be further developed.

5.1.2 Help and consultation

In 2004, the CCAC continued to provide the public with help and consultation so that citizens would not lodge unnecessary complaints out of ignorance or misunderstanding of the administrative operations and procedures and of the relevant laws. As the branch office became operational and the increased public awareness of the ombudsman, the CCAC has handled a total of 645 appeals for help and consultation, which means 347 cases more than in 2003, an increase of 85.9%.

Table 11

Classification of matters appealing for help and consultation in administrative complaints in 2004

Matters	Numbers
Legal system governing public services (recruitment, staff rights and interests, discipline, and declaration of incomes and properties)	127
Legislative consultations	92
Civil affairs	43
Acquisition of public services	38
Traffic offences	30
Disputes between employers and employees	28
Illegal constructions	22
Medical and health matters	13
Education	12
Economic and public housing	11
Complaint handling	11
Tax affairs	10
Flaws in law enforcement	9
Others	67
Outside the competence of the CCAC (private sector and lawsuits)	132
Total	645

5.1.3 Internal working guidelines

Summarizing the working experience in the past, the CCAC has further improved the guidelines on processing administrative complaints. Meanwhile, more clarified regulations were formulated on handling complaints, requests for consultations, drafting reports, preliminary investigations, analysis and synthesis and so on.

5.2 Researches and Examinations

5.2.1 Researches and examinations on the systems

From the compiled complaints and reports, the CCAC found that there were quite a few flaws in *The Procedure of Monitoring and Punishing Administrative Frauds* (administrative illegality) and variations in the implementation of different departments. It is generally believed that this is related to oversimplified *General Regulations of the Acts of Administrative Illegality and its Procedures*. The delayed process of prosecuting and punishing administrative fraud has compromised its deterring power and let the public down. It is inconceivable that a criminal offence (even a minor one which is more severe than an administrative fraud) is prosecuted and punished in a period of time even shorter than an administrative fraud. The phenomenon required rewriting the law and regulations governing the system and procedures for administrative illegality. Toward this end, the CCAC launched a research on “Some Questions Concerning the Prosecution of Administrative Illegality and the Procedure of Executing the Penalty”.

During the research, the authority concerned promulgated the two administrative regulations, *General Regulations for Public Areas* and *Regulations to Prohibit Illegal Work* stipulating the fundamental issues of complaints and reports. The CCAC has to analyze different separate regulations governing the prosecution and punishment procedure promulgated by the authorities, that are extensively involved in different contents of regulations, produced by different departments at different times, constituting an enormous complexity which requires an on-going examination process.

5.2.2 Researches and examinations on operations

In 2004, the CCAC had reached agreement with the Civic and Municipal Affairs Bureau on inspecting “Food & Beverages Venues and Leakage from Air-conditioners”. Consolidating the continued projects in cooperation with the Examination Office of the Environment and Licensing Department since the fall of last year, the CCAC carried out a two-stage examination concerning the work of Drivers’ Licensing Office as well as followed up the implementations of previous projects with the Health Bureau and the Macao Trade and Investment Promotion Institute.

I The Civic and Municipal Affairs Bureau

(A) Agreement had been reached on the improvement measures of “Food & Beverages Venues and Leakage from Air-conditioners” with the Examination Office of the Environment and Licensing Department. The main contents were given below:

1. Facilities and equipments: augmenting fire-fighting and computing facilities, improving the storage conditions for spare parts and detained goods, and ensuring safety conditions for documents and files (already applied).

2. Computer supporting system: establishing a supporting information system for internal personnel management and inspection task management (in the process of gradual application); improving a computerized data base for complaints and periodically offering an analysis report (already applied).

3. Personnel recruitment, rotation, overtime and training: investigating the recruitment and working systems of the inspectors (already applied), establishing a regular rotation system (in the process of gradual application), establishing a rotation system for the inspectors of departments appertain to the Civic and Municipal Affairs Bureau (to be applied), accelerating the speed of over-time confirmation and processing (already applied), and strengthening the training for the inspectors on legal knowledge, law enforcement skills and public duties (already applied).

4. Mechanism for lodging complaints: establishing an internal operational and inspecting system, including handling procedure, defenders' appeals, and notices of results (already applied).

5. Inspecting and testifying in food and beverage areas:

5.1 Reviewing the active inspecting strategy (in the process of gradual application);

5.2 Improving distributing methods for complaints (already applied) and recordings of site-inspection (already applied) ;

5.3 Increasing personnel for the hearing of witnesses (alternative measures have already been taken); shortening the period for suspects to attend the hearing of witnesses; looking into solutions where suspects could attend the hearing of witnesses within the legal time and get the final report in time (to be followed up); examining the period of notification after registered mail has been sent to suspects to streamline the procedure (already applied).

6. Inspection, hearing of witnesses and punishment for air-conditioning leakage:

6.1 Setting up a regular site-inspection scheme (will be applied); strengthening pre-inspection preparation (already applied); improving the distributing methods for complaints (already applied); ensuring confidentiality of data (in the process of gradual application);

6.2 Searching for more efficient methods for follow-up and re-examination (already applied);

6.3 Improving the written descriptions, the ways and procedures of filling out forms (already applied); delivering live-notes to competent departments at a flexible time (to be followed up); increasing personnel of executing hearing procedure (will be applied).

7. Goods detaining and remanding: formalizing register forms for detained goods; standardizing goods detaining procedure, including the procedures of detainment, examination, recording, confirmation, diminishment and remand (already applied).

8. Application of the current law: analyzing possible legal issues when inspecting and monitoring food and beverage areas and the problem of air-conditioning leakage as references for the enforcement and amendment of the laws (in the process of gradual application).

9. Guidelines for working regulations:

9.1 Improving the working guidelines for field staff and clarifying the actual working procedure for chief personnel to check inspectors' work regularly (already applied);

9.2 Formulating working guidelines for site-inspection of food and beverage areas and leakage of air-conditioners (will be applied);

9.3 Taking effective measures to solve the transport problem for inspectors to carry out their fieldwork (already applied).

10. External Communications and Contacts:

10.1 Strengthening communications with the food and beverage industry, intensifying public education and collecting views and suggestions from enterprises (already applied);

10.2 Promoting education on the leakage of air-conditioners as well as strengthening the ties with congregations of building companies and owners (already applied);

10.3 Establishing a contact mechanism with Macau Government Tourist Office to further monitoring food and beverage areas (in the process of gradual application);

10.4 Establishing a computerized connection with the Real Estate Registry, Finance Services Bureau to raise the efficiency of gathering data of relevant places and registered properties (already applied).

11. Internal communications and contacts: before completing the computerized inspection task management system, measures were taken to ensure the effective communication among personnel at all levels (in the process of gradual application).

(B) The operation of issuing various drivers' licenses by the Drivers' License Office.

1. Public relations and information providing: improvement of information on indicators; appropriate identification of reception staff; raised transparency of standard for foreign currency payment; unified application procedures of various channels; improvement of safety conditions for processing personal data; advancement of the recording system for enquiries and complaints.

2. Driving test:

2.1 Perfecting the computerized drawing system for driving learners test; clarifying the definition of “force majeure” stipulated in *Regulations for Advancing and Postponing the Driving Examination*;

2.2 Reviewing the teaching hours required for driving theories and skills as stipulated by the regulations;

2.3 Unifying the guidelines for examinees who failed to show their identity documents before the test; formulating driving theory and practice testing guidelines of various vehicles, including the testing procedure, identity documents required, testing regulations and publication of the results.

3. Foreign driving license converting to Macao driving license: solving the risk problem of postage when a driver license office in Macao sends a foreign driving license to overseas for checking; solving the problem of costs when an applicant needs to re-evaluate his or her driving materials in a driver license office in Macao due to overdue renewal.

4. Special driving license: considering initial application and renewals of the mainland Chinese, their track records of driving offences have to be checked; comprehensive reviewing of problems derived from issuing “special driving license” and “specially permitted driving license” in accordance with the law; regulating the system of issuing driving license by law.

5. Formulating written working guidelines and staff manuals for all fields.

(C) Procedures concerning the process of issuing the license of driving schools, directors, coaches and taxi drivers within competence of the Drivers' License Office:

1. Strengthening Safety Measures for Document and File Management.

2. Driving School License:

2.1 Adopting appropriate measures to ensure the correct and complete information offered on the homepage;

2.2 Checking the utility of the place planned to be a driving school through a proved property registration or through a computerized network connected with Legal Affairs Bureau to get accurate information;

2.3 Taking measures to implement the regulation of "the position of an acting director" stipulated by the law and to add a perspective column in the "application form for driving school license";

2.4 Improving the "application form for driving school license"; implementing the regulations requiring applicants to submit their school records in the form of statistics; ensuring that the parking place of the coach's vehicle and the fees for every item were written down in the "application form for driving school license"; reviewing their fees when the law is amended.

2.5 Resolving the contradictions in the wording concerning whether an operational right of a driving school is transferable as is stipulated by *Road Code and its Regulations* and *Driving School and Teaching Regulations* when the law is amended;

2.6 Formulating supervising guidelines for driving schools applying for license and a sample of "driving school internal regulations" as reference for other schools to follow.

3. Site-inspection of Driving School:

3.1 Formulating the guidelines for site-inspection of driving school, improving the “Recording form of site-inspection of driving school”; deleting regulations stipulating the practice of pre-reporting to the industry; ensuring the data of schools being inspected are carried out;

3.2 Ensuring the data of driving schools and coaches being filed are complete, especially those of complaints and outcomes;

3.3 Establishing a computerized data base for driving schools and coaches within a short-term; in the long run, setting up a computerized network managing system for driving schools, to comprehensively record all data including licenses issued, site-inspections and personnel irregularities;

3.4 Exploring the possibility of establishing a joined supervising mechanism with the Land, Public Works and Transport Bureau, Fire Services Bureau and Labour Affairs Bureau;

3.5 Compiling operating driving school pamphlets including laws and regulations that license holders, directors, and coaches should observe, and the punishment for illegal acts; strengthening the monitoring power for driving schools, directors and coaches, and reviewing the necessity and feasibility of current laws.

4. Driving Coach Training Courses:

4.1 Attempting to establish an office within the Civic and Municipal Affairs Bureau, exclusively censoring academic qualifications issued by non-official education institutions;

4.2 Recruiting applicants in an order of precedence as stipulated in *Driving School and Teaching Regulations* with school recommendations as merely a reference.

5. Driving Learning and Testing Centre:

5.1 Improving the form of “Drivers’ learning and testing inspection record”;

formulating the working guidelines for inspecting “Driving learning and testing centre”, especially the criteria for “temporary leave” of the coaches;

5.2 Studying the possibility of replacing the current site-inspection carried out by the inspectors with a rotating system and to be practiced after office hours;

5.3 Considering altering the current monitoring system for entering and using premises of “Driving learning and testing centre”, which had been undertaken by the security guard of the private security company; in the future, it should be written in the contract regarding working requirements, regulations and the accountabilities for breaching the contract.

6. Professional License of Taxi Driver:

6.1 Unifying the protection measures for examinees’ personal data to be published on the examination name list; establishing a computerized data base so that various questions can be chosen randomly by computer for each examination;

6.2 Strengthening the communication between the License Office and the Transportation Office, in order to monitor metres more effectively;

6.3 By way of law amending, taxi drivers with a regular offence record may be required to attend “behavior improving classes”; studying the possibility of creating a retraining mechanism.

II.Cooperation with the Health Bureau

The CCAC continued to work on the research projects of operational inspection with the Department of Pharmaceutical Affairs of the Health Bureau launched in 2001, and staff attendance records, schedule of duties, overtime and shift subsidies, internal regulations and personnel rules, and mechanisms and procedures for receiving the public completed by February 2003.

(A)Department of Pharmaceutical Affairs

Measures for improvement carried out previously were followed up in 2004:

1. Issues concerning the 300-metre limitation of a pharmacy and the requirement of a technical assistant: it is certain that the distance requirement will be abolished when the regulation is revised, and when business hours is more than eight, an extra pharmacist or a technical assistant shall be employed;

2. Qualifications and rules for “negotiated remedy” pharmacy: a rough draft has been completed and is now in the process of collecting different views and suggestions.

(B) The Health Bureau’s staff attendance records, schedule of duties, overtime and shift subsidies, internal regulations and personal rules, and mechanisms and procedures for receiving the public:

The improvements implemented in 2004 are as follows:

1. Overall

1.1 Computerized attendance recording system: the facility has been purchased and it will be put into operation in early 2005;

1.2 The handling mechanisms for payment in foreign currencies and the application for patients’ medical records have been formulated;

1.3 The staff training will be intensified especially by way of hospital management training, and a mechanism for promoting remedies by the suppliers has been formulated.

2. Department of Human Resources

2.1 The format of issuing a “doctor’s certificate” has been published on the homepage of the Health Bureau and is currently in a stage of trial;

2.2 A rotation system for personnel handling prescriptions has been established.

3. Emergency and specialist consultations of the Hospital Centre S. Januario

3.1 The problems relating to the classification of public servants existing in the current system of public functions have been reported to the competent authorities;

3.2 Internal regulations are being formulated incorporating the Law of Medical Incidents;

3.3 The task of computer programming nurses' rosters in the emergency wards has been outsourced, and a computerized security system has been installed in the emergency wards. In the meantime, some unspecified doctors from different health centres have been transferred to station permanently for emergency services so as to establish a specialized emergency medical team.

4 Health centres and the subsidiary units (Blood Donation Centre and Disease Prevention Control Centre)

4.1 Measures have been taken to ensure pregnant women get prenatal examination with their first visiting appointment in Taipa Health Centre;

4.2 Computerized "rotating timetable for outpatient services in health centres" has been developed, and guidelines for pharmacy operations and pharmacist manuals are also being revised;

4.3 Description for issuing ophthalmic certificate for drivers wearing contact lenses by doctors in health centres has been accomplished.

III. Cooperation with the Macao Trade and Investment Promotion Institute (TIPI)

As the Investment Residency and Legal Office moved to the new building, its functions as an examining and approving body for investment residency have also been improved. Last year, regarding the framework and main contents of the drafted "Application for Temporary Residency Guide", the CCAC provided the following suggestions:

1. Matters concerning acceptance of applications and rejection of applications due to absence of main documentations;
2. Matters concerning the time limits for applicants with temporary residency to inform TIPI when their circumstances of investment have changed;
3. Matters concerning the renewal of applications, such as legal conditions, lodging terms, eligibility of family members and so on.

5.2.3 Revision of the Regulations Governing the Researches and Examinations on Operations.

Based on the previous working experience, in 2004 the CCAC continuously carried out the annual examination and revision to the *Regulations Governing the Researches and Examinations on Operations*, aiming at improving its contents, fieldwork techniques, report writing and so on, so as to make the examinations on operations more effective.

5.3 Guidelines Formulated and Seminars/Workshops Held

In 2004, the CCAC continuously distributed and promoted the *Guidelines for the Procurement and Acquisition of Public Goods and Services*, reminding the government departments and public servants of the issues concerning the principles of procurement and acquisition of public goods and services, and points for attention at its different stages, obligations of suppliers, dealing with conflict of interest, mechanism of avoidance, legal responsibilities and the obligations for complaints and reports and so on. Some government departments and public servants also reported the problems they had encountered to the CCAC, to improve their procurement and acquisition of public goods and services through the enquiring mechanism provided by the CCAC. Some other departments, such as Public Administration and Civil Service Bureau also requested the CCAC to organize seminars on public procurement and acquisition in conformity with the legal system. There were 8 seminars/workshops of this kind held throughout the year.

In 2003, the CCAC completed the *Examination and Research on the Question of the Conflict of Interest that Public Servants of Macao Need to Avoid in their Performance of Public Functions and Duties*, and analyzed the regulations stipulating the selflessness, enthusiasm and confidentiality of public servants and the avoidance of activities that may involve conflict of interest with their duties. As a result, the CCAC has prompted the government some suggestions as references for the law amendments. Concerning the main regulations codifying the conducts of public servants, there were the legal system governing public services, and the relevant stipulations in the *Code of Administrative Procedure* and in the *Penal Code*. Despite all of these, the CCAC was aware that quite a few departments and public servants have not yet taken notice of these; they were unwilling to follow the rules, taking the risk of breaching the law, resulting in damaging the government's public trust and reputation. Therefore, the CCAC believes that even under the current conditions where the relevant regulations concerning the public functions remained unrevised, it is still imperative for the public bodies to stipulate internal regulations while publicizing the existing laws so as to promote the culture of integrity. Towards this end, through synthesizing current legal requirements for the integrity of public servants and the problems discovered during case investigation, the CCAC has compiled *Guidelines on the Professional Ethics and Conduct of Civil Servants* and *Recommendations on the Formulation of Code of Conduct for Public Services and Institutions*, reminding the public servants of the conflict of interest and the dealing methods. Of these two guidelines, the former aims mainly at clarifying the contents and the spirit of the relevant legal acts governing the discretion in conduct of the public servants; the latter targets mainly the chiefs of the government bodies, explaining the formulating procedures of the regulations and the proceeded implementations so as to make it a reference for formulating or supplementing the relevant internal guidelines.

In addition, in 2004 the CCAC intensified the promotion for the functions of the ombudsman through various channels, including co-organizing seminars with the civil societies on the topic of "protecting your rights and lodging your complaints". There were 15 seminars of this kind held throughout the year.

5.4 Training and Exchanges

In order to constantly improve the services of ombudsman, the CCAC has always paid close attention to the ombudsman's training. In 2004, the CCAC sent its investigators of the Ombudsman Bureau to receive a short training course at Chinese People's Public Security University in Beijing, also to attend a course on financial investigation co-organized by Macao Monetary Authority and Drug Investigation Group of Hong Kong Police Force. In addition, there were intensive training courses held annually so as to raise team-spirit and the personal qualities of being an ombudsman.

Externally, in 2004 the Federal Ombudsman of Belgium, Mr. Herman Wuyts, and former President of the International Ombudsman Institute and former Chief Ombudsman of New Zealand, Sir Brian Elwood, visited the CCAC and introduced the ombudsman system in Belgium and their personal experience in carrying out the ombudsman mission. Also, the CCAC had some exchanges with the Ministry of Supervision of the PRC, Zhuhai Procuratorate, and some of other anti-corruption bodies on the mainland. In addition, representatives of the CCAC attended the 8th Asia Ombudsman Association Conference in Seoul, Korea and the 8th International Ombudsman Institute Conference in Quebec, Canada. Consequently, the CCAC has been very well informed by these activities on situations of anti-corruption and ombudsman both nationally and internationally.



CHAPTER VI
COMMUNITY RELATIONS

CHAPTER VI COMMUNITY RELATIONS

The basic task of the publicity and community work for the CCAC to carry out is to promote the social ethos of integrity and strive after public support for clean administration. After years of promotion, the CCAC has recently intensified the moral and virtue education for teenagers and public servants. In 2004, the main targets of the CCAC included promoting the functions of ombudsman, continuing its education programme on honesty for teenagers, reinforcing the education of raising awareness of honesty and integrity in the interests of the public for public servants, and holding special seminars on procurement and acquisition of public goods and services. In the meantime, the opening of the branch office has also strengthened its relations with the community, improved the education proficiency and opened more channels for residents to lodge their complaints. As the external exchanges had been widely explored, the CCAC received different views and suggestions more easily and thus gained enormous social support. The combination of these various public education programmes has created a benign social environment to develop its clean administration.

6.1 Integrity Awareness Education

In 2004, the CCAC continued its integrity awareness promotion with public servants, students, staff of supervised departments and citizens. Since the launch of the branch office, “New Generation of Integrity-Education Programme on Honesty for Primary Students” and “Education Programme on Honesty for Teenagers” were in full swing, the number of attendees for these seminars increased dramatically. Throughout the year, the CCAC hosted a total of 385 various seminars, accumulated an audience of 30,768, an increase of 64% over the previous year, reaching a record high.

Table 12
Statistics on various seminars held in 2000-2004

Subjects	Number of lectures					Number of participants				
	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004
Public servants	23	94	132	132	51	855	5,209	7,435	11,385	1,752
Students & trainees	10	21	40	50	301	886	5,386	3,271	6,105	27,483
Teachers	—	—	—	24	—	—	—	—	810	—
Members of civil society	14	19	10	6	22	1,678	1,736	493	190	890
Credit institutions	6	4	2	6	8	220	132	55	316	538
Public utilities and private institutes	—	2	1	—	3	—	70	25	—	105
Total	53	140	185	218	385	3,639	12,533	11,279	18,806	30,768

6.1.1 Education programme on honesty for primary and secondary students

(1) New Generation of Integrity – Education Programme on Honesty for Primary Students

In order to promote integrity education more effectively, the branch office of the CCAC launched “New Generation of Integrity – Education Programme on Honesty for Primary Students” in February 2004, targeting year 4 to year 6 primary students with different themes on integrity, accompanied by vivid and flexible multimedia plays, such as puppet shows, computerized cartoons, and short films. Taking place in the “Paradise of Integrity” activity room of the branch office, the students received their integrity education and relevant legal knowledge by way of interactions.

It was well received by the schools since the launch of the programme. Throughout the year, the office held a total of 217 seminars attended by 8,753 person-times.



Primary students participating in the activity of the branch office



Students concentrating on writing the card of "Hope of Integrity"

Table 13
Number of students participating in the “New Generation of Integrity-Education Programme on Honesty for Primary Students” in 2004

2004	Educational Institutes	Number of sessions	Number of participants
1	Diocesan College of Saint Joseph (5 th school)	1	41
2	Sacred Heart Canossian College(Chinese Section)	12	504
3	Middle School Luso-Chinese of Coloane	2	61
4	Chan Sui Ki Perpetual Help College	9	409
5	Tong Nam School(Primary Section)	10	409
6	Sacred Heart Canossian College (English Section)	11	521
7	Madalena Canossian School	15	500
8	Macao Baptist College (Primary Section)	25	972
9	Ling Fong Pou Chai School	7	254
10	Primary School Luso-Chinese of Bairro Norte	6	186
11	Kwong Tai Middle School	5	216
12	School of Neighbourhood Association	11	464
13	Primary School Luso-Chinese of Tamagnini Barbosa	6	185
14	Pui Ching Middle School	2	72
15	Pui Tou Middle School	7	320
16	The Workers Children School (Primary Section)	5	250
17	Fu Luen School	5	203
18	School of Neighbourhood Association of Bairro do Patane	1	45
19	Fu Luen School(branch)	2	97
20	Veng Chun School	2	82
21	Mateus Ricci College (Primary Section)	5	210
22	Choi Nong Chi Tai School	1	45
23	Santa Teresa School	11	440
24	Fukien Middle School	9	364
25	Kao Yip Middle School (Primary Section)	11	526
26	Xin Hua Middle School	7	284
27	Sacred Family School	8	351
28	Our Lady of Fatima Girl School	1	51
29	Primary School Luso-Chinese of Sir Robert Ho Tung	2	46
30	Estrela do Mar School	4	150
31	Saint Joseph Middle School of Ká Hó	2	56
32	Concordia School for Special Education	1	17
33	Primary School Luso-Chinese of Bairro do Hipódromo	2	76
34	Hoi Fai School	2	100
35	The Affiliated School of the University of Macau	2	87
36	Macao Sam Yuk Middle School	1	17
37	Pui Cheng Middle School	1	61
38	Primary School Luso-Chinese of Flora	3	81
Total		217	8,753

(2) Education Programme on Honesty for Teenagers

“Education Programme on Honesty for Teenagers” was launched at the end of 2003, targeting at middle school students. The programme was carried out in two fronts: initially speakers were sent out to the schools to hold seminars, infusing the idea of integrity, stressing the importance of honesty and introducing Macao’s clean administration; followed by an in-depth training targeting graduating class students, further exposing them with a more advanced understanding of honesty and integrity and consolidated awareness of these. The programme was further implemented in 2004.



CCAC staff giving talk to secondary students on honesty and integrity

Table 14
Number of students participating in the “Education Programme on Honesty for Teenagers” in 2003-2004

2003	Educational Institutes	Number of sessions	Number of participants
1	Choi Nong Chi Tai School	1	500
2	School of Santíssimo Rosário	2	328
3	Tong Nam Middle School	2	70
4	Pui Cheng Middle School	1	214
5	Sheng Kung Hui Choi Kou School (Macau)	1	1,270
	Total (2003)	7	2,382
2004	Educational Institutes	Number of sessions	Number of participants
1	Seong Fan Middle School	1	630
2	Pui Cheng Middle School	3	1,221
3	Xin Hua Middle School	3	690
4	Sheng Kung Hui Choi Kou School (Macau)	1	123
5	Mateus Ricci College	1	800
6	D. Luís Versiglia Memorial School	1	130
7	Yuet Wah College	6	2,120
8	Saint Paul Middle School	2	142
9	Sacred Heart Canossian College (Chinese Section)	2	859
10	Santa Rosa de Lima English Secondary	2	245
11	Sam Yuk Middle School	1	400
12	School of Neighbourhood Association of Taipa	1	222
13	Kwong Tai Middle School	3	390
14	The Workers' Children School	1	1,900
15	Macao Baptist College	2	1,600
16	Hou Kong Middle School	1	4,000
17	Chan Sui Ki Perpetual Help College	1	100
18	Pui Va Middle School	1	150
	Total (2004)	33	15,722
	Number of lectures in 2003 – 2004	40	—
	Number of participants in 2003 - 2004	—	18,104

(3) "The Integrity Week"

Consorting with the "Education Programme on Honesty for Teenagers", the CCAC further publicized "The Integrity Week" scheme in 2004-2005. Based on several secondary schools, the students were infused with the awareness of integrity and the virtue of integrity and righteousness through multiple channels and interactions.

The scheme was launched at Hou Kong middle school (main campus) in October and extended into early November 2004 at its branch campus in Taipa. The main contents included: playing a short film of individual cases, giving special seminars by the personnel of the CCAC, exhibiting on campus, writing on assigned topics or a weekly diary and playing relevant paper games(filling in the blank)designed by the CCAC. In 2005, the CCAC will continue activities of this kind with other schools.



The CCAC Commissioner Cheong U and several staff members with the school leaders



Exhibition boards at school

(4) Other activities concerning the integrity education for youngsters

In 2004, apart from providing promotions for primary and secondary students, the CCAC also held seminars for students of the Faculty of Education of the University of Macau, the Faculty of Business Administration of the University of Macau and the Macao Tourism and Casino Career Centre, inculcating them with a better understanding of the CCAC and the value of integrity.

Table 15
Statistics on seminars of integrity and honesty for other teenagers,
students and trainees in 2004

No.	Educational Institutes	Number of sessions	Number of participants
1	Faculty of Business Administration of the University of Macau	1	40
2	Macao Tourism and Casino Career Centre	17	1,745
3	Rotaract Club	1	80
4	Faculty of Education of the University of Macau	1	45
5	Technical Professional Middle School Luso-Chinese	5	148
6	The School of the Nations	1	27
7	Chong Wa Student Association of Macao	1	20
8	Institute of China Study of the University of Macau	1	21
9	Youth Centre of Hac Sa Van	1	15
10	Hou Kong Middle School	2	100
11	Community Centre of the Neighborhood Association of Bairro da Praia do Manduco	1	35
12	The Scout Association of Macao	1	35
13	Missionaries of Charity	1	30
14	Macao McDonald Fun Club	1	42
15	Kin Wa Family Support Centre	1	30
16	Chong Wa Student Association of Macao and Hong Kong Junior Police Call	1	50
17	Community Centre of Tamagnini Barbosa	1	20
18	Scout of the Santa Maria Mazzarello School	1	36
19	Special section for the Children's Day	10	429
20	The General Workers' Union of Macao	1	30
21	Community Centre of Green Island of the Neighborhood Association of Macao	1	30
Total		51	3,008

6.1.2 Promotions for public servants

In 2004, the CCAC continued to provide public servants with seminars of various forms, including lectures combined with their basic training, seminars on special topics provided by the CCAC, symposiums on “awareness of integrity” requested by individual departments, and workshops for chiefs and directors of the departments.

From July 2001, the CCAC contributed a special seminar “Honesty and Integrity in the Interests of the Public” to the “Basic Training Course for Public Servants” organized by Public Administration and Civil Service Bureau. In 2004, there were a total of 28 seminars held, of which were conducted in Portuguese with 720 participants, and in Cantonese with 120 participants.

The CCAC arranged 23 seminars, symposiums and workshops for public services and institutions coordinated with other departments and organizations in 2004, with a total of 912 participants. Some of them were on special topics, including one titled “Procedure for the Procurement and Acquisition of Public Goods and Services”, seminars hosted for the career promotion of the Public Security Police and “Keeping Clean Administration – A Workshop for the Leadership and Directive Personnel” for the Port Authority.



Talk organized for the policemen going to be promoted

Table 16
Statistics on seminars, symposiums and workshops for public servants in 2004

No.	Institutes	Subjects	Number of sessions	Number of participants
1	Fire Services Bureau	Fighting against corruption	4	97
		Public procurement	3	88
2	Public Security Police	Forum	1	11
3	Civic and Municipal Affairs Bureau	Fighting against corruption	4	155
4	Gaming Inspection and Coordination Bureau	Fighting against corruption	2	65
5	Academy of Public Security Forces	Fighting against corruption /Declaration of incomes & properties	2	219
6	Housing Bureau	Public procurement	1	35
7	Public Security Forces Affairs Bureau	Fighting against corruption	1	70
8	Health Bureau	Public procurement	1	40
9	Government Wharf of Naval Construction	Public procurement	1	14
10	Macao Polytechnic Institute	Public procurement	1	73
11	Courses organized by the Public Administration and Civil Service Bureau	Public procurement	1	25
12	Port Authority	Keeping Clean Administration – A Workshop for the Leadership and Directive Personnel	1	20
Total			23	912



Special topic session titled “Procedure for the Procurement and Acquisition of Public Goods and Services”



“Keeping Clean Administration – A Workshop for the Leadership and Directive Personnel”
jointly organized with the Port Authority

6.1.3 Seminars for the civil society

To promote the functions of ombudsman, the CCAC co-hosted over a dozen of symposiums (referring to the following table No. 1-15) in 2004. In addition, the CCAC arranged many seminars on integrity for the civil society, delivering the message of maintaining integrity and social justice, making the public aware of the damage corruption can cause a society and the importance of a clean society to the public for the well-being of a society.

Table 17

Statistics on seminars for the civil society in 2004

No.	Institutes / Associations	Subjects	Number of sessions	Number of participants
1	Association of Women of Macao	"Protecting your rights and lodging your complaints"	1	100
2	General Union of the Neighbourhood Associations of Macao		1	60
3	Branch office in North Area of the General Union of the Neighbourhood Associations of Macao		1	40
4	Fukien Fellowship Association		1	40
5	Mutual Help Association of the Neighbours of Bairro Fai Chi Kei		1	40
6	Kin Wa Family Support Centre		1	20
7	Community Centre of Tamagnini Barbosa of the General Workers' Union of Macao		1	50
8	Mutual Help Association of the Neighbours of Green Island		1	50
9	Branch Office in North Area of the General Workers' Union of Macao		1	50
10	Mutual Help Association of the Neighbours of Bairro Mong Há		1	25
11	Workers' Support Centre in North Area of the General Workers' Union of Macao		1	45
12	The Neighbourhood Association of Tamagnini Barbosa		1	40
13	Social Service Centre of the Caritas		1	40
14	Mutual Help Association of Women of the Islands		1	40
15	Macao Junior Chamber Senior Member Association, Hou Kong Junior Chamber Pan-Mac Junior Chamber		1	50
16	New Immigrants Service Unit of the lao Hon Community Centre	"Integrity awareness"	1	35
17	Macao Christian Life Fellowship		1	20
18	The Neighbourhood Association of Tamagnini Barbosa (for senior citizens)		1	20
19	Health Committee of the Caritas(for senior citizens)		1	35
20	Richmond Fellowship Association		1	10
21	Home for the Elderly of Green Island		1	40
22	Home for the Elderly of Casa Ricci		1	40
Total			22	890



Seminar on special topic given to civil society

6.1.4 Seminars for public utilities and credit institutions

In 2004, the CCAC held 11 seminars for public utilities and credit institutions, including 3 seminars for leaders and staff members of Macao Water, which was the first time the CCAC had ever held seminars for public utilities on the topic of integrity.



Seminar for Macao Water



Seminar for the staff of Bank of China, Macao Branch

Table 18
Statistics on seminars for institutes in 2004

No.	Institutes	Number of sessions	Number of participants
1	Macao Water	3	105
2	The Industrial and Commercial Bank of China, Macao Branch	1	30
3	Bank of China, Macao Branch	2	260
4	The Bank of Delta Asia	4	168
5	Tai Fung Bank	1	80
Total		11	643

Overall, the CCAC arranged a total of 385 seminars, symposiums and workshops in 2004, with 30,768 participants.

Table 19
Statistics on various seminars, symposiums and workshops in 2004

Activities	Number of sessions	Number of participants	Total
New Generation of Integrity-Education Programme on Honesty for Primary Students	217	8,753	Number of students: 27,483 (table 13, 14 and 15)
Education Programme on Honesty for Teenagers	33	15,722	
Seminars for other teenagers, students and trainees	51	3,008	
Basic training programme for public servants	28	840	Number of public servants : 1,752 (table 16)
Seminars for public procurement	8	275	
Seminars about fighting against corruption	13	606	
Workshops and symposiums	2	31	
Seminars for protecting your rights and lodging your complaints	15	690	Others: 1,533 (table 17 and 18)
Seminars on integrity awareness	7	200	
Seminars for public utilities and credit institutions	11	643	
Total number of sessions			385
Total number of participants			30,768

6.2 Intensified Promotions for the Functions of Ombudsman

In order for the public to have a better understanding of the functions of ombudsman, to enjoy ombudsman services and to drive the public administration to serve the people in accordance with the law, the CCAC intensified the promotions of ombudsman in 2004. It consisted of a series of publicities, such as publishing posters and leaflets, making and broadcasting television and radio advertisements, advertising in buses, newspapers, light boxes, as well as promoting the activities in the *CCAC Bulletin*, in the newspaper column “Clean Administration Forum” and informative programmes on television. Meanwhile, the CCAC also organized comprehensive outdoor activities of the “Community Day of the CCAC – Ombudsman” for further promotion.



Guests officiating the opening ceremony of the “Community Day of the CCAC” held in Leal Senado Square to promote the functions of ombudsman.



Opening ceremony of the "Community Day of the CCAC" in Taipa



Co-hosted with the civil society was a forum on "protecting your rights and lodging your complaints"

In addition, the CCAC had joined hand with several civil societies to co-host a series of forums on “protecting your rights and lodging your complaints” (referring to items 1-15 in Table 17). On the forums, there were pictures, short films adapted from real cases as well as personal demonstrations, explaining the functions of administrative complaints and some notes for lodging complaints. In this way, the CCAC achieved a significant result.



Co-hosted with the civil society was a forum on “protecting your rights and lodging your complaints”

6.3 Activities of the Branch Office

Since the official launch of the CCAC community branch office located in Edifice “U Wa”, Rua 1 de Maio, Macau, it has carried out three main functions: develop community relations, improve the effects of integrity education and receive public complaints and enquiries.

6.3.1 Develop community relations

In order to promote the branch office to residents in the northern district, the CCAC hosted “Joining Efforts, Building New Community of Integrity” activities in Iao Hon Garden in January 2004, introducing the branch office to the public. In the meantime, to strengthen community relations with the northern district civil societies, the branch office exchanged visits with 25 northern district civil societies from January 2004, listening to their views and suggestions on the work of CCAC, education of integrity and the branch office.



Community activity – “joining efforts, building new community of integrity” in the northern district

On request of several northern civil societies, the CCAC joined their outdoor activities many times, promoting integrity education in the northern area and delivering message of integrity and law-abidance in form of laying out booth games.

In addition, the branch office arranged the “seminar on integrity”, “symposium on protecting your rights and lodging your complaints” with the civil societies, as well as promoting the establishment of the branch office and its functions by pasting posters on economic and public houses and some private properties in

the northern district (Tamagnini Barbosa, Green Island, Hac Sa Van, Fai Chi Kei, Iao Hon, Portas do Cerco and so on).



Participating in “Children’s Day Garden Party” organized by the Community Centre of the General Workers’ Union of Macao in Tamagnini Barbosa

6.3.2 Improve the integrity education efficiency

To improve the integrity education efficiency, the branch office launched “New Generation of Integrity–Education Programme on Honesty for Primary Students” in February 2004, promoting the knowledge of honesty and law-abidance to primary school students, which was well received. In 2004, there were a total of 217 seminars on “New Generation of Integrity” held, involving 38 schools and 8,753 student participants (referring to table 13). In evaluating the effectiveness of the programme, the CCAC invited the leading teachers to fill out the questionnaires in order to collect their views on the programme. In general, the teaching contents, transportation arrangements and efficiency were well received by the teachers.

In 2004, the branch office hosted 37 activities with 1,268 participants including staff and members of civil society, new immigrants, parents, elderly, youngsters, school volunteers, boy and girl scouts and so on, as well as 10 “June 1 Children’s special” activities for 429 primary school students. Also, several civil societies organized 193 children aged from 7-12 to participate the branch office’s activities.



“June 1 Children’s Special” activities

6.3.3 Receive citizens’ complaints and enquiries

Up to the end of 2004, the branch office had received complaints and enquiries of 421 person-times, including 91 complaints, 330 enquiries with the majority of them lodging their cases in person.

Table 20
 Statistics on the number of citizens received in the branch office
 until the end of 2004

Complaints/reports		Written complaints	Requested for consultations	Simple enquires	
In person	Telephone			In person	Telephone
58	14	19	219	79	32
Sub-total: 91			Sub-total: 330		
Total: 421					

6.4 Other Promotion Activities

6.4.1 Edited and complied publications

(1) Quarterly CCAC Bulletin

The quarterly *CCAC Bulletin* launched by the CCAC in March 2002 is available in both Chinese and Portuguese versions. The publication aims at reporting to the public the latest developments of the CCAC, cases relating to anti-corruption, admin-



Quarterly CCAC Bulletin

istrative complaints, interpretation of laws and regulations, edited anti-corruption cases outside of territory, appreciation of all walks of life for the achievements of anti-corruption institution, cartoon stories, dictums and remarks and so on, to enable the general public, public servants and relevant national and international organs to be better informed of the CCAC.

(2) *Guidelines on the Professional Ethics and Conduct of Civil Servants*

In order to promote the professional ethics and conduct of public servants, the CCAC compiled *Guidelines on the Professional Ethics and Conduct of Civil Servants* and *Recommendations on the Formulation of Code of Conduct for Public Services and Institutions* in 2004. The former aims at the general public servants, explicating the relevant laws and regulations in a simple and plain language, so as to enable them to have a clear idea of the rules and avoid professional misconduct; the latter was designed to provide the chiefs and directors with a reference for formulating or complementing their internal regulations.



Guidelines on the Professional Ethics and Conduct of Civil Servants
and *Recommendations on the Formulation of Code of Conduct for Public Services and*
Institutions in Chinese and Portuguese versions

(3) Posters and Leaflets

Various promotional materials prepared by the CCAC in 2004 were mainly aimed at popularizing the functions of ombudsman and the *Guidelines on the*

Professional Ethics and Conduct of Civil Servants, and they were available at public places such as government departments, organs, civil societies, schools, libraries and bookstores.



Samples of promotional posters and leaflets on ombudsman



Samples of promotional posters and leaflets of the "Guidelines on the Professional Ethics and Conduct of Civil Servants"

6.4.2 Multi-channel promotional awareness on integrity

-In cooperating with the launch of the branch office of the CCAC, a five-minute promotional film was made;

-Advertising on the outside of buses titled “Paradise of Integrity”, “Lodging Complaints in Person” and “Ways of Complaining”;

-Delivering the publicized message in different ways, including formulating promotional materials, making television and radio advertisements and publishing advertisement in the newspaper and so on;

-A “Clean Administration Forum” column was included in the “Periodicals of the Association of Adult Education of Macao” in disseminating messages of integrity to the public;

-Providing articles of the “Clean Administration Forum” column to *Kai Pou*, the publication of the Macao Prison;



Advertising on the outside of buses titled “Paradise of Integrity”

6.4.3 Receiving visitors and the consecutive “Open Day of the CCAC”

The exhibition hall of the CCAC and the branch office received a considerable number of visitors from other public services or bodies, civil society and schools in 2004. As in the past two consecutive years, in 2004 was also an “Open Day of the CCAC” organized, allowing the public to visit internal facilities, including the reporting room, statement taking rooms, identification parade suite, detention wards, and office for declaration of incomes and properties and the exhibition hall. In some cases, organized delegations had come to the event.

“Open Day of the CCAC” helped citizens to get a better understanding of the CCAC, its sophisticated measures and facilities for confidentiality so as to encourage them to report corruption cases in person. The CCAC staff and volunteers also demonstrated the procedure of lodging complaints and submitting the form of declaration of incomes and properties.



On the “Open Day of the CCAC”, CCAC staff and volunteers demonstrating a scene of lodging a complaint

6.4.4 Co-organization and participation in other activities

The CCAC actively participated in various community activities in 2004, including:

-The “Colouring My World of Integrity” competition jointly organized by the CCAC and Macao Chinese New Youth Association, Chong Wa Student Association of Macao with local celebrities from the art and education circle as judges, children played colouring games involving 40 schools and 360 primary school students;



“ Colouring My world of Integrity” competition of the children in process

Group A
(grade 5-6)



Group B
(grade 3-4)



Group C
(grade 1-2)



First-Class prizewinners



Citizens playing games in the CCAC's booth
at "Caritas Bazaar of Macao"

- The 35th Caritas Bazaar of Macao;
- The “International Children Festival” activities hosted by the SAR government;
- “Praising Close Relations with the Warm Family” on Mother’s Day and “International Children Festival” organized by the General Workers’ Union of Macao; the Carnival held by the Junior Police Call for the purpose of fighting crime and drug-abuse; “Joining Efforts and Showing Concerns” hosted by the Promoting Association of the Development of Macao;
- The 7th Youth Inter-Team Contest on the “Knowledge of Civic Education” hosted by the Education and Youth Affairs Bureau;
- Other charity activities including afforestation campaign organized by the Civic and Municipal Affairs Bureau, “Charity Walk for the Millions”, collective blood donation and so on.

6.4.5 The volunteer team

The CCAC organized a CCAC Volunteer Team in 2002. In 2004, the team continuously participated in various activities organized by the CCAC, including the making of films and lantern slides for promoting the ombudsman, Caritas Bazaar, other activities, CCAC Open Day and joined afforestation campaign led by the Civic and Municipal Affairs Bureau in the beginning of 2004.

Volunteers of the CCAC in the Caritas Bazaar



6.5 Contacts and Exchanges

6.5.1 Relations with the media

Maintaining close ties and good relations with the media has long been the CCAC's basic principle, which benefits its communication with the society.

(1) "Afternoon Tea Meeting on Clean Administration": the CCAC took advantage of the Chinese Spring Festival to invite the in-charge of the press and media to join the event and listen to their opinions and suggestions, which were references of great value for the CCAC in anti-corruption strategies formulation. In 2004, a book entitled "*Love for Integrity*" was launched during the event.



Book launching ceremony of "Love for Integrity" during the "Afternoon Tea Meeting on Clean Administration" by the CCAC

(2) "Clean Administration Forum": the CCAC contributes to this column which is published in all local Chinese newspapers fortnightly. The forum is a manifestation of the many concrete projects of the CCAC in cooperation with the media.

(3) Press Release: the press release by the CCAC can be divided into three categories, namely – a. cases detected by the CCAC; b. decisions of the court on the cases transferred from the CCAC; and c. the latest activities of the CCAC.

(4) "Enquiry and Reply": a television programme presented by the CCAC's personnel, explaining relevant cases and answering questions.

6.5.2 External contacts and exchanges

(1) Contacts with Departments and Organizations

In early 2004, the CCAC leadership paid several visits to other departments and organizations including the Commission of the Foreign Ministry of the PRC in Macao SAR, the Macao Association of Banks, the Macao Association of Building

Contractors and Developers, Chong Wa Education Association, Association of the Female Public Servants, the Association of the Chinese Public Servants, collecting their views on anti-corruption so as to improve their relevant work.



Senior officials of the CCAC visited the civil society

(2) External Visits

The CCAC continued to strengthen its ties with relevant departments and organizations in mainland China, Hong Kong SAR and other places. Major activities included:

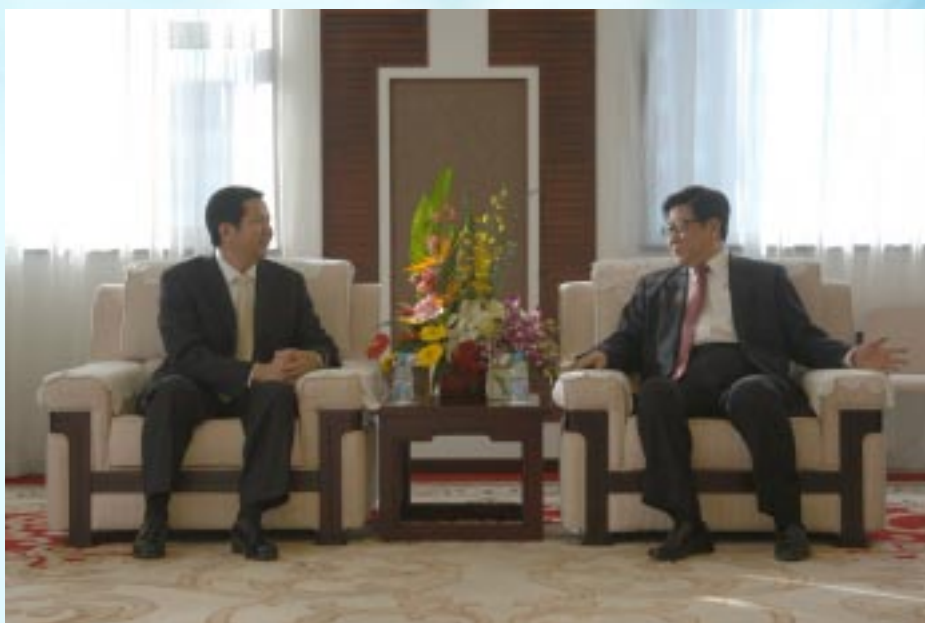
- January: Visits to the Hong Kong ICAC by representatives of the CCAC
- April: Commissioner of the CCAC attended the 8th A.O.A. Board of Directors' Meeting in Korea, and was re-elected as a member of the Board;
- April: Visits to the Hong Kong ICAC and its branch office by staff of the Community Relations Department of the CCAC;

- April: Visits to Shenzhen People's Police Academy by delegation of the CCAC;
- May: Visits to the Supreme Court, Public Prosecutions Office, Ombudsman , and National Judiciary Police Bureau in Portugal by delegation of the CCAC;



Senior officials of the CCAC visited Portugal and met with the President of the Supreme Court of Justice of Portugal, Aragão Seia

- July: Attended "The China-ASEAN Procurators-General Conference" in Kunming;
- September: The Commissioner attended the Board Meeting of I.O.I and its 8th General Conference in Canada, and was re-elected as a member of the Board;
- October: A delegation led by the Commissioner visited Beijing, Sichuan Province, exchanging views with the departments of supervision.



Minister of the Ministry of Supervision of the PRC, Li Zhilan, met CCAC Commissioner Cheong U

Visitors

During the year, the CCAC also received many delegations from different countries and regions, including:

- January: Delegation of Procuratorate of the Municipal of Jiangmen;
- April: Delegation of Hong Kong ICAC led by Mr. Raymond HC Wong, Commissioner of the Hong Kong ICAC;
- April: Mr. Huang Songpu, the Deputy Commissioner of the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in Macao SAR;
- May: The Federal Ombudsman of Belgium Dr. Herman Wuyts;
- May: Supervisors of Disciplinary Commission of Shanxi Province;
- June: Delegation of the People's High Court of Fujian;
- July: Mr. Peter Brooke, principal of Asia-Pacific Region of Transparency International and Ran Liao, the chief of the programme;

- August: Sir Brian Elwood, former President of International Ombudsman Institute and former Chief Ombudsman of New Zealand;
- September: Mr. Jin Bo, General Procurator of the People's Procuratorate of the Municipal of Zhuhai;
- September: Mr. Johann Graf Lambsdorff, senior consultant of Transparency International; Mr. Cheng Wenhao, director of the Anti-Corruption Research Centre of the School of Public Policy and Management, Tsinghua University;
- October: Delegation of the Portuguese Supreme Administrative Court;
- November: Delegation of Zhuhai People's Procuratorate;
- November: Delegation of the mainland's procuratorate;
- November: Mr. Fredrik Galtung, former staff of Transparency International; Mr. Kwok Man-wai, honorable coordinator of anti-corruption course of the School of Professional and Continuing Education of Hong Kong University (Former Deputy Commissioner of Hong Kong ICAC and the Head of Operations);
- December: Delegation of the Central Chinese Communist Party School.

In the meantime, the CCAC also received delegations/representatives from local public bodies, academic institutes and civil societies, including the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in Macao SAR, the Complaining and Evaluating Centre of Medical Activities, the Association of Labour Inspectors of Macao, Macao Junior Chamber-Senior Member Association, the Committee of Youth Affairs of the New Century of the Region and so on.

The background is a vibrant blue gradient. In the center, there is a faint, glowing globe with a grid of latitude and longitude lines. Several bright, white, abstract light trails or orbits curve across the scene, creating a sense of motion and technology. The overall aesthetic is clean, modern, and futuristic.

CHAPTER VII
ADMINISTRATION

CHAPTER VII ADMINISTRATION

7.1 Budget

7.1.1 Legal framework

The CCAC is a public entity endowed with functional, administrative and financial autonomy, its organization and operations being governed by Law no. 10/2000 and Administrative Regulation no. 31/2000. In the meantime, the general financial system of autonomous entities as stipulated in Decree Law no. 53/93/M of 27 September is complementarily applicable to the CCAC.

The budget of the CCAC for 2004 was approved by the Executive Order no. 45/2004 of the Chief Executive and was published in Series 1, Issue 10 of the *Official Gazette of the Macao SAR* on 15 March, 2004. The budgeted income approved was MOP74,302,000.00 (seventy-four million, three hundred and two thousand patacas).

After closing accounts of 2003 and settling the related surplus, the CCAC in accordance with the law prepared the supplementary budget. This was approved by the Executive Order no. 127/2004 of the Chief Executive and was published in Series 1, Issue 21 of the *Official Gazette of the Macao SAR* on 24 May 2004.

The first supplementary budget was set at MOP447,715.55 (four hundred and forty-seven thousand, seven hundred and fifteen patacas, and fifty-five avos).

Therefore, the budget for the CCAC to carry out various projects and activities in 2004 totalled MOP73,854,284.45 (seventy-three million, eight hundred and fifty-four thousand, two hundred and eighty-four patacas, and forty-five avos).

7.1.2 Budgeted income

The amended budgeted income for 2004 was MOP73,854,284.45

(seventy-three million, eight hundred and fifty-four thousand, two hundred and eighty-four patacas, and forty-five avos).

However, the actual income was MOP73,737,994.38 (seventy-three million, seven hundred and thirty-seven thousand and nine hundred and ninety-four patacas, and thirty-eight avos), with a difference of MOP116,290.07 (one hundred and sixteen thousand, two hundred and ninety patacas and seven avos) lower than the budgeted income, thus resulting in an execution rate of 99.84%.

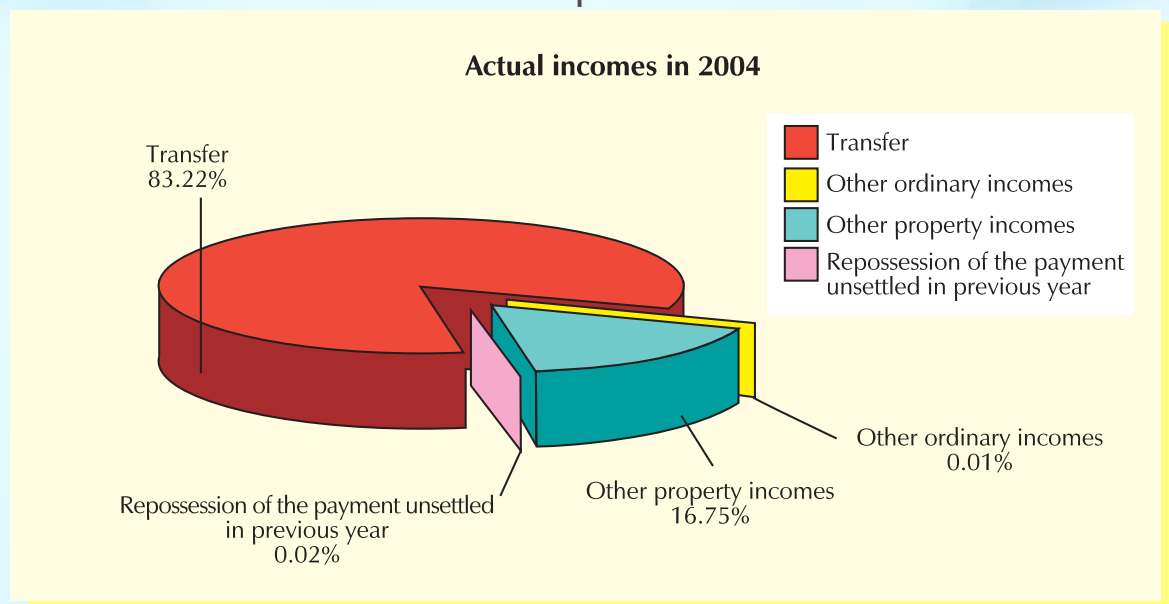
Out of the total actual income of MOP73,854,284.45 (seventy-three million, eight hundred and fifty-four thousand, two hundred and eighty-four patacas, and forty-five avos), the major part came from the item of "Transfer of the General Budget of the Macao SAR". This was MOP61,366,130.00 (sixty-one million, three hundred and sixty-six thousand, one hundred and thirty patacas), accounting for 83.22% of the actual total.

Another major source of income was "Other Capital Income", which was MOP12,352,584.45 (twelve million, three hundred and fifty-two thousand, five hundred and eighty-four patacas, and forty-five avos), accounting for 16.75% of the actual total. It was the management surplus of 2003.

Table 21
Financial incomes in 2004

Codes	Designation	Budgeted incomes	Supplementary budgets	Total budgeted incomes	Actual incomes		Differences	Execution rate
					Amounts	%		
	Ordinary incomes	61,500,700.00	0.00	61,500,700.00	61,370,585.53	83.23%	-130,114.47	99.79%
04-00-00	Property incomes	130,000.00	0.00	130,000.00	2,596.26	0.0035%	-127,403.74	1.99%
05-00-00	Transfers	61,366,700.00	0.00	61,366,700.00	61,366,130.00	83.22%	-570.00	99.99%
07-00-00	Sales of durable assets	2,000.00	0.00	2,000.00	1,790.20	0.002%	-209.80	89.51%
08-00-00	Other ordinary incomes	2,000.00	0.00	2,000.00	69.07	0.0001%	-1,930.93	3.45%
	Capital incomes	12,801,300.00	-447,715.55	12,353,584.45	12,367,408.85	16.77%	13,824.40	100.11%
13-00-00	Other capital incomes	12,800,300.00	-447,715.55	12,352,584.45	12,352,584.45	16.75%	0.00	100%
14-00-00	Repossession of the payment unsettled in previous year	1,000.00	0.00	1,000.00	14,824.40	0.02%	13,824.40	1,482.44%
	TOTAL	74,302,000.00	-447,715.55	73,854,284.45	73,737,994.38	100%	-116,290.07	99.84%

Table 22
Income components in 2004



7.1.3 Budget expenditure

Out of the budgeted total of MOP73,854,284.45 (seventy-three million, eight hundred and fifty-four thousand, two hundred and eighty-four patacas, and forty-five avos), of which MOP2,226,100.00 (two million, two hundred and twenty-six thousand, one hundred patacas) were congealed as required by the Financial Bureau, thus the actual amount of expenditure was MOP64,245,553.01 (sixty-four million, two hundred and forty-five thousand, five hundred and fifty-three patacas and one avo), resulting in the execution rate of 86.99%.

Note:

As approved by the Executive Order no. 22/CE/2004 of the Chief Executive, all administrative bodies should account their appropriate funds on the date of 27 May 2004, deducting 10% frozen funds from the Budget of Chapter II "Assets and Labour" and Chapter VII "Investment", namely the CCAC froze a total of MOP2,226,100.00.

This was because, firstly, some of the projects expected to have been completed in 2004 remained unfinished. For example, the project of the acquisition and installation of facilities for surveillance was uncompleted in 2004. Secondly, some of the expected vacancies in the CCAC were yet to be filled.

As a result, the management surplus of 2004 was MOP9,608,731.44 (nine million, six hundred and eight thousand, seven hundred and thirty-one patacas, and forty-four avos) (including the congealed item).

Of the actual expenditure of MOP64,245,553.01 (sixty-four million, two hundred and forty-five thousand, five hundred and fifty-three patacas, and one avo), the largest portion amounting to MOP40,105,722.78 (forty million, one hundred and five thousand, seven hundred and twenty-two patacas and seventy-eight avos) went to personnel costs. This accounted for 62.43% of the total expenditure. The second largest expenditure was on "Acquisition of Asset and Service", totalling MOP14,387,493.86 (fourteen million, three hundred and eighty-seven thousand, four hundred and ninety-three patacas, and eighty-six avos) and accounting for 22.39% of the total. The amount for "routine expenditure" was MOP4,144,120.37 (four million, one hundred and forty-four thousand, one hundred and twenty patacas, and thirty-seven avos), accounting for 6.45%. The amount for "regular transference" was MOP3,583,986.00 (three million, five hundred and eighty-three thousand, nine hundred and eighty-six patacas). In addition, the amount for investment was MOP2,024,230.00 (two million, twenty-four thousand, two hundred and thirty patacas), accounting for 3.15% of the actual total expenditure.

Table 23
Financial expenditures in 2004

Codes	Designations	Initial appropriation (1)	Supplementary budgets (2)	Budget amendments (3)	Amended appropriation (4)=(1)+(2)+(3)	Actual expenditures (5)	Frozen appropriation (6)	Surplus (4)-(5)	Execution rate	
									(5) / (4) x100%	(5) / [(4)-(6)] x100%
	Ordinary Expenditures	69,267,000.00	447,715.55	1,150,000.00	69,969,284.45	62,221,323.01	1,181,100.00	7,747,961.44	88.93%	90.45%
01-00-00-00	Personnel	43,551,000.00	447,715.55	20,000.00	43,123,284.45	40,105,722.78	0.00	3,017,561.67	93.00%	93.00%
01-01-00-00	Fixed and long-term remuneration	41,430,000.00	447,715.55		40,982,284.45	38,455,067.10	0.00	2,527,217.35	93.83%	93.83%
01-02-00-00	Extra remuneration	1,056,000.00			1,056,000.00	918,761.00	0.00	137,239.00	87.00%	87.00%
01-03-00-00	Bonus in kind	35,000.00			35,000.00	17,609.65	0.00	17,390.35	50.31%	50.31%
01-05-00-00	Providence welfare	450,000.00			450,000.00	283,350.00	0.00	166,650.00	62.97%	62.97%
01-06-00-00	Compensation of expense share	580,000.00		20,000.00	600,000.00	430,935.03	0.00	169,064.97	71.82%	71.82%
01-06-03-00	Transportation-compensation of expense share	380,000.00		20,000.00	400,000.00	318,226.53	0.00	81,773.47	79.56%	79.56%
02-00-00-00	Assets and services	17,226,000.00		1,080,000.00	18,306,000.00	14,387,493.86	1,181,100.00	3,918,506.14	78.59%	84.02%
02-01-00-00	Durable assets	1,010,000.00			1,010,000.00	675,402.31	0.00	334,597.69	66.87%	66.87%
02-02-00-00	Non-durable assets	1,156,000.00		45,000.00	1,201,000.00	752,538.82	160,000.00	448,461.18	62.66%	72.29%
02-03-00-00	Aquisition of services	15,060,000.00		1,035,000.00	16,095,000.00	12,959,552.73	1,021,100.00	3,135,447.27	80.52%	85.97%
04-00-00-00	Ordinary transfers	3,870,000.00		20,000.00	3,890,000.00	3,583,986.00	0.00	306,014.00	92.13%	92.13%
05-00-00-00	Other ordinary expenditures	4,620,000.00		30,000.00	4,650,000.00	4,144,120.37	0.00	505,879.63	89.12%	89.12%
	Capital expenditure	5,035,000.00		1,150,000.00	3,885,000.00	2,024,230.00	1,045,000.00	1,860,770.00	52.10%	71.28%
07-00-00-00	Investments	5,035,000.00		1,150,000.00	3,885,000.00	2,024,230.00	1,045,000.00	1,860,770.00	52.10%	71.28%
07-09-00-00	Transportation materials	35,000.00			35,000.00	11,130.00	15,000.00	23,870.00	31.80%	55.65%
07-10-00-00	Machinery and equipment	5,000,000.00		1,150,000.00	3,850,000.00	2,013,100.00	1,030,000.00	1,836,900.00	52.29%	71.39%
	TOTAL	74,302,000.00	447,715.55		73,854,284.45	64,245,553.01	2,226,100.00	9,608,731.44	86.99%	89.69%

Table 24
Expenditure components in 2004

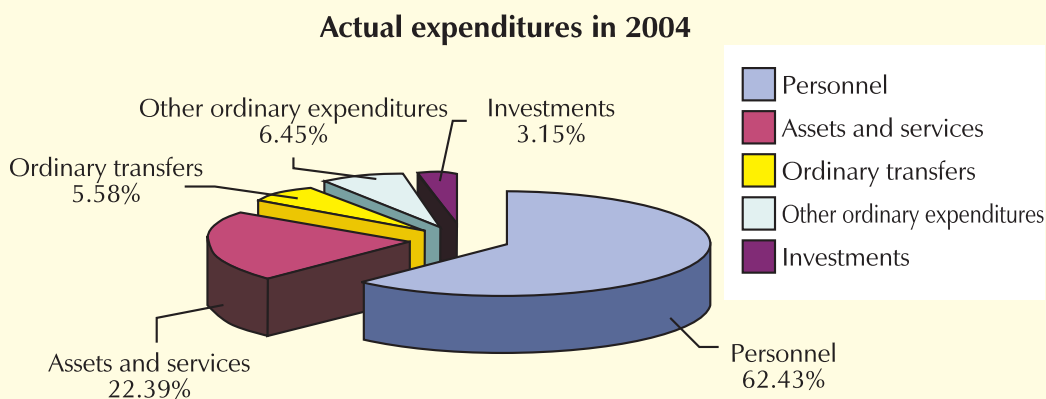
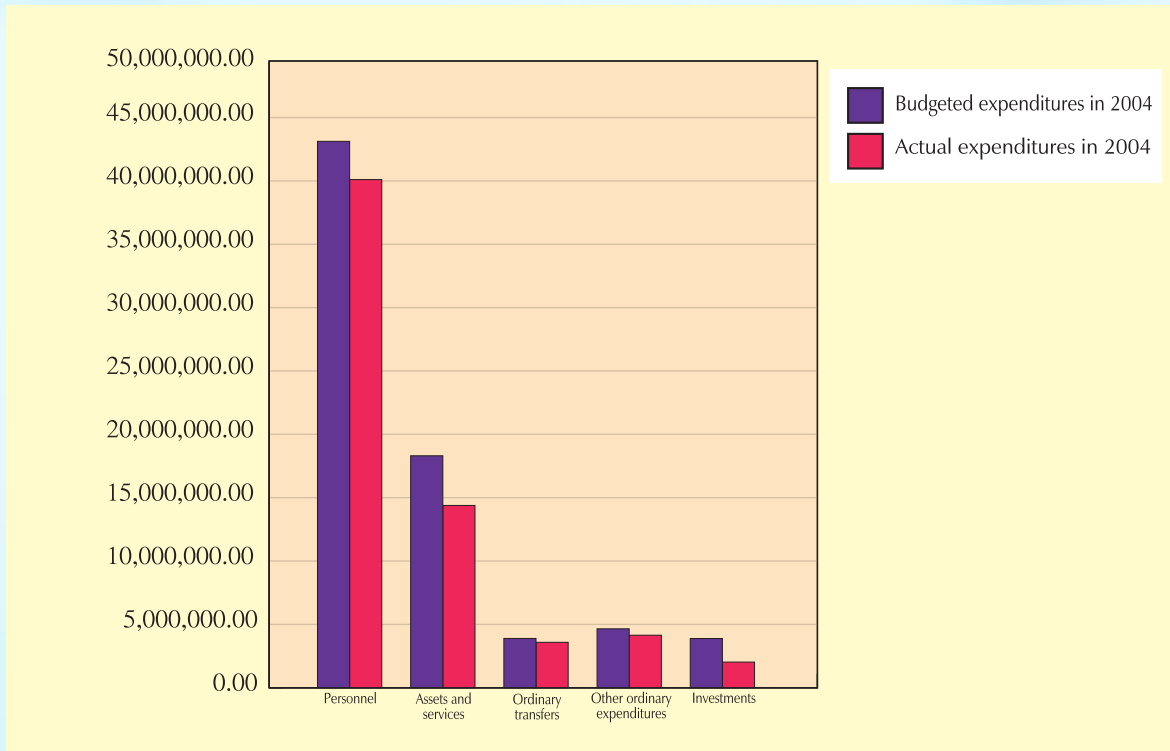


Table 25
Comparison between the budgeted and actual expenditures in 2004



7.2 Personnel

7.2.1 Staff allocation

To cope with the increasing workload of all CCAC departments, an amendment was made to the "Organization and Operation of the CCAC" related in article 31 of the Administrative Regulation, no. 31/2000 through the Administrative Order no. 28/2003 given on 21 July, 2003, thus the total number of staff members in the CCAC was 109. Until 31 December 2004, together with other forms of recruitment, the personnel of the CCAC increased to 112.

7.2.2 Staff recruitment

In 2004, there were 6 staff members left the CCAC, and with the Commission's strict and prudent criteria in staff selection and evaluation, 4 applicants filled up the vacancies. In addition, the 8 openly recruited investigators were formally employed after a period of training.

Table 26
Comparison of the numbers of staff from 1999 to 2004

Posts	31-12-1999	31-12-2000	31-12-2001	31-12-2002	31-12-2003	31-12-2004
Commissioner	1	1	1	1	1	1
Deputy Commissioner	2	2	2	2	2	2
Chief of Cabinet of the Commissioner	1	1	1	1	1	1
Adviser or Expert	2	5	6	6	6	5
Department Head	—	—	1	1	1	1
Chief Investigation Officer	—	—	2	2	3	3
Division Head	1	1	1	0	1	1
Senior Officer	6	5	4	6	4	3
Senior Information Technology Officer	—	—	—	1	2	1
Interpreter	3	1	1	0	0	0
Personal Secretary	2	1	2	2	1	1
Office Assistant	—	—	—	—	1	1
Chinese Expert	—	—	1	1	1	1
Officer	1	1	1	1	1	1
Information Technology Officer	—	—	—	—	1	1
Investigator	—	19	32	35	40	50
Assistant Officer	5	7	6	8	18	16
Public Relations Officer	2	2	2	2	1	0
Auxiliary Officer	—	—	6	7	6	6
Information Technology Assistant	—	1	1	1	1	1
Administrative Official	3	3	3	3	3	5
Worker and Auxiliary Staff	12	12	11	11	11	11
TOTAL	41	62	84	91	106	112