

The background is a vibrant blue gradient. In the center, there is a faint, stylized globe with a grid of latitude and longitude lines. Overlaid on the globe and the background are several abstract, glowing light trails in shades of yellow and white, creating a sense of motion and energy. The text is centered and reads:

CHAPTER IV
ANTI-CORRUPTION

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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.