

CHAPTER II
CONSTITUTION &
ORGANIZATION STRUCTURE

Chapter II – Constitution & Organization Structure

2.1 Constitution

Upon the founding of the Macao Special Administrative Region (Macao SAR) on 20th December 1999, and in accordance with Article 59 of the Basic Law of the Macao SAR, the CCAC was formally and officially established. The CCAC functions independently under the instructions of a Commissioner, who is accountable only 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).

2.2 Functions and Organization Structure

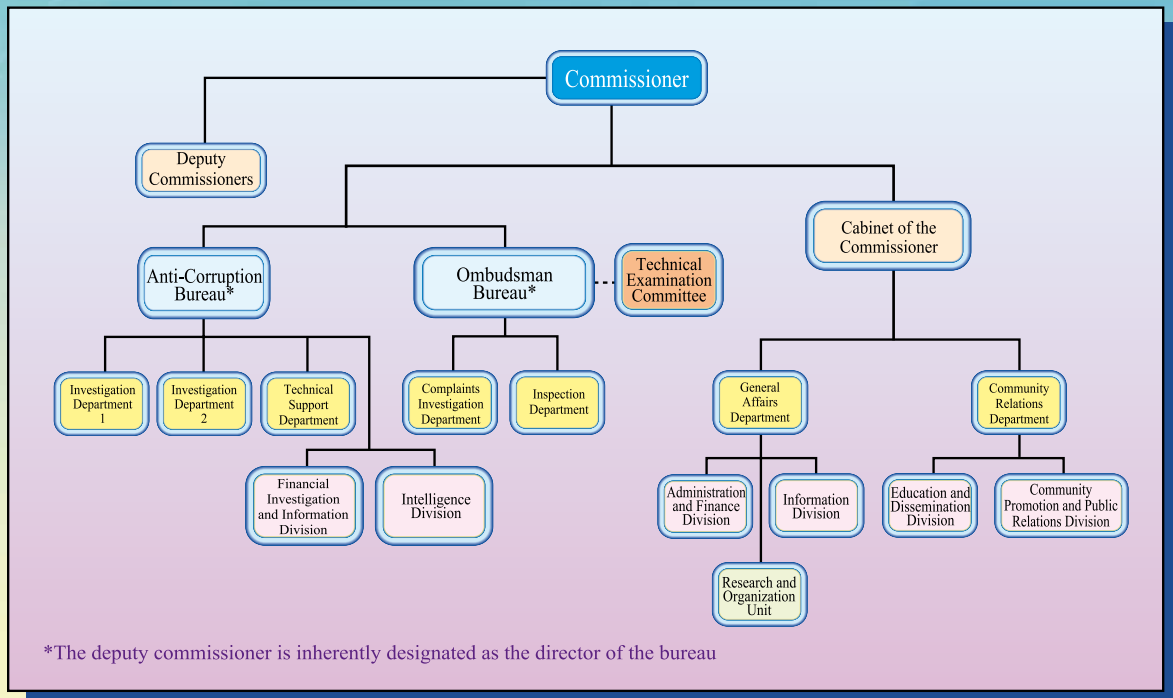
In August 2000, the Legislative Assembly of the Macao SAR approved the Organizational Law of the CCAC (Law no. 10/2000), thereby vesting the CCAC with more powers, including detention, search, seizure and use of weapons. Investigators are also granted the status of criminal investigation police officers, reflecting the determination of the Macao SAR Government to eradicate corruption and ensure a clean administration.

The Organizational Law specifies that the main functions of the CCAC are to:

- Prevent acts of corruption or fraud;
- Instigate investigations and enquiries into acts of corruption and fraud committed by public servants;
- Instigate investigation and enquiries into acts of corruption and fraud relating to electoral registration and elections;
- Protect the rights, freedom and legitimate interests of individuals and safeguard the justice, legality and efficiency of the public administration.

The Administrative Regulation of the CCAC – “Organization and Operation of the CCAC (no. 31 / 2000)” promulgated on 21st August 2000 – provided the CCAC with basic organization structure and manpower. In February 2009, the newly revised Administrative Regulation of the CCAC entered into force, providing for an enlarged organization structure and increased human resource. The CCAC now 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 remit of the CCAC, while the Technical Support Department provides support for combating corruption and accepts complaints and reports of corruption. The Financial Investigation and Information Division and the Intelligence Division are directly subordinated to the Director of the Anti-Corruption Bureau. The Ombudsman Bureau, which consists of the Complaints Investigation Department, the Inspection Department and the Technical Examination Committee, is responsible for recording complaints, redressing illegal or unfair administrative acts, conducting studies on the improvement of administrative processes and operation of public departments and raising opinions about the legal problems concerning complaints and the operation of public departments. The Cabinet of the Commissioner consists of the General Affairs Department and the Community Relations Department, which are responsible, respectively, for the management of finance and personnel, promotion and education, and using of information facilities to improve the overall operation of the CCAC.

The Organization Structure of the CCAC



2.3 The Monitoring Committee for the Discipline of the CCAC Personnel

On 30th July 2001, the Chief Executive established the “Monitoring Committee for the Discipline of the CCAC Personnel” through Order no. 164 / 2001. Its main functions are to analyze and monitor the non-criminal complaints on the CCAC personnel and make suggestions to the Chief Executive. The Committee comprises of five members with a 3-year term. They are being appointed by the Chief Executive from among the prominent people in the Macao SAR. Members of the present Committee are Leong Heng Teng as the President, Paula Ling, Kwan Tsui Hang, Lei Pui Lam and Philip Xavier.