

Part II

Anti-Corruption



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I. Numbers of Reports and Cases Commenced for Investigation

In 2009, the CCAC received a total of 768 reports involving criminal cases, registering an increase of 38.9% over 2008 (553 reports). Including 107 criminal cases qualified for handling and those carried over from 2008, the CCAC processed a total of 194 criminal cases, a slight decrease of 1.5% over 2008 (197 cases).

The CCAC commenced a total of 44 criminal cases for investigation in 2009, a slight increase compared with 31 cases in 2008. In addition to the 65 cases carried over from 2008, a total of 109 criminal cases were filed for investigation in the whole year.

Moreover, the CCAC was requested for mutual case assistance in 13 cases in 2009. In addition to the 14 cases carried over from 2008, a total of 27 cases were handled in the year.

Cases received by the Anti-Corruption Bureau in 2008 and 2009

Statistics	2008	2009	Difference
Total number of cases recorded	796	923	+16%
Criminal reports	553	768	+38.9%
Criminal cases qualified for handling	88	107	+21.6%
Total number of criminal cases qualified for handling(Including cases carried over from 2008 and re-opened in 2009)	197	194	-1.5%
Commenced cases	31	44	+41.9%

II. Cases Concluded

In 2009, the cases concluded totalled 86, including 28 cases transferred to the Public Prosecutions Office, and 58 cases of which the investigations were completed. Compared with 2008, there were an 87% increase of concluded criminal cases and the number of cases referred to the Public Prosecutions Office doubled. The number of cases of which the investigations were completed had increased by 70.6%. The significant increase reflects that the efficiency of investigation in 2009 was higher than the recent years.

Cases completed by the Anti-Corruption Bureau in 2008 and 2009

Statistics	2008	2009	Difference
Cases referred to Public Prosecutions Office	10	28	+180%
Cases investigated completely	34	58	+70.6%
Cases re-opened and archived	2	0	---
Total number of concluded criminal cases	46	86	+87%

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Summary of some of the cases investigated by the CCAC:

1. A number of staffs of the prison allegedly accepted advantages in exchange for helping smuggle communication appliance for inmates. They were arrested by the CCAC officers and the case has been referred to judiciary authorities.
2. Six disciplined services staffs who went to Mainland China after submitting sick leave certificates issued by the doctor to their department were investigated by the CCAC. The case was subsequently referred to the Public Prosecutions Office.
3. A staff of a public department was suspected of soliciting advantages from the representative of the capital while handling a case involving labour interests in exchange for leaking information and assisting the capital in misappropriating internal resource. The public servant was subsequently investigated by the CCAC and the case has been referred to the Public Prosecutions Office.

4. A man who allegedly offered a bribe of MOP300 to the examiner of a heavy truck driving test in order to pass the test was arrested. The case has been referred to the Public Prosecutions Office.
5. The CCAC received a report from the Court of First Instance indicating that two law-enforcement officers allegedly induced minors to make false statement. Also, they have many times allegedly induced other people to carry out drug trafficking and shielded others' unlawful acts. The case was referred to the Public Prosecutions Office following the CCAC's investigation.
6. A staff of an autonomous institution who allegedly used a forged secondary school graduation certificate to get employed was charged with forgery of documents after investigation.
7. The CCAC received a report indicating that a staff of a public department was suspected to lend parking spaces belong to the department to his friend for a period of 14 months. The public servant's behaviour has allegedly constituted power abuse and violation of functional duties and the case has been referred to the Public Prosecutions Office
8. The CCAC received a complaint indicating that a staff of an autonomous entity allegedly embezzled part of the salaries of part-time workers. The staff overstated or falsely reported the amount of their hourly pay and subsequently embezzled the extra amount that resulted from the overstatement. She was investigated and charged with embezzlement.
9. The CCAC received a complaint from a public department indicating that a supervisory staff was probably involved in misconduct regarding financial management. It was discovered in the investigation that the staff allegedly overstated part-time staff's working hours and took advantage of his position to keep the surplus of budgets of activities organized by the department in his private "petty cash box" and allegedly forged documents in order to retain coupons. The staff was charged with document forgery and illegal receipt of advantage and was investigated.
10. The CCAC received a report indicating that a supervisory staff of an autonomous entity awarded contracts of construction works and procurement to the companies established and controlled by his relatives. The public servant was then investigated.
11. The CCAC received a report indicating that a lecturer of a tertiary education institute was suspected of not fulfilling his teaching duty and assigned all his

teaching works to staffs who did not possess qualification for lecturer. It was discovered in the investigation that during the academic year 2007/2008, the lecturer was allegedly absent from all classes and assigned others as substitute teachers without knowledge and approval of the institute, but he still received salary amounting to over MOP400,000 in the academic year. The lecturer was arrested on fraud charge.

12. The CCAC received a report indicating that a staff of an autonomous entity was suspected to take sick leave by claiming his poor health condition, but he gambled at casinos after obtaining sick leave certificate. It was discovered that starting from February 2009, the staff took sick leave many times but it was suspected that he did not follow doctor's advice to rest at home but always went to casinos for gambling. His behaviour has allegedly constituted fraud.
13. Based on a report that some law-enforcement officers had received illicit money when providing "paid extra service", the CCAC conducted an investigation and arrested two officers. Another three were charged with receiving bribe for performing licit acts, while three construction site staffs were charged with bribe offering.
14. The CCAC received a report that a supervisory staff of a public department was involved of power abuse. It was found in the investigation that the staff allegedly abused his power by asking subordinates to work as receptionists for his family member's private business. His behaviour has allegedly constituted power abuse.
15. The CCAC received a report indicating that the chief of an autonomous entity allegedly abused his power by awarding contracts of printing, cleaning service and procurement of display screens to designated companies. The related parties were investigated by the CCAC on charge of power abuse, fraud and accepting bribe for performing illicit acts.
16. When investigating a corruption case in contract awarding which involved a staff of an autonomous entity, the CCAC discovered that a public servant deliberately provided false information in his declaration of incomes and properties. His spouse has also violated the obligation of cooperation; therefore, the duo was investigated.
17. The CCAC received a complaint referred by the Pensions Fund, indicating that a retired law-enforcement officer had defrauded of family subsidies. It was discovered in the investigation that since 1991, the officer had been con-

cealing the fact that his wife had income (more than the upper limit required for application for the subsidy) in order to receive family subsidies until 2007. His conduct allegedly constituted fraud and was thus investigated.

III. Cases of Electoral Corruption

The CCAC received a report about syndicated vote buying for influencing voters' decision. It was discovered that some people had tempted others with money in exchange of their personal data through a number of intermediates in an organized way and promised to offer reward of MOP500 to MOP700 to those who voted for a designated candidate group of the Legislative Assembly Election 2009. The syndicate has collected information of over 200 voters who have allegedly accepted bribes. 23 suspects were accused of electoral bribery and the case has been referred to the Public Prosecutions Office.

On the Election Day on 20th September, the CCAC received a total of 56 complaints about irregularities in relation to the election, registering a decrease of 40% compared to the previous Legislative Assembly Election. The complainants included both candidates and citizens. Moreover, 9 enquiries on election affairs were received, registering a 70% decrease.

Before the polling stations opened, teams of CCAC investigators were dispatched to different districts for operations to prevent and curb corruption. They rendered admonition and warning to those who allegedly carried out electioneering campaigns and they stopped their actions immediately. Of the 56 complaints, many involved illegal electioneering. A few of them alleged that some candidate groups had engaged in vote buying, but they were proved to be untrue after investigation.

On the Election Day of the Legislative Assembly Election 2009, the CCAC received a report indicating that a driver carried out electioneering when carrying a group of voters. It was discovered in the investigation that the driver, surnamed Hoi, instructed the voters to vote for a designated candidate group and was caught red-handed by CCAC officers on charge of electioneering on Election Day. The case was tried in accordance with summary procedure and Hoi was sentenced by the court to a fine of MOP9,600.

On the Election Day, the candidate groups were more self-disciplined and therefore no serious irregularities have occurred. Also, no severe electoral corruption has been discovered.

IV. Mutual Case Assistance in Cross-Border Investigations and International Judiciary Assistance

Mutual case assistance is one of the main duties of the CCAC. In 2009, the CCAC was requested assistance in 13 cases from Mainland China, Hong Kong and overseas. Some 14 cases were carried over from the previous year. 16 cases have been concluded while 11 cases still have to be handled. Moreover, the CCAC obtained assistance from law enforcement agencies outside the territory for 17 times. As a result, crucial information was obtained so that the case investigation was able to go smoothly.

During the investigation of Ao Man Long's corruption case, it was discovered that Ao possessed tremendous illicit assets in Hong Kong and the U.K. Therefore, through the Macao SAR Government, the CCAC made requests for judiciary assistance in obtaining information about the bank accounts as evidence for the recovery of the illicit assets. Due to these efforts, the High Court of Hong Kong ruled that the illicit assets possessed by Ao in Hong Kong to be returned to the Macao SAR Government in February 2009. Following a series of procedures, the illicit money amounting to HKD360 million deposited in banks in Hong Kong was recouped in November and has been credited to the public fund.

The anti-corruption and law enforcement agencies in Guangdong, Hong Kong and Macao organize practical symposia on joint investigation of cases annually in order to review the case assistance over the previous year. During 29th to 31st October 2009, the CCAC held the 5th Symposium on Mutual Case Assistance of Guangdong, Hong Kong and Macao. In addition to the related staff from the three places, representatives of the Supreme People's Procuratorate and the Hong Kong and Macao Affairs Office of the State Council were also invited to the meeting.