

PART IV

OTHERS

I. Declaration of incomes and properties

Since 1998, the *Law of Declaration of Incomes and Properties* has already entered into force for 14 years. Thanks to active communication and coordination between government departments and public servants' awareness of law-observance, the CCAC has run the work smoothly.

Over the 14 years, no case was found for any legal responsibilities due to arrears of declaration form or improper submission of declaration. In 2012, the CCAC collected declaration forms from a total of 12,452 public servants. Details are listed below:

STATISTICS OF DECLARATION OF INCOMES AND PROPERTIES IN 2012

Appointment	3,035
Renewal	4,802
Termination of position	1,885
5-year renewal	1,057
Voluntary renewal with that of spouse	519
Pursuit of data-provision duty	1,083
Voluntary renewal	71
Total	12,452

Meanwhile, the CCAC continued to hold “briefing sessions on declaration of incomes and properties” for a number of public departments in order to enable the new recruits to understand the significance and importance of the obligation to declare their incomes and properties and the relevant legislation and correctly fill in the forms and fulfil the obligation.

Moreover, under Law no. 11/2003, *Law of Declaration of Assets and Interests*, public departments and institutions shall notify the staff obliged to submit the declaration through a “notification”, of which the copies shall be sent to the two depositary entities, the CCAC and the Secretariat of the Court of Final Appeal, simultaneously. Under the implementation of the policy of e-government, in 2012 the CCAC developed a programme for delivery and receipt of notification between public departments and the depositary entities by electronic means in order to reduce administrative cost, enhance efficiency as well as prevent delay or lost. The programme is expected to start running in early 2013 with an aim to enhance administrative efficiency and improve administrative procedure.

II. Training and exchange programmes

1. Professional training for personnel

In order to enhance CCAC staff’s understanding of corruption fighting and prevention in mainland China, the CCAC organised the seminar entitled “Functions of National Bureau of Corruption Prevention of China” as a part of internal training. The Chief of Office of Supervision of the Liaison Office of the Central People’s Government in Macao SAR, U Ke Chao, was invited to conduct the seminar.



U Ke Chao exchanging views with CCAC staff

Mr. U, who has engaged in graft-fighting works for many years, introduced the background of the establishment of the National Bureau of Corruption Prevention, its functions and the main tasks designed based on internal and external situations of the country. He also compared the supervisory mechanisms of mainland China with that of Macao and even western countries, analysed them and explored the challenges brought out by enhancement of corruption prevention and the directions of improvement in this aspect. The seminar has deepened the staff’s understanding of integrity building efforts in mainland China and they were much benefited from it.

Moreover, in order to further enhance the investigators’ skill of criminal

investigation, as well as to deepen the knowledge and understanding of the operations of public security institutions in Mainland, in early December 2012, the CCAC dispatched another 15 investigators to Beijing to participate in the training course jointly organized by the CCAC and the Chinese People's Public Security University. The Commissioner, Fong Man Chong, and Principal of the Chinese People's Public Security University, Cheng Lin, attended and presided over the closing ceremony of the training course.

2. Recruitment of anti-corruption investigators

In order to enhance the capacity of investigation, the CCAC launched another recruitment drive for investigators in August 2012. After the strict screening process, 16 out of some 3,000 candidates were selected to enter the 9th training session for investigators held by the CCAC. Addressing the opening ceremony of the training programme, the Commissioner, Fong Man Chong, noted that due to the specialty of the work of the anti-corruption investigators, they need to master various specialised knowledge. The trainees will take part in the intensive and arduous training, he hopes that the trainees will be courageous and accept the challenges and devote themselves whole-heartedly and try their best to learn and assimilate different knowledge and skills, so that they can enrich themselves and be prepared for joining the anti-corruption work in the future.

The arduous training programme, which lasts for 4 months, covers knowledge of legislation and administrative procedure, investigation techniques, complaint handling skills, firearms training and team work. During this period the investigator trainees will also go through professional training overseas. The trainees need to attend all the training session and pass the examinations before they officially become investigators of the Anti-Corruption Bureau and members of the CCAC.



The Commissioner, Fong Man Chong, encouraged the trainees to embrace challenges during the opening ceremony of training session

3. Meeting with Central Government delegation of the implementation review affairs coordination unit of the *United Nations Convention against Corruption* in Macao



The Chief Executive, Chui Sai On, met with the Central Government delegation of the implementation review affairs coordination unit of the *United Nations Convention against Corruption*

The Central Government delegation of the implementation review affairs coordination unit of the *United Nations Convention against Corruption*, led by the Deputy Director-General of the Department of Treaty and Law of the Ministry of Foreign Affairs, Chen Peijie, arrived in Macao on 12th September 2012 and held a meeting with the “implementation review affairs coordination unit” of the Macao

SAR at the CCAC. During their stay, the Chief Executive, Chui Sai On, met with the delegation and exchanged views on clean government, anti-corruption work and the follow-up work of the application of the *Convention* in the Macao SAR.

Since the *United Nations Convention against Corruption* applies to Macao on 12th February 2006, the SAR government has been adopting various measures to fulfil the obligations of the *Convention*. The *Convention* stipulates an implementation review mechanism, a regular review of the implementation of the *Convention* of the States parties. According to the review mechanism and its resolutions, China will be the review country for the years of 2011 and 2012 to review the implementation of the *Convention* in other countries. In 2014, China will be reviewed by other country concerning the implementation of the *Convention* and Hong Kong and Macao SAR will be reviewed as well.

The CCAC is recorded in the Secretariat of the United Nations as a unit in the implementation of the *Convention*, and took part in the implementation review with the status of an expert. Based on the instruction of the Chief Executive, the CCAC will fully cooperate and actively take part in the relevant work to ensure the smooth completion of the work.

4. IOI Regional Training Programme

In order to enhance the level of expertise of the members of the International Ombudsman Institute (IOI), the CCAC of Macao and the Office of the Ombudsman of Hong Kong co-organised the IOI Regional Training Programme in the two cities in late May. As the first joint event ever held between the two agencies, the programme gathered 50 representatives from 11 countries and regions in the Asia and Australasia & Pacific Region.

Tailored for the frontline and middle-level complaint handling staff of the ombudsman agencies within the region, the programme aimed to explore techniques of complaint handling, mainly in the aspects of managing the clients and the workers, use of information, communications and technology as well as reception skills, especially for the handling of irrational complaints.

The Commissioner Against Corruption, Fong Man Chong, stated that the programme was a part of the professional training plan of the IOI, that has been striving to provide platforms to bring together Ombudsman staff from different jurisdictions and to enhance the exchange among them. He believed that the problems faced by many countries and regions in handling complaints are similar, which justifies the need to build and develop a common pool of resources, of which training is one of the effective ways. With experts and scholars sharing their expertise and experience, he believed that the programme would be beneficial and helpful to the participants.



Representatives from Asia-Pacific Region participating in IOI Regional Training Programme

The experts who conducted the training include: Bruce Barbour and Chris Wheeler, Ombudsman and Deputy Ombudsman of New South Wales, Australia, Naehee Lee, Deputy Director General of Anti-Corruption & Civil Rights Commission, Korea, and Cecilia Chan, Professor at the University of Hong Kong. The participants included representatives from China, Hong Kong, Macao, Iran, Malaysia, New Zealand, Japan, Pakistan, Indonesia, Korea and Thailand.

5. The 8th Seminar on Mutual Case Assistance of Guangdong, Hong Kong and Macao

The 8th Seminar on Mutual Case Assistance of Guangdong, Hong Kong and Macao was held in Macao between 28th and 30th November 2012, gathering representatives of the Hong Kong and Macao Affairs Office of the State Council, the Supreme People’s Procuratorate, the Guangdong Provincial People’s Procuratorate, the ICAC of Hong Kong and the CCAC of Macao.

The topics discussed in the seminar included: Cross-border testimony by witnesses and assistance provided by law-enforcement agencies; cross-border fugitive recovery and cooperative system; exchange of criminal information and its system; evidence search measures and operation mechanism for cross-border case investigation.

The representatives made conclusions on their experiences, thoroughly explored the common problems concerning case assistance and exchange their views on the combat of cross-border crimes.

Every year anti-corruption agencies of Guangdong, Hong Kong and Macao hold the seminar, through which a efficient and effective communication mechanism has been established to enhance the efficiency and quality of mutual case assistance.



The 8th Seminar on Mutual Case Assistance of Guangdong, Hong Kong and Macao

III. Revision of *Organic Law of the Commission Against Corruption of Macao Special Administrative Region* approved by Legislative Assembly

Law no. 10/2000, *Commission Against Corruption of Macao SAR*, has been in force for over 10 years. In order to enhance the capability of the CCAC to meet social demands and strengthen its power, especially in the aspect of ombudsman, and given the implementation of Law no. 19/2009, *Prevention and Suppression of Bribery in the Private Sector*, the Macao SAR Government proposed amendment to

the law. The bill was generally passed by the Legislative Assembly (AL) on 19th July 2011. Following deliberation by the First Standing Committee of the AL, the details of the bill was unanimously passed on 29th February 2012.

The amended *Organic Law of the Commission Against Corruption of Macao SAR* (hereinafter abbreviated as *Organic Law*), mainly stipulates that the CCAC's jurisdiction covers both public and private sectors and clarifies its duties as the ombudsman, as the law empowers the CCAC to render recommendation against "omission" by administrative departments, that shall specify the reason for non-acceptance when they do not accept or partly accept the recommendation. The time limit for them to respond to the recommendation has shortened from 90 days to 15 working days.

Moreover, the *Organic Law* strengthens the CCAC's initiatives in the aspects of law-enforcement and legislation, specifying the period of case investigation as well as expanding the scope of supervision conducted by the Monitoring Committee on Discipline of the CCAC Personnel, which used to deal with only disciplinary complaints but now also supervises "problems related to non-criminal nature complaints". The law also stricter regulates the staff's duties, as the special responsibilities of the assisting staff of the Commissioner Against Corruption are clarified. When performing their duties, they shall strictly respect human honour and dignity, observe the principle of non-discrimination and declare themselves as staff of the CCAC. The law also provides that when carrying out their functions, the staff who bear the "special identity card" issued by the Chief Executive or the Commissioner Against Corruption can circulate freely and to have free access to all places of work of the Administration of Macao SAR.

Kwan Chui Hang, President of the First Standing Committee of the AL, which was responsible for the deliberation of the details of the bill, stated that the newly revised *Organic Law* facilitates the CCAC's works on ombudsmanship and protection for basic rights. The time limit for investigation provided by the law not only satisfies the urgent demands of the society over recent years but also protects the basics rights of the parties being investigated, boosting the CCAC's investigative ability and standard. She praised the legal techniques employed in the bill, which clearly provides the fundamental principles which structure the system of rights enjoyed in Macao SAR, especially the most important principles of equality and non-discrimination. The statement of reason in the bill, which specifies the legislative purpose and principles and thoroughly lists the amendments, is sincere and serves as a good reference for other government departments.