

2018
Annual Report
of
the Commission Against Corruption of Macao

**Commission Against Corruption,
Macao Special Administrative Region**

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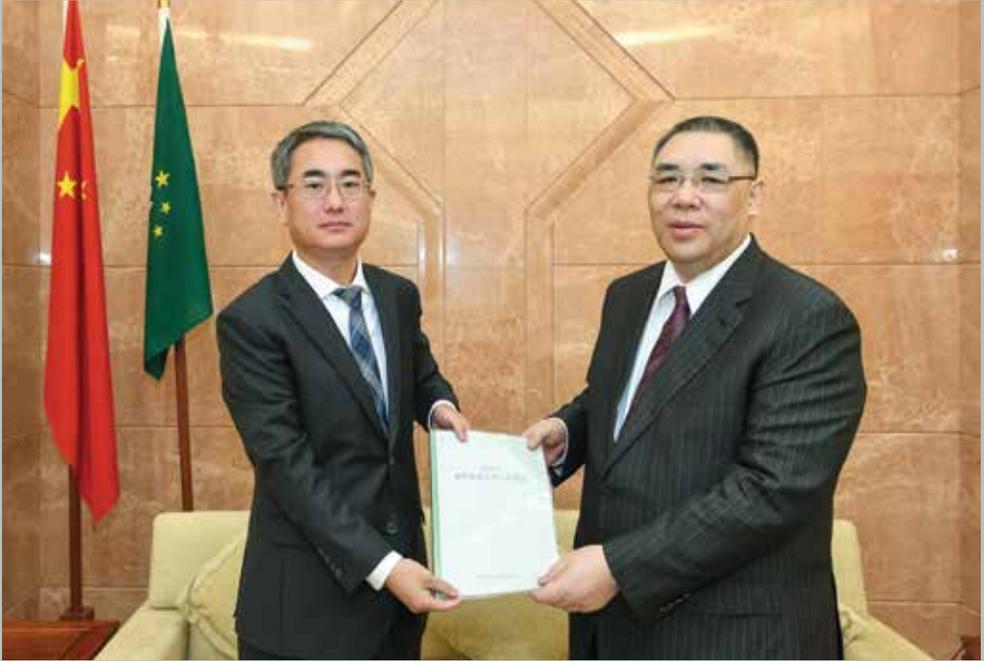
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The Commissioner Against Corruption, Cheong Weng Chon, submitting the *2018 Annual Report of the CCAC of Macao* to the Chief Executive, Chui Sai On

FOREWORD

In 2018, the Commission Against Corruption (hereinafter “CCAC”) carried out its duties in accordance with law as always by combating corruption in a determined way and exerting its function in ombudsmanship without sparing any efforts.

Among the criminal cases detected by the CCAC in 2018, there was a decrease in the cases of taking bribe or advantage by public servants. On the contrary, there was an increase in the crimes such as fraud, document forgery and power abuse committed by public servants. Especially, there were cases where some leaders of public services broke the criminal law by abusing their positions and powers for private gain. The CCAC considers that it is necessary to strengthen the sense of law-abidingness of public servants and the awareness of integrity and dedication to the public of the leadership and management personnel of public services. They shall not take advantage of their powers and positions directly or indirectly for private gain.

In 2018, the CCAC completed two inquiries and publicised the “Investigation report on the construction project at Alto de Coloane” in February, which pointed out many doubts existed in the process of the inheritance of the title of the land parcel where the construction project would be located at. There were obvious mistakes and even frauds made and committed in the process of the land boundary survey and the issuance of the cadastral map. The parcel is, in fact, a State property and the Macao SAR Government should recover the relevant land parcel following appropriate procedure and method. In July, the CCAC released another investigation report, which pointed out that the Macao Trade and Investment Promotion Institute lacked stringent vetting and approval and checking mechanisms for “major investment immigration” applications, leading to the cases of “fake

talent” or “fake employment”. Therefore, the CCAC suggested the Macao SAR Government optimising the admission schemes for talents.

In addition, the inquiries revealed alleged crimes involving public servants in leadership positions, reflecting that the problems concerning loose enforcement of law and lack of supervision by some of the public services are so significant that they deserve great attention of the Macao SAR Government. For the cases that “there was a private parcel situated on a hill in Coloane over 100 years ago” and that “major investment immigration can be applied by investing only MOP500,000”, even citizens thought that they were unbelievable and smelled a rat after knowing them. However, the public services which had the statutory competence, professional workers and information simply ignored the questionable points or have already got used to such situations, claiming that they simply “acted in accordance with the rules” and “vetted and approved the requests in accordance with the law”, which has opened a door for criminals to commit fraudulent acts. The CCAC considers that being incorruptible and not accepting bribe and advantage constitute the minimum legal requirements for public positions. Public servants shall be dedicated in the execution of their duties and strictly follow the law in terms of assessment and approval of requests in order to ensure effective safeguard of public interests.

In 2018, the reform of supervisory systems was carried out in the entire China in order to promote the utilisation of institutional advantage for efficiency of governance. Through the exchange and mutual visits between the CCAC and the national and regional supervisory agencies, the CCAC had an in-depth understanding of the establishment and operation of institutions following the reform of national supervisory systems and actively explored the ways of cooperation of both sides in the aspects such as mutual case assistance and personnel training in order to achieve the common goal of building a corruption-free society.

In 2018, the CCAC continued to strengthen the connection with the corruption fighting and supervisory agencies in different places by sending representatives to attend the implementation review meetings on the United Nations Convention against Corruption in order to deepen the exchange and cooperation with the international organisations in the relevant fields, draw on the experiences, broaden the horizons and gear the anti-corruption and ombudsman works of Macao to international standards.

March 2019

The Commissioner Against Corruption
Cheong Weng Chon

PART I
CASE PROCESSING SUMMARY



PART I

CASE PROCESSING SUMMARY

In 2018, the Commission Against Corruption (hereinafter “CCAC”) received a total of 733 complaints and reports, of which 141 involved corruption and 592 were about administrative impropriety.

Statistics on caseload (2014-2018)

Year	2014	2015	2016	2017	2018
Caseload	865	793	910	1,264	733

Among all the cases processed, five were uncovered by the CCAC through proactive approaches, two were investigated at the request of the authorities outside the territory, 16 were referred by other public bodies and the remaining came from citizens’ complaints and reports, of which 304 cases were lodged by identified complainants or those willing to provide personal data and 406 were anonymous or requested anonymity.

**Statistics on cases recorded from 2016 to 2018
(classified by source of case)**

Source of case		2016		2017		2018	
		Number	Percentage	Number	Percentage	Number	Percentage
Complaints or reports received from citizens	Complaints lodged by identified complainants or those willing to provide personal data	428	47.0%	500	39.6%	304	41.4%
	Anonymous complaints or those requesting anonymity	411	45.2%	685	54.2%	406	55.4%
Cases uncovered by CCAC through proactive approaches		29	3.2%	19	1.5%	5	0.7%
Cases investigated at the request of authorities outside the territory		19	2.1%	12	0.9%	2	0.3%
Cases referred by other public bodies		23	2.5%	48	3.8%	16	2.2%
Total		910	100%	1,264	100%	733	100%

In 2018, the complaints and reports were mainly received by mail, online and by phone. There were 263, 220 and 90 cases lodged by these three channels respectively, accounting for 35.9%, 30% and 12.3% of the total number of cases received in the whole year. Moreover, the number of complaints or reports lodged by e-mail and in person reached 86 and 68 respectively, representing 11.7% and 9.3% of all cases received throughout the year. There was one case received by fax, representing 0.1% of all cases received in 2018.

**Statistics on cases recorded from 2016 to 2018
(classified by reporting method)**

Reporting method	2016		2017		2018	
	Number	Percentage	Number	Percentage	Number	Percentage
Letter	260	28.6%	304	24%	263	35.9%
Phone	142	15.6%	222	17.6%	90	12.3%
In person	176	19.3%	188	14.9%	68	9.3%
E-mail	127	14.0%	198	15.7%	86	11.7%
Online	176	19.3%	306	24.2%	220	30%
Fax	0	0%	27	2.1%	1	0.1%
Proactive approaches adopted by CCAC	29	3.2%	19	1.5%	5	0.7%
Total	910	100%	1,264	100%	733	100%

By the end of the year, the CCAC concluded 889 cases, including 180 criminal cases referred to the Public Prosecutions Office or archived upon completion of investigation and 709 administrative complaints archived after complete processing.

In 2018, the CCAC received 1,171 counts of requests for help and enquiries of different natures, of which 728 counts were about criminal matters and 443 were related to administrative matters.

PART II
ANTI-CORRUPTION



PART II

ANTI-CORRUPTION

I. Introduction

In 2018, the CCAC maintained its strict adherence to the principle of justice to combat corruption. Working in a meticulous manner, it sought breakthrough from stability. Regardless of the degree of seriousness of the cases, the CCAC spared no effort in investigating every case and holding every offender responsible.

The cases investigated by the CCAC in the year had the following two features:

Firstly, there was an increase in the cases of various criminal natures involving public servants other than corruption. Over recent years, the cases of bribe giving or taking directly committed by public servants have decreased gradually. On the other hand, there was an increase in the other kinds of criminal offences committed by public servants, such as fraud, document forgery and power abuse, reflecting the need to deepen the education on law abidingness and ethics for public servants.

Secondly, there were signs indicating a rapid growth of the cases of fraud over subsidies from the Government. Due to economic development of Macao, various types of subsidies provided by the Government have been increasing gradually every year. Different problems occurred when some civil associations were applying for and using the subsidies. Some of them even involved crimes. In 2018, the CCAC investigated many cases involving fraud over government subsidies including those under the Fund of Environmental Protection and Energy Saving and the Continuing Education Development Plan, demonstrating the need for more stringent criteria and monitoring of the grant of subsidies by the Government.

In 2018, the CCAC received a total of 141 complaints and reports and 728 requests for help and enquiries relating to corruption. By the end of the year, the CCAC completed the investigations of a total of 180 criminal cases and they were archived or referred to the Public Prosecutions Office. Compared with the previous year, there was a significant decrease in complaints and reports mainly because the Legislative Assembly Elections were held in 2017, for which more complaints, requests for help and enquiries pertaining to the elections were received.

II. Summaries of cases

I

In May 2018, the CCAC uncovered a case of embezzlement and power abuse allegedly committed by a public servant.

The CCAC discovered in the investigation that a computer technician of the Public Security Forces Affairs Bureau of Macao (FSM) secretly brought home the computer equipment belonging to the bureau, such as the system unit. In the investigation, he confessed that because he did not have a computer at home, he brought home the equipment which belonged to the bureau and kept them for his own.

The investigation also revealed that there were a huge amount of confidential or internal documents and files belonging to other public services that the technician involved obtained illicitly by taking advantage of his position and were stored in the aforesaid computers.

The computer technician's acts allegedly constituted embezzlement and power abuse provided for in the *Penal Code*. The case was referred to the Public Prosecutions Office.

II

In September 2018, the CCAC uncovered a case where a customs officer allegedly committed fraud.

In 2013, a customs officer was diagnosed with some illness. Subsequently, he was assigned lighter tasks by the Macao Customs Service as proposed by the Health Examination Committee of the Health Bureau. Since 2014, the customs officer had been submitting sick leave certificates so frequently that a total of 1,200 days of paid “justified absence due to illness” were accumulated between September 2014 and April 2018, involving a pay of around MOP1.1 million.

The CCAC found in the investigation that the customs officer obtained a taxi driver license in January 2014 and started to work as a taxi driver in March. During his so-called “justified absence due to illness”, he worked as a night shift taxi driver on a full-time basis and every shift took 12 hours. Moreover, there was information showing that the customs officer had over 30 records of violation such as overcharging when working as a taxi driver.

The customs officer’s acts allegedly constituted fraud over considerably high value provided for in the *Penal Code*. The case was referred to the Public Prosecutions Office.

III

In September 2018, the CCAC uncovered a case where the witnesses in a criminal case allegedly gave false testimony during trial.

The three suspects were discharged prisoners. When they provided proof to the CCAC and the Public Prosecutions Office as witnesses in a case of alleged bribe taking involving prison guards in 2015, they gave an account of the details of and

their participation in the alleged bribe taking. The testimony and the result of the criminal investigation were basically consistent.

However, in the trial of the case in 2016, they not only recanted their previous testimony but also fabricated part of the testimony. Following the CCAC's investigation, some confessed that they deliberately gave false testimony during the trial.

The three suspects' acts allegedly constituted false testimony provided for in the *Penal Code*. The case was referred to the Public Prosecutions Office.

IV

In September 2018, the CCAC uncovered some cases of alleged document forgery in an attempt to fraud over temporary residency related to “major investment immigration” and “technical immigration”.

A man from the Chinese mainland who worked as a junket promoter in casinos applied for a non-resident worker permit through a trading company in which he had a stake and his application was approved. Later, he and a local woman jointly established a trading company, through which he applied for “major investment immigration” and was eventually granted temporary residency. The CCAC discovered in the investigation that when applying for “major investment immigration”, they made a false report of the implementation of the investment plan by claiming that more than 20 local workers were employed. However, in fact, 19 of them never worked for the trading company. At the same time, they also applied to the Human Resources Office for employment of non-resident workers.

In addition, some mainlanders applied for “technical immigration” as “management personnel” and were granted temporary residency permits. The job titles they claimed included business development manager, chief executive officer,

chief financial officer, etc. However, the CCAC discovered in the investigation that they not only rarely resided in Macao but also never engaged in management works in Macao. Even the workers of the relevant companies did not know there were such “management personnel”.

The aforesaid persons’ acts allegedly constituted document forgery and use of fake document provided for in Law no. 6/2004, *Illegal Immigration and Expulsion*. The cases were referred to the Public Prosecutions Office.

V

In November 2018, the CCAC detected two cases of document forgery in an attempt to fraud over quota on employment of non-resident worker.

Between July 2014 and September 2017, the person-in-charge of a catering management company declared to the Social Security Fund that the company had employed over ten resident workers. However, the CCAC found in the investigation that some of them never worked for the company and some were still declared as the employees of the company even after they resigned. The person-in-charge submitted to the Labour Affairs Bureau (DSAL) the documents of contribution to Social Security Fund for the local persons whose employment was fictitious and was eventually allowed to hire non-resident workers.

The two owners of a Japanese restaurant declared to the Social Security Fund that they had hired over ten resident workers. However, following the investigation, it came to light that only one of them was actually working for the restaurant and the information about the remaining employees were untrue. Some of them never worked for the restaurant. For some of them, the contribution of Social Security Fund was still paid even after they resigned. Even some were just the owner’s relatives instead of employees of the restaurant. The owners submitted to the DSAL the documents of the fictitious employment of resident workers and were

eventually allowed to hire non-resident workers.

The aforesaid persons' acts allegedly constituted document forgery provided for in the *Penal Code*. The cases were referred to the Public Prosecutions Office.

VI

In November 2018, the CCAC detected a case where a retired customs officer allegedly committed document forgery and fraud over high value.

The CCAC found in the investigation that the retired customs officer, when applying for social housing to the Housing Bureau, deliberately concealed the assets he owned including a property in the Chinese mainland and an investment account in a local bank and fabricated the proof of income from work. Eventually, he managed to be allocated a social housing flat. Moreover, when receiving pension, he concealed from the Pension Fund the fact that he was living in social housing and therefore he managed to fraud over housing allowance amounting to more than MOP50,000 between October 2016 and January 2018.

The retired customs officer's acts allegedly constituted document forgery and fraud over high value provided for in the *Penal Code*. The case was referred to the Public Prosecutions Office.

VII

In November 2018, the CCAC detected two cases of untrue declaration of assets and interests and document forgery allegedly committed by public servants.

The CCAC found in the investigation that a public servant of the Protocol, Public Relations and External Affairs Office, when submitting an application for economical housing, allegedly concealed the flat he had just purchased in Zhuhai

in an attempt to pass the relevant examination on his assets. It was also discovered that his family member also concealed the fact of owning another flat in Zhuhai. Moreover, when the public servant submitted his declaration of assets and interests in 2015 and 2018, he also concealed the flat he owned in Zhuhai and did not declare the mortgage on and the lease income from the flat.

Moreover, in the investigation of another case, it came to light that a public servant of the Health Bureau also allegedly concealed his ownership of an immovable property in the Chinese mainland when applying for economical housing and deliberately made untrue declaration of assets and interests.

The aforesaid two public servants' acts allegedly constituted inaccurate data provided for in the *Legal Regime of Declaration of Assets and Interests* and document forgery provided for in the *Penal Code*. The cases were referred to the Public Prosecutions Office.

VIII

In December 2018, the CCAC detected two cases of power abuse allegedly committed by leaders of public services.

The CCAC received a report alleging that a former leader of the Environmental Protection Bureau (DSPA) was intimate with a female worker of the DSPA and always assigned her to go on duty visit together. Thus his acts allegedly constituted power abuse for private gain. The CCAC found in the investigation that they had a long-term extramarital affair. The former leader of the DSPA assigned the worker to travel with him on many duty visits, including a duty visit to Portugal in 2013, which was, in fact, unrelated to her duties. In this visit, the former leader deliberately extended the trip of both of them and the extension was unnecessary for work-related reasons. The subsistence expense and trip allowance were still paid by the Government.

The CCAC received a report alleging that a leader of the Office of the Macao Special Administrative Region in Beijing allegedly committed some illegal acts by abusing his power. In accordance with the regime of personnel of representative offices of the Macao SAR, workers who live in rented residences may receive full travel allowance every month, while those who live in the dwellings provided by the Government may receive only half of the travel allowance. The CCAC found that the leader had been receiving full travel allowance for many years but actually lived in the office. He occupied two rooms in the office for accommodation and even spent public money on purchase and installation of daily living equipment, such as showering equipment, water heater, washing machine and clothes dryer for his private use. In addition, it was also found that the leader assigned the official drivers of the office to drive his relatives and friends to visit scenic spots. He even requested the drivers to make advanced payments for their meals and subsequently approved the reimbursements of those expenses.

The aforesaid leaders' acts of abusing power for private gain allegedly constituted power abuse provided for in the *Penal Code*. The cases were referred to the Public Prosecutions Office.

III. Mutual case assistance in cross-border investigation

As to mutual case assistance in cross-border investigation, in 2018, the CCAC handled a total of 24 cases, of which ten were requests to the CCAC from law enforcement agencies outside the Region and 14 were requests for assistance made by the CCAC to law enforcement agencies outside the Region. 14 of them have been completed while the remaining ten cases are still being processed. There was a significant decrease in the requests for assistance from the Chinese mainland in 2018. The main reason was the reform of supervisory systems was ongoing in the entire Chinese mainland and the establishment of a new mutual case assistance

mechanism was still underway. On the other hand, there was an increase in the requests made by the CCAC compared with the previous year probably because of the trans-nationalisation and globalisation in terms of the latest characteristics and trends of crimes.

1. Requests for case assistance to CCAC from law enforcement agencies outside the Region

In 2018, due to the reform of supervisory systems in the entire Chinese mainland, the requests for case assistance to CCAC from law enforcement agencies outside the Region decreased from 12 in 2017 to two, of which one has been concluded while the remaining one is still being processed.

2. CCAC's requests for case assistance to law enforcement agencies outside the Region

There was a slight increase in the requests for assistance to law enforcement agencies outside the Region from six in 2017 to nine in 2018. Among the cases, two were made to anti-corruption agencies of both Hong Kong and the Chinese Mainland, four were made to anti-graft agencies of the Chinese mainland and three were made to the Independent Corruption Against Corruption of Hong Kong. Among the nine cases, two have been concluded while the remaining seven are still being processed.

3. Seminar on Mutual Case Assistance of Guangdong, Hong Kong and Macao

The Seminar on Mutual Case Assistance of Guangdong, Hong Kong and Macao, which is held by Guangdong, Hong Kong and Macao every year on a rotational basis, was suspended temporarily in 2018. Due to the global implementation of the reform of supervisory systems in the Chinese mainland, the cooperation between the CCAC and the anti-corruption agencies in the Chinese mainland and Hong Kong will be strengthened continuously.

IV. Court verdicts

In 2018, a total of 17 cases processed by the CCAC were tried and sentenced by the court, involving 29 people in total. Some of them are still in the appeal process.

The court verdicts are summarised as follows:

No.	Court	Suspect	Charge	Result of adjudication
1	Court of First Instance	Chan XX	Document forgery Fraud	- 600-day fine at MOP100 per day, totalling MOP60,000, for 3 counts of document forgery and 3 counts of fraud; If the fine is not paid or replaced with working, a 400-day imprisonment will be imposed.
2	Court of First Instance	Cham XX Ng XX Chan XX	Forgery of document of special value Inaccurate data	- Cham XX: 2-year-and-9-month imprisonment for 2 counts of forgery of document of special value with the execution of the sentence suspended for 3 years on condition that he shall donate MOP40,000 to charity within 30 days following the confirmation of the judgment; acquitted of 2 counts of inaccurate data. - Ng XX: acquitted of 4 counts of forgery of document of special value. - Chan XX: acquitted of 4 counts of forgery of document of special value.
3	Court of First Instance	Kuong XX	Improper access	- 180-day fine at MOP500 per day, totalling MOP90,000, for 4 counts of improper access; If the fine is not paid or replaced with working, a 120-day imprisonment will be imposed.

4	Court of First Instance	Lei XX Lei XX Tong XX	Fraud Fraud over high value	<ul style="list-style-type: none"> - Lei XX: 3-year imprisonment for 15 counts of fraud and 1 count of fraud over high value with the execution of the sentence suspended for 3 years on the condition that he shall donate MOP50,000 to charity and pay MOP138,770.40 as compensation to the Fund of Environmental Protection and Energy Saving within 30 days following the confirmation of the judgment; acquitted of 1 count of fraud. - The criminal litigation procedure of 1 count of fraud charge against Lei XX and Lei XX was terminated due to extinction of prescription for prosecution; - Tong XX: acquitted of 1 count of fraud over high value and 4 counts of fraud.
5	Court of First Instance Court of Second Instance	Ip XX Lei XX Ieong X	Passive corruption to perform illicit acts Power abuse Active corruption False testimony	<ul style="list-style-type: none"> - Ip XX: Sentenced by the Court of First Instance to a 2-year-and-6-month imprisonment for 1 count of passive corruption to perform illicit acts and 1 count of power abuse. His appeal was rejected by the Court of Second Instance; - Lei XX: Sentenced by the Court of First Instance to a 1-year imprisonment for 1 count of active corruption. His appeal was rejected by the Court of Second Instance. - Ieong X: Sentenced by the Court of First Instance to a 9-month imprisonment for 1 count of false testimony with the execution of the sentence suspended for 18 months. - Meanwhile, the three defendants shall pay MOP2,000 respectively to the Coffer of Justice of Macao as the fund of compensation for victims.

6	Court of First Instance	Chang XX	Document forgery	- 5-month imprisonment for 1 count of document forgery with the execution of the sentence suspended for 1 year.
7	Court of First Instance Court of Second Instance	Hong XX	Power abuse	- Sentenced by the Court of First Instance to a 210-day fine at MOP250 per day, totalling MOP52,500, for 1 count of power abuse; If the fine is not paid or replaced with working, a 140-day imprisonment will be imposed. His appeal was rejected by the Court of Second Instance.
8	Court of First Instance Court of Second Instance	Chan XX Chan XX	Forgery of document of special value by public servant Power abuse Use of fake document of special value	- Chan XX: Sentenced by the Court of First Instance to a 1-year-and-6-month imprisonment for 1 count of power abuse and 1 count of forgery of document of special value by public servant with the execution of the sentence suspended for 2 years on condition that he shall donate MOP10,000 to Macao SAR within 1 month following the confirmation of the judgment. His appeal was rejected by the Court of Second Instance. - Chan XX: acquitted of 1 count of use of fake document of special value by the Court of First Instance.

V. Declaration of assets and interests

The *Legal Regime of Declaration of Assets and Interests* stipulates that public servants at every level shall declare the assets and interests of themselves and their spouses or co-habiting partners for the reasons such as appointment, alternation of position and termination of position. Meanwhile, the law also stipulates that they shall renew their declarations when none of the above situations occurs within five years upon the previous declaration.

Established in 1998, the legal regime has been in effect for 20 years. In 2018, it was time for a majority of the public servants to have the fourth five-year renewal of their declarations. It is expected that up to March 2019, there are still many of them who shall submit the declarations for the five-year renewal. In order to ensure smooth processing of a huge amount of renewals of declaration, the CCAC continues to review and optimise the work procedures, receives the declarations and processes the data with strict adherence to the statutory procedures.

In 2018, the CCAC collected the declaration forms from a total of 12,457 public servants. The details are listed below:

Statistics of declaration of assets and interests in 2018

Reasons for submitting declaration	Total
Appointment	1,965
Alternation of position	4,448
Termination of position	1,557
5-year renewal	2,384
Renewal with that of spouse	477
Pursuit of data-provision duty	1,272
Voluntary renewal	354
Total	12,457

In order to instil a deeper and clearer understanding of the *Legal Regime of Declaration of Assets and Interests* in public servants, the CCAC continued to work on promotion in various ways including disclosure of information on internet, distribution of the guidelines on filling in the declaration form and holding seminars to explain the key contents of the legal regime to public servants. In 2018, the CCAC held five seminars at the request of some public departments for around 500 participants.

PART III
OMBUDSMANSHIP



PART III

OMBUDSMANSHIP

I. Introduction

In 2018, the CCAC strictly exercised its statutory duty in ombudsmanship. It carried out investigations into the illegalities and irregularities found in the daily operations of public departments. It also put forward suggestions on improving the internal management of the departments and the public service. In addition, the CCAC invested a considerable amount of resources into the inquiries into the existing problems related to land management as well as investment and technical immigration.

In February 2018, the CCAC released the “investigation report on the construction project at Alto de Coloane”, where it pointed out that the parcel where the Alto de Coloane project would be located is a State property instead of a private one, thus urging the Macao SAR Government to recover the relevant land parcel as soon as possible. It went further that the cadastral map, the street alignment plan and the draft of the building proposal related to the parcel and the relevant construction project were invalid, and public works departments should therefore stop the vetting and approval procedure for the relevant construction project.

In July 2018, the CCAC released the “investigation report on the vetting and approval of ‘major investment immigration’ and ‘technical immigration’ by the Macao Trade and Investment Promotion Institute”, where it revealed that the Macao Trade and Investment Promotion Institute (IPIM) lacked stringent vetting and approval and checking mechanisms for “major investment immigration” and “technical immigration” applications. Many approved applications did not meet the criteria established by the law or the internal ones. Some applicants were even found to have obtained residency through false declaration and document forgery. The

CCAC suggested that the Macao SAR Government make timely amendments to the relevant law to improve the system of attracting investments and talents.

II. Inquiries

(1) “Investigation report on the construction project at Alto de Coloane”

In February 2018, the Commission Against Corruption released the “Investigation report on the construction project at Alto de Coloane”, which pointed out many doubts existing in the process of the inheritance of the title of the land parcel where the construction project would be located at. One could not rule out the possibility that some people made use of judicial proceedings and falsely claimed to be the parcel owner’s descendants and obtained the title illegally. There were obviously mistakes and even frauds made and committed in the process of the land boundary survey and the issuance of the cadastral map. The parcel with a description number 6150 was actually located near Largo do Presidente António Ramalho Eanes in the old Coloane Village instead of being at Alto de Coloane, while the actual area of the parcel was, at the most, only a few hundred square metres instead of 53,866 m². The parcel where the Alto de Coloane project would be located is a State property and the Macao SAR Government should recover the relevant land parcel following appropriate procedure and method.

In 2016, the CCAC received a few complaints claiming that there might be illegalities in the assessment and approval procedures in relation to the construction project at Alto de Coloane. After an investigation that lasted more than a year, the CCAC held many doubts about the title, location and area of the parcel where the project would be located. It also found that the street alignment plan issued by the Land, Public Works and Transport Bureau (DSSOPT) went against the planning terms laid down in the administrative instructions.

1. The doubts existing in the process of obtaining the title

The report indicated the sequence of events of the change of the title in details. The parcel in relation to the construction project at Alto de Coloane had a land description number 6150. The registered parcel owner was “Chui Lan” starting from 1903. In July 1991, residents in Coloane Vong Tam Seng and Vong Tak Heng, represented by lawyer Paulo dos Remédios, brought a suit of confirming their eligibility as the heirs to the court, claiming that they were the sole heirs of their grandfather, Vong Tam Kuong (also known as “Choi Lan”) and requested to inherit the title of the parcel with a description no. 6150.

On 2nd April 1992, after hearing the testimony from the witnesses designated by Vong Tam Seng and Vong Tak Heng, the court ruled that they were the heirs of Vong Tam Kuong (also known as “Choi Lan”). Based on the court judgment, they submitted an application to the Real Estate Registry for transferring the title of the parcel with a description no. 6150 to them. They eventually inherited the title of the parcel which was originally owned by “Chui Lan”.

The CCAC found in the investigation that in the legal proceedings of heir eligibility confirmation, there was lack of evidence for the verification of statements. Therefore, it was difficult to rule out the possibility that some people made use of judicial procedure to illegally obtain the title by falsely claiming to be the parcel owner’s descendants.

In the suit, Vong Tam Seng and Vong Tak Heng did not submit any documents to the court to prove that their grandfather Vong Tam Kuong was also named “Choi Lan”. The witnesses stated in the hearing that they did not know their grandfather. Whether Vong Tam Kuong and “Choi Lan” were the same person or not was not proved. In the birth registrations of Vong Tam Seng and Vong Tak Heng, there was no registered information showing that their grandfather was also named “Choi Lan”.

From the notarial certificates and the private documents (“*Sá-Shi-Kai*”) issued a long time ago, the CCAC found that the Chinese name of “Vong Tang Kong” was 黃譚光 and that of “Chui Lan” was 崔霖. In fact, the fact that a person surnamed Vong has an alternative surname Choi does not fit in Chinese naming customs. In addition, even if Vong Tam Kuong was also named “Choi Lan”, there was no evidence proving that “Choi Lan” was the parcel owner 崔霖 shown in the property registration.

According to the information of marital registration of the Civil Registry, Vong Tam Seng’s wife was Chau Chu, but he claimed in the suit that his wife was Ho Fong Meng. In the indictment submitted to the court, Vong Tam Seng and Vong Tak Heng claimed that their grandmother was Chan Si, but Vong Tam Seng’s birth registration showed that his grandmother was Ho Si. In the court’s final verdict, their grandmother became Choi Si.

The CCAC considered that the statements made by Vong Tam Seng and Vong Tak Heng in the litigation were inconsistent with the civil registration data, violating the stipulation about registered civil identity, which states that any facts related to civil registration of a person can only be proved based on the official Civil Registry and cannot be contradicted by any other evidence. Although Vong Tam Seng and Vong Tak Heng deceased in 1995 and 1999 respectively, they already sold the parcel to Chong Fai Properties Investment Company Limited at 150,000,000 patacas in October 1993.

2. Conducting a land boundary survey and issuing a cadastral map

After obtaining the title of the parcel with a description no. 6150 as an heir, Vong Tam Seng applied for a land boundary survey in 1992 and 1993 respectively, where he claimed that the parcel was located at Alto de Coloane adjacent to Estrada do Campo and Estrada de Seac Pai Van. He claimed in the two applications that

the area of the parcel was 111,848 m² and 57,300 m² respectively. However, due to a complete lack of proof, that the area of the parcel was not indicated in the property registration and that the location of the parcel was obviously at odds with the “four boundaries” recorded in the property registration, the then Department for Cartography and Cadastre refused to issue a cadastral map.

In December 1993, Vong Tam Seng completed a Miscellaneous Notification Form of Property Tax (M/10) at the Branch Office of the Financial Services of the Islands, where he declared that the parcel with a description no. 6150 had an area of approximately 56,592 m². Later, his lawyer submitted a transcription certificate of the M/10 form to the court and requested the area of the parcel to be added to a previous lawsuit document in the relevant heir eligibility confirmation dossier. Upon the approval from the judge, the lawyer used a court document as a basis for applying for the addition of a remark to the property registration indicating that “the area of the parcel was 56,592 m²”.

In July 1994, lawyer Paulo dos Remédios completed an M/10 form at the Branch Office of the Financial Services of the Islands, where he changed the original “four boundaries” on the property registration to the present location of the Alto do Coloane. He also applied for a transcription certificate of it. In August 1994, Chong Fai Limited that had already purchased the parcel applied for a land boundary survey. As the then Department for Cartography and Cadastre thought the parcel area was added to the property registration and the location of the parcel was confirmed by the transcription certificate issued by the Financial Services, its previous doubts had been resolved. Therefore, it issued a cadastral map for the parcel.

The CCAC pointed out in the report that M/10 form is filled in by the interest parties only and has no other effects but the declaration ones, namely to declare the matters such as change of address. The information filled in the M/10 form would not be automatically substantiated upon the submission and the form had no

probative effect. The issuance of the transcription certificates by the Branch Office of the Financial Services of the Islands was a weird and rare action because it had neither the capability to confirm the authenticity of the declared matters nor the power to issue any certificates related to the identification of a real property.

The Branch Office of the Financial Services of the Islands turned the transcription of the content filled in by the interest party into a certificate, i.e. had the content declared by the interest party “packaged” into a certificate issued by a public department. The court approved the amendment of a suit document according to one of the certificates. The Real Estate Registry added the remark in the property registration based on the court document. Through these acts of “packaging”, the area of the parcel, which was not proved by any official documents, was openly added in the property registration.

The report also mentioned that when the court allowed adding the statement that “the approximate area is 56,592 m²” in the schedule of property, the value of the parcel declared by the interest party in the dossier was 57,000 patacas. The CCAC believed that the area of the parcel claimed by the interest party might be fake. If not, the declared value might be wrong because it was impossible that the land price in Coloane would be as cheap as 1 pataca per square metre at that time.

3. Doubts on the location and area of the parcel

The CCAC considered that according to the information indicated in the property registration, the east and north of the parcel with a description no. 6150 were on Estrada do Campo. This shows that the parcel should be located near the current Health Station of Coloane and the Academy of Public Security Forces of Macao at Estrada do Campo and thus it was definitely not at Alto de Coloane, because Estrada do Campo was actually on the west and the south of the site of the Alto de Coloane project.

The most important and effective evidence to prove the real location of the parcel was the “four boundaries” in the property registration: north and east on Estrada do Campo, south on House no. 2 and west on Beco da Porta. If we can locate Beco da Porta, we can find out the real location of the parcel through locating the intersection of Estrada do Campo and Beco da Porta.

Although the location of Beco da Porta was not found in the existing maps and information of Coloane, the data of the population census conducted on 31st December 1878 published on the *Official Gazette of the Macao Portuguese Government* shows that there were houses and residents on Beco da Porta, which revealed that when Chui Lan purchased the parcel and houses in 1903, Beco da Porta still existed.

The CCAC also found in the investigation that when Chui Lan purchased the parcel located at Estrada do Campo in 1903, he also purchased three houses located at Rua dos Negociantes at the same time. According to the then sale and purchase deed, the north of one of the houses, which was located at no. 40 of Rua dos Negociantes, was on Beco da Porta, while the south of it was a house located at no. 38 of Rua dos Negociantes. The east was on Estrada do Campo, while the west was on Rua dos Negociantes. This shows that Beco da Porta lied to the south of Estrada do Campo near Rua dos Negociantes, while the parcel with a description no. 6150 was also located there.

However, the cadastral map showed that the parcel with a description no. 6150 was located at Alto de Coloane to the north of Estrada do Campo. The CCAC’s report revealed that when lawyer Paulo dos Remédios updated the “four boundaries” in the declaration form in July 1994, he replaced “northeast on Estrada do Campo” with “northwest on Estrada do Campo”. It was unable to investigate if he did it intentionally or unintentionally, but the change of only one word had resulted in a “switch” of the location of the parcel from one side of Estrada do Campo to another side which was at Alto de Coloane.

The “four boundaries” updated by lawyer Paulo dos Remédios in the M/10 form was northwest on Estrada do Campo and Estrada de Seac Pai Van, southeast on Estrada Militar, northeast on Seac Pai Van Park and Aldeia da Esperança. He omitted “House no. 2” and “Beco da Porta”, which were actually shown in the property registration. Since the parcel at Alto de Coloane is still a wilderness nowadays, it is impossible that there were streets or roads around there. In addition, Estrada de Seac Pai Van and Seac Pai Van Park were built later.

According to the information provided by the Cultural Affairs Bureau to the CCAC, the military blockhouse located within the project site was built in 1884 and served as a supplementary military facility of the fortress of Coloane. In other words, when Chui Lan purchased the parcel at Estrada do Campo in 1903, the military blockhouse already existed. If the parcel purchased by Chui Lan was really located at Alto de Coloane, then the establishment of the blockhouse, no matter it was built before or after the purchase, would be against common sense.

The CCAC stated in the report that the property registration in 1903 did not indicate the area of the parcel with a description no. 6150. However, from the property transactions done at the same time, we can roughly estimate the area of the parcel. When Chui Lan purchased the parcel at Estrada do Campo at 300 patacas, he also bought the house at no. 32-34 of Rua dos Negociantes at the same price. The area of the house, 252 m², was registered when he sold the house in 1923. Therefore, it was impossible that the area of the parcel was 56,592 m².

4. The street alignment plan that went against administrative instructions

In August 1999, in response to Chong Fai Limited’s application, the DSSOPT issued a street alignment plan for the parcel with a description no. 6150, where it stipulated that the parcel owner was only permitted to construct 7-storey buildings not more than 20.5 m (or 33.4 m above sea level) in height along

Estrada do Campo and Estrada de Seac Pai Van. Moreover, the parcel owner was not permitted to carry out massive hill excavation, as an area at Alto de Coloane, covering some 20,000 m² and adjacent to Estrada do Alto de Coloane and Estrada Militar, should be construction-free and green treated.

In May 2004, Win Loyal Limited and Chong Fai Limited entered into a sale and purchase deed in Macao. The former purchased the parcel from the latter at a price of HKD88,000,000 and then applied for a new street alignment plan in March 2009. According to a preliminary development proposal for the land parcel submitted by Win Loyal Limited, the company planned to construct nine 22-metre high independent villas and nine 115-metre high residential buildings with 37 storeys.

In December 2009, the DSSOPT issued a street alignment plan, where it stipulated that the plot ratio of the parcel concerned should be 5 and it should be divided into three sections for planning: the permitted maximum building height for the section adjacent to Estrada de Seac Pai Van should be 80 m; the section adjacent to Estrada do Campo fell within the area of the planning laid down in Administrative Instruction no. 01/DSSOPT/2009 and the permitted maximum building height should be 8.9 m; for the section adjacent to Alto de Coloane near Estrada do Alto de Coloane and Estrada Militar, only 9-metre high independent villas would be allowed and the surrounding area should be green treated.

Win Loyal Limited applied for a new street alignment plan again in March 2010 and requested the DSSOPT to relax the planning terms by increasing the permitted maximum building height to 198 m above sea level for the construction of 63-storey buildings and changing the plot ratio of 5 to a net plot ratio of 9.

In April 2011, the DSSOPT issued a new street alignment plan and no longer set different building height limits according to the topography of the concerned area. It regulated the overall permitted maximum building height to be 100 m

above sea level and the permitted maximum net plot ratio to be 8, which was equivalent to a plot ratio of 12. Win Loyal Limited submitted a draft of the building proposal according to this street alignment plan. According to the proposal, the project, occupying 48,868 m² and having a total gross floor area of 668,741 m², was slated to develop 13 towers comprising not more than 33 storeys.

The CCAC considered that since the southern part of the site of the Alto de Coloane project adjacent to Estrada do Campo fell within the area of the planning laid down in Administrative Instruction no. 01/DSSOPT/2009, the permitted maximum building height should only be 8.9 m. However, according to the street alignment plan issued by the DSSOPT, the permitted maximum building height was 100 m, which obviously contradicted the planning terms set forth in the administrative instruction.

The CCAC's report pointed out that if there was no problem and dispute concerning the title, location and area of the parcel where the Alto de Coloane project would be located, the parcel owner might apply for a new planning proposal according to the *Urban Planning Law* and subsequent approval procedures might follow. However, since the parcel is a State property, whether the relevant street alignment plan was valid became a minor problem.

5. Lack of legal basis for environmental and greening assessments

In March 2009, Win Loyal Limited submitted a development proposal, where it planned to construct nine 22-metre high independent villas and nine 115-metre high residential buildings. The Environmental Protection Bureau (DSPA) gave the following advice: "As the development of the project will lead to massive hill excavation, shrinking green area and damages to the hill's role in pollutant filtration, re-assessment of the impacts of the construction on the ecological environment is recommended."

The Civic and Municipal Affairs Bureau (IACM) provided the following opinions: “In order to have the project developed on level land, hill excavation is inevitable. This will cause massive damages to the structure and vegetation of the hill. In addition to the loss of a considerable green area, the excavated part of the hill will become a concreted slope.” “Coloane has been the major hill area of Macao all along. Therefore, it needs careful consideration of whether the construction of the project will conflict with the urban planning of the city.”

Despite that the DSPA and IACM expressed their concern over the impacts of massive hill excavation and construction of high-rise buildings at Alto de Coloane, according to the street alignment plan issued by the DSSOPT, all the 13 buildings would be at a height of 100 m above sea level. In February 2013, Win Loyal Limited submitted the environmental and landscape assessment reports to the DSSOPT. Later on, the DSPA and the IACM put forward their amendment advices on these reports. They also accepted the assessments of the project’s impacts on the environment, landscape and greening in the end.

According to the investigation of the CCAC, as far as the Alto de Coloane project was concerned, there were no clear rules and regulations serving as reference for the assessments carried out by the DSPA and the IACM. There were only some internal guidelines formulated by the departments themselves. Due to the lack of the relevant statutory competence, their technical opinions about environmental protection, landscape and greening did not have any binding effect on the application for approval of the construction project and the approval made by the DSSOPT. Furthermore, as they were not able to enter the site for observation and confirmation, it was not possible to monitor whether the developer would fulfil the terms it had promised in the technical reports such as the environmental impact assessment report. As a result, they could only conduct the assessments basing on the information provided by the developer.

6. Conclusion and recommendation

According to the conclusion made by the CCAC, the parcel with a description no. 6150 was actually located near Largo do Presidente António Ramalho Eanes in the old Coloane Village instead of being at Alto de Coloane adjacent to Estrada do Campo and Estrada de Seac Pai Van, while the actual area of the parcel was, at the most, a few hundred square metres instead of 53,866 m².

Since the information that the land boundary survey was based on was obviously at odds with reality, the administrative act of the confirmation of the boundary was groundless. Therefore, the cadastral map issued by the then Department for Cartography and Cadastre was invalid. Moreover, the street alignment plan and the official building plan approved based on the relevant cadastral information was also invalid. The street alignment plan of the Alto de Coloane project went against the planning terms provided for in the administrative instruction. Therefore, the DSSOPT should reject the application for the official building plan.

Finally, the CCAC believed that the parcel at Alto de Coloane adjacent to Estrada do Campo and Estrada de Seac Pai Van, where the construction project at Alto de Coloane would be located, was not registered in the Real Estate Registry. Therefore, according to Article 7 of the *Basic Law of the Macao Special Administrative Region*, it is a State property. The CCAC suggested the Macao SAR Government recovering the land parcel following appropriate procedure and method.

(2) Investigation report on the vetting and approval of “major investment immigration” and “technical immigration” by the Macao Trade and Investment Promotion Institute

The report pointed out the Macao Trade and Investment Promotion Institute (hereinafter “IPIM”) lacked stringent vetting and approval and checking mechanisms for “major investment immigration” applications, the investment

amounts in some projects were too low or too large proportion of the investment amounts in them were about immovable property investment. When processing the “technical immigration” applications, there were such problems as lack of stringent vetting and approval criteria, applicants rarely stayed in Macao and obtaining temporary residency through fictitious employment.

The CCAC stated that once it had continuously received reports and complaints pertaining to “major investment immigration” and “technical immigration” in recent years, and there were indications of problems in the relevant systems and implementation, the Commissioner Against Corruption ordered an inquiry into the vetting and approval procedures for “major investment immigration” and “technical immigration” applications carried out by the IPIM.

1. Situation of vetting and approval of applications for “major investment immigration” and “technical immigration”

In accordance with Administrative Regulation no. 3/2005, *Temporary Residency Regime for Investors, Management Personnel and Specialised Technicians*, non-locals may apply for temporary residency by “major investment” or being employed as management personnel or specialised technicians, which is commonly known as “major investment immigration” and “technical immigration”. Apart from the applicant, his spouse, co-habiting partner or minor children may also apply for temporary residency at the same time. When the applicant and his family members have resided in Macao as temporary residence permit holders for seven years, they are eligible to apply for permanent residency in Macao in accordance with relevant laws.

According to the information on the IPIM’s website, between 2008 and 2017, it received a total of 574 applications for “major investment immigration”, of which 186 were approved after assessment, with 410 people granted temporary residency. During the same period, the IPIM received a total of 5,039 applications for

“technical immigration”, of which 3,296 applications were approved and a total of 5,376 people were granted temporary residency.

2. Problems found in the vetting and approval procedures for “major investment immigration”

Although the IPIM had improved the vetting and approval procedures for “major investment immigration” applications through introducing the points scheme and increasing the reference minimum investment amount, the CCAC found that the IPIM lacked stringent vetting and approval and checking mechanisms for the investment amount and implementation of the investment projects. The problems are presented in the following aspects:

1) Investment amount of some “major investment immigration” investment projects being too low

“Major investment immigration”, as its name suggests, requires the applicants to make significant investment before temporary residency may be granted. When it comes to significant investment, either the field of the investment project should be a more important one or there is a larger investment amount. However, during the investigation, the CCAC found that many approved applications for temporary residency did not meet the relevant standards.

Although Administrative Regulation no. 3/2005 does not have definite provisions for the minimum investment amount for “major investment immigration”, according to the IPIM’s internal guidelines, the reference minimum investment amount used to be MOP1.5 million prior to 2015 - same as that required for the applications for immigration through purchase of immovable property. However, according to the data provided by the IPIM, in the 186 approved initial applications for temporary residency between 2008 and 2017, the investment amounts declared in 28 of the applications were less than MOP1.5 million, accounting for 15.07% of the total.

The CCAC considered that the social and economic benefits brought by an investment cannot be evaluated merely by the investment amount. However, before the IPIM raised the reference minimum investment amount to MOP13 million in November 2015, the investment amounts in the approved applications of “major investment immigration” were, in general, relatively low, while many of them involved traditional businesses such as catering, tourism, trading, investment and construction. These investment projects could not fully reflect the “significance” of the investments and made it difficult to achieve the legislative objective to enhance the economic development and diversify the industries of Macao.

2) Too large proportion of the investment amounts in some of the projects in “major investment immigration” applications were about immovable property investment

When processing the applications for “major investment immigration”, the IPIM includes the expenses of purchase or rental of immovable property and refurbishment of operation facilities into the investment amount. Since the investment amounts were relatively low in general and the prices and rentals of immovable properties in Macao were relative high, a very large proportion of the investment amounts in the investment projects in the “major investment immigration” applications was related to property. In the 186 approved initial applications for temporary residency by “major investment immigration” between 2008 and 2017, the businesses run by 11 companies were about “real estate investment and development” or similar ones. Moreover, in one application, the business ran by the relevant company was merely “property investment”.

According to Administrative Regulation no. 3/2005, there are two types of “major investment immigration”. One may apply for temporary residency by “major investment” or “major investment plan”. The CCAC found in the investigation that some applicants firstly submitted a so-called “investment plan” and were granted temporary residency. When applying for renewal, they submitted the property

registration certificates proving purchase of immovable properties under the names of the companies in order to create a false impression that the investment plans had already been implemented. They made use of the IPIM's practice of attaching importance to immovable property investment when processing the applications and managed to obtain temporary residency with fictitious investment projects.

For example, an applicant submitted to the IPIM a "major investment plan", which was to establish a construction company. The intended investment amount was MOP2,842,290. When applying for renewal, the applicant submitted property registration information about the purchase of two office units under the name of the construction company as proof of implementation of the investment plan. Without carrying out any site inspection to confirm whether or not the aforesaid units were used as the office of the company and further verifying the authenticity of other documents related to the operation of the company, the IPIM eventually approved the application for renewal of temporary residency. However, the CCAC found in the investigation that the two units had been leased out upon the purchase and never served as the office of the company as claimed by the applicant.

On 3rd April 2007, the Macao SAR Government promulgated Administrative Regulation no. 7/2007, which suspended the implementation of the regulation on application for temporary residency by purchasing immovable property. The CCAC considered that some people might not truly intend to invest in Macao. Instead they packaged purchase of property into a major investment project. The ultimate purpose of "disguising purchase of property as investment" was to obtain the right of abode in Macao. Therefore, the IPIM should not consider an investment project as "major" simply because the applicant had purchased immovable property as major investment. Otherwise, "major investment immigration" would simply become "immigration by purchase of property". In this sense, such practices have contradicted not only the legislative intention to attract major investments from other places but also the SAR Government's policy of suppressing property price.

3) Lack of stringent vetting and approval and checking mechanisms

According to the requirements of the IPIM, applicants of “major investment immigration” should provide business registration, business licenses, financial statements and tax payment of their companies as well as proof of the investment amount and business revenues. Nevertheless, the IPIM usually only conducts formality checking on these documents submitted by the applicants without verifying the authenticity of the documents and the truthfulness of the facts in a serious manner. They do not send staff off to the claimed operating locations of the companies to verify their operations either.

For instance, an applicant submitted the “financial statements” of his company between 2009 and 2014 in order to prove that the investment plan was already implemented. During the investigation, the CCAC found that when comparing these “financial statements” with the tax affairs application submitted to the Financial Services Bureau and the Social Security Fund contribution records, one can easily find that there were such situations as fictitious incomes and expenditure, false declaration of undistributed profits and wage rolls of employees on these statements.

During the investigation, the CCAC also discovered the following situations: the companies claimed by the applicants had no actual operation or had stopped operation; the locations of the claimed companies were left empty for a long while or used for other purposes; phone calls made to the claimed companies were unanswered or the phone numbers were not in service; no information about the claimed companies could be found on the internet, etc. In response to such phenomena, the IPIM once opined that the bureau itself was just an administrative department without inspection and law enforcement powers. It was therefore difficult for them to carry out holistic inspections and verifications. However, in the CCAC’s opinion, as a department responsible for vetting “major investment immigration” applications and making approval suggestions, the IPIM is duty bound

to verify the authenticity of the application documents and check the implementation status of the projects. After all, such issues are not only the prerequisites for application approval but also the duties of a public department.

3. Problems found in the vetting and approval procedures for “technical immigration”

According to the investigation of the CCAC, during the IPIM’s processing of the “technical immigration” applications, there were such problems as lacking stringent vetting and approval criteria, applicants not staying in Macao for a long period of time and obtaining temporary residency by means of fictitious employment.

1) Lack of stringent vetting and approval criteria for “technical immigration”

According to Administrative Regulation no. 3/2005, the category of “technical immigration” covers two types of persons, namely management personnel and specialised technicians. The prerequisite for approval is that the academic qualifications, professional qualifications and experience possessed by the applicant are particularly beneficial to the Macao SAR. After the investigation, the CCAC found that there were applicants who did not possess professional or academic qualifications, whose professional backgrounds did not match with their work positions, or whose jobs had nothing do with managerial or professional skills.

For example, an applicant applied for “technical immigration” as the general manager of an offshore company operating plastic product business, while he only had a graduation certificate issued by a secondary school in Guangdong province; another applicant, a director of an offshore copper foils company, did not have any academic qualification documents in his application dossier for “technical immigration”. As another example, someone made an application for “technical immigration” as a deputy director of a medical centre and it was approved. As the

medical license of the centre was terminated by the Health Bureau, the applicant left the position less than one month after joining it. Subsequently, he was employed as a security manager at a construction company. The applicant claimed that he was “responsible for healthcare management of all staff members of the company and organising regular medical seminars for the staff”, but the fact was that there were only a dozen workers in the construction company, and his professional healthcare management background was a far cry from that of a security manager. Despite that he stayed for no more than 14 days each year during three years’ time, his renewal application for temporary residency was still approved by the IPIM.

During the investigation, the CCAC also found that the positions of some applicants were questionable. Some were found to only list their past work experiences without submitting any proof, while the IPIM, without making any verification, directly based on the work experiences and seniority claimed by the applicants and suggested approvals for their “technical immigration” applications.

With regard to the problem that the work performed by the applicants was not considered a “professional skill”, the CCAC believed that the technical immigration applications should not be approved. Otherwise, it will blur the boundary between management personnel/specialised technicians and non-resident workers. This will also be a departure from the original intention of attracting managerial and technical professionals through “technical immigration”.

2) Applicants for “technical immigration” rarely stayed in Macao

The CCAC analysed the travel records of over 600 applicants for “technical immigration” and discovered that over 100 of them rarely stayed in Macao or only stayed for a very short period of time every year. Even some of them stayed for less than 10 days every year. Following an in-depth investigation, the CCAC found the situations in which the actual duty of the applicant was not consistent with his job title as declared in the application or he was doing a job not related to Macao.

For example, an applicant was granted a “technical immigration” permit as the deputy general manager and chief financial officer of a fresh food and grocery trading company. However, he only stayed in Macao for only 37 days between 2010 and 2014 and was even away in the entire year of 2015. It was found in the investigation that the person usually resided in the Chinese mainland and his job was simply to provide the information about tendering and opinions to the owner of the company.

Another applicant was granted a “technical immigration” permit as the chief financial officer of a travel agency. Although the employment contract indicated that the work location was in Macao and that he worked for fixed hours. However, between 2013 and 2016, the applicant stayed in Macao for no more than 37 days every year. It was found in the investigation that actually he was not responsible for financial works. In fact, his job was to promote group travel for the agency in the Chinese mainland.

According to the internal legal opinions of the IPIM, the law presumes that Macao SAR Resident Identity Card holders usually reside in Macao. Also, the law on residency by investment does not deem the length of time the applicant stays in Macao as one of the criteria for the vetting and approval of application for “technical immigration”. Therefore, when processing the applications for renewal of temporary residency, the IPIM did not check whether or not the applicant had stayed in Macao and the length of time of his stay.

The CCAC considered that applicants for “technical immigration” should stay in Macao to serve local companies and institutions. If the applicant can work for a Macao company outside the territory, normal employment is enough and it is not necessary to apply for temporary residency in Macao by “technical immigration”. The fact that the applicants merely stay in Macao has gone against the legislative intent to attract management personnel and specialised technicians to Macao in order to enhance local economic and social development.

3) Obtaining temporary residency through fictitious employment

The CCAC discovered in the investigation that some applicants for “technical immigration” obtained temporary residency permits through alleged fictitious employment relationship.

For example, a person who used to study a course in design in Macao applied for “technical immigration” as the “business development manager” of a shop selling mobile phones and electronic products and his application was approved. When applying for renewal, he claimed himself as the “chief executive officer” of the shop. According to the employment contract, the applicant’s monthly salary was MOP50,000. However, according to the documents submitted for the application, the total after-tax profit of the shop in the previous year only amounted to MOP520,000. Following investigation, the CCAC discovered that the applicant was not in Macao for years and the staff of the shop never seen the “CEO” or even knew there was such a person. Moreover, the shop owner even failed to provide the proof of payment of his salary, which raised many doubts on the employment.

Another example is that a person was granted a “technical immigration” permit as the general manager and deputy editor-in-chief of a newspaper publisher and claimed that his monthly pay was MOP40,000. However, the newspaper was a weekly newspaper which was not issued regularly. Sold at around MOP2 for each copy, the newspaper had as annual circulation of 4,000 to 5,000. It was found in the investigation that the annual pay of the owner and president of the publisher was only MOP60,000, but the applicant’s annual pay reached MOP480,000. In accordance with the employment contract, his working place was located at a shop in a building in the northern district of Macao and his working hours were fixed. However, the CCAC found in the investigation that the longest period of his stay in Macao was only 10 days every year between 2013 and 2017. These signs showed that the relevant employment relationship did not exist.

The CCAC considered that when assessing the applications for “technical immigration” or renewal, the IPIM would have easily found the doubts about fake employment in the above cases. Therefore, the IPIM should be very alert to the illegal acts which might exist and promptly follow up the doubtful cases. If necessary, it may seek help from the departments with criminal investigative competence to investigate whether the situations of “fake talent” or “fake employment” exist in order to ensure that the legal regime of “technical immigration” will not be abused.

4. Opinions and suggestions

The CCAC stated that the purpose of carrying out the inquiry into the IPIM’s vetting and approval of applications for “major investment immigration” and “technical immigration” is to review the problems existing in the relevant administrative procedures and the operation of the department and thus enhance the improvement of the relevant mechanisms. To sum up, the CCAC considered that the following matters deserve the attention of the relevant department:

1) To timely revise the law in order to plug the loopholes in the mechanisms

The CCAC has noticed that over the recent years, the policy of “major investment immigration” and “technical immigration” and the assessment and approval of the applications have been more stringent. Also, the IPIM has conducted stricter analysis and investigation of the cases with doubts. However, the loopholes existing in the mechanisms cannot be plugged simply by restricting the policy and assessing the applications stricter. The CCAC believed that since the legal regimes of “major investment immigration” and “technical immigration” have been implemented for over ten years, the SAR Government should comprehensively review the idea of the regimes and the implementation and make amendments to the obsolete stipulations and solve the problems existing in the regulations as soon as possible.

2) To make the procedures transparent in order to minimise the occurrence of irregular situations

The CCAC stated that the public lacked understanding of “major investment immigration” and “technical immigration” and the IPIM rarely took the initiative to publicise the policy in Macao over years. The CCAC considered that the IPIM should strictly assess the applications for “major investment immigration” and “technical immigration”. However, being strict did not mean that the policy and related information might be made secret. Otherwise, it would be difficult to achieve the goal to attract investments and talents from other places. Only ensuring the transparency and openness of the application procedures and the results of vetting and approval to the largest extent may prevent the irregular and even illegal acts.

3) Attracting talents to Macao through mechanism overhaul

Today, the surrounding regions are facing fierce competition for talents and employ different means to lure talents. Macao should utilise and optimise the current “technical immigration” policy and create a synergistic effect by introducing outside talents and nourishing locals. In the CCAC’s opinion, doubting the effectiveness of the “technical immigration” system and even denying its significance simply because there are problems in the vetting and approval process is just a case of “not eating for fear of choking” or “trimming the toes to fit the shoes”. To sustain development Macao should not exclude the idea of introducing talents from other places. Being too complacent with its existing talent policy or making it confined to locals will be no different from giving up its own competitiveness.

According to the recommendations of the CCAC, the IPIM should optimise the vetting and approval procedures for “major investment immigration” and “technical immigration” applications, establish checking mechanisms for the relevant cases, carry out promotion of the relevant policies and publicise the criteria and results in a timely manner. The SAR Government should also make timely amendments to Administrative Regulation no. 3/2005 and optimise the relevant legal regimes.

III. Summaries of cases

I

The CCAC received a complaint from the vendor of a vegetable stall in a market, who had been accused by the Civic and Municipal Affairs Bureau (IACM) of selling uninspected vegetables and thus whose tenancy of the stall had been withdrawn. The complainant considered that the IACM's treatment was unfair and therefore requested the CCAC to investigate the matter.

In January 2018, the Food Safety Centre (CSA) of the IACM found in an investigation that the aforesaid vendor had allegedly purchased uninspected vegetables for sale. Subsequently, the CSA opened a file for investigation and notified the Division of Markets of the IACM. Following receipt of the notification, the Division commenced an administrative sanction procedure for the reason that uninspected vegetables had been seized from the stall and decided to withdraw the tenancy in March 2018.

However, following an investigation, the CSA archived the relevant procedure for the reason that the evidence seized could not prove that the vendor of the aforesaid stall had sold uninspected vegetables. However, it did not notify the Division of Markets. It was not until the CCAC intervened into the case that the Division realised the result of the investigation carried out by the CSA. Since the accusation that the stall had sold uninspected vegetables could not be proved, the decision to withdraw the tenancy was rescinded.

The CCAC considered that although the investigation carried out by the CSA and the administrative sanction procedure commenced by the Division of Markets were independent from each other, since both of them were based on the same alleged offence of selling uninspected vegetables, the departments should not come up with contradictory treatments of the same matter due to lack of communication.

The IACM stated that it would optimise the internal operation procedures in order to prevent similar cases from occurring in the future.

II

The CCAC received a complaint alleging that the Civic and Municipal Affairs Bureau (IACM) charged the users of a car park in a private building administration fees, but it failed to fulfil its responsibility to administer the car park properly. The complainant questioned the legality of public department's operation of private car park and requested for CCAC's intervention.

The CCAC discovered in the investigation that the parking spaces in the building involved were the common parts of the building. Since the former Municipal Council owned most of the flats in the building in the past, it was entrusted by the remaining residents with administering the car park. However, as time went by, the IACM only possessed a few flats in the building. Given that it was unable to elect an administrative committee of the building, the IACM still assisted in the administration of the car park and charged the users a fixed amount every month for payment of water and electricity bills and equipment maintenance.

In addition, the CCAC also found that the IACM, for the reason that the administrative committee of the building had not yet been elected, had paid for the structural maintenance, drainage repairs and installation of surveillance equipment in the car park many times, involving a sum of over MOP300,000. Moreover, when outsourcing the security guard service for the parks and recreational areas in different districts, the IACM included the car park in the list of the places to be covered by the service and paid for the relevant costs.

The CCAC considered that the car park, indeed, was not a property owned by the IACM or the Government. Instead it was commonly owned by all owners of the

building. Therefore, in accordance with the *Civil Code*, the responsibilities for the administration, maintenance and security should be shared by all of the owners. The IACM should not pay for the operation of the car park with public money. Instead it should urge the owners to form an administrative entity as soon as possible and recover the advance payments it had made.

The IACM replied that it agreed on the CCAC's suggestions and had taken actions to urge the establishment of the administrative committee of the building. Since 2018, the IACM has stopped administering the car park and explained to other owners the maintenance expenses it has ever paid for in order to recover the relevant payments.

III

The CCAC received a report alleging that there were long-standing problems concerning the promotion and recruitment of workers by the Macau Productivity and Technology Transfer Centre (CPTTM) including nepotism and mismanagement and therefore requested for the CCAC's investigation.

The CCAC found in the investigation that up to April 2017, among the 101 workers of the CPTTM 16 workers were related, such as father and son, father and daughter, husband and wife, brothers and sisters, while three of them had already resigned. The CPTTM failed to provide the CCAC with the documents of employment of some of the workers and even the proposals and orders about the employment.

In the past, when the CPTTM recruited workers, it neither carried out open recruitment procedures nor publicised the information about recruitment. Instead, the vacancies were filled by those recommended by its workers. In the recruitment processes, the department managers of the CPTTM could decide not only which candidates might be admitted to the selection stage but also to select the right

candidates only by interview without requiring them to take written or skill tests, showing the wilfulness existing in the recruitment processes. Moreover, the CPTTM lacked a set of objective and clear standards for the determination of a new recruit's salary and promotion. The salary and benefits of workers were determined by the leadership after taking into account some factors, showing that the discretion they had was excessive.

Although the CPTTM has already improved the recruitment and promotion mechanisms over recent years, the CCAC, following an analysis, considered that there were still some problems. For example, a recusal system is not laid down in the internal regulation which regulates recruitment and thus the risk of conflict of interest may increase. Although there is already an internal regulation on promotion, there has been a number of inconsistencies between the practice and the provisions.

The CCAC considered that although the CPTTM is not a public service in a traditional sense and has its own internal regulations, as an administrative public utility person mainly funded by the Government, it should also follow the principles of openness, fairness and justice in terms of recruitment and promotion of workers. The recruitment practices of the CPTTM were too arbitrary. Moreover, since there was a too large proportion of employees that were related, which inevitably aroused doubts on nepotism. Following the CCAC's intervention, the CPTTM admitted that there were inadequacies in the recruitment and promotion of workers and took measures to redress the problems brought up by the CCAC.

IV

The CCAC received a report alleging that in some open recruitment procedures, the Cultural Affairs Bureau (IC) cancelled the list of candidates following publication and subsequently publicised a new list. The complainant suspected that the IC's practices enabled the eliminated candidates to enrol in the recruitment exams again and therefore requested for the CCAC's investigation.

The CCAC found in the investigation that in a process of open recruitment of officers for community education in 2016, the IC indicated in the recruitment notice that candidates should have tertiary qualification in “performing arts, arts education, community education, social education, education administration or similar kinds”. Subsequently, in the provisional list of candidates publicised by the jury panel, only 28 persons were qualified and a majority of the candidates were eliminated for the reason of not having qualified education background.

Later, the jury panel received a complaint from a citizen indicating that he had been admitted to the recruitment process opened previously for the same post and therefore questioned the inconsistency of the requirements for education background. Following a meeting, the jury panel decided to loosen the criteria for assessing education background, to accept those who only had tertiary qualification in Chinese, English or social science, etc. and to publicise a new provisional list of candidates. However, the minutes did not indicate the reason for changing the criteria for assessing education background.

The CCAC also discovered that in other two recruitment processes opened by the IC in 2016, the jury panel, after the deadline for submission of missing documents, contacted a candidate and requested him to submit a copy of ID card and proof of education so that he became a qualified candidate. The jury panel even accepted the education qualification which a candidate obtained after the expiration of the registration period and admitted him as a qualified candidate.

The CCAC considered that, among the aforesaid practices by the jury panel in the open recruitment processes, one had violated the law, while another one did not accord with the requirements in the recruitment notice. Even though the latter were not serious enough to affect the validity of the recruitment processes, they still had negative impact on the fairness and justice of recruitment of public positions. After the CCAC brought up the issues to the IC, the latter replied that it accepted the CCAC’s opinions and promised to take measures for improvement.

V

The CCAC received a complaint alleging that an illegal construction were being carried out in a house in a district filled with villas in Coloane despite that the prohibition of construction had been posted at the site. The complainant suspected that the handling by the Land, Public Works and Transport Bureau (DSSOPT) was ineffective and therefore requested for the CCAC's investigation.

In June 2016, after receiving a complaint from a citizen, the DSSOPT dispatched staff members to the site for inspection and found that there were refurbishment and unauthorised construction underway without building licence in the house involved, which was clad in bamboo scaffolding and canvas, allegedly violating the relevant provisions under the *General Regulation of Urban Construction*. Therefore, the DSSOPT posted the prohibition of construction at the site and sealed the house.

The CCAC found in the investigation that the illegal construction in the house did not stop after the DSSOPT issued the prohibition. Therefore, the CCAC sent a letter to the DSSOPT to request for follow-up. In August 2017, the DSSOPT replied to the CCAC that it classified the cases of illegal construction to be processed according to the urgency and this case had been classified as priority. However, due to a large number of illegal constructions, the DSSOPT was following up the cases given priority in an orderly way.

The documents provided by the DSSOPT revealed that the bureau dispatched staff members for site inspection several times and confirmed that there were signs and noise of construction in the house. The individuals allegedly carrying out the illegal construction ignored the prohibition of construction issued by the DSSOPT, while the bureau did not take any further measures to follow it up. The CCAC sent several letters to the DSSOPT to inquire about the progress of the follow-up, but the DSSOPT only replied that the case had been classified as priority and did not take any actions.

Later, the CCAC sent staff members to the site for inspection and found that the scaffolding and canvas had been removed and the renovation of the external walls and a four-storey unauthorised building work had been completed. In November 2018, the CCAC sent a letter to DSSOPT to request for explanation. In response to the request, the DSSOPT stated that it would notify the offender that he should remove the unauthorised building work and restore the house or apply for legalisation of the illegal construction.

The CCAC considered that although there was a large number of illegal constructions and the DSSOPT might face difficulties in entering the sites, it should adopt effective measures to stop the illegal constructions instead of simply advising the offenders to remove the unauthorised building works after completion or even accepting the applications for legalisation of the illegal constructions. Otherwise, such practices will not only infringe on the dignity of the law but also encourage the occurrence of more illegal situations.

VI

The CCAC received a complaint from a resident of an economical housing flat, who said that the Housing Bureau (IH) voted for the increase of the administration fee proposed by the administration company. The complainant considered that the handling by the IH was inappropriate and therefore requested for the CCAC's intervention.

Following the investigation, it came to light that the IH possessed 366 flats in the building. Therefore, the IH sent a representative to attend and vote in the meetings of the general assembly of owners of the building. In the end of 2015, the administration company proposed to the IH an increase of the administration fee of each flat from MOP240 to MOP316. Since the increase rate was similar to that of salary, the IH agreed on the proposal.

Subsequently, the administration company posted a notice to convene a meeting of the general assembly of owners, in which the proposal of administration fee adjustment would be discussed and put to a vote. However, the notice indicated that the proposed amount after adjustment was MOP326. The company explained that the extra 10 patacas would be the expense for antenna and the explanation was accepted by the IH, who eventually voted for the increase of the administrative fee for each flat to MOP326, effective from 1st January 2016.

The CCAC found in the investigation that before 2016, the administration fee for each flat was actually MOP230 every month instead of MOP240 claimed by the administration company and it already covered the expense for antenna at MOP10. According to the calculation based on the rate of increase in salary, the administration fee after adjustment should be MOP306 instead of MOP326. In this sense, the owners were overcharged MOP20 for each every month. In addition, the CCAC also discovered that the same problem also existed in other two buildings of economic housing. There were a total of 4,416 flats in these three buildings. Up to the end of 2018, the undue charge amounted to MOP3.17 million in total.

The CCAC considered that the IH should not accept the reason and proposal of administration fee increase raised by the administration company without making clear the amount of the monthly administration fee paid previously and the services it covered because it not only mattered to reasonable use of public money but also affected the owners' legal rights and interests. The IH accepted the CCAC's suggestions and took actions to deal with the problem concerning the unreasonable increase of the administration fee for the three buildings.

VII

A complainant reported to the CCAC that an instructor teaching heavy motorcycle riding at a driving school did not have the required qualification but the Transport Bureau (DSAT) failed to send staff members to enforce the law after receiving his complaint. Therefore, the complainant requested for the CCAC's intervention.

The CCAC sent a letter to the DSAT to ask for the details. In the reply, the DSAT confirmed that it had received a complaint from the complainant. Since the Centre for Driving Lessons and Exams was overloaded with various types of driving tests every day, it was impossible for the bureau to send staff members to the site for inspection and evidence search whenever requested by citizens and therefore the relevant complaint was archived for the reference of the future inspection works. Soon after that, the police carried out an investigation and verified a case of driving lesson taught by unqualified instructor. Therefore, the DSAT commenced a sanctioning procedure against the driving school and the instructor in accordance with the *Regulation of Road Traffic*.

Moreover, the CCAC found in the investigation that the driving school involved had applied for subsidy under the Continuing Education Development Plan of the Education and Youth Affairs Bureau (DSEJ) for the heavy motorcycle riding course which the complaint was against. In accordance with the relevant regulation, only the courses taught by qualified instructors may be funded. Therefore, the CCAC reported the case to the DSEJ so that the latter would follow up the situation. The DSEJ replied to the CCAC that it had imposed a sanctioning procedure on the driving school involved and requested the school to return the subsidy.

The CCAC considered that the DSAT, as the department responsible for management of the Centre for Driving Lessons and Exams, should have followed

up the complaint actively instead of simply ignoring the complaint and letting the things happen for the reason of manpower shortage. Otherwise, the quality of driving lessons will be affected and hidden dangers will be posed to road safety.

VIII

The CCAC received a complaint alleging that soon after the opening of the Taipa Ferry Terminal, the public toilet near the public bus parking area was out of service due to clogged drainage. The complainant had lodged several complaints to the Civic and Municipal Affairs Bureau (IACM) but the problem had not yet been solved and therefore requested for the CCAC's intervention.

The Taipa Ferry Terminal was put into service on 1st June 2017. In July 2017, there was a serious blockage of drainage and backflow of sewage in the public toilet near the public bus parking area on the ground floor. Therefore, the IACM put it out of service.

The complainant stated that since October 2017, he had repeatedly informed the IACM of the problem concerning the long-term closing of the aforesaid toilet, hoping that the repair would be carried out as soon as possible, while the IACM replied that it was following up the matter. Subsequently, in a reply to the complainant, the IACM stated that the matter had been passed to the Infrastructure Development Office (GDI) for proper follow-up. However, when the complainant called the GDI for further details, he was told that the matter was being followed up by the IACM.

In the investigation, the CCAC found that since July 2017, the IACM had made several written requests to the GDI for handling the matter. However, it was not until April 2018 that the latter began to follow it up. Following an inspection, it was confirmed that the blockage of the manhole was caused by damage to the drainage pipes in the toilet. After that, the GDI contacted the building contractor to replace the

pipes and eventually the relevant repairs were completed in August 2018. Following a site inspection, the CCAC found that the repairs had already been done and the toilet had been reopened to the public.

The CCAC considered that when public toilets are closed due to clogged drainage, public departments should cooperate closely with each other to repair them in a timely manner instead of leaving the problem unsolved for over a year. Proper functioning of public amenities not only matters to users' actual needs but also affects citizens' and visitors' perceptions on the capability of the Government.

PART IV
PROMOTION & EDUCATION



PART IV

PROMOTION & EDUCATION

Given different needs of all strata of society, in 2018, the CCAC endeavoured to meld traditional media and online platforms and extend the coverage of its integrity promotion and education, aiming to gain more support from citizens for integrity building of Macao and encourage their participation in it.

I. Education on corruption prevention for public and private sectors

In 2018, the CCAC held a total of 476 seminars and symposia on different topics, which recorded 23,443 participants who were mainly public servants, employees of private companies, ordinary citizens, teenagers and secondary and primary students. The statistics are shown in the following table:

Statistics of seminars and symposia in 2018

Topic	Target	No. of sessions	No. of participants
Integrity and Observance, Noble Character and Righteous Conduct, Public Procurement, Declaration of Assets and Interests	Public servants	112	4,916
Seminar on the law <i>Prevention and Suppression of Bribery in the Private Sector</i>	Private entities, public departments, educational institutions	74	3,286
Integrity Awareness	Associations, educational institutions, government departments	14	553
Education on Integrity	Teenagers and students	276	14,688
Total		476	23,443

(1) Seminars on integrity for public servants

The CCAC always attaches great importance to the integrity of public servants. In 2018, it continued to carry out promotional and educational work in a systematic way. It held a total of 112 seminars for 4,916 public servants from 22 departments in the year. The topics included “Integrity and Observance”, “Noble Character and Righteous Conduct”, “Public Procurement” and “Declaration of Assets and Interests”.

(2) Integrity awareness seminars for the private sector

The CCAC continuously organises seminars for civic associations, private entities and educational institutions on the law *Prevention and Suppression of Bribery in the Private Sector*, where the legal provisions are introduced and explained with cases and examples. In 2018, the CCAC organised 74 seminars which recorded a total of 3,286 participants.

II. Integrity education for teenaged students

Integrity awareness should be developed at a young age. Therefore, integrity education for teenage students is always an important part of the promotional and educational work of the CCAC. In 2018, the CCAC continued to team up with the educational sector and youth organisations to promote correct moral values to teenagers as well as secondary and primary students through diversified approaches.

Statistics of seminars and activities for teenagers in 2018

Project	Number of sessions	Number of participants
Integrity and Honesty Seminar for College Students	5	350
Education Programme on Integrity for Teenagers	48	3,660
A Talk on Integrity for Secondary School Graduates	8	791
New Generation of Integrity	148	4,644
“Righteous and Honest Superkid” school drama tour	67	5,243
Total	276	14,688

(1) Integrity Seminar for Higher Education Students

To strengthen the awareness of integrity and law-abidingness of higher education students, the CCAC continues to organise the Integrity Seminar for Higher Education Students basing on the law *Prevention and Suppression of Bribery in the Private Sector*, where a video clip is presented and the elements of active corruption and passive corruption are introduced. The seminar aims to encourage students to reflect on the harmful effects of corruption on society and individuals and help them develop a zero-tolerance attitude towards corruption. In 2018, a total of 350 students from three higher education institutions participated in the aforesaid seminar.

(2) Seminars for secondary students

1. Education Programme on Integrity for Teenagers

The “Education Programme on Integrity for Teenagers” has been conducted for secondary schools for many years and has been supported by different schools all along. The CCAC sends staff to schools that have joined the education programme,

where they guide students to discuss and think about the importance of integrity and honesty through short films, daily life examples and current issues. The programme also aims to understand what today's teenagers think about the relevant topics and help them develop righteous character. In 2018, the CCAC organised a total of 48 seminars for 12 schools, which recorded 3,660 students.

2. A Talk on Integrity for Secondary School Graduates

To enable graduating students of secondary schools to understand the current anti-corruption law of Macao and grasp the knowledge of corruption prevention, the CCAC holds the seminar entitled “A talk on Integrity for Secondary School Graduates”. In 2018, the CCAC held eight sessions of the seminar for seven schools, which recorded a total of 791 students.

(3) “Integrity Week”

In 2018, the CCAC co-organised the “Integrity Week” with Sacred Heart Canossian College and Fong Chong School of Taipa. To allow students to understand the importance of honesty, fairness and integrity on society, Sacred Heart Canossian College organised some character education activities and a slogan writing activity. During the “Integrity Week”, the CCAC sent staff to the schools to conduct themed seminars and interact with students. They also set up display panels and arranged quiz games in the campuses to allow students to know more about the work of the CCAC.

(4) Launch of “Resources Database of Integrity Education”

To cater to educators' need for moral education materials, in 2018, the CCAC established and launched a website entitled “resources database of integrity education”. Aiming to support secondary and primary school teachers in carrying out moral education, the database contains all the integrity education materials designed by the CCAC in the past as well as timely new lesson plans

for teachers' reference. The website features a lesson plan search function and a push notification so that educators can easily search information and obtain the latest lesson plans.

(5) “New Generation of integrity – Education Programme on Honesty for Primary Students”

“New Generation of integrity – Education Programme on Honesty for Primary Students” invites all the Primary 3 to Primary 6 students to visit the Branch Office in Areia Preta, where the messages of honesty and law-abidingness are conveyed to Primary 3 to Primary 6 students through puppet plays, computer animation and short films. In 2018, a total of 148 sessions of the education programme were held, recording 4,644 participating students from 22 schools.

(6) Publication of picture book *The First Prize for Big-Tooth*

In 2018, the CCAC published *The First Prize for Big-Tooth*, its very first parent-child integrity picture book for 3-7 years old children. The CCAC hoped that parents would instil the concept of integrity in their children through parent-child reading so it will take root in the mind of each family.

The CCAC held a book launch for the picture book at the conference hall of the Macao Science Centre in May, where the author, Ieong Weng Hong, read the picture book to children and parents. After the book launch there was a light clay workshop where children and parents were guided by instructors to make integrity badges. The CCAC also organised a series of promotional activities between May and August, including a seminar of the book launch carnival entitled “Reading with Joy - the Magic of Picture Books” and “Righteous and Honest Superkid” school and community drama tours.

(7) “Righteous and Honest Superkid” school and community drama tours

To complement the launch of the integrity picture book *The First Prize for Big-Tooth*, the CCAC invited a drama group to adapt it into a drama, so that the message of integrity was spread among kindergarten and primary school kids through drama appreciation and interactive games.

Between June and July in 2018, a total of 18 schools joined the “Righteous and Honest Superkid” school drama tour. 67 sessions of the drama tour were held, recording a total of 5,243 kindergarten and primary students. In August, the CCAC also held four sessions of the “Righteous and Honest Superkid” community drama tour at Taipa Central Park and Praça Das Orquideas of Fai Chi Kei, which attracted nearly 400 children and parents.

(8) A Creative and Honest New Generation” – Parent-Child Collage/Colouring Contests

The CCAC first launched parent-child collage/colouring contests entitled “Creative and Honest New Generation”. The contests aimed to allow children and parents to think about the importance of integrity on individuals and society through visual art creation and parent-child interaction. The relevant assessment and awarding ceremony will be held in 2019.

III. Promotion in the community

(1) Complaints, reports and requests for consultation received by the Branch Offices

In 2018, the Branch Office in Areia Preta and the Branch Office in Taipa received a total of 940 complaints/reports, requests for consultation and simple enquiries, 160 more than that of 2017. The data is presented in the table below:

Statistics of reports or requests from residents in 2018

No. of complaints / reports		No. of requests for consultation	No. of requests for consultation	
Lodged in person	Lodged in writing		Made in person	Made by phone
15	25	137	502	261
Subtotal: 40		Subtotal: 900		
Total: 940				

(2) Developing community relations

1. Participating in community activities

In 2018, the CCAC participated in the “International Children’s Day 2018” bazaar and the “49th Caritas Macao Charity Bazaar”, where it promoted integrity awareness to residents through booth games. It also organised personnel and volunteers to participate in the “Walk for a Million 2018”, so that they would give off positive vibes in the community through the charitable activities.

2. Integrity education in the community

In 2017, five civic associations and one school organised about 200 residents to visit the Branch Office in Areia Preta. Through joining the seminars and visiting the facilities in the branch office, the residents had better understanding of the functions of the CCAC.

3. Visiting civic associations

In order to strengthen liaison with local civic associations, the CCAC visited eight groups of different natures in 2018, including the Salesian Youth Ministry Macau, the Fai Chi Kei Family and Community Services Complex of the Macao Federation of Trade Unions, the Child Protection Centre of the Against Child Abuse

(Macao) Association, the Iao Hon Community Centre of the General Union of Neighbours' Association of Macao, the Pou Lei Centre of the Fu Hong Society of Macao, the Physical and Mental Health Service Centre – “Generosity and Joy” of the Richmond Fellowship of Macau, the General Association of Chinese Students of Macau and the “Joy and Harmony” Integrated Family Service Centre of the Women’s General Association of Macau. During the visits, ideas were exchanged on the ways and feasibility of cooperation in community promotion.

4. Media publicity

To heighten residents’ awareness of integrity and encourage them to report corruption, the CCAC continues to spread the information related to anti-corruption and integrity and promote its reporting channels by various media. It also disseminates integrity messages through its WeChat account.

(3) Integrity Volunteer Teams

In 2018, the Integrity Volunteer Team continued to assist the CCAC in carrying out various integrity promotion and education activities, including the launch of integrity picture book *The First Prize for Big-Tooth* and the seminar entitled “Reading with Joy - the Magic of Picture Books”. The volunteers also participated in the “International Children’s Day 2018” bazaar, the “49th Caritas Macao Charity” bazaar and the “Walk for a Million 2018”. In addition, the CCAC organised the volunteers to visit the elderly persons living alone at D.^a Julieta Nobre de Carvalho building at Toi San and to participate in an event held by the Fu Hong Society of Macao, where they created a mosaic along with 300 physically handicapped and able-bodied people using over 20,000 cups. The event set a Guinness World Record. The CCAC hopes that the team may spread the message of integrity through their own involvement in the voluntary work.

PART V
EXCHANGE & TRAINING



PART V

EXCHANGE & TRAINING

In 2018, the CCAC continued to strengthen liaison with anti-corruption and supervisory institutions of different regions. It sent staff to attend various international and regional conferences and activities in order to enhance communication and cooperation with its counterparts.

I. Receiving visitors

In 2018, the CCAC received delegations from the People's Procuratorate of Guangdong Province, the Hong Kong and Macao Affairs Office of the People's Government of Jiangsu Province, the advanced study course in Hong Kong and Macao of the People's Government of Changzhi, Shanxi Province, the General Procuratorate of the Democratic Republic of São Tomé and Príncipe, the General Procuratorate of the Republic of East Timor, the Casino Regulatory Authority of Singapore and the Government Inspectorate of Vietnam. Both sides discussed and exchanged views on the mutually concerned topics and the directions of cooperation.

The CCAC also received different local organisations, where it listened closely to opinions and suggestions from different circles on the work related to integrity building.

II. Visits and regional and international meetings

In 2018, the CCAC sent delegates to pay visits and attend international conferences outside Macao, including:

- The visits to the National Supervisory Commission, the Supreme People's Procuratorate, the Ministry of Public Security, the Hong Kong and Macao Affairs Office of the State Council of the People's Republic of

China in Beijing, where they acquired deeper knowledge about the work deployment and the latest arrangements of law-enforcement agencies after the reform of the national supervisory systems. They also exchanged views and shared experience on the relevant work.

- The visits to the Department of Public Security of Zhejiang Province and the Zhejiang Police College in Hangzhou to strengthen communication and implement cooperation proposals.
- The visit to the Office of The Ombudsman, Hong Kong, where they learnt from the Office's extensive experience in ombudsman work in order to improve the ways and procedures of handling administrative complaints. The CCAC's delegation was also invited to attend the Presentation Ceremony of The Ombudsman's Awards 2018.
- The meetings related to the United Nations Convention against Corruption (UNCAC) held in Vienna.
- The 3rd International Academic Conference on Criminal Investigation and Forensic Science held by the National Police University of China in Shenyang, where they gained thorough understanding of the challenges encountered by different countries and regions in criminal investigation and the relevant countermeasures. They also strengthened communication and cooperation with international organisations and institutions.

III. Meetings on the review of implementation of the United Nations Convention against Corruption

In June and September 2018, the CCAC, as part of the Chinese delegation, was invited to attend the implementation review meetings on the United Nations Convention against Corruption (UNCAC) held in Vienna, Austria. There were

thorough discussions and analyses about the review to be carried out on China (including the Macao SAR) regarding its implementation of Chapter II (Preventive Measures) and Chapter V (Asset Recovery) of the UNCAC.

IV. Personnel training

In mid-September 2018, the CCAC sent its personnel to participate in the training organised by the Central Government and the United Nations Office on Drugs and Crime (UNODC) in Beijing on the UNCAC implementation review. Based on Chapter V (Asset Recovery) of the UNCAC, the training invited experts and scholars from the UNODC and the World Bank to conduct lectures on the relevant topics. In mid-November, the CCAC also sent personnel to Hangzhou to attend the training course co-organised by the CCAC and the Zhejiang Police College. The training course allowed the CCAC's personnel to understand the foreign affairs of the country and the development of the situations of the neighbouring regions. They also had better understanding of the comprehensively deepening reforms of the country.

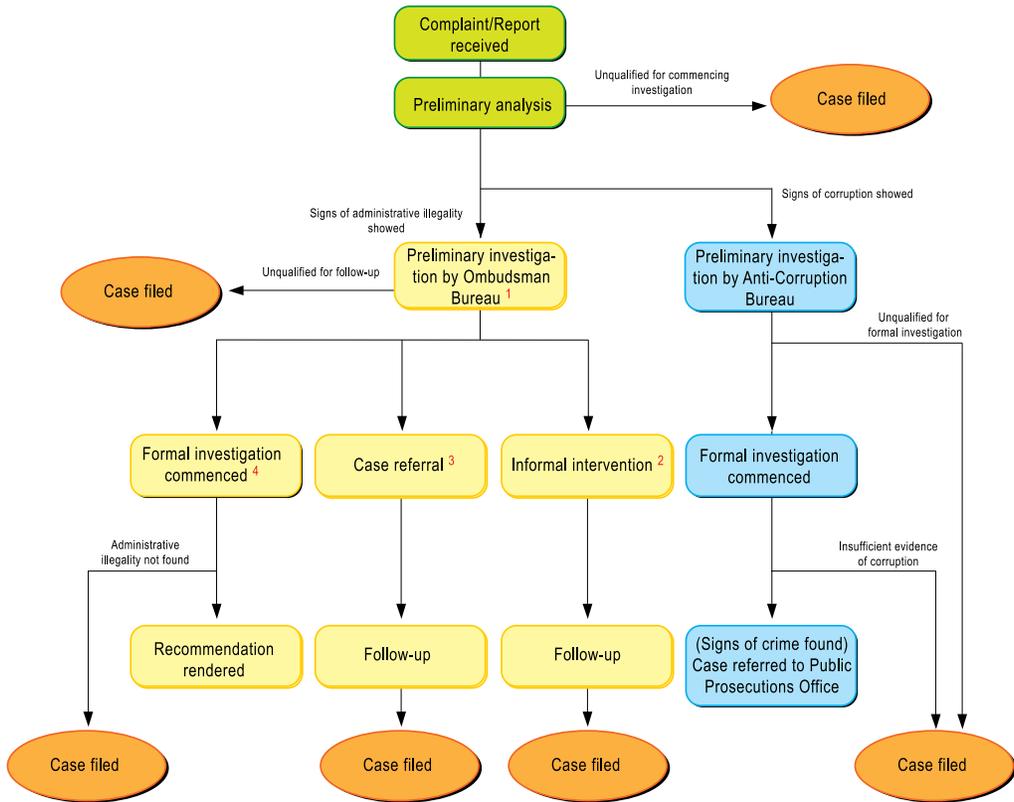
PART VI

APPENDIX



Appendix I

THE CCAC'S COMPLAINT HANDLING PROCEDURE

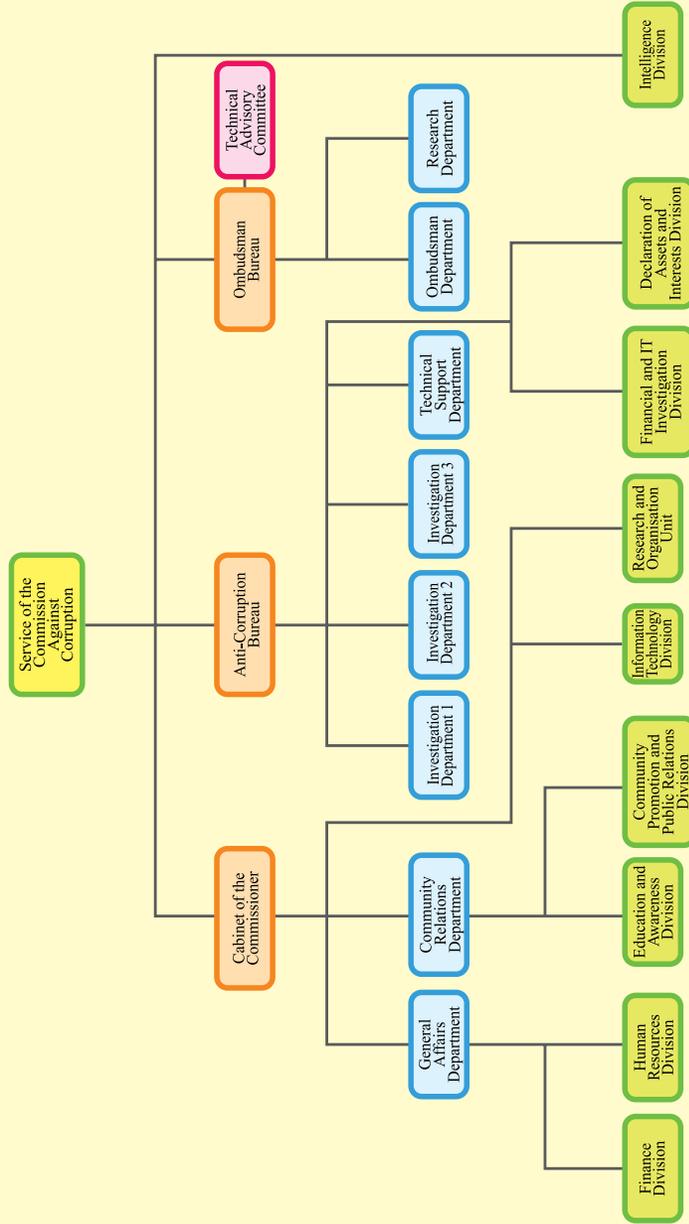


Notes:

1	Preliminary investigation by Ombudsman Bureau	It is conducted under the stipulation of the <i>Organic Law of the CCAC</i> and the <i>Code of Administrative Procedure</i> . In particular, the Principle of Defense shall be observed. That is, both the complainant and the complained side have the chance of pleading.
2	Informal intervention	If the procedure has not been completed or the relevant act has not yet entered into effect, the CCAC will guide the relevant departments or entities in this way so that they will make prompt correction.
3	Case referral	In some cases, since the relevant administrative departments are the competent departments that possess related information (the CCAC only has the information provided by the complainants, which may not be sufficient or detailed), it is appropriate for the relevant departments to handle the cases according to statutory procedures. With the complainant's consent, the CCAC will refer these cases to the competent departments or entities and will follow up their progress.
4	Formal investigation	Due to the severity of the case and the scope involved, the CCAC will commence a formal investigation. Under Paragraph 12 of Article 4 of the <i>Organic Law of the CCAC</i> , the CCAC directly renders recommendation to the competent administrative department for the purpose of rectifying illegal or unfair administrative acts or procedures. Under Article 12 of the <i>Organic Law of the CCAC</i> , in case of non-acceptance of any recommendation, the competent department or entity shall give its reasoned reply within 15 working days. Meanwhile, the CCAC may report the case to the Chief Executive or reveal it to the public after reporting the case to the hierarchical superior or supervisory entity of the competent department or entity.

Appendix II

Organisation Structure of the Commission Against Corruption



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