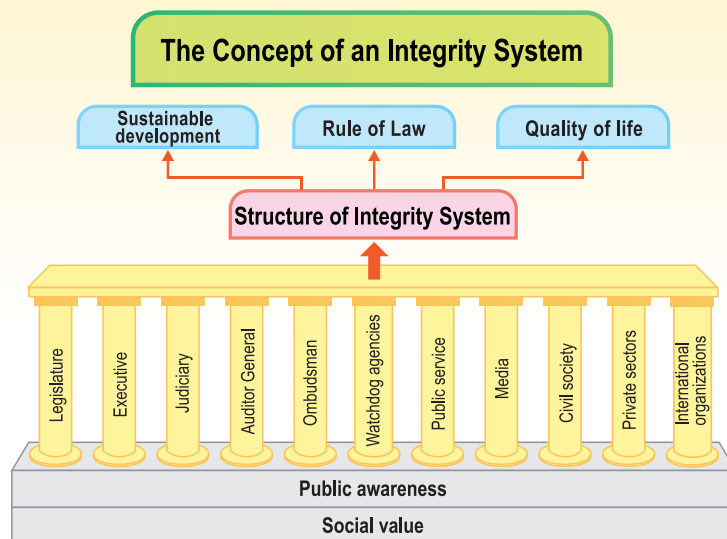


## FOREWORD

### 1. TO DRAW ON EXPERIENCE AND KEEP AN EYE ON THE REALITY

Recently, the CCAC's delegation has visited the anti-corruption NGO, Transparency International (TI), in order to enhance mutual communication and exchange. Our delegates benefited from the visit, which has broadened their horizons and enabled them to deeply understand the problems that the governments of different countries are facing when building a clean government and the measures they adopt. At the same time, the trip also deepened their understanding of the TI and enhanced mutual connection and cooperation.

Clear target position and objective are still the foundations for building any kind of system, including an integrity system. Integrity building is not a job for only one or a few departments but an obligation of the entire society. Mutual restriction and supervision among powers, the participation of the society, the perfection of system and keeping pace with the times, all play a critical role in a clean modern system. The chart on the right clearly indicates the principle of structuring an integrity system, its powers and the function of the civil society. It is inspiring and recommendable.



### 2. BUILDING AN ELECTRONIC GOVERNMENT AND NARROWING DISCRETION

Due to technological development and application of electronic equipments, electronic government has emerged. Therefore, the traditional operation pattern of public administration systems in the world is experiencing a huge transformation. Meanwhile, the ways to exercise powers have also changed, minimizing the intentional irregularities. Blocking illegality or excessive discretion is one of the tasks for the building of the modern administrative system, while running an effective electronic government can significantly minimize the chance of corruption. For example, in Singapore, applications for and renewal of administrative permissions (e.g. entry, working visa and license) are entirely handled electronically. Therefore it basically does not require any interaction between the applicants and administrative officials. At the same time, the exercise of discretion is subject to strict supervision. These are the consequential trends of modernization of administrative system as well as effective and advanced approaches to prevent corruption. As a result, they are valuable references.

### 3. AN UP-TO-DATE AND COMPREHENSIVE SYSTEM

Sustainable development of a society is driven by the timeliness and innovativeness of its regime and system, which keeps abreast of the times, meets the public's demand and expectation, embracing the characteristics of being forward-looking, well-structured and specific with the establishment of a long-term anti-corruption mechanism. All these are the foundation of sustainable development.

Timing and chance are also indispensable and so do building and renovation of system and policy making and execution. In the age of rapid technological development and information explosion, keeping on the cutting edge is the key to success. Foresight brings achievement.

"The root of an exuberant tree is never poor."

### 4. CONCLUSION

"Deal with the difficult while it is yet easy; Deal with the great while it is yet small." A practical action is more important than plenty of plans.

The Commissioner Against Corruption, Macao  
Fong Man Chong



## Macao SAR Government to Revise Law no. 10/2000, *The Commission Against Corruption of Macao SAR*



The Commissioner, Fong Man Chong, presenting the bill in the Legislative Assembly

In order to enhance the CCAC's capacity to respond to social demands and strengthen its competence, especially the supervisory power in the area of ombudsman, and in view of the entry into force of Law no. 19/2009 of 17<sup>th</sup> August, *Prevention and Suppression of Bribery in the Private Sector*, the Macao SAR Government has proposed revision of the Law no. 10/2000 of 14<sup>th</sup> August, *The Commission Against Corruption of Macao SAR*, to clearly define the CCAC's scope of duties in the aspects of corruption fighting and ombudsman, strengthen its initiative in law-enforcement and legislation, clearly stipulate the time limit for case investigation as well as simplify the ways to announce the Annual Report. The bill was generally passed by the Legislative Assembly on 19<sup>th</sup> July.

The revision includes the following eight points:

1. Revision of the name of the law. The bill suggests renaming the Law no. 10/2000 of 14<sup>th</sup> August, *The Commission Against Corruption of Macao SAR*, as *The Organizational Law of the Commission Against Corruption of Macao SAR*.
2. To tie in with the law *Prevention and Suppression of Corruption in the Private Sector*. Since the CCAC's jurisdiction has been extended to the private sector, the bill indicates clearer stipulations about the CCAC's missions and duties as well as scope of functions in the aspects of corruption fighting and ombudsman.
3. To match up with other legal regimes. The bill suggests revising the term "according to penal litigation law" as "according to penal and penal litigation laws."
4. To strengthen the CCAC's function of ombudsman. The bill suggests clearly defining the CCAC's function of ombudsman and empowering the CCAC to render recommendation against "omissions" by administrative authorities. When they do not accept or accept only a part of the recommendation, they shall state the reason. The bill also suggests shortening the time limit for making response to recommendation from 90 days to 15 working days. In case the problems targeted by recommendation may be more complex, the time limited is suggested to be extended by 15 working days.
5. To clearly stipulate the time limit for case investigation. Based on thorough consideration of the current penal litigation system and the basic principles, as well as advanced penal investigation systems and principles in the world, the bill clearly stipulates that the time limit for investigation under Article 258 of the *Code of Penal Litigation* is applicable to the investigation commenced by the CCAC with appropriate measures.
6. To perfect the ways to publicize the Annual Report of the CCAC. In view of procedural efficiency and financial factors, the bill suggests publicizing the Annual Report via electronic media when technical requirements are met, but a notice indicating the ways of access shall be published in the *Official Gazette*.
7. To strictly regulate the CCAC staff's powers and responsibilities. The bill suggests clearly regulating the special obligations that the Commissioner's auxiliary staffs shall fulfil. In execution of duties, the relevant staffs shall absolutely respect other people's reputation and dignity, observe the principle of non-discrimination as well as clearly state their identities as CCAC personnel. Moreover, the bill also suggests that "in execution of duties", only staffs carrying the special working I.D. card issued by the Chief Executive or the Commissioner are allowed to freely pass through or enter the offices of all administrative authorities of Macao SAR.
8. To expand the scope of supervision carried out by the Monitoring Committee on Discipline of the CCAC Personnel. The bill suggests expanding the scope from "complaints over discipline" to "problems involving non-criminal complaints".

## Summary of the 2010 Annual Report of the CCAC of Macao



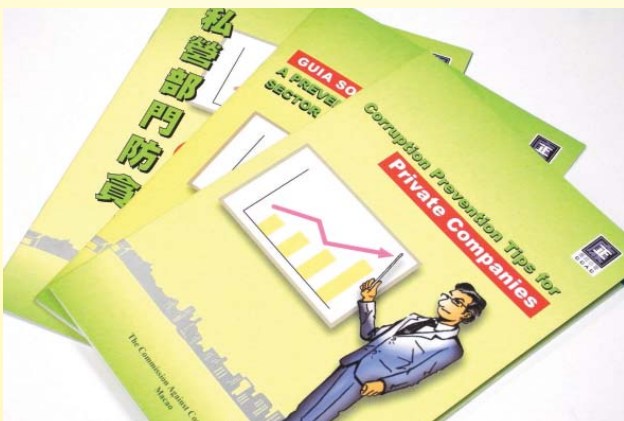
The Commissioner Against Corruption, Fong Man Chong, submitted the Annual Report for 2010 to the Chief Executive, Dr. Chui Sai On

Under Article 15 of Law no. 10/2000 of 14<sup>th</sup> August (*Organizational Law of the CCAC*), the Commissioner Against Corruption submitted the Annual Report for 2010 to the Chief Executive, Dr. Chui Sai On, on 24<sup>th</sup> March 2011.

The report summarizes the CCAC's efforts on anti-corruption, ombudsman and integrity promotion in 2010. In the same year, the CCAC submitted to the Chief Executive a number of commentary reports, including *Bill of "Judicial Aids due to Execution of Public Duties": A Commentary Report*, which is included in the Appendix. Moreover, the report also publishes the recommendations rendered to five public departments over the year.

The Annual Report has been uploaded to the CCAC's website at [www.ccac.org.mo](http://www.ccac.org.mo). The summary is as follows:

### Case Processing Summary



In 2010, the CCAC has handled a total of 786 cases (681 reports received in total throughout the year and 105 cases carried over from 2009). The CCAC commenced a total of 473 cases

for investigation, of which 88 were criminal cases and 385 were administrative complaints.

Among the 681 cases received in 2010, 87 cases were not qualified for follow-up due to lack of information or falling beyond the CCAC's competence, amounting for over 10% of the overall cases.

Investigations of 39 criminal cases have been completed and the cases were subsequently transferred to the Public Prosecutions Office or archived. Among the 632 administrative complaints, 439 were handled or archived. Moreover, 1,140 enquiries of different natures were received throughout the year.

### Anti-Corruption

In 2010, the CCAC received a total of 389 reports of criminal nature, including 93 cases involving corruption in the private sector. 133 criminal cases were qualified for handling, in addition to the 23 cases carried over from the previous year, the CCAC has to process a total of 156 criminal cases in 2010. The CCAC commenced 88 criminal cases for investigation, including 24 cases of corruption in the private sector.

As the law *Prevention and Suppression of Bribery in the Private Sector* entered into force on 1<sup>st</sup> March 2010, the CCAC's jurisdiction covers both public and private sectors. Apart from continuing to combat illegal acts of corruption and abuse of power for personal gain by public servants to safeguard the integrity of the public service, the CCAC also commenced the works on prevention and combat of corruption in the private sector. The new law was extensively promoted to the general public. A total of 97 sessions of seminars for introducing the law was attended by 7,138 people in total. At the same time, the CCAC took the initiative to get in touch with guilds and associations in different professions to expedite formulation of enterprises' internal rules of conduct in order to enhance the building of a clean and fair business environment.

### Ombudsman

In 2010, the CCAC handled 527 administrative complaints. In addition to cases carried over from 2009, the CCAC had to handle 632 cases in total of which 439 cases were handled and archived. Moreover, 438 enquiries were received. The complaints were mainly about the legal system governing public service, traffic offences, illegal constructions, municipal affairs and labour disputes. Over last year, the administrative complaints against public departments saw a significant increase. The four main "dissatisfaction-prone" areas included administrative departments' acts and law-enforcement standard, administrative departments' management approaches, public servants' law-enforcement



standard, and effectiveness of public works department in carrying out their duties. Moreover, the CCAC rendered recommendations to five public departments to clearly point out the illegalities and suggestions for improvement.

## Community Relations and Promotion



In 2010, The CCAC continued to spread the awareness of integrity in different strata of the society. A total of 391 seminars and symposia were carried out throughout the year, with 33,314 participants. Apart from carrying out integrity education programmes for teenagers, the CCAC had, for the first time, co-organized an education activity about corruption prevention with Guangdong Province and Hong Kong to strengthen teenagers' awareness of integrity through the TV commercial competition.



## Conclusion

In 2010, the number of criminal cases investigated by the CCAC was higher than that of the previous year, while the "time restriction mechanism" was gradually adopted – to endeavour completing the investigation within the statutory time limit, strictly complying with the law.

Furthermore, the CCAC also handled over 500 administrative complaints, of which over 50 cases involved construction and public

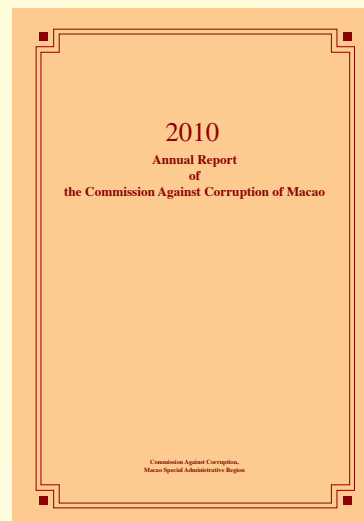
works departments, making the largest proportion. According to analysis, there were many factors mainly including:

- (1) out-of-date system that falls behind the social development;
- (2) manpower allocation that cannot meet the increasing workload;
- (3) unsatisfactory flexibility and standard of management;
- (4) a lack of comprehensive and long-term vision and preparation.

The defect of administrative system is just like virus. If it is not promptly and properly treated, the virus will spread and thus infect other organs. The more serious the illness, the higher the cost for remedy, so as the risk. "Seek early cure when the disease is minor", such a simple theory is also applicable to administrative management.

Poor efficiency and old-fashioned regime are always the public's foci. Administrative efficiency depends on reasonable establishment and operation of administrative procedure. Last year, there were still a large number of complaints regarding the operation of government departments, inadequacy or unfairness of the legal system governing public services and the deficiencies of public servants management system, reflecting that there is still room for improvement in the internal management of the government. Modernization of administrative system is so important that it determines the construction of the foundation of the whole government, which should be the starting point of system construction.

The Commission will strive to combat corruption and promote integrity to fulfil the objectives of "supervision on integrity", "supervision on law-enforcement" and "supervision on effectiveness" by focusing on both suppression and prevention.



## CCAC Rendered Recommendations to Public Departments

Under Paragraph 12 of Article 4 of Law no. 10/2000 of 14<sup>th</sup> August (*Organizational Law of the CCAC*), the CCAC can address recommendations directly to the competent authorities for the purpose of rectifying illegal or unfair administrative acts or procedures. The Commission carries out its duties under the law to take the initiative to handle administrative complaints and supervise the illegality and rationality of public authorities' administrative procedures, with an aim to protect citizens' legal rights and interests as well as enhance the systematic building of integrity management of the government.

In the first half of 2011, the CCAC handled over 100 administrative complaints, parts of which were substantiated. Meanwhile, the authorities being complained about have adopted measures of improvements according to the conclusion made by the CCAC. In view of the complexity of the problems and the issues related to the complaints, the CCAC publicized two of the investigation reports and recommendations, which are summarized as follows (The summaries are for reference only. For details please visit the CCAC's website at [www.ccac.org.mo](http://www.ccac.org.mo)):

### 1. A Comprehensive Report on the Problems Concerning the Structure and Operation of the Macao Polytechnic Institute

The CCAC has been receiving various complaints from the staffs of the Macao Polytechnic Institute (IPM), which were about its structure, operation, management, recruitment, personnel promotion, finance and expenditure, etc. All these problems cannot be completely solved by traditional way – opening separate files for each complaint. Therefore, the CCAC conducted a comprehensive analysis and research on the IPM's operation, establishment of units and internal by-laws and documents, clearly pointed out the various problems existing in the structure and internal management, as well as rendered recommendations and suggestions to the supervisory body of the IPM regarding the by-laws and regimes, personnel management and operation of the Institute.

#### Graft watchdog calls for IPM statute revision

The Polytechnic Institute of Macao (IPM) should revamp its statute to "correct illegal situations" that threaten the institution's administrative efficiency, the local graft watchdog said.

IPM "should conduct a global revision of its current statutory regime, particularly of its organic structure, of the creation of commissions and of its operating methods," the Commission Against Corruption (CCAC), which also carries out ombudsman functions, wrote in a report released yesterday.

The institute has "arbitrarily changed" the number and mission of its units and commissions, in "an explicit breach of the principles of public management and legality," the watchdog accused.

"It's unthinkable that the new organic units created by the Polytechnic Institute of Macao have been operating for so many years with authorization from the Administration," the 15-page document stated.

To create a new commission for any issue, "equals moving away from the principles of organic structure simplification and administrative efficiency optimisation," the CCAC explained.

It leads to "organic structure and competence overlap, which, also considering the extra remuneration granted, is not at all a proper method of public management," they added.

"There is obviously room for improvement of the management level," the report says, emphasising the "continuous arrival of complaints put forward by IPM workers," which increased last year.

#### Graft busters brand IPM committees contradictory to its statute

Jau Si Tsz  
Macao's Commission Against Corruption (CCAC) yesterday branded several committees that Macao Polytechnic Institute (IPM) has set up as being in breach of the territory education institution's statutes.

The CCAC made the assessment in its first "recommendation" this year concerning issues about the government-owned institute's structure and operations.

The CCAC released the "recommendation" yesterday on its website.

"The leadership of IPM should completely review its current regulations, especially its organization and structure, the establishment of the committees and their operation, [...]. In an attempt to correct the situation, since the establishment and operation of those committees violate the IPM statutes," according to the CCAC's assessment.

As stated in the CCAC's report, the number of complaints about IPM that the CCAC had received last year was more than 10. Those complaints mainly involved the institute's operations, its personnel and financial management. All the complaints were filed to the CCAC by IPM staff.

The CCAC pointed out the fact that IPM staff has continuously filed complaints to the CCAC showed that the institute was not solving some "core problems".

According to the CCAC's assessment, the establishment of the three committees – Teaching Quality Committee, Teaching and Research Evaluation Committee and Teaching Materials Development Committee, which are all under IPM's top administration body, the Board of Management and its president, Lei Hong-ik, who is also the IPM president – violates the institute's statutes.

The establishment of another



Three people are seen entering Macao Polytechnic Institute (IPM) in Rua de Luis de Gama yesterday. — Photo: Jau Si Tsz

three academic committees – English Language Teaching and Research Committee, Computer Teaching and Research Committee – all under the Technical Scientific Committee also headed by Lei, are also in contravention of its statutes, according to the CCAC's assessment.

Putting the various committees under the Board of Management without consulting the Technical Scientific Committee amounts to a misuse of the statutes granted by the government and therefore violates those statutes, according to the CCAC assessment.

The CCAC also criticised the institute for establishing "a committee only when a problem arises".

"This management method [of establishing a committee when

there is a problem] is contradictory to the idea of simplifying the structure and increasing administrative efficiency," the assessment said, adding that "the establishment of those committees has led to the overlapping of IPM's structure."

The CCAC also urged the institute to review the management of its personnel.

The contents of the report will be passed on to Chief Executive Fernando Chi Sai On.

The CCAC last year released five "recommendations" to five government bureaux, including the Fire Service Bureau (CB), Labour Affairs Bureau (DSAL), Maritime Administration (CP), Lands, Public Works and Transport Bureau (DSSPT), and the Telecommunications Regulation Bureau (DSRT). ■

### 2. Report of Investigation and Analysis of the Personnel Management of Entities Subordinate to the Maritime Administration

A staff of the Maritime Administration has filed a number of complaints to the CCAC, alleging that his/her functionary supervisor modified the shift roster during his/her sick leave and even posted the copy of his/her "doctor's certificate",

thus leaking his/her private information. Moreover, the functionary supervisor was accused of receiving shift allowance without carrying out any shift duty. Upon analysis, the CCAC rendered recommendation to request the Maritime Administration to adopt measures for improvement, such as clearly defining the ways, procedure and responsibility of modifying the shift roster, improving the procedure of recruitment for teaching staff of the Maritime Training School as well as the ways and procedure of the authority's assessment of documents, etc.

#### CCAC slams irregularities at Maritime Administration

After levelling criticism at the Polytechnic Institute of Macao, the local graft watchdog has now turned its sights to the Maritime Administration (CP).

In a report released yesterday, the Commission Against Corruption (CCAC) slammed irregularities at the body led by Susana Wong Sui Man.

According to the 20-page document, a CP official was assigned to teach at the Maritime Training School for three months without authorisation from the secretary for Transport and Public Works, Lau Si Io.

Several times the official

abandoned his shift at the Maritime Services Division to give classes at the school. And this case may not be isolated, the CCAC advised.

Between July and September last year, the official taught at the Maritime Training School yet only requested authorisation to perform both jobs on January 2011, long after the classes were completed.

The green light from Lau Si Io came in March but it didn't stop CCAC's criticism.

"Why didn't the top officials of the relevant services and the Maritime Training School detect this irregularity before hand and only correct it after CCAC's intervention?" the report questions.

The watchdog also points out of the Maritime Training School yet only requested authorisation to perform both jobs on January 2011, long after the classes were completed.

"The way they did it is not legal," the report says, emphasising the "continuous arrival of complaints put forward by IPM workers," which increased last year.

On one hand, it stated that the official left his station at termination classes.

"The way they did it is not legal," the report says, emphasising the "continuous arrival of complaints put forward by IPM workers," which increased last year.

#### CCAC rebukes Maritime Admin over part-time job

Staff Reporter

The Commission Against Corruption (CCAC) yesterday rebuked the Maritime Administration (CP) over a part-time job by one of its senior staff without the approval of Secretary for Transport and Public Works Lau Si Io.

According to a CCAC statement released yesterday, the graft busters probed the case after receiving a complaint from a

CP employee about the "illegal" part-time job by the senior staff at the Maritime Training School. The senior staff allegedly received a shift duty subsidy for his normal job even though he worked part-time at the school when he was actually scheduled to be on shift duty at Macau International Airport. The subsidy amounted to 17.5 percent of the normal salary. ■



## CCAC Continues to Promote Integrity Awareness among Public and Private Entities

In the first half of 2011, the CCAC kept on carrying out integrity education activities in order to spread the message of integrity and law observance in different strata of the society. Up to July, around 200 seminars have been organized for public departments, civil associations, schools, banks, insurance companies, construction companies and hotels, with over 13,000 participants.

For the public sector, the CCAC held the seminars "Integrity and Observance" for the staffs of a number of public departments, including new recruits and staffs to be promoted. Moreover, themed-seminars on different topics were held for public servants. The topics included guidelines for professional ethics and conduct, guidelines for public procurement and declaration of incomes and properties. Over 1,000 public servants have participated in the seminars.



New recruits of the Civic and Municipal Affairs Bureau



Customs officers to be promoted

For the private sector, the CCAC continued to promote the law *Prevention and Suppression of Bribery in the Private Sector*. Tailor-made and interactive seminars were held for different professions or associations. Around 2,000 people attended the seminars on corruption prevention in the private sectors. Moreover, the CCAC's staffs also visited a number of professional associations to promote the new law and discuss the possibility of cooperation in order to encourage formulation of corruption prevention guidelines by different professions. The Commission aims to join hands with the private sector to build a clean and fair business environment.



Macao Clerical Staff Association



Weng Hang Bank





L'Arc New World Hotel Macau



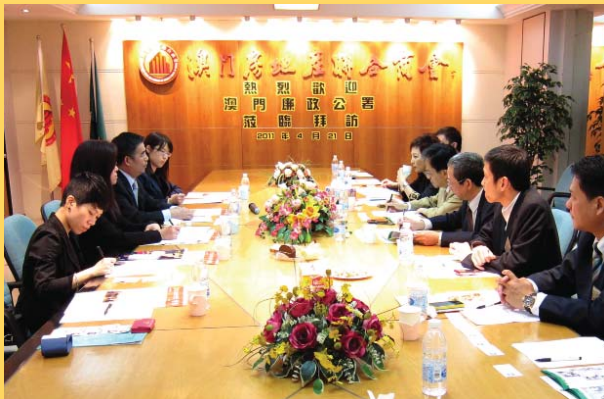
Luen Fung Hang Life Limited



Otis Elevator Company Limited



Seminar on corruption prevention in the private sector co-organized with the Housing Bureau for property management companies and representatives of proprietors' associations



Visit to the Association of Property Agents and Realty Developers of Macau



Visit to the Industry and Commerce Association of Macau Northern District



Visit to the Service Centre of the Northern District of the Macau Federation of Trade Unions



Visit to the Branch Office at Northern District of the Neighbourhood Association



## Prize Presentation Ceremony of Radio Drama Competition on Integrity

The prize presentation ceremony of the Radio Drama Competition on Integrity co-organized by the CCAC and the General Association of Chinese Students of Macao was held on 26<sup>th</sup> March with the presence of the Chief of the Cabinet of the Commissioner, Sam Vai Keong, and over 100 guests, representatives of associations and contestants. All awarded entries have been uploaded to the CCAC's website ([www.ccac.org.mo](http://www.ccac.org.mo)).

60 teams from 20 schools have participated in the competition and there were 16 prize-winning entries.

The Chief of Cabinet of the Commissioner, Sam Vai Keong, pointed out in his address that the CCAC had been promoting integrity by holding various educational activities. Nevertheless, if youngsters could take the initiative to discover related information, they would comprehend the message more profoundly and thus could gain more from it. The aim of the competition was to foster the value of honesty and law observance in their mind.

Mr. Sam noted that in the process of brainstorming and production, the youngsters did their best to gather information and design the characters and plots and finally produced their creative works. This complicated but interesting creative process would help them understand the importance of integrity to an individual and even the entire society, strengthening their vigilance against the hazardous effects of corruption and consolidating their awareness of integrity.

The jury panel assessed each entry strictly based on the expressiveness of the theme, creativity, way of presentation, interest and acting skill and finally selected the winners of each competition group.



Chief of Cabinet of the Commissioner, Sam Vai Keong and panel judges



Mr. Sam awarded the prize to the representative of the first prize winner of the tertiary group



Experienced educator, Ms Lau Sin Ping awarding the first prize to the winner of secondary school group



Award winners and guests



## CCAC Organized Gathering for the Integrity Volunteer Team

In celebration of the 10<sup>th</sup> anniversary of the Integrity Volunteer Team, the CCAC organized a gathering for the Integrity Volunteer Team 2011 on 19<sup>th</sup> March. The activity aims to strengthen the communication and connection among the volunteers, enhance their team-work spirit as well as obtain their opinions and suggestions on anti-corruption works.

The Commissioner, Fong Man Chong, the Deputy Commissioner, Kuan Kun Hong, and the Chief of Cabinet of the Commissioner, Sam Vai Keong, participated in the activity and communicated with the volunteers. The Commissioner acknowledged the volunteers' selfless dedication over the 10 years and hoped that they would continue to pay attention to and support anti-corruption works as well as join hands with the CCAC to build a clean society. The volunteers shared their feelings and experiences about their assistance in promotion of integrity awareness and their expectation on constructing a clean society.

In the activity, the volunteers also reviewed the promotional activities that they gave a hand to over the 10 years and participated in group games in order to strengthen their mutual communication and team spirit.

In 2001, the CCAC founded the Integrity Volunteer Team with an aim to join hands with the society to carry out various promotional and educational programmes. Currently, there are over 500 members from different strata of the society, including students, professionals, homemakers and retired elderly people, etc. They remain active in various kinds of activities for integrity promotion held by the CCAC, such as booth games, questionnaire surveys, shooting of promotional video clips and public charity activities. The CCAC hopes to extensively spread the message of integrity to every corner of the society through their zealously.



The volunteers expressing their opinions about the building of a clean society



The volunteers playing group games to enhance team spirit



The Commissioner, Fong Man Chong, the Deputy Commissioner, Kuan Kun Hong, the Chief of Cabinet of the Commissioner, Sam Vai Keong, and the Integrity Volunteer Team

## The Commissioner Led a Delegation to Guangdong

The Commissioner, Fong Man Chong, led a delegation to Guangdong Province in April. They visited the People's Procuratorate of Guangdong Province, the People's Procuratorate of Guangzhou City and the People's Procuratorate of Shaoguan City.

The Commissioner met with the Procurator General of the People's Procuratorate of Guangdong Province, Zheng Hong. Both sides exchanged views on anti-corruption works, mutual case assistances, information exchange and mutual cooperation of personnel training, agreeing to further their partnership to enhance integrity building based on friendship and mutual trust. The delegates also visited



The Procurator General of the People's Procuratorate of Shaoguan City, Que Dingsheng (second from right), introduced the anti-corruption works of the city to the CCAC's delegation

"the base for enhancement of a clean culture of the Communist Party, pre-service education for cadres and occupational crime prevention of Shaoguan City". They were introduced the efforts in integrity promotion made by the city's authority and the effectiveness.



The Commissioner, Fong Man Chong, presenting souvenir to the Procurator General of the People's Procuratorate of Guangdong Province, Zheng Hong

Moreover, the delegation visited the Chief of Department of Supervision of Guangdong Province, Lin Haokun, and the President of the Higher People's Court of Guangdong Province, Zheng E, to exchange views and experiences in the works in the areas of common interest.

## The CCAC's Delegation Visited Singapore

In mid-May, the delegation of the CCAC visited Singapore to exchange views and experiences with the Corrupt Practices Investigation Bureau (CPIB) and the Public Service Division of Singapore in order to understand the measures of integrity building, integrity management of the public service and system of declaration of incomes and properties in Singapore.

During the meeting with the Commissioner, Fong Man Chong, and the delegates, the Director of the CPIB, Eric Tan Chong Sian, introduced the graft-fighting works conducted by the CPIB over recent years and the Singapore government's efforts in enhancing the culture of probity. Meanwhile, both sides exchanged experiences in and approaches of law enforcement as well as reached consensus on furthering intelligence exchange and personnel training.

The Public Service Division of the Prime Minister's Office introduced the measures to ensure and enhance public servants' discipline and conduct and explained the concrete approaches to operate the system of declaration of public servants' incomes and properties.

Moreover, the delegation visited the Casino Regulatory Authority and the Singapore Police Force, while the Commissioner, Fong Man Chong, paid a visit to the Ambassador of the People's Republic of China in the Republic of Singapore, Wei Wei. Both sides had a pleasant conversation.



The Ambassador of the PRC in Singapore, Wei Wei, and the Commissioner, Fong Man Chong



The Commissioner, Fong Man Chong, and the Director of the CPIB, Eric Tan Chong Sian



## CCAC Delegation Attended the 3<sup>rd</sup> IAACA Seminar

The delegation of the CCAC attended the 3<sup>rd</sup> Seminar of the International Association of Anti-Corruption Authority (IAACA) in Shanghai in early July. The theme of the Seminar was "International Cooperation on Anti-Corruption" and the sub-topics included "Extradition and Transfer of Sentenced Persons", "Mutual legal Assistance", "Transfer of Criminal Proceedings", "Law Enforcement Cooperation and Joint Investigations", and "Special Investigative Techniques". It gathered over 400 representatives from 84 countries and regions. Member of the Standing Committee of the Political Bureau of the Communist Party of China (CPC) Central Committee and secretary of the CPC Central Commission for Political and Legal Affairs, Zhou Yongkang, addressed the opening ceremony.

The Commissioner, Fong Man Chong, stated in his speech that the Macao SAR has been striving to enhance integrity building and combat corruption in the aspects of law and system building. Moreover, he introduced the system of mutual judicial assistance of Macao under the policy of "One Country, Two Systems" and its characteristics to the counterparts of China and other countries. Dr. Fong pointed out that system building facilitated corruption prevention, while international and regional cooperation helped combat cross-border crimes. Exchange and communication enhance the standard of cooperation and law enforcement, while agreements will facilitate joint establishment of clean and fair social environment and order.

During the Seminar, the President of the IAACA and Procurator General of the Supreme People's Procuratorate of the People's Republic of China, Cao Jianming, met the Commissioner, Fong Man Chong, and the Prosecutor General, Ho Chio Meng.



The Prosecutor General, Ho Chio Meng, and the Procurator General of the Supreme People's Procuratorate of the People's Republic of China, Cao Jianming, meets with the Commissioner, Fong Man Chong



The Commissioner, Fong Man Chong, delivering a speech during the seminar to introduce the system of mutual judicial assistance in Macao

## Visit to Shanghai Municipal Supervisory Bureau



The Commissioner, Fong Man Chong, presenting the souvenir to Mr. Dong Junshu



The delegates meeting with Mr. Dong Junshu and the leadership of Shanghai Municipal Supervisory Bureau and the Shanghai Municipal Bureau of Corruption Prevention

In early July, the Commissioner, Fong Man Chong, led a delegation to the Shanghai Municipal Supervisory Bureau to meet with member of the Shanghai Municipal Committee of the CPC and Secretary of the Commission for Disciplinary Inspection of Shanghai, Dong Junshu, and Director of the Shanghai Municipal Supervisory Bureau and the Shanghai Municipal Bureau of Corruption Prevention, Gu Guolin.

Mr. Dong Junshu welcomed the delegation and stressed that he attached much importance to this meeting because it would facilitate mutual understanding and cooperation. He introduced the anti-corruption efforts over recent years in Shanghai. He noted that focusing on suppression and prevention, the Shanghai authorities enhanced system building as well as kept abreast with the times by using advanced technologies, especially electronic information technologies to conduct modern and scientific management and supervision in order to increase transparency of information. Remarkable accomplishment has been achieved in the enhancement of system building, management and transparency of administrative affairs.

The Commissioner also briefly introduced the CCAC's efforts in corruption fighting, ombudsman and integrity promotion over recent years and, particularly, some concrete measures to enhance public servants' ethical conduct and construct a transparent government of Macao, including the system of declaration of public servants' incomes and properties.

In addition, both sides exchanged experience in management and supervision of public procurement, especially tender of construction projects with a hope to learn from each other and further improve relevant works.

## “Integrity Week” Held at Two Schools

In order to further promote integrity awareness among secondary students and foster teenagers’ honesty and righteousness, the CCAC co-organized the “Integrity Week” with the Luso-Chinese Secondary School of Luís Gonzaga Gomes and the Mateus Ricci College respectively in March. During the Integrity Week, the CCAC held seminars on integrity awareness for the students of the schools to discuss with them the value of money and the importance of upholding one’s integrity. Other supplementary activities included themed lectures and games. Display boards were set up to introduce the duties and functions of the Commission. In response to the event, students of the Mateus Ricci College, organized by schools, used creative ways such as artworks and writing to express their own views on clean society. The CCAC hoped that the students would adopt an appropriate and rational view on money and respect their personal integrity through participating in educational activities such as the “Integrity Week”.



CCAC’s staff member discussing value of money with secondary students

## A Talk on Integrity for Secondary School Graduates



As for the secondary school graduates, whether they choose to further their study or take up an occupation, they will encounter challenges concerning their personal integrity and protection of their own rights and interests. In view of this, the CCAC has, for the first time, organized seminar called “A Talk on Integrity for Secondary School Graduates”. It enables students to clearly understand the current anti-corruption laws, including the legal regimes of preventing corruption in both public and private sectors, before they graduate and take their first step into the society, so that they will understand and observe the law, keep their self-esteem, be strong enough to resist illicit temptations and prevent themselves from falling into legal pitfalls and ruining their future. The talk has been held at a number of schools including Tong Sin Tong School, Kao Yip Middle School, Sacred Heart Canossian College

(Chinese and English sections) and the Mateus Ricci College, etc.



A Talk on Integrity for Secondary School Graduates



## Course on Media Coordination and Public Relations

In order to enhance the staffs' ability to coordinate media and public relations, the CCAC co-organized a course on Media Coordination and Public Relations with the Communication University of China in late February. A number of experienced professors came to give lectures.

The Commissioner, Fong Man Chong, addressed to the staffs that due to social development, the CCAC needed to broaden its knowledge and strengthen its capacity and skills of news releasing and communication with the media so as to carry out its duties more effectively. He hoped the staffs would benefit from and be inspired by the course as well as apply what they had learnt to their work.

The lectures were comprehensive and substantial that staff members who had attended the lectures believed that the course had facilitated and inspired their work.



CCAC leadership with the professors of the Communication University of China



Staff members attending the course

## William the Integrity Bear Talks about Integrity to Pupils

The CCAC organized an activity "Celebrate Children's Day with William the Integrity Bear", inviting over 300 pupils to visit the CCAC's Branch Office at Areia Preta and discussed the topic "Treating You with Gift" with William. Through examples in daily life, William guided the children to think about the intention of giving gifts and reminded them not to fawn on or bribe anyone by giving gifts. Being honest and observing the law is the only way to gain people's love and respect. The children have spent a very happy and meaningful Children's Day with William.





## Open Recruitment of Investigators for Anti-Corruption Bureau

Since the law *Prevention and Suppression of Bribery in the Private Sector* entered into force, the CCAC's jurisdiction has extended to the private sector. In order to equip sufficient manpower and further enhance investigative power, the CCAC launched an open recruitment to fill up 20 vacancies of investigators in the area of anti-corruption, attracting over 2,000 applicants.

The candidates went through a strict assessment process comprising written exam, fitness test, teamwork test, home visit and interview. The final admission list was publicized in July. The final selected candidates will receive a half-year training programme which strengthens their knowledge of law, administrative procedure and investigative skills. Only those who complete and pass the programme will be employed.



Candidates attending the written exam



Fitness test

## Updates of Integrity Volunteer Team

In the first half of 2011, the Integrity Volunteer Team continues to support anti-corruption works with their selfless teamwork spirit and energy. The members have provided great assistance in the CCAC's activities of integrity promotion, including booth games in celebration of Children's Day and the shooting of promotional photos.



Booth games



Shooting of promotional photos



Volunteers at the booths





Director of the Legal Division of the Hong Kong and Macao Affairs Office of the State Council, Huang Liuquan, visiting the CCAC and presenting souvenir to the Commissioner, Fong Man Chong



The Australian Consul-General in Hong Kong and Macau, Les Luck, visiting the CCAC



Members of the Zhuhai Municipal Committee of the CPC and Secretary of the Commission for Disciplinary Inspection of Zhuhai, Wang Guangquan (third from left) led a delegation to visit the CCAC



Seminar on integrity organized for the census officers of the Population Census conducted by the Statistics and Census Service



Deputy Commissioner, Kuan Kun Hong, hosting a press conference to announce the first case of corruption in the private sector detected by the CCAC



Director of Shenzhen Municipal Supervisory Bureau, Yang Hong, who led a delegation to visit the CCAC, and the Commissioner, Fong Man Chong



The Commissioner, Fong Man Chong, presenting souvenir to the Deputy Procurator General of the People's Procuratorate of Fujian Province, Li Mingrong



A visit by senior citizens to the Branch Office at Areia Preta organized by the Catholic Pastoral Centre of Areia Preta



## What is Red Notice?

### I. Introduction

People always associate the Red Notice with the International Criminal Police Organization and international wanted orders. Indeed, it is the reality.

If there is Red Notice, is there any notice in other colours? What is its origin and function? Why is it red? Here is a brief introduction.

In fact, as a kind of international document, Red Notice is issued by the International Criminal Police Organization according to international law. It is necessary to mention some related knowledge when talking about this notice.

The International Criminal Police Organization (abbreviated as ICPO or INTERPOL) is a cross-governmental international organization aiming to coordinate prevention and combat of international crime at global level. It enjoys the status of observer of the United Nations General Assembly. Its members shall be sovereign nations, while non-governmental organizations cannot join the organization.

### II. Brief History

Due to increasing cross-border and cross-national crimes and diversity of criminal methods, cooperation among countries, especially European countries, was very important. Therefore, the INTERPOL was founded during the First International Criminal Police Congress in Monaco during 14-18<sup>th</sup> April 1914.

The agenda of the meeting included establishment of a rapid and simple system of arrest, improvement of methods for identifying individuals, establishment of international criminal database and consistency of methods of extradition of fugitive.

The Second International Criminal Police Congress was held during 3-7<sup>th</sup> September 1923 in Vienna, Austria. With the presence of representatives from Germany, Austria, Denmark, France, U.K. and Hungary, the International Criminal Police Commission (ICPC) was set up with its Vienna-based General Secretariat responsible for routines.

In 1938, the number of member countries increased to 38, with a majority from Europe.

During the World War II, Adolf Hitler occupied Austria and hence the operation of the ICPC almost stopped.

After the end of World War II, a meeting aiming to resume the activities of the ICPC was held in Brussels, Belgium during 6-9<sup>th</sup> June 1946. New constitution was established and the headquarters was moved from Vienna to Paris.

In 1946, the General Secretariat started operating in Paris. "INTERPOL", the abbreviation of "International Police" was chosen as the telegraphic address and was registered at the post office of Paris on 22<sup>nd</sup> July 1946.

During the 16<sup>th</sup> General Assembly meeting in 1947, the representative of Italy suggested that the National Central Bureaus in member countries to use the name INTERPOL followed by the names of the cities in naming the respective National Central Bureaus of member countries. This proposal was unanimously passed, so that the names and contact methods could be standardized.

During 7-13<sup>th</sup> June 1956, the 25<sup>th</sup> General Assembly meeting was held in Vienna, when the ICPC's Constitution and rules formulated in 1946 were revised. Thus the ICPC was renamed as the International Criminal Police Organization (ICPO or INTERPOL).

### III. Membership of the People's Republic of China

The People's Republic of China joined the organization on 5<sup>th</sup> September 1984. At that time, there were 136 member countries in Asia, Africa, Europe, Latin America, North America and Oceania. A complete system for crime prevention and suppression was gradually established. As a result, the INTERPOL became the centre of international intelligence exchange, communication and cooperation among the police agencies of the countries for combating crimes.

On 14<sup>th</sup> December 1982, the United Nations recognized the INTERPOL's status as an inter-governmental organization in a memorandum, after the INTERPOL and the UN Economic and Social Council entered into the Co-operational Agreement, which stipulates intelligence and information exchange, discussion and cooperation in aspects of common concerns, reciprocal participation in meetings as observer, submission of written statements and proposal of possible agenda of the other side's meetings.

During the 64<sup>th</sup> General Assembly meeting in Beijing during 4-10<sup>th</sup> October 1995, the resolution calling for the status as observer

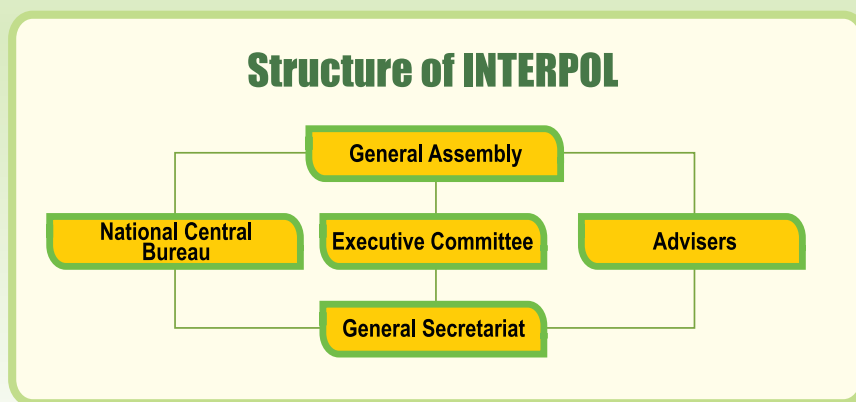


of the United Nations General Assembly was passed.

On 22<sup>nd</sup> October 1996, the UN General Assembly granted observer status to the INTERPOL.

## IV. Duties and Structure of INTERPOL

In order to fulfil its mission to combat crime and its objective to coordinate the joint actions among member countries, it is necessary to establish internal units scientifically and distinguish rationally their functions in order to form an effective organizational system. The INTERPOL comprises the General Assembly, the Executive Committee and the General Secretariat, which are its supreme governing body, executive body and administrative body respectively. In addition, each member country maintains a National Central Bureau (NCB). Serving as a part of the INTERPOL, the NCBs are designated contact points and branches of the INTERPOL (See the chart below).



### 1. General Assembly

The General Assembly, the INTERPOL's supreme governing body, and its Executive Committee are the management bodies of the INTERPOL. They have regular meetings about the decisions on important issues and supervise the implementation of the policies.

### 2. General Secretariat

As a permanent body, the General Secretariat executes the resolutions made by the General Assembly and the Executive Committee. It is responsible for the routines of the INTERPOL, maintains close contact with NCBs, provides frameworks for international cooperation and coordinates operations of member countries in combating crimes. As police agencies authorized by respective countries, the NCBs are responsible for maintaining liaison with the General Secretariat and other NCBs.

One of the objectives of the INTERPOL is to ensure the communication among the member countries. In other words, the most effective approach to initiate international cooperation within the INTERPOL is to use the communication network among the member countries to combat various kinds of cross-border crimes, while the General Secretariat plays the role as the communication centre. Therefore, communication is one of its basic routine jobs. The documents, images, photos, notices and notifications among member countries and the General Secretariat are transferred through the communications system of the INTERPOL.

## V. Levels of Communication of INTERPOL

In terms of overall structure, the communication system of the INTERPOL functions at three levels:

The first level is the centre station located at the NCB of every member country, which serves as the communication network between the NCBs, their superior bodies and related bodies. Currently, there are 183 NCB centre stations.

The second level is the transit point established at the Regional Bureaus in different continents in the world. There are 5 transit points respectively located in Nairobi, Buenos Aires, Abidjan, Harare and San Salvador. Moreover, there are electronic communication points in Tokyo (Japan) and Canberra (Australia). These regional transit points are set up for the purpose of better guaranteeing effective transmission of information and intelligence among the NCBs within the respective regions. As they can connect with the General Secretariat directly, they also serve as the liaison points between the General Secretariat and the respective NCBs and among the NCBs within the same region.



The third level is the centre point (established within the General Secretariat), which transfers intelligence between the General Secretariat and regional transit points as well as serves as a transit point for intelligence exchange for the Mediterranean region in Europe, North America and Middle East. The centre point covers 66 NCBs. The communication centre of every NCB can directly contact the centre point of the General Secretariat.

International notice is an international investigative measure that the INTERPOL requests the police agencies of member countries for assistance in order to capture and identify criminals as well as discover clues. It is an effective approach for them to commence case investigation, a tie among them to enhance mutual cooperation, as well as an important way to transmit information and collect intelligence about crimes. The international notices used by the INTERPOL are categorized by the square code of seven colours on the upper right corner of the notice to signify the differences and the extent of urgency and seriousness of the requests. The colours include red, green, blue, yellow, black, white and purple (red, green, blue, yellow and black are commonly used). This method is created by Jean Népote, a police officer, the first person who adopted the term "INTERPOL". Each kind of notice has its own format.

Red Notice is used for seeking provisional arrest and extradition of fugitives. It is similar to an arrest warrant. Upon receipt of a Red Notice, police agencies shall arrest and detain the wanted person until s/he is extradited to the country that made the request. Therefore, Red Notice is also known as "red wanted order".

The approach adopted by the INTERPOL to search for wanted criminals is a means of international cooperation among the police agencies of various countries.

## VI. International Notice System and its Application

In a resolution during the 29<sup>th</sup> annual meeting in 1960, the INTERPOL established the international notice system. The report drafted by the General Assembly clearly points out that: If a person escapes from the country where s/he has committed a crime and his/her whereabouts is unknown, the person should be located first. Once the fugitive is located, the policy agency of the country where the criminal is found shall arrest him/her in the first place. As the same time, each member country was requested to follow correspondent regulations to seek wanted persons.

If a criminal case occurs in a member country and the defendant has already escaped to other countries, they can request the police agencies of other countries to provide assistance in the arrest through any kind of special cooperation. Therefore, it is necessary to issue a wanted order to the requested countries. The heading of a Red Notice includes the name of the country and the nature of the case. The body indicates the defendant's name, gender, date and place of birth, his/her parents' names, the defendant's position, appearance and features, full-faced and profile photos, fingerprints, the criminal facts and the code of the warrant issued and signed by prosecutor or judge. The Red Notices sent to the INTERPOL and its member countries should be based on this format. If any of the data is missing, notes should be put on the notice.

The delivery of Red Notice is one of the pioneering works of the INTERPOL, which is the channel for sending a Red Notice to any member country. This is an important way of cooperation among the member countries.

There are two channels for the delivery:

- (1) A direct transmission of the notice from a requesting country to certain countries requested and the General Secretariat via the INTERPOL's electronic communication system. The Secretariat will forward it to other related member countries if necessary.
- (2) The requesting country sends the notice to the General Secretariat via international postal system; then the General Secretariat will forward it to related countries.

Once a member country receives a Red Notice, it shall arrange its police force to take prompt action. Once the wanted person is located, arrest operation should be carried out immediately. Any country should not let criminals go. Otherwise, hazard to its society may be caused easily.

If the wanted person has been arrested in his/her home country, the country can detain the person according to its domestic law and subsequently discuss the issues about extradition or deportation by diplomatic or judicial means. Meanwhile, the country which made the request should report the arrest to the related countries in order to cancel the request.

Since wanting fugitives involves many legal issues, how the position and function of wanted order are perceived by different countries is a very important issue, from both theoretical and practical point of view. For the INTERPOL, Red Notice is a kind of temporary document of legal proceedings. For the countries which issue Red Notices, the issuance means to temporarily delegate the power of the domestic judicial agency to arrest a certain defendant to the INTERPOL and the related countries. Such authorization is a way to exert sovereignty, which shows the independence of the judiciary of a country. Since the delegation is temporary, once the wanted defendant is arrested, it will be revoked automatically. If the notice indicates the requests for extradition, the authorization will not be revoked until the extradition is completed. Any countries should not extend this authorization to engage in any legal activities unrelated to the case.



For the countries that have received Red Notice, it is the legal basis for detaining and arresting the wanted person. Based on the principles of criminal litigation law, when a country needs to arrest a defendant, it is necessary to ensure that the defendant has committed the crime and that hazard to the society cannot be prevented without carrying out arrest operation. In other words, the arrest should meet necessary requirements, that the main criminal facts have been proved, such crime is liable for penalty and that hazard to the society cannot be prevented without the arrest. Therefore, when the related countries receive the Red Notice, they can use it as a temporary legal document to support the presumption that the accusation against the defendant is valid and the criminal facts has been proved. In order to prevent hazard to the countries, the wanted can be arrested.

Since arrest is a coercive measure which temporarily deprives the defendant of personal freedom and have him/her detained, it cannot be carried out without sufficient legal basis. Otherwise, it is easy to constitute illegality. Therefore, every country takes a very prudent attitude to the execution of Red Notice.

## VII. The Relationship between Macao and the INTERPOL

The connection between Macao and the INTERPOL is mainly through the Macao Sub-Bureau of the China National Central Bureau, of which the main duties include:<sup>1</sup>

- (1) *To directly liaise with the entity mentioned in the previous paragraph according to guidelines given by competent offices of the INTERPOL;*
- (2) *To execute or enhance the execution of the measures requested by foreign offices of the INTERPOL;*
- (3) *To deliver the request for temporary detain necessary in the procedure of extradition to foreign offices of the INTERPOL;*
- (4) *Based on official intelligence, especially the intelligence provided by offices or General Secretariat of the INTERPOL, to detain or assist in detaining the people who shall be extradited for criminal responsibility or penalty due to relevant and obvious facts and thus are wanted by foreign counterparts, and to assist in transferring these people to competent magistrates;*
- (5) *To adopt necessary measures in order to transfer the people who shall be transferred according to the court order to the authority which has made the request;*
- (6) *To provide assistance in the transference of people to Macao SAR upon arrival and to discuss with the foreign competent authority the date and the way of the transference;*
- (7) *To ensure the compliance with the guidelines and suggestions issued by the General Secretariat of the INTERPOL;*
- (8) *To make proposals about measures of prevention and suppression of crimes, especially cross-national crimes, while the measures especially refer to those mentioned in the resolutions passed by the INTERPOL;*
- (9) *To establish partnership with foreign security forces and departments through exchange of intelligence about international criminals and publicizing documents about police affairs;*
- (10) *To receive, classify, handle, publicize and archive the documents about international criminals.*

This shows that the INTERPOL does not have the power to decide whether to issue an arrest order, but it assists in executing the arrest or detention orders issued by various countries. Under normal circumstances, the orders are issued by their police or judicial agencies. In Macao, the bodies which have the competence to issue detention order are the Public Prosecutions Office and judges – see Paragraph 1 of Article 240 and Article 460 of the *Code of Penal Litigation*, while these orders are only effective within Macao. If the case involves cross-border or cross-national crimes, it is necessary to proceed through the means and approaches recognized by international law. Since jurisdiction is the exertion of sovereignty, other countries have no power as well as eligibility to interfere in domestic jurisdiction, and vice versa. In order to prevent conflict, judicial cooperation and assistance has become an effective tool. As one of the platforms for such cooperation in different aspects at different levels, the INTERPOL enhances international assistance and partnership in order to effectively combat criminal activities and arrest criminals through issuance and execution of Red Notice.

\* \* \*

In Macao, regarding the process of delivery of detention order, Article 72 of the *Law of Judicial Cooperation in Criminal Matters* stipulates that:

*“1. The court order of temporary detention issued for transference of fugitives shall be delivered by the representative of the Public Prosecutions Office at the competent court to the Prosecutor General.*

*2. The Prosecutor General shall deliver the court order to the Macao Sub-Bureau of the China National Central Bureau and notify this to the court.”*

Therefore, judicial agencies are responsible for the issuance and execution of international wanted orders.

<sup>1</sup> See Article 21 of Administrative Regulation no. 9/2006 of 3<sup>rd</sup> July (*Organization and Operation of the Judiciary Police*)

# News Excerpt

## Graft busters nab 4 hospital staff for funeral corruption

**Xia Lixian**

Four auxiliary staff members of the government-run Conde de São Januário Hospital Centre have been questioned by the Commission Against Corruption (CCAC) for allegedly receiving bribes from funeral operators for introducing family members of the deceased, the anti-graft body announced in a statement yesterday.

Allegedly, the suspects were paid a "commission" of 2,500 patacas for each client. According to the statement,

two suspects surnamed Leong were also questioned yesterday for their alleged bribe payments to the quartet.

The statement said that the four hospital staff acted in a "continuous, organised and systematic way" in collusion with the cemetery and morgue operators, adding that the CCAC investigators seized written accounts and other evidence from the suspects.

In the wake of the investigation, the graft busters also discovered that several auxiliary staff members from the public

hospital violated their employment conditions by regularly gambling in local casinos.

Macao's civil servants are banned from gambling in casinos, except for a brief period during the Chinese New Year holiday.

The CCAC transferred the case to the Public Prosecution (MP) yesterday. All the suspects have been released on their own recognisance.

The statement said that the investigation was continuing to find out whether anyone else was part of the racket. ■

## Six nabbed for corruption

The Commission against Corruption (CCAC) arrested six suspects of corruption in the private sector, of which one is a senior manager of a local construction and land development company, the CCAC reported yesterday in a statement.

None of the six suspects is a Macau resident. Two are from Hong Kong and four from mainland China.

According to the graft buster, "the senior manager is suspected of having taken advantage of his position to obtain illegal benefits during the recruitment of workers for construction sites."

The six suspects were taken into custody last week. "The senior manager

has requested about MOP 2,000 and 4,000 per worker as a condition for recruitment, assisted by five non-resident job recruiters who were in mainland China," the CCAC stated.

During the investigation, it was also found out that "someone had unlawfully deducted MOP 50 from each non-resident worker's daily wages and seized their bonuses, while giving them false promises that they would be later compensated by being recruited to work in the best projects granted to the company, as well as ensuring that none would be fired without just cause."

In addition, the suspects have allegedly seized the non-resident workers' ATM cards, as well as their access

codes to bank accounts, through which their wages were being paid. Workers were also threatened with aggression and dismissal if they failed to give a monthly amount of money to the employers.

The anti-corruption office statement added the suspects have violated the business code of conduct and committed the crimes of bribery, fraud and coercion.

Around 70 non-resident workers are estimated to have fallen victims of this scheme that involved a sum of at least MOP 700,000.

The office stressed that the suspects had confessed to their crimes. The case has been forwarded to prosecutors.

## Graft busters nab senior IC staff for abuse of power

**Xia Lixian**

The Commission Against Corruption (CCAC) said in a statement yesterday that it has passed a suspected case of abuse of power involving a senior official from the Cultural Affairs Bureau (IC) to the Public Prosecution (MP) for further investigations.

According to the statement, the suspect was interrogated at the CCAC premises about the allegations on Wednesday.

The statement did not identify the suspect or his or her exact position, merely saying that the person held a senior management post.

The statement said the suspect was believed to have abused his or her power to make sure that certain service contracts by the bureau were granted to family members. The statement allegedly also mentioned

when asked by reporters on the sidelines of a public function last night.

Ung said that the case had already been passed from the Commission Against Corruption to the Public Prosecution because of which he could not comment. "I hope people will understand," Ung said.

However, Ung admitted that the case was a "warning" to his bureau. "We hope that we can learn from mistakes and we hope that his will help us reach a corruption-free working environment," Ung said. ■

## Disciplinary probe for S. Januário doctor

Disciplinary proceedings have been launched against the dermatologist at the public hospital Centro Conde S. Januário who is accused of breaching the exclusivity provision of public workers, the Health Bureau (SSM) announced yesterday.

SSM "is carefully following up this case" and a disciplinary probe has been initiated "against this doctor suspected of an administrative infraction," the statement adds.

The doctor was allegedly working in a private beauty centre, without permission from the SSM, "taking advantage also of his duties at the hospital to recommend the beauty centre to patients, handing out business cards as well".

This case was revealed just days after four hospital workers were charged with bribery and corruption, along with two operators of cemeteries and mortuaries.

"To prevent the recurrence of similar cases," SSM "will ask for the cooperation of the Commission against Corruption to improve workers' awareness of the integrity principle".

## Commission Against Corruption Cracks First Bribery in Private Sector

After about 2-month investigation and evidence collection, the Commission Against Corruption (CAC)

brought a male alleged of breaching the law of bribery in private sector back for investigation. The forecast case is the first related case the CAC dealt with after

the "Prevention and Suppression of Bribery in the Private Sector" Law took effect more than a year before. It is shown that the Hong Kong suspect is alleged of employed by an engineering company to obtain trade secret information of bidding companies in a bid case involving about MOP\$100 million, and attempted to sell to one bidding company in accordance with 1% to 2.5% of the total construction costs (about MOP\$1 million to 2 million). At present, the case was transferred to Public Prosecutions Office while the suspect had been taken with coercive measures.

The CAC held a press conference yesterday. Kuan Kun Hong, the Deputy Commissioner of the CAC and Secretary for Anti-Corruption Authorities, and Fong Pak Ian, senior investigator, introduced the case details.

Fong introduced that the Government mastered evidence that the Deputy Commissioner from Hong Kong is

responsible for a large project tendering and management site. The suspect obtained the information of trade pay rates during work, and met with the staff of one bidding company in the middle of January this year, claiming to have acquired the trade secret and submit to the police when the construction price is at 1% to 2.5% as a reward (about MOP\$1 to MOP\$2 million). The relevant information is submitted to the other side and the final deal is not successful.

After receipt of the report, the Commission embarked on a two month investigation. During which, it received cooperation of the company employing the suspect and the bribed company, seized out the forecast secret information and others. At present, the case has been transferred to the Public Prosecutions Office for handling while the CAC took immediate coercive measure. Moreover, according to the "Prevention and Suppression of Bribery in the Private

Sector" Law, the suspect is involved of bribery which is liable to one year in prison the highest and it is not ruled out to have further illegal activities.

Kuan disclosed that the Government has received about 100 complaint cases since the law comes into effect one year before, of which 30 cases are qualified to open files, mainly involving receipt of bribe, conspired with others to defraud the company and other issues of interest. It is reaffirmed that the cases are results from cooperation of two private companies, reflecting prevention against bribery has acquired general consensus and the legal effectiveness is ideal. As if press release for announcement of one's case of bribery as a convention, he did not give positive response and claimed that it is the first case to have been transferred to Public Prosecutions Office. It is of special significance and taking into account of the public right to know.



Commission Against Corruption held a press conference.

**To report corruption or file administrative complaint, please contact the CCAC**

**CCAC Bulletin**  
Issue No.3 , August 2011

ISSN 2219-4223



Published by:  
Cover and graphic design:  
Printed by:  
Print run:

Commission Against Corruption, Macao Special Administrative Region  
Community Relations Department of the Commission Against Corruption  
Welfare Printing Ltd.  
1,800 copies

For comments, suggestions or enquires, please contact the Community Relations Department of the Commission Against Corruption

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