PART III

OMBUDSMAN ACTIONS

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I. Introduction

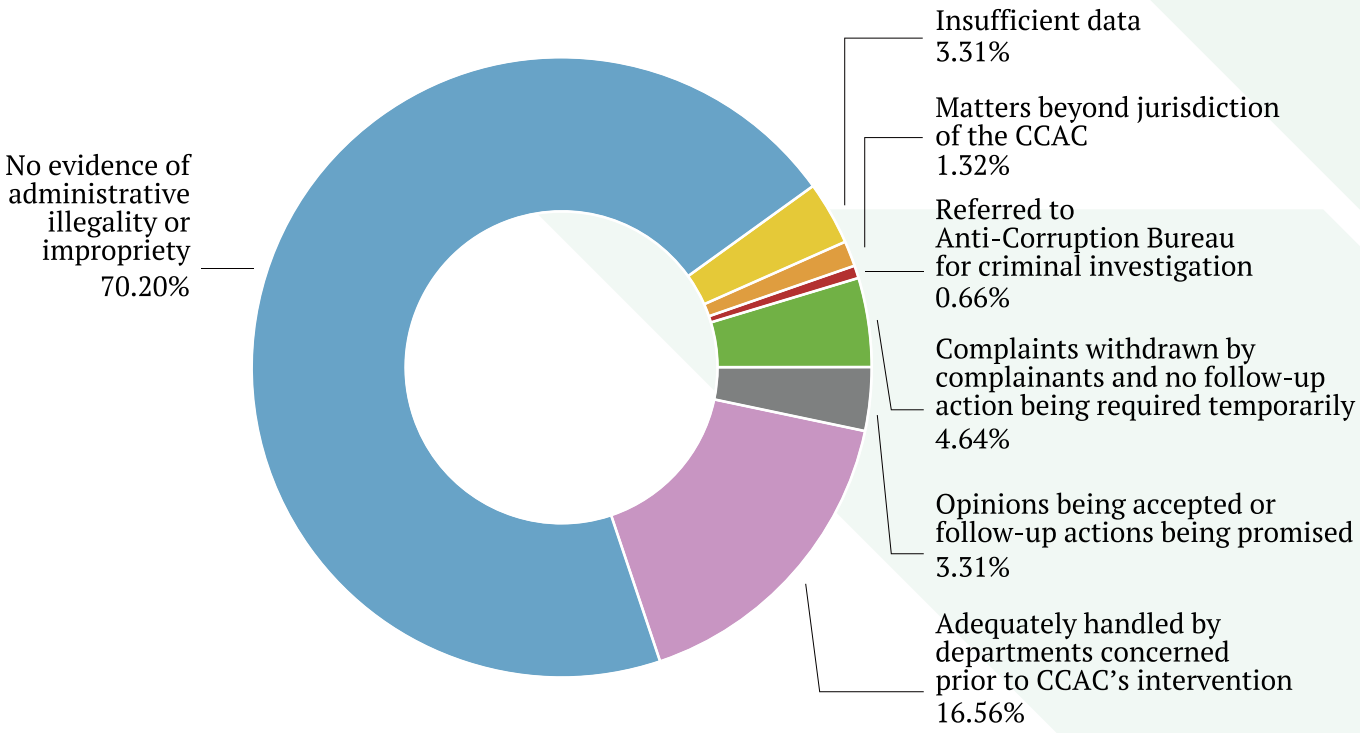
In 2023, the CCAC continued to implement the 2nd Five-Year Plan based on the objectives outlined in the Policy Address. When it came to the performance of functions as the ombudsman, the CCAC adhered to the principle of legality, the principle of proportionality and the principle of adequacy, striving to achieve the governance objectives of not only "getting things done" but also "getting things done well".

As regards ombudsman actions, in 2023, the CCAC initiated investigation of 122 new inquiry files and one comprehensive investigation file. Along with the cases carried forward from the previous year, the CCAC has to follow up 302 inquiry files and four comprehensive investigation files. As some particular issues aroused extensive public concern, the CCAC handled the cases through a consolidation mechanism. In 2023, there were a total of nine consolidated inquiry files and one consolidated comprehensive investigation file.

In addition, along with the cases carried forward from 2022, the Ombudsman Bureau of the CCAC concluded investigation and archived a total of 151 cases, of which five were newly added to the list of "retrospective review".

Among the cases concluded in 2023, there were 106 cases archived due to no evidence of administrative illegality or impropriety, five archived due to insufficient data, two archived due to their not falling within the jurisdiction of the CCAC, one referred to the Anti-Corruption Bureau for criminal investigation, seven not being required to follow up temporarily due to withdrawal of complaints by complainants, 25 archived due to opinions of the CCAC being accepted or follow-up actions being promised by departments concerned and five adequately handled by departments concerned prior to the CCAC's intervention.

Cases concluded by the Ombudsman Bureau in 2023



In 2023, the CCAC sustained its efforts in exchanging opinions with the Public Administration and Civil Service Bureau (SAFP). By taking the opportunity of investigating specific cases within the scope of the ombudsman's duty, the CCAC took concerted action with the SAFP to explore the proper interpretation of various regimes and regulations in relation to public service laws with a view to seeking good ways of operation, striking a balance between safeguarding and guaranteeing the right to rest by Public Administration workers and ensuring the smooth operation of departments. The CCAC and the SAFP reached a consensus on some issues such as the situation that enjoyment of annual leave of not less than ten consecutive days by public service workers being interrupted due to exemption of work during the "18th June epidemic period" shall not be deemed as fully equivalent to having met the legal requirement of annual leave being enjoyed in a consecutive way. Another example is that annual leave of not less than ten consecutive days or at least 11 days which cannot be enjoyed by public service workers due to attendance of training programmes, as interpreted by law, is irrevocable or does not expire. At the end of 2023, the SAFP successively issued official letters to the departments involved in the cases and published central guidelines to various public departments and entities to remind them to properly and effectively implement relevant regimes laid down in the public service laws, particularly regarding the latter part of Paragraph 1 of Article 83 of the *Statute of Personnel of the Public Administration of Macao* which provides that without prejudice to the normal operation of the departments, the leaders of the departments are obliged to strive to ensure their personnel exercise the rights of enjoying the annual leave due that year and those accumulated from previous years so as to avoid having a detrimental effect on the rest time of the personnel and the operation of the departments.

Of the cases initiated by the Ombudsman Bureau of the CCAC in 2023, there were some issues similar to those handled in 2022, which involved departments arranging for their rostered personnel to re-start another shift cycle in less than 24 hours. Upon analysis, the CCAC reflected its opinions to the relevant departments, stating that it is provided for in the public service laws that except in exceptional cases recognised by the leaders of the departments, a change in shift cycle can only occur after the off-duty day of each shift cycle under normal circumstances. It is for the sake of ensuring the personnel to have sufficient rest time on each day during the performance of duties in consecutive days. When the change of shift duties becomes more frequent, there will be greater impact on physical and psychological health suffered by the personnel. The relevant departments accepted the opinions of the CCAC and they adjusted the daily and weekly rosters in accordance with law.

In addition, quite a number of cases which are still being followed up involve issues relevant to the interpretation and implementation of the legal regime of public service. The CCAC still has to communicate and exchange with the SAFP constantly in order to seek the best solutions for ensuring relevant public service laws being implemented properly.

In order to implement the Policy Address 2023, the CCAC published the investigation results of more cases investigated by the Ombudsman Bureau of the CCAC in a timely manner at the space for disseminating information by the Ombudsman Bureau at the official website of the CCAC for the first time on an experimental basis by the end of the year. It will also disclose to the public its achievement irregularly, increase the transparency of the work of the CCAC in a moderate manner, and, to a certain extent, clarify legal concepts and ensure the facts are being properly interpreted.

It is worth mentioning that the CCAC has all along been urging residents to lodge responsible complaints and reports. In addition, under the general direction of informatisation, the CCAC insists on allocating human resources to notify residents face-to-face with a view to responding to the will and requests of residents. The CCAC strives to provide opportunities to meet residents face-to-face for the sake of communicating with them and clarifying doubts, seek a balance between the principle of confidentiality and transparency of information and adjust the ways of handling cases in a flexible way. In fact, many doubts simply arise from a lack of clarity or misunderstandings of some facts or laws. Therefore, the CCAC always believes that rational analysis and explanation indeed contribute to the establishment of a rational society.

II. Inquiry case summaries

(I)
"Noise caused by several construction projects at Lot P, Avenida do Nordeste"

Starting from the end of 2021, the CCAC successively received complaints from residents living near the Lot P, Avenida do Nordeste, who questioned some issues such as the out-of-hours works, that the noise caused by the construction exceeded the limit provided by the law, that the relevant departments failed to regulate the matters, etc. Then the CCAC requested the Environmental Protection Bureau (DSPA), the Land and Urban Construction Bureau and the Public Works Bureau (DSOP) for various documents such as the supervision reports of the relevant construction works, the documents of the follow-up of the relevant complaints and comments, etc.

Following an analysis, the CCAC considered that the procedures of the grant of out-of-hours work permits for many times for the construction projects of the apartments for the elderly, the home-swap housing units and the temporary housing units that were underway at Lot P at that time complied with the law of *Prevention and Control of Environmental Noise*. Whenever the DSOP vetted an application for an extension of construction hours for the apartments for the elderly, it consulted the DSPA for technical opinions. The latter also analysed the noise level assessments and decided if it complied with the requirements on night-time works. Also, prior to its approval of an application for over-time works, the Public Administration made reference to the noise assessment information provided by the contractors. Moreover, it also requested the contractors to submit an environmental and audit report to the relevant departments for assessment every month and hire a third-party technical unit to support the noise and air quality monitoring work.

In the light of public interest, out-of-hours construction of the flyover at the Amizade roundabout (Rotunda da Amizade) was approved to be carried out overnight for about half a year. Except for this, the construction of the home-swap housing units, the temporary housing units and the apartments for the elderly was approved to be carried out until 22:00. On Sundays and public holidays (except mandatory holidays), the out-of-hours works of these projects were only permitted to be done from daytime until evening. Therefore, the aforesaid schedule did not seem to coincide with the normal resting time of residents.

Meanwhile, it was found in the investigation that starting from the end of 2020, the DSPA sent its staff to carry out investigation at the construction sites over a hundred times during restricted and non-restricted hours, including public holidays, early mornings and late at night. During the periods, the DSPA indeed identified cases where noise levels arising from piling at the construction sites exceeded the limit or violated the law of *Prevention and Control of Environmental Noise*, but it had already placed them on file for follow-up actions. Regarding the complaints received, it had also responded to them by e-mail or meeting. The

CCAC believed that the DSPA did not fail to perform its duties in handling the noise problems related to the aforesaid construction sites.

Moreover, regarding other complaints related to the said lot, the CCAC had already notified the competent departments and such departments attached importance to and followed up the complaints. In Feburary 2023, the CCAC publicised the results of the investigation and reiterated that the ombudsman functions include monitoring whether public departments act in accordance with law, carrying out investigation and analysis in a pragmatic way, rendering recommendations to departments so that they can rectify any administrative illegalities and improprieties, and making affirmation to administrative acts which are carried out in accordance with law, so as to promote departments to improve their work and safeguard residents' interests.

(II)
"Inquiry findings on the land plot at Rua dos Pescadores where buildings no. 15 and 17 (commonly known as the "Leather Factory") were located"

According to the letters sent to the CCAC by different associations, the matters queried included the non-declaration of expiry of the concession in spite of the expiry of the land use period of the land plot at the Leather Factory, the premium for the land plot for repurposing and the circumvention of the *Law of Urban Planning*, among others. The CCAC was therefore requested to look into the matters.

Upon investigation, the CCAC found out that the concession of the land plot involved in the case was a definite concession on long-term leasehold and the buildings of the Leather Factory were constructed there, with Chong Fok Technical Service (Macau) Co. Ltd. being the owner of the relevant right, who applied for a change of the land purpose to a residential-cum-commercial complex in 1989. Later, the land plot experienced concession change for two times, with Nam Fong Construction & Real Estate Co. Ltd. (hereinafter referred to as "Nam Fong Company") and Trust Art Investment and Development Co. Ltd. (hereinafter referred to as "Trust Art Company") being the concessionaires respectively, during which the concession contract was revised for several times and the land use period was extended.

In 2006, Trust Art Company was given a green light to construct two 26-storey towers over a six-storey podium. Later, the corruption case of Ao Man Long came to light, and the Court of Final Appeal, in 2009, decided that the construction project at the land plot concerned was a project in exchange for bribes. The then Land, Public Works and Transport Bureau (DSSOPT) therefore declared the relevant works permit invalid, despite that 15 floors of the building had been built at that time. Subsequently, the then DSSOPT, on the grounds of the principle of good faith, authorised the maintaining of the structure of the building that

had been built by Trust Art Company and went forward with preparing and issuing a new street alignment plan. Trust Art Company submitted a new application in 2014 and it was given a green light in 2018 to revise the land concession contract for the construction of a residential-cum-commercial complex with two 13-storey towers over a six-storey podium.

The CCAC found in the investigation that despite that Nam Fong Company and Trust Art Company obtained authorisations to extend the land use period several times between 1993 and 2003 and between 2004 and 2014 respectively, both of them failed to complete the land use. It showed that the Public Administration did not rigorously enforce the fines set forth in the terms of the contracts or declare the recovery of the land plot concerned.

The CCAC believed that the habitual practice of the public works departments of not recovering land in the past had all along been a subject of criticism. With the entry into force of the new *Land Law* in March 2014, the Public Administration pledged that the regime and the provisions pertaining to the use of land would be rigorously enforced. In 2018, rules on expiry of the land concession and recovery of the land plot were added to the revised concession contract for the land plot at the Leather Factory.

In March 2022, a use licence was issued by the then DSSOPT to Trust Art Company upon completion of the use of the land plot by the latter within the respective land use period. Therefore, violation of the law or non-compliance with the contract clauses has not been found.

Moreover, regarding the declaration of nullity of the relevant administrative act following the conviction in Ao Man Long's case, at that time the Public Administration considered that if the completed building on the land plot at the Leather Factory had been removed, it would have involved resources and costs and had negative environmental impact. The Public Administration believed that the maintaining of the status of the building already constructed was better for the common good. The CCAC considered that the decision made by the Public Administration at that time enhanced the use of public land to a certain degree and conformed to the principle of useful and effective use of land. It did not find any signs involving crime and could not identify any apparent administrative illegality or irregularity.

The CCAC also proved in the investigation that the building proposal for the land plot at the Leather Factory approved in 2018 was made based on the official street alignment plan which was remade in May 2010. The timing was apparently four years earlier than the implementation of the *Urban Planning Law* and even earlier than the submission of the relevant bill for legislation. Although afterwards it had to remake several applications to the public works departments for a street alignment plan within the validity period of

land use due to revisions of the building proposal, there was no change in the building requirements of the plan. Therefore, the CCAC believed that the competent authority neither made a false start of the planning nor circumvented the *Urban Planning Law*.

Regarding the method of calculation of the premium of the land plot, the CCAC considered that although the then DSSOPT did not make any mistake in the application of law, the department lacked consideration of reasonableness and fairness of interest distribution regarding the logic on the calculation of deduction of the premium required to be paid.

According to the investigation, Trust Art Company requested for revision of the land concession contract for the land plot at the Leather Factory in 2014. The then DSSOPT calculated the amount of the premium in line with the land value in 2014 based on the amount used as basis for calculation of the value of the premium for that year together with the gross construction areas for the purposes in the revised plan of Trust Art Company and the formula provided for in the *Method of Determining the Amount of Concession Premium*. Then the department calculated the amount of the hypothetical premium that Trust Art company should have paid if it, in 2014, had completed the building proposal planned by Nam Fong Company in 1996 based on the base value and formula for premium calculation in 2014. Since the latter subtracted from the former equalled to a minus amount, the department came up with the conclusion that Trust Art Company did not need to pay any additional premium for the new building proposal.

The CCAC considered that Nam Fong Company already fully paid the premium set in the original land concession contract in 1995 and the amount was calculated based on the economic background at that time, while the land concession contract was also in line with the building proposal approved at that time. Since the revision of the building proposal of Trust Art Company was approved in 2014 and the socio-economic situations had significantly changed, regardless of other objective factors that benefited the concessionaire or sub-concessionaire of the land plot, the premium paid under the original contract should be the deduction amount applied to the calculation of the premium to be paid under the revised land concession contract instead of the hypothetical premium that Trust Art Company should have paid for the building proposal of Nam Fong Company.

It is necessary to reiterate that land concession contracts are by nature administrative contracts such that relevant departments should ensure that the concession contracts are strictly implemented in order to safeguard the public interest that relate to land. Moreover, one of the purposes of charging the premiums is to safeguard the interests of the local region and serve as a form of sharing of profits that are expected to be earned in the development of the building projects by the concessionaires. Therefore, the practical

calculation methods for the premiums should be determined by the visions and purposes of charging the premiums, and based on the then socio-economic situations when the revised plans for the buildings were approved and the expected profits to be earned rather than just the safeguard of the stability and safety of the land concession contracts. It is only through this method that the spirit of legislation related to the land laws and regulations and the public interest can be realised and safeguarded to the greatest extent. Otherwise, the land concessionaires will propose to redevelop the land only after the value of the land has been constantly increased. Along with the aforesaid logic of deduction to recalculate the premiums by the public works departments, the consequence like land hoarding will inevitably be led to and the public interest that relates to land will unavoidably be harmed.

It is necessary to stress that Article 155 of the new *Land Law* introduces the formula for calculating the premium under the circumstance of transfer of concession, in which the amount to be deducted corresponds to the amount of premium which has actually been received by the SAR Government and the difference calculated refers to the amount of premium that should be paid for the newly revised concession contract. This provision, which can be considered as a milestone for combatting the act of land hoarding, hopes to reduce the situations where the original land concessionaires do not use the land during the effective land use periods in a bid to seek to make excessive profits through the transfer of the land concession contracts when the value of the land increases. Therefore, the relevant departments indeed have to seriously reconsider reviewing the concept and relevant calculation logic for the premiums, among others, so that the value of the premiums can, as much as possible, approximate to the market value of the land.

For circumstances that have not been expressly provided for in the law, the public works departments used to act in accordance with the internal unwritten rules or instructions, such as the alternative method related to the calculation for the street shadow area and the rules for deducting the premiums, among others. However, the methods and rules to handle situations that are closely related to the overall interests of the society and public safety should not be just determined by internal discussions and decisions made by certain departments. Instead, they should be presented in the form of legal norm in a general and open way such that the credibility and transparency can be achieved.

The CCAC presented the aforesaid investigation report to the Chief Executive. It suggested to urge the public works departments that they should, through the case of the land plot at the Leather Factory, attach more importance to the management of land and adhere to and implement the land use regime provided for in the new *Land Law*. They should also seriously consider reviewing relevant practices including the calculation methods and the need for the logic of deduction. They should incorporate the internal instructions or the methods or instruments that are accustomed to use in the legal framework and step up

efforts to consolidate the premium regime in force so that the actual market value of the land of Macao may be reflected on the premiums and the precious land resources of the Macao SAR may be fully protected.

In May 2023, the CCAC publicly released the results of the investigation of this case. In response, the Land and Urban Construction Bureau publicly stated that it highly respected the CCAC's inquiry findings on the land plot at the Leather Factory. It would carry out holistic review and made improvement on relevant work, especially in sustaining its efforts to review the amount used as basis for the value of the premium in accordance with law. The bureau also stressed that it would continue to, with its greatest efforts, carry out its land management duties in order to ensure the full and effective implementation of the *Land Law* and safeguard public interest.

(III)
Admission requirement should be on goodwill and fair

According to a complaint, the admission requirement of the "Meteorological Officer Training Course" jointly organised by the Meteorological and Geophysical Bureau (DSMG) and the Macao Polytechnic University (MPU) which indicated that the applicants should be those who had passed the General Competence Assessment Exam for high school graduates or the same exam for those with higher academic background was unlawful and unfair. Also, the selection and assessment procedure of the course was not transparent.

It was substantiated in the investigation that the DSMG contracted the organisation of the said course out to the MPU. According to the service contract, the reason why there was a new requirement that applicants should be those who had passed the General Competence Assessment Exam was that the places for the course involved were limited and it aimed to fill the vacancies of the relevant department in the future. Therefore, the DSMG hoped to carry out preliminary selection by introducing the said requirement in order to eliminate those who signed up for the course just for the purpose of gaining knowledge of meteorology and make the course fit in the needs of recruiting meteorological officers in the future so that the training resources would be utilised properly. Meanwhile, the arrangements for the enrolment of the course such as the ways of publicising the scores and the procedure of admission were done in accordance with the relevant regulations of the MPU. There was no specific regulation about the transparency of the arrangements in the documents about the awarding.

In accordance with the administrative regulation of *Recruitment, Selection and Promotional Training of Public Servants*, the General Competence Assessment Exam aims to sort out the people who are "qualified" for taking the general and special professional or functional competence assessment exams. Therefore, it is

tailor made for all general and special job series subject to the *Regime of Public Service Positions*. Except that, there is no other statutory purposes or objectives of the exam.

Following a comprehensive analysis of the laws and the actual purpose of organising the meteorological officer training course, the CCAC considered that under the premise of no explicit regulations, the setting of more stringent admission requirement for the course by the DSMG did not constitute any breach of law. However, although there was no explicit regulation, the authority should still take into account the principles of fairness and goodwill when setting the admission requirements in order to ensure the fairness of the admission and avoid creating a negative perception among the public that it was unfair and favoured a specific group of people and thus giving rise to unnecessary misunderstanding and doubts.

The DSMG accepted the CCAC's opinions and promised it would act in accordance with the relevant regulations and principles when organising the same kind of courses in the future. Also, the DSMG will optimise the terms in the relevant service contracts regarding the admission procedure and the publication of the results in order to facilitate the enhancement of the transparency.

(IV)
Tender evaluation of procurement should be lawful and rational

There was a report indicating that in a procurement procedure by written enquiry carried out by the Municipal Affairs Bureau (IAM), although the lead time proposed by a tenderer failed to meet the requirements set in the tender specifications, the tender invitation committee did not eliminate the tenderer and he even won the tender eventually.

It was verified in the investigation that the document of written enquiry sent by the IAM to the invited tenderers specified a certain delivery date and mentioned that the lead time would be "counted from the day when the order form is received". Also, the internal assessment criteria of the tender invitation committee specified that the tenders that failed to meet the requirement of lead time would not be considered. However, according to the lead time calculation rules mentioned above, the lead times proposed in three of the tenders received by the IAM failed to meet the required delivery deadline. When vetting the tenders, the tender invitation committee then adjusted the lead time calculation rules and then required that the lead time should be "counted from the tender closing day". As a result, the invited tenderer who proposed shorter lead time was able to meet delivery deadline set by the IAM. The remaining two invited tenderers still failed to meet the required delivery deadline even if the lead time was counted from the tender closing day. As a result, their tenders were rejected.

Following an analysis, it was found that since the designated delivery date was approaching, the tender invitation committee hoped to accept the tenders to the greatest extent possible in order to save time and resources. Hence it hoped to achieve the relevant effect through the adjustment of the existing rules in the tender specifications and the internal criteria. Although the intention of such practice was understandable, it is beyond dispute that such failure to comply with existing rules was unlawful. However, taking account into the fact that the goods purchased were in use for a certain period of time and in compliance with the principles of goodwill and proportionality, the CCAC agreed to maintain the legal effect that arose from the facts resulting from the relevant void acts in accordance with the relevant regulations of administrative procedure.

In addition, the CCAC also discovered that the IAM did not notify the successful tenderer in written form as required by the law. Instead, it replaced the notification with an order form.

The CCAC rendered recommendation to urge the IAM to review the stringency in the procurement procedures

Therefore, the CCAC rendered recommendation to the IAM, urging it to review the compliance with law in public procurement procedures, especially the stringency of the implementation of tender selection and assessment rules and the procedure of notification in order to prevent similar situations from happening again. The CCAC also suggested specifying all kinds of foreseeable situations and consequences in tender invitation documents clearly in order to prevent the situation of catering for the procurement procedures by breaking the law.

The IAM accepted the CCAC's recommendation and promised to adopt proper measures for improvement, strengthen the relevant workers' awareness and update the procurement guidelines in a timely manner in order to ensure the legality and stringency of every step in the procurement procedures.

(V)
Defects in law enforcement do not impede the duty of supervision

When handling a case of rescission of a social housing lease contract by the Housing Bureau (IH), the CCAC found that the relevant tenant allegedly violated the provision under the administrative regulation of *Allocation, Lease and Management of Social Housing* in effect at that time, after replying at the hearing, the IH confirmed that the tenant fell into the situation of not living in the social housing unit for over 45 days or not permanently living there (i.e. living there for at least two third of a year annually) and thus decided to rescind the relevant social housing lease contract.

The tenant then filed a judicial appeal to the Administrative Court, which ruled that there were deficiencies in the content of the notification that resulted in defects in the hearing. Therefore, the court revoked the said decision of rescinding the contract made by the IH. However, the IH neither filed an appeal nor responded to the complainant's request for re-allocating a social housing unit to him.

It was not until the CCAC intervened into the case in 2023 that the IH commenced the procedure to re-allocate a social housing unit to the complainant.

Following an analysis of the evidence in the relevant case file, the CCAC verified the facts shown by the relevant immigration records and believed that although the judicial body revoked the administrative decision made by the IH due to procedural defects and finally decided to restore the complainant's right to rent a social housing flat by taking account into prescription, the CCAC still sent the IH a letter warning that it should constantly exercise the powers of assessment and supervision conferred by the administrative regulation of *Organisation and Operation of the Housing Bureau* and the *Legal Regime of Social Housing*. It is the IH's duty to supervise social housing tenants' compliance with the social housing lease contracts and the relevant legal regimes in a timely manner with a view to inspecting whether there are tenants who do not live in the social housing units for a long period of time and thus ensuring proper use of public housing resources.

(VI)
Matters about general sports associations shall be supervised properly

A representative of a swimming club recognised by the Sports Bureau (ID) complained to the CCAC that the ID did not take any action to the fact that the "Swimming Association of Macao, China" (AGNMC) rejected the club's application for being its affiliate, which infringed upon the club's right to participate in the official, international and private swimming competitions organised by the AGNMC. Therefore, the complainant suspected the ID had made an omission.

It was substantiated in the investigation that since the AGNMC is the general sports association exclusively responsible for swimming events in accordance with Decree-Law no. 67/93/M, the ID has the power to recognise and supervise the AGNMC in accordance with law. The scope of supervision covers the organisational statute of the AGNMC and its utilisation of subsidies, guarantee of the reputation of the relevant sport of Macao and investigation into the incidents that have significant impact on the interests of the swimming sport. In addition, the administrative regulation of *Organisation and Operation of the Sports Bureau* also provides that the ID has a duty to strive to create necessary conditions for sports development, moderate the relationship between different sports entities and support the sports entities it has recognised.

Article 5 of the constitution of the AGNMC provides that only its affiliates have the right to participate in the official, international and private competitions and leagues organised by the AGNMC. According to Subparagraph 2) of Article 3, its ordinary members must be "sports clubs recognised by the ID". As the AGNMC is the only one recognised general sports association that has the prerogative to organise swimming events, only its affiliates are eligible to participate in the official, international and private competitions and leagues organised by the AGNMC. In other words, the swimming clubs that are not its affiliates will most likely lose the chances to participate in important or large-scale swimming competitions in Macao.

Following a comprehensive analysis, the CCAC considered that the decision of the AGNMC to reject the complainant's application for being its affiliate mattered to safeguard and protection of the legitimate right of a local sports club which had already been legally recognised by the ID and had a significant impact on the interests of the swimming sport in Macao. Therefore, the ID has the power and responsibility to effectively investigate, examine and supervise the legality and rationality of the relevant judgements and decisions made by the AGNMC in accordance with law. The ID should not take a passive attitude when intervening into the issue about the application for joining the AGNMC for the reason that it was just an internal affair of the association and simply handle the matter by referral or simple enquiry.

Therefore, upon completion of the investigation, the CCAC rendered recommendation to the ID, urging that it should proactively take measures for investigation and examination in order to ensure that the relevant general sports association would take actions that would benefit the sports development of Macao. The ID replied that it had already reviewed the data of the relevant case file and convened a meeting with the AGNMC. Finally, the AGNMC accepted the ID's suggestion and adopted the decision to accept the applications made by some sports clubs including the complainant's for being its ordinary members following the meeting of its executive committee.

(VII)
Vetting and approval should be carried out carefully and necessary procedures should not be dismissed

A representative of an organisation that had participated in the Continuing Education Development Plan (hereinafter referred to as the "Plan") queried that there was administrative impropriety by the then Land, Public Works and Transport Bureau (DSSOPT) and the Education and Youth Development Bureau (DSEDJ) in their vetting and approval procedures for modification work plans and business licences, which caused the organisation to have been unable to obtain subsidies from the Plan and thus unable to operate the business.

After investigation, it was ascertained that the involved premises was located in Novos Aterros do Porto Exterior (NAPE). According to the special guidelines applicable to the district, the projections on the exterior wall independent of the height must not exceed 10 cm. When examining the modification work plan of the relevant premises for the first time, the then DSSOPT was not aware of the district where the premises was located and carried out the vetting and approval according to the general criteria specified in point 7.3 of Circular no. 01/DSSOPT/2009 only.

It was not until the DSEDJ carried out the second inspection during the vetting and approval procedures for the business licence that the air conditioning condensers of the premises were found to be installed on the exterior wall. The DSEDJ therefore sought advices from the then DSSOPT that then found that the premises concerned was actually located in NAPE. The then

The CCAC requested the relevant department to review the vigilance and professionalism in the carrying out of analysis of vetting and approval

DSSOPT therefore changed the vetting and approval criteria and issued unfavourable opinions. However, as the DSEDJ had already issued a business licence to the complainant before receiving the opinions from the then DSSOPT, when the DSEDJ found that the opinions newly provided by the then DSSOPT were at odds with the latter's previous ones, it requested, through the issuance of recommendations, the complainant to carry out modification works at the premises.

After a comprehensive analysis, the CCAC believed that the issuance of a business licence and giving approval for an organisation to participate in the Plan should be two independent procedures. From a legal point of view, the fact that the premises of the complainant did not meet the legal requirements means the basic prerequisites for getting approval for a business licence were not met. Instead of immediately revoking or cancelling the business licence already issued to the complainant, the DSEDJ hoped to get the problem solved by persuading the complainant to rectify the construction defects of the premises. In other words, the fact that the then DSSOPT made mistakes when approving the modification work plan was only relevant to the issuance of a business licence and had no direct relation with the fact that the complainant did not get approval for participation in the Plan.

In the opinion of the CCAC, it could not be concluded that there was a definite causal relationship between the act of the DSEDJ of not approving the participation of the organisation of the complainant in the Plan and the loss of right or possibility of operating the relevant premises and activities suffered by the complainant, given that the source of operating capital of the complainant should not be limited to the subsidies of the Plan only. Therefore, with regard to the conducting of business of the complainant, it is groundless to support that the Public Administration should be accountable for any other responsibilities aside from the administrative vetting and approval for the Plan, particularly those regarding the rise and fall of the business.

As regards the responsibility of the relevant administrative vetting and approval, given the works plan of the premises may only be executed upon approval of the public works departments and that the DSEDJ had to decide if the premises met the relevant construction conditions in the course of vetting and approving the relevant licence application based on the opinions of the public works departments, it may be concluded that the opinions given by the public works departments on the works plan of the relevant premises were indispensable and critical. In the CCAC's opinion, there was room for critical review and improvement in the relevant vetting and approval procedures by the public works departments for works plans, including the vigilance and professionalism of the personnel. It is also necessary for the DSEDJ to review the stringency of its vetting and approval procedures for education licence applications. Therefore, the CCAC issued the relevant opinions to the Land and Urban Construction Bureau (DSSCU) and the DSEDJ respectively.

The DSEDJ attached much weight to the opinions of the CCAC and already reviewed the entire vetting and approval procedures for continuing education licences. It took a series of improvement measures including the implementation of a mechanism to optimise the vetting and approval processes, strengthening personnel training and establishing an electronic vetting and approval system. The DSSCU expressed that it had issued a verbal warning to the engineers responsible for analysis of the vetting and approval of the case concerned and requested the relevant architects and engineers of the bureau to pay attention to their vigilance and professionalism in the carrying out of analysis of vetting and approval, with a view to avoiding the occurrence of similar situations and ensuring that works plans are fully in compliance with the provisions of the laws and guidelines.

(VIII)
Respect the will and make an explicit record

A disabled person filed a complaint to the CCAC that his willingness to sign was ignored by the relevant administrative entity and thus asking for help to solve the problem that the phrase "do not know how to / cannot sign" was shown on his Macao SAR Resident Identity Card (BIR).

After investigation, it was ascertained that the Identification Services Bureau (DSI) had all along not asked the complainant to provide his signature over the years but had merely taken his fingerprints and indicated, in the space reserved for signing, his not knowing how to or not being able to sign. After the complainant entered adulthood, when the bureau made the aforesaid judgement and carried out the aforesaid practice, it only kept following the previous practice adopted prior to the entering of adulthood of the complainant – neither did it request him to provide any proof, statement or record of any other forms demonstrating that his ability of exercising the act of signing was impeded, nor did it verify if there were facts or situations causing his inability to sign. In particular, the bureau failed to verify if the aforesaid practice was against the will of the applicant and did not take any account of the provisions or principles enshrined in the *Convention on the Rights of Persons with Disabilities* and adoption of any safeguard measures.

Upon presentation of the relevant suggestions to the DSI, the bureau stated in a reply that it accepted them and had conducted in-depth studies and reviewed the current procedures of handling the signatures for BIRs. For BIR applicants who are adults and presumably have the capacity, unless the applicants take the initiative to mention about their not knowing how to sign or inability to sign, the personnel of the bureau will allow the applicants to decide whether to sign on the BIR application forms upon preliminary understanding of the physical conditions (such as stroke, illiteracy, being handless and psychosis) of the latter. Provided the applicant decides not to sign, it will be specified in the remarks column of the application form that

"According to the statement of the applicant, he/she does not know how to sign / is unable to sign due to his/her physical condition" and the signature will be replaced by his/her fingerprints. The bureau had also revised the relevant guidelines.

(IX)
Appraisal must be completed on time and without any delay

A doctor who left his job at the Conde S. Januário Hospital was discontented with the fact that his appraisal result of individual performance was changed to 3 points from 5 points during his service. He queried the legality and reasonableness of his superior's act of changing the appraisal result and requested intervention by the CCAC.

After investigation, it was ascertained that there was no such an order or instruction mentioned by the complainant that medical personnel who had contributed to the fight against the epidemic may be given a certain appraisal result. Also, as the Director of the Health Bureau did not give approval for the complainant's appraisal result (5 points), the former decided to pass the relevant appraisal result to the Joint Committee for its opinion. Subsequently, in accordance with the suggestion of the Joint Committee, it was sent back to the appraising personnel for a reappraisal. During the reappraisal, the appraisee (the complainant) left his job and, at a later time, even refused to show up and sign to acknowledge the new appraisal result of individual performance. As a result, the reappraisal procedures remained not completed for a long time due to the uncompleted notification formalities.

According to Article 22 of the *General Regime for Evaluating the Performance of Public Administration Workers*, there is no such mechanism for reappraisal at the approval phase for the appraisal result of individual performance, despite that the competent entity may decide to approve the grade given by the appraising personnel, or not to approve it and change it upon providing a duly justified reason (for the latter case, the Joint Committee must be consulted). The decision of approving or changing the grade must be made known to the appraisee within three days.

It is obvious that at the appraisal procedure in this case, particularly at the approval phase, the Joint Committee had issued opinions that departed from the legislation, and the head of the body responsible for the approval did not complete the relevant act of approval but followed such opinions and even spent time listening to other opinions provided by the human resources division and the legal office, which is not required by the law. These procedures and acts apparently violated the relevant law provisions. Therefore, the CCAC issued recommendations to urge that the relevant appraisal procedures be conducted in accordance with the law.

The Health Bureau accepted the recommendations of the CCAC and pledged that it would complete the relevant appraisal procedures in accordance with law and that it will take proactive measures to enhance the cognition of appraising personnel, the Joint Committee and other relevant personnel about the appraisal procedures and the related law provisions.

(X)
The charges of the mutual recognition of driving licences comply with the law

A complainant pointed out that with the implementation of the policy of mutual recognition of driving licences between Macao and the Chinese mainland, the Transport Bureau (DSAT) charges a fee of MOP2,000 to Macao residents holding a driving licence issued in the Chinese mainland for the application for a Macao driving licence, whereas it only charges RMB10 to Macao residents holding a Macao driving licence for the application for a driving licence issued in the Chinese mainland, thus querying the legality of the charging of the authority. The complainant therefore requested the intervention of the CCAC.

It has been verified that the *Agreement between the Chinese Mainland and Macao on Mutual Recognition of Motor Vehicle Driving Licences* does not cover the application for a Macao driving licence by those holding a driving licence issued in the Chinese mainland. According to Paragraph 1 of Article 73 of the *Road Traffic Regulation* amended by Administrative Regulation no. 15/2007, driving licences issued to residents of the Macao SAR by a country or region where residents of the Macao SAR who hold a driving licence can also drive on a reciprocal basis, may, within one year from the date of settling in or first entering the Macao SAR after obtaining the aforesaid driving licence, be exchanged for a driving licence issued by the competent authority of Macao, with exemption from a test, provided that the driving licence holders have met the conditions provided for in the paragraph.

Therefore, with regard to the applications for a Macao driving licence by Macao residents holding a driving licence issued in the Chinese mainland, the DSAT maintained that the reciprocal mechanism exists between the Chinese mainland and Macao due to the aforesaid *Agreement* and therefore the aforesaid provision of the *Road Traffic Regulation* is applicable, which allows Macao residents holding a driving licence issued in the Chinese mainland to apply for a Macao driving licence issued by the DSAT with exemption from a test. The application fee is charged according to Subparagraph 1) of Article 29 of Administrative Regulation no. 3/2008 in conjunction with the *Table of Fees and Prices of the Transport Bureau* approved by Chief Executive Order no. 525/2016.

Unless otherwise specified in other special provisions, the CCAC maintained that the practice of the DSAT does not violate the law provisions in force.

III. Retrospective review

In 2023, the CCAC sustained its efforts in implementing the work related to "retrospective review" within the scope of the ombudsman's duty with a view to strengthening the society's participation in the supervision of relevant administrative departments. In 2023, five cases were included in the list of "retrospective review".

According to the data, along with the cases brought forward from 2022 which were still effective, 16 cases were included in the list of "retrospective review", of which seven cases (with retrospective review work completed) were from the list of "retrospective review" from 2020 to 2022, one case (with retrospective review work completed within the same year) was from the list of "retrospective review" in 2023.

(I)
No more new monthly carpark passes being issued after cancellation of those already issued

There was a complaint alleging that public carpark management companies did not effectively supervise the situation of irregular transfer of monthly carpark passes when handling renewal of the passes due to failure to verify whether the payers were indeed the holders of the passes. The complainant doubted that the policy "of not issuing new monthly passes after cancellation of those already issued" in public carparks set out by the authority was not implemented.

Over the past years, deficiencies in supervision of monthly passes in public carparks by the Transport Bureau (DSAT) were significant which resulted in problems such as exceeding number of monthly carpark passes being issued and monthly carpark passes being transferred irregularly, among others. After the CCAC had intervened in the matters and raised suggestions, the bureau had carried out improvement measures and strengthened supervision of its mechanisms and equipment, among others.

Due to the said complaint, the CCAC carried out review on the DSAT again to see if it had been continuously carrying out work for supervising the use of monthly passes in public carparks. The CCAC verified that the DSAT had indeed been constantly implementing various supervisory measures, including requesting the management companies of the public carparks which still provided carpark spaces for monthly rental to regularly submit the most updated list of monthly passes and report the most updated situation of the renewal and return of monthly passes.

As the requirement for verification of the identity of monthly pass holders in public carparks during renewal of the passes is not mandatorily stipulated in the law, the decision on what kind of measures to take

in order to avoid the situation of irregular transfer of passes is at the discretion of the competent entities. In fact, judging from the statistics released, it can be seen that since the implementation of the policy "of not issuing new monthly passes after cancellation of those already issued" in public carparks in late 2015, the total number of monthly passes in public carparks decreased by over 40% up to June 2023. The problem of issuing exceeding number of monthly passes no longer existed. It can be seen that the measure for verifying the identity of monthly pass holders mandatorily during renewal of the passes and the policy "of not issuing new monthly passes after cancellation of those already issued" in public carparks were not necessarily and directly related. Circumstances of inadequate supervision and ineffectiveness of the policy were not found.

(II)
Proportion of time for carrying out sports practice should be appropriate

A complainant told the CCAC that he was not satisfied with the Marine and Water Bureau (DSAMA) as it arranged for the participants of the Macao International Dragon Boat Races to leave their work early in order to carry out practice for the races which would be held two months afterwards. He doubted if there was administrative illegality or impropriety.

After investigation, it was verified that such matter indeed existed. Upon making analysis of the facts and the law, the CCAC considered that the Macao International Dragon Boat Races do not fall within the scope of exemption of work provided for in Article 18 of Decree-Law no. 67/93/M. Moreover, the number of hours approved by the bureau for the staff to carry out practice within two months took up more than 50 hours of normal office hours, which made up a significantly high proportion of office hours when compared with the statutory number of hours required for public service workers to work for each week which amounts to 36 hours.

After the CCAC had rendered its opinions to the DSAMA, the DSAMA accepted them and requested the organiser to arrange for practice periods not within normal office hours. When it came to arrangement for participants, the principles of giving priorities to handling public duties, not affecting the normal operation of the department and not increasing the workload of other colleagues were adhered to. In order to continue to pay close attention to the implementation of the improvement measures of the department, the CCAC included this case in the list of "retrospective review".

During the practice period for the Macao International Dragon Boat Races 2023, the CCAC once again carried out retrospective review. It verified that the bureau had arranged for its staff to carry out practice not within normal office hours. Therefore, the case was removed from the list of "retrospective review".

(III)
Granting of school subsidies was monitored through specific systems

After the case file of comprehensive investigation report on the granting of subsidy for School Development Plan by the former Education Development Fund was included in the list of "retrospective review" in 2022, the Education Fund was established according to Administrative Regulation no. 17/2022 on 1st June 2022, which regulates that the balances and all rights and obligations of the former Student Welfare Fund, the former Education Development Fund and the former Higher Education Fund were transferred to the Education Fund. Judging from the fact that the competent departments had been carrying out improvement work on their systems and measures in the recent two years, the CCAC thus carried out retrospective review again in 2023.

In order for the former Education Development Fund and its auxiliary department to strengthen supervision on relevant subsidy plans, they have established a functional task force which is made up of units which stretches across different functions. The task force, which is coordinated and supervised by leaders of the competent departments, as well as participated and guided by chiefs of various units, comprises groups from various areas including implementation of statutes, supervision, law, training, internal assessment and information system so as to strengthen the communication and cooperation among personnel from various units, standardise the internal analysis criteria for granting subsidies, tools and criteria for monitoring work. They also set up a risk assessment mechanism concerning the use of subsidy by schools based on actual circumstances. Regarding schools which have higher risks, they will increase the frequencies of inspection and adjust the ways of inspection.

Apart from requiring subsidised schools to declare concurrent receipt of subsidies and submit subsidy reports, the competent departments also formulated the *School Development Plan Handbook for School Staff* and guided subsidised schools to set up the school-based "Working Group for Monitoring School Subsidy", requiring that the subsidies were used based on the principle of "using the subsidy exclusively for a specified purpose". They also regulated the procedures for revising and cancelling subsidised projects or activities, refund requirements, requirements for implementing and monitoring subsidised projects, requirements for submitting interim subsidy reports and supporting documents for the subsidy reports, among others. Moreover, they also strengthened the risk management for the use of subsidy and the handling of refunds by schools in order to reduce the administrative procedures arising from refunds through classifying project types, specifying the notes to notice for revising/cancelling subsidised projects (including the requirements for handling refunds), guidelines for quotation/tender invitation procedures and relevant monitoring work, among others. In addition, consequences of violating obligations were also specified.

Also, the competent departments implemented various measures including optimising the I.T. systems, adding new white lists in relation to works and purchase of equipment, specifying the projects eligible for subsidy application by schools, specifying the reference price and the life span of each project. They

also required the schools to register and manage relevant I.T. equipment existing in schools through the "Registration and Management System for Funded I.T. Equipment". Moreover, they developed the mobile application for the inspection of subsidised projects for use by personnel of schools, the Education Fund and the Education and Youth Development Bureau to carry out real-time and on-site inspection and supervision.

The competent departments established a "spatial database" which interconnects the data of the subsidy application system. Starting from the 2022/2023 academic year, works and purchase of equipment projects submitted by schools must be interconnected with the data of the aforesaid database so as to prevent schools from making repeated applications for the same projects to the Education Fund or adjust the resources of relevant projects arbitrarily.

The competent departments also set up the works contractor database and set out regulations for adding contractors in the database. For those works contractors which have violated the laws or regulations, their qualification for being included in the database can be suspended or even removed. Up to August 2023, 329 contractors were included in the database. When it comes to school construction projects which involves written requests for quotation and application budgets amounting between MOP450,000 and MOP2.5 million, the schools which intend to receive subsidies should select three to ten contractors randomly from the database in the system in order to carry out relevant procedures for written requests for quotation in accordance with the regulations. In addition, they have also established the travel agency database which is similar to the works contractor database. Regarding exchange activities carried out within Macao or outside the region which involve a maximum budget amount or total subsidy amount which is shown in the system for a relevant project as between MOP45,000 and MOP750,000, the schools which intend to receive subsidies should draw at least three travel agencies randomly from the Lot System of Suppliers of School Visits/Activities by themselves in order to carry out relevant procedures for written requests for quotation.

In order for the personnel to understand the content of the statutes and the handbooks in relation to the granting of subsidy, properly know how the subsidy granting system operates and carry out work to monitor the use of subsidy, the competent departments set up work mechanisms that include specifying the internal guidelines, recusal regulations and relevant recusal reports for the personnel to abide by and use. In addition to strengthening personnel training and internal supervision, they also arranged various training and briefing sessions in relation to the relevant I.T. system which recorded participation from personnel of 65 private schools of non-tertiary education.

Considering that it indeed requires time to verify the effectiveness of the optimisation measures upon formulation and implementation and judging from the fact that the competent departments have already proactively responded to the opinions of the CCAC and aspirations of the society, the CCAC believed that it is impractical to expect notable results within a short period of time. Therefore, the CCAC decided to remove the case from the list of "retrospective review".

(IV)
Procedures for animal adoption should be optimised

According to a complaint, after the complainant had filled out the document for animal adoption at the Kennel of the Municipal Affairs Bureau (IAM), he found out that the animal that he intended to adopt had already been adopted by someone else. Moreover, the IAM replied that it had not received any application from the complainant, who doubted if the Kennel had not appropriately handled his matters and thus requested the intervention of the CCAC.

After investigation, it was clarified that the Kennel of the IAM will provide a document which specifies the points to note for animal adoption (hereinafter referred to as the "points to note") to those who intend to adopt animals. There is a column on the document for them to write down simple information such as the number of the animal an individual intends to adopt. If he decides to adopt the animal, the department will provide the applicant with an application form for animal adoption (hereinafter referred to as the "application form"). The applicant should make an official application and submit information including a copy of his identification document in order to carry out the procedure of adoption of such animal.

In the said case, the document the complainant had acquired and filled out in the Kennel initially was just the "points to note" instead of the "application form". Therefore, the IAM had not carried out any procedure for animal adoption due to lack of application and necessary documents. Thus, the CCAC could not consider it as an administrative procedure or an administrative act, not to mention administrative illegality or impropriety.

However, after analysing the "points to note", the CCAC believed that the design and content of the column of the document indeed easily make people misunderstand that it is an application document for animal adoption. Moreover, the IAM has not provided complete guidelines for the flow and procedures for animal adoption for the knowledge of the society. With just the oral explanation by the staff on-site, one may not be able to fully know and understand the relevant procedures, flow and assessment criteria for adoption, among others. Moreover, there is room for optimisation and improvement of the supervisory system concerning home visits for the assessment of qualification of animal adopters, registration systems of reception and information service, among others, by the Kennel of IAM.

Upon reflecting its opinions to the IAM, the CCAC received a positive response. In order to continuously follow up the implementation of its improvement measures, the CCAC included the case in the list of "retrospective review" for review in a timely manner in the future.

In 2023, the CCAC also concluded some other cases which were subject to retrospective review:

Cases concluded in 2023 (subject to retrospective review)	Departments or entities involved	Objectives of retrospective review	Results of retrospective review
About vetting of residency in Macao for applicants for technical immigration and their family members	Macao Trade and Investment Promotion Institute	Progress of vetting of temporary residency	The department paid close attention to the handling progress. After investigating and verifying the facts, it decided to abolish the temporary residency.
About the handling of unlawfully occupied state owned land	Land and Urban Construction Bureau	Constantly pushing forward the handling and clearance procedures of illegally occupied state owned land	The department gave priority to the handling of cases that involved public interest, serious environmental hygiene problems or hazards to public safety. Taking into account the human resources available and different administrative work to be handled, it constantly carries out the recovery of several unlawfully occupied land plots every year for the urban development of Macao.
About the operation of the Residue System Company Ltd. at Plot S, Pac On, Taipa	Environmental Protection Bureau	Optimising the supervisory measures on the use of public resources for doing businesses by the Residue System Company Ltd.	The department established a regular monthly supervisory mechanism including the adoption of measures such as carrying out surprise inspection and preparing regular reports, with a view to strengthening supervision.

IV. Departments or entities with positive attitudes

"Encouraging self-confidence of the administration" was one of the policies carried out by the Ombudsman Bureau of the CCAC in 2023. Regarding complaints that were found to have no signs of illegality, the CCAC would verify the legality and rationality of the acts carried out by relevant departments yet. For those departments which acted in accordance with law, the CCAC would recognise them in a positive and proactive way with a view to enhancing the administrative confidence of the departments and continuously affirming their legal, rational and appropriate administrative acts and practices.

In 2023, the first department that the CCAC sent an official letter to recognise was the Education and Youth Development Bureau because its recruitment examination notices had expressly included the rules for handling problems based on the law so that when relevant circumstances occurred, there were rules to follow and there were relevant regulated documents that could be properly applied for handling complaints by candidates.

In 2023, in exercising the functions by the Ombudsman Bureau of the CCAC, despite that some departments or entities occasionally did not accept the opinions of the CCAC such that the CCAC had to exercise its statutory power to issue recommendations and notify the supervisory entities for the situations, overall, during the investigation processes, a vast majority of the departments showed their attitudes of cooperation and were willing to cooperate to carry out review and make an effort to optimise their work in order to complete the mission of accomplishing public interest with the CCAC:

Departments or entities	Subjects	Responses to CCAC's opinions	Follow-up actions by the departments
Education and Youth Development Bureau	About a private entity which was granted continuing education subsidy offering kick-back to its learners irregularly	The department carried out appropriate actions.	After investigation, the department verified the existence of such irregularity and excluded the entity from the Continuing Education Development Plan.
Social Welfare Bureau	About its personnel doing part-time jobs	The department carried out appropriate actions.	The department initiated a disciplinary procedure against the personnel and he was sentenced to a fine.

Departments or entities	Subjects	Responses to CCAC's opinions	Follow-up actions by the departments
Public Administration and Civil Service Bureau	About calculation of service time of a personnel for promotion during his change of departments	The department accepted the CCAC's opinions and carried out appropriate actions.	It sent a circulation letter to various departments explaining relevant calculation of service time provided by personnel.
Municipal Affairs Bureau	About extension of time for public toilet works	The department accepted the CCAC's opinions and carried out appropriate actions.	The department carried out improvement measures to strengthen supervision on the progress of the works.
Marine and Water Bureau	About assessment of academic qualification of personnel in recruitments	The department accepted the CCAC's opinions and carried out appropriate actions.	The department carried out measures to increase the jury panel's awareness of conforming to the regulations with a view to reducing the room for interpretation of application conditions laxly.
Public Security Police Force	About handling traffic incident	The department carried out appropriate actions.	The department reviewed the mechanism for providing on-site assistance by interpreters and carried out measures to enhance the stringency of reception procedures.
Fire Services Bureau	About allocation of human resources to handle promotion procedures for personnel	The department accepted the CCAC's opinions and carried out appropriate actions.	The department reviewed the time and the stringency of allocation of human resources concerning promotion procedures to ensure the impartiality and fairness between jury staff and candidates.
Science and Technology Development Fund	About payment of subsidies	The department accepted the CCAC's opinions and carried out appropriate actions.	The department carried out measures to require the schools to follow up the payment of subsidies to instructors, optimise the project management process and enhance the work efficiency of its personnel.