

PART IV
OMBUDSMAN ACTIONS

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I. Introduction

In 2025, the CCAC acted with a high sense of responsibility and dedication in alignment with the SAR Government’s philosophy of increasing the capacity of public administration and the level of governance, upholding good governance and demonstrating fairness and righteousness, among others, to achieve the objectives of “upholding the rule of law in Macao” and fully exert its supervisory function. From the perspective of integrity building, it continued to propel the development of rule of law through lawful governance and administration.

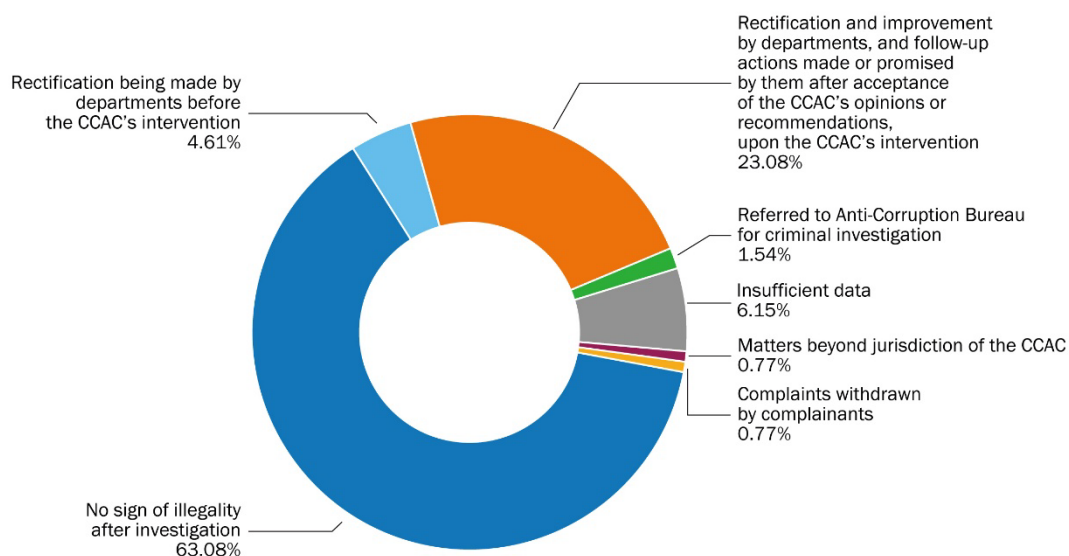
As regards ombudsman actions, in 2025, the CCAC initiated investigation of 171 new inquiry files and one comprehensive investigation file. Along with the cases carried forward from the previous year, the CCAC had to follow up a total of 316 inquiry files. Moreover, the CCAC concluded investigation and archived a total of 130 inquiry files in the area of ombudsman actions. Of these, six cases involved rectification by departments before the CCAC’s intervention; while 30 cases involved rectification and improvement and processing by departments, and follow-up actions made or promised by them after acceptance of the CCAC’s opinions or recommendations, upon the CCAC’s intervention; 82 cases showed no sign of administrative illegality or impropriety; eight cases involved insufficient data; one case was beyond the jurisdiction of the CCAC; one case involved withdrawal of the complaint by the complainant and two cases involved referral by the Ombudsman Bureau to the Anti-Corruption Bureau.

The ombudsman functions of the CCAC not only serve as a channel to solve disputes involving cases of administrative impropriety or illegality, but they can also systematically identify institutional weaknesses and blind spots that may exist in the management of public departments. In addition, the CCAC has set up the “retrospective review” mechanism. Regarding cases where investigations

have been completed and suggestions have been made, some of them will be included in the list of “retrospective review”. After a period of time, the CCAC will carry out review with some relevant departments in order to verify if they have effectively carried out improvement measures with a view to promoting substantive improvement in governance. In 2025, there were a total of 11 cases included in the list of “retrospective review” that were newly-added or those requiring follow-up actions, were. Six cases were removed from the list after retrospective review.

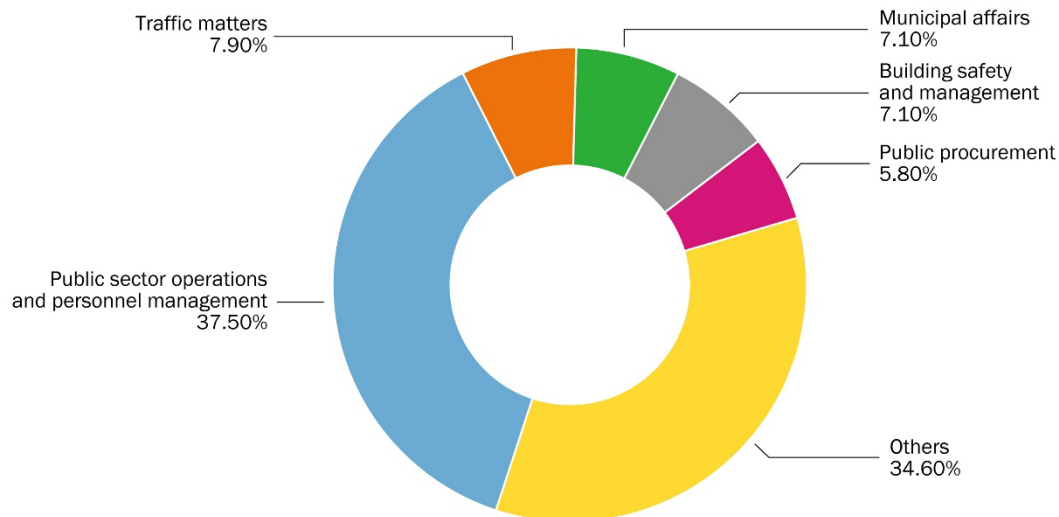
In 2025, the CCAC initiated and followed up a total of five comprehensive investigation files, of which two have been concluded and one with the interim report completed.

Cases concluded by the Ombudsman Bureau in 2025



The cases received by the Ombudsman Bureau of the CCAC involved a single subject matter or various subject matters, which meant that one case might involve subject matters related to various areas, departments or demands. According to statistics, in 2025, most of the newly opened cases involved five areas, namely public sector operations and personnel management, public procurement, building safety and management, municipal affairs and traffic matters, which took up 65% of the total number of cases (See the chart below).

Subject matters involved in cases handled by the Ombudsman Bureau in 2025



Among the cases, public sector operations and personnel management remained the most prominent focus, taking up almost 40% of the total number of cases and particularly involving internal operation and management of departments, as well as recruitment, discipline and rights of personnel, among others. As regards municipal affairs, they mainly covered environmental hygiene, hawker operation, administrative licences, occupation of public places and so forth. Regarding building safety and management, the major issues involved illegal works, fire safety, water leakage in buildings, management of common parts of private buildings and so on. On the front of traffic matters, they mainly involved vetting and approval of taxi licences, operation of taxi licences, traffic planning, traffic offences, driving licences and vehicle inspection, among others.

The CCAC has been monitoring the administrative operation of public departments and creating mechanisms to propelling the development of mechanisms through lawful governance and administration, particularly through the “retrospective review” mechanism. It has been continuously monitoring situations in respect of governance improvement made by competent departments or bodies so as to effectively respond to the society’s demands and

produce practical effects. In response to legal and reasonable acts, a pragmatic approach has been adopted and due recognition has been given to encourage self-confidence of the administration.

When it comes to processing ombudsman cases and enhancing administrative effectiveness, the CCAC will continue to uphold the principles of legality, adequacy and proportionality and encourage administrative departments to proactively improve their law enforcement and operation management. During the investigation processes, the CCAC has always been immediately presenting its opinions and positions to relevant departments or entities in order for them to take the initiative to internally seek room for improvement in their operations. As such, the departments or entities can be encouraged to accept its opinions as soon as possible, so that they may proactively adjust their own operating mechanisms and further improve the development of their respective systems without having to wait passively for the opinions or recommendations from the CCAC for subsequent follow-up actions.

In addition, regarding issues of the most public concern, the CCAC will make informal intervention and jointly discuss with relevant departments to introduce viable improvement measures with a view to responding to the demands of the society about increasing the effectiveness of governance and safeguarding good governance of public administration.

In fact, the efforts of the departments or entities to make rectification or improvement, regardless of the way the CCAC intervenes, demonstrate their commitment to good governance.

II. Comprehensive investigation summaries

(I)

“Comprehensive investigation report on the Housing Bureau’s implementation of duties in the management of private buildings”

The CCAC received multiple complaints concerning the management of

private buildings. To ensure a unified investigation into the Housing Bureau (IH)'s performance of its duties in coordinating and assisting in the management of condominiums, the CCAC consolidated the relevant complaints and conducted a comprehensive investigation to follow them up.

Currently, Macao's legal framework for the management of common areas of buildings is primarily governed by the *Legal Regime of the Management of Common Areas of Condominiums*. As regards the legislative process of this law in the past, one of the main reasons the legislators separated relevant provisions from the *Civil Code* to create a separate law was to intentionally introduce appropriate intervention from the public authority - the IH - in private building management affairs. However, such intervention is limited and is a policy decision based on factors such as the private property nature of buildings and the characteristics of building management affairs.

Therefore, the legislation in force stipulates that the IH's main responsibilities in the management of private buildings include providing technical coordination and assistance, and encouraging and assisting in the implementation of regulations governing private building management.

The CCAC's investigation revealed that, among the cases of building management disputes received by the IH, complaints mainly concern issues such as building procurement procedures, the use of the common reserve fund, control of accounts and mismanagement by management companies. During follow-up, if the complainant provides insufficient information but has left contact information, the IH will generally arrange a meeting with the complainant to understand the situation and, as needed, coordinate and arrange a meeting between the complainant and the party complained against to resolve the dispute.

Depending on the types of complaint, the IH will adopt different approaches to handle them and give recommendations accordingly. For example, if the complaint involves the management of common areas of a building, the IH will advise the complainant to report the issue to the management body and discuss

solutions through a meeting convened by all owners of the condominium. If the complaint involves the management body's implementation of its duties, the IH will advise the complainant to file a complaint with all owners of the condominium at a meeting convened by them. If the complaint involves the management of the management company, the IH will conduct an investigation and take appropriate action in accordance with the *Law on Commercial Activity of Condominium Management* and its *Regulations of the Law on Commercial Activity of Condominium Management*. After reviewing all the specific complaints received, the CCAC did not find any instances of non-compliance with its statutory duties or improper handling by the IH.

However, the CCAC believes that according to the *Legal Regime of the Management of Common Areas of Condominiums*, the management of private buildings is essentially a private law issue, which means owners should jointly formulate condominium management regulations and manage condominium affairs based on them. Nevertheless, the lack of understanding among the general public regarding the effectiveness and operability of these regulations prevents them from achieving their intended purpose. Therefore, the IH should strengthen publicity and education on the importance of the condominium management regulations, encourage owners to make good use of the regulations to deal with building management issues, and encourage all buildings to post the regulations in the common areas of the building so that all owners can know and abide by them.

Regarding the content of condominium management regulations, although current regulations do not regulate the procurement procedures for private buildings, given the increasing public concern and attention to private building procurement issues, the IH should take appropriate measures to urge buildings to include provisions on procurement procedures in their management regulations. They should also establish provisions that personnel of the management body or company participating in the procurement process must submit written declarations of their conflicts of interest with suppliers as well as

those on recusal situations, which may provide procurement personnel with more concrete operational procedures to follow, thereby enhancing the fairness and transparency of the procurement process. Furthermore, it is advisable to encourage buildings to include explicit “arbitration clauses” in their management regulations to promote the adoption of faster and more convenient mediation and arbitration procedures to resolve building management disputes.

The IH accepted the multiple suggestions made by the CCAC and is taking a series of improvement measures to strengthen the fulfillment of its responsibilities. These measures include creating the *Model Regulations for the Management of Condominiums* and uploading it to the bureau’s website, and strengthening publicity regarding the effectiveness and important role of the condominium management regulations. The bureau also stated that it would further study and promote the building management regulations submitted by owners of the work of newly constructed private buildings to the government for the issuance of use permits. These regulations will be developed with reference to the aforesaid model regulations, thereby ensuring that the model regulations are implemented more widely and effectively.

(II)

“Comprehensive investigation report on processing of issues related to illegal works at the common parts of economic housing buildings”

The CCAC received multiple complaints related to the occupation of the common parts of economic housing buildings and illegal works, including illegal alteration and occupation of underground carparks of the buildings and alteration of the common parts of the buildings to shops, among others. In order to comprehensively review the mechanism for processing the issues concerning illegal works at the common parts of economic housing buildings and the relevant situations, the CCAC decided to consolidate the relevant complaints and initiate a comprehensive investigation case file for follow-up actions.

According to Decree Law no. 41/95/M, the *Legal Regime of Management of Economic Housing*, and the relevant provisions, the Housing Bureau (IH) is a department responsible for monitoring the management of the common parts of economic housing buildings which has the duties to require owners of housing units, management bodies and management entities to carry out obligations stated in relevant regulations. The Land and Urban Construction Bureau (DSSCU), in accordance with the *Legal Regime of Urban Construction*, has the competence to implement coercive enforcement measures against illegal works including the banning of construction works and the ordering of demolition of construction works.

According to the investigation, it was found that although the IH had carried out follow-up actions and penalty procedures regarding relevant complaints according to law and notified the DSSCU of further follow-up actions, while the DSSCU had also informed the IH about initiating a case file for investigation concerning the complaints and carrying out the on-site inspection, the DSSCU failed to show any initiative or effort in coordination. In addition, the IH considered that according to law, the DSSCU was the competent department to implement coercive enforcement measures to monitor and restore the previous situation of urban buildings and that the IH itself did not have such competence, so the IH was comparatively passive when processing the issues.

The CCAC believes that since the IH has the responsibility to monitor the management of the common parts of economic housing buildings, it should proactively make good use of the legal means vested in Decree Law no. 41/95/M in order to strengthen law enforcement and motivate offenders to stop occupying the common parts of the buildings and carry out the necessary demolition of unauthorised construction as soon as possible in order for them to be restored to the previous situation. Moreover, the IH should also show more initiative and efforts to negotiate with departments including the DSSCU so as to strengthen communication and cooperation with them.

Following the CCAC's opinions and continued efforts, the IH introduced monitoring measures in various specific cases and successively referred cases to, or requested collaboration from, management bodies of relevant buildings, the DSSCU and some other departments. Moreover, at the request of the IH, the DSSCU increased the number of inspections of illegal works in relevant economic housing buildings and carried out penalty procedures, issued public notices of demolition orders and carried out coercive demolition procedures and so forth. From various perspectives, they jointly followed up and solved issues related to illegal occupation and unauthorised construction at the common parts of economic housing buildings. Such measures and actions had achieved certain results.

Meanwhile, after the IH had looked into and reviewed the existing work procedures and law enforcement standards, it standardised and improved the penalty ways regarding violations of Decree Law no. 41/95/M. In addition, it also set out internal guidelines on law enforcement mechanisms and standards regarding cases of illegal works in economic housing buildings with a view to stepping up monitoring efforts and enhancing efficiency.

(III)

“Comprehensive investigation of the Public Administration's selection of operators of vending machines”

The CCAC received a complaint indicating that the Sports Bureau allowed a certain operator to install vending machines at its facilities without carrying out any tender processes.

Following a preliminary investigation, it was found that there were vending machines installed at many facilities and places managed by the Public Administration for use by residents or staff members and the issue involved verification of the legality of the same type of administrative acts carried out by various departments of the SAR Government. In this regard, the Commissioner Against Corruption issued an order to place the case on a file of comprehensive

investigation. Hence the CCAC, by sampling, obtained a lot of documents and information successively from the Cultural Affairs Bureau, the Education and Youth Development Bureau, the Judiciary Police, the Municipal Affairs Bureau, the Public Security Police Force, the Public Security Forces Affairs Bureau of Macau, the Labour Affairs Bureau, the Health Bureau and the Financial Services Bureau in order to understand and study the procedures and methods adopted by the departments in terms of selection of vending machine operators and to carry out a law-based analysis of whether there were administrative illegalities or irregularities existing in the relevant procedures.

It was found in the investigation that each of the departments subject to the random inspection had different ways of vending machine operator selection and even different subordinate units of the same department did not do it in a standardised way. Some of the departments did not initiate the relevant procedures until they received proposals from operators who expressed their willingness to cooperate, while some of them even directly invited or consulted certain operators after verifying the need for vending machines. Only a few departments acquired the services of vending machine operation in accordance with the current public procurement law. The investigation also revealed that even though there were departments having entered into agreements with operators regarding provision of vending machines, some of them did not draw up any proposals or reports on which the decisions were based. Moreover, such agreements contained clauses including automatic renewal or granted the operators the right of first negotiation, which were unfavourable to the departments. The clauses concerning duration of service stipulated in some agreements were even totally ignored in practice just as the operation was performed entirely in automatic renewal mode.

The CCAC agreed on the Public Administration's practice of installing vending machines at the facilities or spaces under its administration for the sake of convenience to the general public. However, as this matter does not fall into the category of public procurement, the current public procurement law cannot

directly apply to such situation. Under such circumstances, when selecting vending machine operators, the Public Administration should still strictly comply with the principles of equality, justice, impartiality and pursuing the public interest enshrined in the *Administrative Procedure Code*.

Following the analysis, the CCAC considered that when there is a need for vending machines, the Public Administration should, to the greatest extent possible, seek possible interested bidders in the market so as to carry out an objective comparison and analysis of the respective conditions of service provision, select the best operator among them and implement the arrangements through written contracts.

Furthermore, with the changing social and business environment, departments should review and optimise the legal relationship with the operators in a timely manner instead of unconditionally maintaining such relationship. In particular, they should also, especially after the expiration of contracts, take measures to understand the latest market environment or reconsider whether there are other better operators in the market, and avoid applying clauses that are unfavourable to them, such as automatic renewal or grant of the right of first negotiation to operators, so as to ensure the rational allocation and utilisation of public resources and achieve better result in pursuing the public interest.

The CCAC believed that departments should plan, organise, and be proactive when carrying out activities, taking into account the needs of various subordinate units for vending machines and the respective administrative mechanisms in a standardised manner and should also prepare proposals or reports on these matters so as to fulfil the responsibilities as good managers and to ensure the legality and fairness of procedures.

Regarding the aforesaid matter, the departments that were inspected by sampling and did not select vending machine operators in a fair way agreed on the CCAC's suggestion and pledged to seek suitable operators through a competitive mechanism in the future, and to re-evaluate the existing demand for

and quantity of vending machines. Prior to the CCAC's formal intervention, some of the departments had already reviewed and optimised their practices, particularly with regard to fair selection of operators.

III. Inquiry case summaries

(I)

Applying the law accurately and clarifying the powers and responsibilities

The CCAC received two complaints regarding the exercise of powers of the Municipal Affairs Bureau (IAM). One complaint argued that the IAM failed to follow up on the handling of electric scooters long parked on pavements according to its powers; the other questioned the IAM's prosecution of a resident for parking a bicycle on a pavement under the *General Regulations Governing Public Places*, deeming the punishment inappropriate.

After investigation, it was confirmed that the IAM considered electric scooters to fall under the definition of "vehicles" in the *Road Traffic Law* and that enforcement should be carried out by the Public Security Police Force (PSP) according to the *Road Traffic Law*. Therefore, the IAM did not follow up or refer the case to the PSP for handling. As for the bicycle locked on the pavement, the IAM considered it an object placed in a public place and thus punished the resident according to the *General Regulations Governing Public Places*.

The CCAC believes that although the *Road Traffic Law* prohibits the riding of motorised and non-motorised scooters on public roads and this is subject to enforcement and prosecution by the PSP, Article 3 of the law does not include electric scooters in its definition of "vehicles". Therefore, electric scooters parked on pavements should not be treated according to the provision on illegally parked vehicles. Instead, the IAM should treat such situations as illegal occupation of public places and impose penalties according to the *General Regulations Governing Public Places*.

As for bicycles, as they meet the definition of "vehicles" under the *Road*

Traffic Law, the PSP should be responsible for law enforcement against illegally parked ones.

Following the CCAC's intervention, the IAM proactively followed up on the complaints and took corresponding measures, including revoking the previous charge sheet issued on an erroneous ground, re-prosecuting the relevant resident for other illegal acts and referring the issue of illegal parking on a pavement to the police for follow-up within the statutory time limit and in accordance with the correct legal basis, and proactively coordinating and communicating with the PSP to clarify the scope of their respective powers and responsibilities and the legal basis for law enforcement, so as to ensure that the relevant law enforcement work complies with the aforesaid legal provisions and clarify the handling methods for the two departments when encountering relevant issues in the future, thereby strengthening their coordination and cooperation in law enforcement.

(II)

Inspection and examination must comply with legal regulations

The CCAC received a complaint claiming that the Transport Bureau (DSAT) required owners of vehicles that failed the light vehicle inspection for 2024 but intended to continue using them to submit a "vehicle structure notarisation report" issued by a "notary office" (i.e. an independent third-party professional organisation) along with their repair plans. The complaint raised concerns that this practice increased the burden of vehicle inspection for residents and lacked legal basis.

The investigation confirmed that the vehicle in question failed the 2024 mandatory inspection due to defects. The inspection record only stated that "given the damage to the main structure of the aforesaid vehicle, if the owner wishes to repair the vehicle and continue using it, a repair plan for the main structure of the vehicle or other technical documents that can prove the safety of the vehicle structure may be submitted to the vehicle inspection centre before the

re-inspection. The repair plan should at least include detailed repair method instructions, drawings, a list of equipment and materials to be used, and a professional qualification and liability statement of the repairman”, without specifying that a third-party vehicle structure report was required.

However, taking into account that a third-party vehicle structure report is more convincing in ensuring that the repair meets safety requirements, which helps the vehicle inspection centre approve the feasibility of a repair plan and the safety of the vehicle structure, the DSAT has implemented the requirement that a third-party vehicle structure report must be attached to a repair plan since 2024.

After analysing relevant traffic regulations, especially Article 75 of the *Road Traffic Law*, Article 51 of the *Road Traffic Regulations* and the *Vehicle Inspection Regulations* currently in force, the CCAC believes that current regulations do not expressly stipulate that repair plans submitted during vehicle inspection must be accompanied by a third-party vehicle structure report. Furthermore, the DSAT’s internal and external information releases do not provide written guidelines on the administrative procedures and standards for requiring third-party reports in special inspection or re-inspection procedures.

Following the intervention and opinions of the CCAC, the DSAT agreed that a third-party vehicle structure report was indeed not a legally required document for approving vehicle repair plans. Measures were therefore taken to optimise the public’s access to information on the administrative procedures and required documents for vehicle inspection, particularly clarifying the mandatory content of repair plans, so as to ensure the legality, necessity and transparency of the requirements.

(III)

Proactively taking responsibility and strengthening coordination

The CCAC received a complaint from a resident who was dissatisfied with the Identification Services Bureau (DSI) which failed to take the responsibility for following up the matter concerning the discrepancy between the data

contained in his identity card and that in his birth registration. Therefore, he requested the CCAC to follow up the matter.

According to the complainant, during the process of renewal of his identity card with the DSI, he was informed that since the romanisation of his surname on his identity card was not consistent with that on his birth registration, if he intended to maintain the romanisation of his surname on his identity card, he had to go to the Civil Affairs Registry on his own to alter his birth registration. Otherwise, the DSI would, when issuing his new identity card, register the romanisation of his surname as it appeared on his birth registration according to law. The complainant believed that the responsibility for the discrepancy in the romanisation of his surname was due to the fault made by the government many years ago. Therefore, he was dissatisfied with the way the DSI handled the matter.

The investigation found that the complainant's first identity card was issued by the Public Security Police Force before handover. However, at that time, the department issued an identity card in which the romanisation of the complainant's surname was not consistent with that on his birth registration. In subsequent replacements and renewals of the complainant's identity cards, the former and current Identification Services Bureau issued his identity cards without having vetted and verified the data on his birth registration, resulting that the matter of wrong romanisation of his surname had not been identified and rectified.

Upon analysis, the CCAC believes that the current law indeed regulates that the name on the holder's identity card should be consistent with that on his birth registration and it is the duty conferred by law on the DSI to ensure that both names are consistent. However, in the specific case, the responsibility for discrepancy between the romanisation of the surname on the identity card and that on the birth registration lies primarily with the Public Administration. Therefore, the competent departments should, upon verifying the facts, shoulder the responsibilities and take the initiative to communicate and collaborate with

other competent departments if their intervention is deemed necessary, with a view to jointly seeking appropriate and legal solution to the relevant matter.

After the CCAC had intervened and given its suggestions, the DSI admitted its responsibility to follow up the case relating to the fault on the romanisation of the complainant's surname and thus, ex officio, exempted the complainant from paying the fee for replacing his identity card. The DSI promised that it will, if similar cases will occur in the future, take the initiative to notify the Civil Affairs Registry of the situation for appropriate follow-up actions.

(IV)

Labour creditor's rights should be protected reasonably

A resident lodged a complaint to the CCAC, claiming that he was dismissed without just cause by his former employer and that there were defaults on payment of wages and dismissal compensation by the latter. Therefore, the complainant raised an "application for payment" and an "application for advance payment" to the Labour Creditor's Rights Protection Fund (hereinafter referred to as the "Fund"). However, the Fund failed to approve relevant applications.

In accordance with the *Labour Creditor's Rights Protection System*, the aim of setting up the system is to establish a system to protect creditors' rights arising from labour relations and to ensure payment of creditors' claims when there is default by the debtors. The mechanism for protecting the employees is divided into the "application for payment" and the "application for advance payment". The former is a request to the Fund for a full payment of the creditor's claims guaranteed by the aforementioned law if it is impossible to recover the owed amount, in whole or in part, through judicial proceedings. The latter is a request for advance payment not exceeding half of the guaranteed amount within 45 days after the termination of labour relations. The law regulates that a request for advance payment should be made together with a request for payment and should not be made separately.

According to the investigation, it was found that the Fund's refusal of the complainant's application for advance payment was due to the fact that, although the involved company had already ceased operation, one of the members of the administrative management bodies had promised to, on an individual basis, pay part of the amounts owed to the employees on behalf of the company. Therefore, the Fund considered that the employer still had the ability to settle the creditor's claims. As such, the condition for advance payment was not fulfilled. In addition, regarding the suspension of the procedure of "application for payment", the vetting and approval procedures can only proceed if the complainant has a "final and unappealable court decision" and a "declaration of bankruptcy or insolvency of the debtor issued by the court".

Upon analysing relevant legal regulations and the practical operation of the Fund, the CCAC considers that the payment promise obtained by the complainant was merely a personal act of the representative of the involved company and that the complainant's claims were not paid in whole. Therefore, it was inappropriate for the Fund to consider that the company still had the ability to settle the claims. On the other hand, during the period when the application was processed, the involved company had already registered its liquidation and extinction. Due to the lack of a defendant, basically, it was impossible for the complainant to request for the relevant company to settle the debts through judicial proceedings. In other words, he was not able to obtain the "final and unappealable court decision" and the "declaration of bankruptcy or insolvency of the debtor issued by the court". Moreover, the aforesaid documents are not the ones explicitly required to be submitted by law for the application. According to the relevant law, when deciding whether to approve the relevant "application for payment", the crucial point lies in whether the party concerned is unable to recover the owed labour debts through judicial proceedings. Therefore, the way the Fund handled the issue may probably make the purpose of establishing the Labour Creditor's Rights Protection System hard to be adequately fulfilled.

Following the CCAC's intervention, the relevant department accepted its opinions. After discussing with the Public Prosecutions Office, the way for processing the applications was determined. When it is not possible to file a lawsuit due to extinction of the legal entity as an employer, the party involved is allowed, in these situations, to obtain the protection of the creditor's rights.

(V)

Communication is important to internal management

The CCAC received a complaint indicating that the Cultural Affairs Bureau (IC) failed to guarantee its shift workers' statutory rights regarding rotational days off, annual leave and attendance at training courses.

The complainant pointed out that a then functional chief of the IC failed to arrange the shift workers' rotational days off according to the law. The CCAC discovered that the functional chief misinterpreted the requirement set forth in the rules of shift work provided by the *Statute of Personnel of the Public Administration of Macao* in force. After the functional chief realised the correct meaning of the relevant rules, he promptly rectified the situation and offered compensation.

In addition, the complainant stated that the shift workers were unable to take their annual leave as planned in the vacation schedule. Following the investigation, the CCAC did not find any situations that the workers were unable to take their annual leave as planned in the vacation schedule, nor was it found that the arrangements of rotational days off during annual leave periods affected or diminished the shift workers' right to rest.

The complainant also stated that the IC did not arrange the schedule for the shift workers to take the compulsory targeted promotional training courses and, as a result, they needed to, at times, take the courses in their spare time. The CCAC considered that according to the *Recruitment, Selection and Promotional Training of Public Service Personnel* in force, when it comes to targeted promotional training courses, workers are entitled to be excused from work by

the leadership of the department for attendance at the training, provided that they take place during working hours.

In fact, the IC exempted the worker concerned from work for attendance at the course for an entire day. Following an internal investigation, the IC decided to compensate the worker for the extra hours of work performed following a half-day training.

Following the CCAC's intervention, the IC formally established the *Guidelines on Shift Personnel Management*, which, in explicit compliance with the principle of good faith and without prejudice to the operation of the department, introduced the coordinative mechanism for shift rosters and the planning and taking of annual leave. In addition, the guidelines also provide rules about shift workers' attendance at the two types of mandatory training courses for promotion, and, particularly, safeguard their right to rest to the greatest extent, as well as set up a communication mechanism for such situations.

(VI)

Transparent information about cooking fume inspections

A resident affected by cooking fume filed a complaint with the CCAC, claiming that he had filed complaints with the Municipal Affairs Bureau (IAM) and the Environmental Protection Bureau (DSPA) respectively regarding the cooking fume emissions from a certain catering establishment, but the two departments' test results differed. Furthermore, the complainant came to know that the IAM had arranged tests outside of business hours, thus querying about the bureau's scheduling of tests and its refusal to disclose the testing time.

According to the laws in force, the IAM has the authority to monitor whether the cooking fume emissions from catering establishments meet its standards and to impose penalties for violations. The DSPA's responsibilities include preventing and controlling environmental pollution, and it has formulated the *Guidelines for the Control of Cooking Fume, Black Smoke and Odour Pollution in the Catering Industry and Similar Establishments* to regulate

the operation and management of cooking fume treatment equipment and related facilities in catering establishments.

The investigation revealed that after receiving the complaint, the DSPA repeatedly dispatched personnel to follow up and understand the implementation of relevant guidelines for cooking fume pollution control at the establishment in question. During this process, it was found that the establishment's cooking fume filtration equipment and its maintenance did not meet the DSPA's recommended requirements. Therefore, in addition to referring the complaint to the IAM, the DSPA repeatedly advised the person in charge of the establishment to take effective measures to improve the situation and continuously monitored the establishment's operation and improvement situation.

In addition to conducting its own cooking fume tests at the establishment, the IAM also proactively coordinated with the DSPA for joint inspections. Regarding the complaint, after detecting excessive emissions of the establishment, the IAM initiated prosecution and administrative penalty procedures against it and convened an inspection committee composed of multiple departments, including the DSPA, to conduct an on-site inspection. The person in charge of the establishment replaced the equipment as promised, and the IAM conducted a final on-site re-inspection. No illegal actions or negligence in follow-up were found in the IAM's handling of the matter.

Regarding the testing time, according to the data, the IAM repeatedly sent personnel to the establishment during business hours to visually observe the cooking fume emissions from the chimneys and to measure the cooking fume concentration using the gas detector tube method during non-business hours.

The investigation revealed that the IAM arranged for the measurement of cooking fume concentration using the gas detector tube method during non-business hours to avoid disrupting the operation of the establishment. Furthermore, the IAM required the person in charge of the establishment to adjust the stoves to the cooking temperatures identical to those of business hours

to simulate peak business conditions of the establishment for sample collection and comparison. Therefore, the IAM's on-site measurements with the gas detector tube method during non-business hours did not affect the accuracy of the results.

In fact, the complainant, upon learning that the IAM conducted testing during non-business hours, questioned the results and repeatedly requested the latter to specify the exact testing time. However, the IAM did not provide the specific testing time as requested or explain the testing method currently used, leaving the complainant's doubts about the IAM's failure to fulfil its responsibilities unresolved.

Following the intervention of the CCAC, the IAM agreed that it should provide as much information as possible in its responses to residents and strengthen communication to dispel their concerns.

(VII)

Standards of tender evaluation should be impartial and comprehensive

When handling a complaint, the CCAC found that a company was awarded two service contracts by the Sports Bureau (ID) in March 2024 through public tenders, including “management and lifeguard services at outdoor swimming pools and sports facilities with swimming pools under the ID in Macao” and “management and lifeguard services at outdoor swimming pools and sports facilities with swimming pools under the ID in the islands”, with the period of service from 1st April 2024 to 31st March 2026. However, the company, after being awarded the contracts, was not able to employ sufficient number of lifeguards and fulfil the obligations it promised in the tendering process. Also, it failed to pay the final guarantee by the specific deadline. As a result, the provisional guarantee was forfeit and the respective contracts were declared void.

In August 2024, the ID reorganised the said public swimming pools and initiated four public tenders for the same kind of services, namely “management and lifeguard services at the D. Bosco College Sports Centre and the Lin Fong

Sports Centre under the ID”, “management and lifeguard services at the Olympic Sports Centre - Aquatic Centre and the Taipa Central Park Swimming Pool under the ID”, “management and lifeguard services at the Tamagnini Barbosa Sports Centre and the Dr. Sun Yat Sen Swimming Pool under the ID” and “management and lifeguard services at the Carmo Swimming Pools, the Cheoc Van Swimming Pool and the Hac Sa Park Swimming Pool under the ID”. All of the tender schemes specified the situations in which the tenderers would be considered unqualified, namely “having been punished with a fine or having the contract terminated by the awarding authority due to failure to fulfil the contractual obligations”. However, the ID eventually concluded that there was no situation that would make it consider that the said company failed to meet the requirements to be a tenderer. Thus, it continued to adopt the same tender evaluation standards and, once again, awarded the company the contracts to provide management and lifeguard services at some of the public swimming pools, with the period of service from 1st December 2024 to 30th November 2026.

The CCAC understood that based on the principle of objective stability or stability of procedural documents, the information and rules indicated in the tender scheme or specifications should remain unchanged throughout the process. However, regarding the selection of evaluation items and specific definition of the evaluation standards by the ID, obviously, there is room for optimisation and in-depth consideration. The fact that a tenderer who was awarded a contract recently but failed to provide the due service was awarded the contract of the same kind of service again within a short period of time is incomprehensible and unacceptable. In order to ensure the impartiality of public administration, the CCAC considered that the ID should adopt appropriate measures in advance to optimise the evaluation items and standards in future public tendering processes. In particular, a comprehensive assessment of tenderers’ strengths and weaknesses in terms of their performance and the quality of services they provided in the past should be carried out. Only in this way can the true quality of the tenderers be fully understood and the evaluations be fairer, more reflective of reality and convincing to the public.

The ID agreed on the CCAC's opinions and stated that it would adopt proper measures for optimisation in future public tendering processes, including introducing a "point deduction" mechanism to the evaluation standards indicated in tender schemes and reviewing the records of service contracts awarded to tenderers by the bureau in the previous 24 months. If non-fulfilment of the obligations promised in the tender proposal, violation of contractual rules or irregularities subject to fines, among other situations, is found, a "point deduction" will be applied to the evaluation item regarding the experience of service provision, thus fully reflecting a tenderer's past experience and service quality in the evaluations.

(VIII)

Important information should be published according to law

The CCAC received a complaint claiming that the Macau Urban Renewal Limited (MUR), in the course of selecting a property agency for providing services for the sale of the project of "Macau New Neighbourhood" in Hengqin, failed to publish the reasons for the awarding of the contract of the relevant tender. He doubted if there was "black box operation" which led to injustice.

Upon investigation, it was found that the scoring criteria and the scoring proportion of the evaluation factors had already been laid down when the tender was drafted. The tender evaluation committee also stipulated the evaluation rules and the calculation method. Moreover, the qualification requirements and the evaluation criteria were clearly specified in the letters which required the four largest chambers of commerce of property agencies in Macao to notify their members of the relevant tender invitation information. After the tender closing date, the tender evaluation committee selected five tenderers out of 110 qualified ones with the highest scores in accordance with the established evaluation criteria mentioned above for contract awards. Additionally, the awarded company calculated the service fee based on the established method and thus they were not able to influence the selling price of the relevant housing unit and the parking space. Therefore, the circumstances of impartiality were not seen.

In addition, according to the *Legal Regime for Publicly-Owned Companies*, regarding information on “the major procurement project”, information pertaining to wholly government-owned companies and their subsidiaries should be published on the webpage set up and managed by the competent department (hereinafter referred to as the “Platform”) and any webpages of the relevant companies or through other appropriate means. The guidelines for publication of information issued by the competent department require that publicly-owned companies and their subsidiaries should publish the following information: “A brief summary of the relevant procurement project and any results of the opening of the tender and the contract award if the value of the acquisition of goods and services exceeds MOP4,500,000 or the amount of works exceeds MOP15,000,000”. In other words, even the project falls within the category of the “major procurement project”, the tender evaluation criteria and the reasons for awarding the contract are not necessarily the content that requires publication.

The procurement involved in the case was initiated by a wholly-owned subsidiary of the MUR. The intermediary service fee of the relevant property agency was above RMB100,000,000, which is far exceeding the procurement service amount required for publication in the guidelines. Therefore, a brief summary of the procurement project and any results of the opening of the tender and the contract award should have been published, according to law, within 90 days upon the completion of the procurement process on the “Platform” set up and managed by the competent department and on the “MUR” webpage or through other appropriate means. However, more than 90 days upon the completion of the procurement process, the relevant information has still not been published either on the “Platform” or on the “MUR” webpage.

After the CCAC had given its opinions and exchanged views with the competent department, the latter specified in the reply letter that it agreed with the stance of the CCAC. Therefore, the CCAC had already required the “MUR” by mail to instruct the subsidiary involved in the case to “immediately carry out remedial measures and rectify the improper act of not publishing the information

about the procurement project” and to make the information of the relevant procurement project public through the “Platform”. The competent department urged “the MUR, being the parent company, to strengthen the supervision on its subsidiary and training of its personnel in order to avoid repeated situations such as non-compliance with the laws and guidelines”. Meanwhile, it was mentioned in the reply letter that the relevant information was published on the “Platform” by the subsidiary involved in the case on 30th April 2025. In addition, it was also specified in the reply letter that the competent department will, in order to strengthen supervision on the publication of information by publicly-owned companies, require companies to strictly comply with the guidelines and carry out a comprehensive review, periodic communication and assessment, improve the content of minutes of the meeting of the bodies, urge companies to strengthen internal management and hold briefing sessions, among other measures, in order to raise awareness of compliance with the law among relevant companies and avoid occurrence of similar situations in the future.

IV. Retrospective review

In 2025, to effectively exercise the CCAC’s power of supervision conferred upon by the law, the CCAC sustained its efforts in implementing the “retrospective review” mechanism. As to the public departments or entities that have promised to make improvement in the course of ombudsman case handling, the CCAC follows up their progress of improvement in a timely manner, such as whether they have taken optimisation measures according to the CCAC’s opinions or suggestions, in order to review the efforts made to improve the certain matters and whether they keep making efforts to satisfy the demand of the public and society, with an aim to continuously enhancing good governance of public departments or entities.

The results of the retrospective review reflect that the departments of the SAR Government generally respect and accept the conclusions and suggestions

made by the CCAC in the ombudsman case files and they have taken real measures to make improvement.

Some of the cases included in the list of “retrospective review” in 2025 are summarised as follows:

(I)

A resident told the CCAC that he had made several complaints to the Municipal Affairs Bureau (IAM) over occupation of public places. However, the IAM replied that its inspection personnel could only initiate a prosecution based on the facts they witnessed and sufficient evidence proving the existence of violation. Therefore, the complainant questioned the bureau’s inaction.

It was discovered in the investigation that after receiving the complaints, the IAM repeatedly dispatched personnel to the location mentioned by the complainant for follow-up and inspection, but the inspection personnel did not witness any situations of illegal occupation of public places and therefore did not initiate any sanctioning proceedings. Then the IAM replied to the complainant that it would continue to carry out random inspections and would take follow-up actions when illegal situation was found.

The CCAC considered that the *General Regulations Governing Public Places* empowers law enforcement personnel to immediately initiate prosecutions once they witness administrative violations punishable by the regulations, with an aim of speeding up prosecution procedures and enhancing the efficiency of law enforcement. However, the *General Regulations Governing Public Places* does not prohibit the IAM from gathering evidence of the reported facts that are not witnessed by the relevant personnel so as to ascertain whether there are any administrative violations liable to sanction within the reported period of time.

Upon obtaining the CCAC’s opinions, the IAM carried out a comprehensive review of the relevant law enforcement process and improved the internal guidelines and law enforcement procedures regarding the follow-up on the

witnessed and unwitnessed violations. At the same time, it also strengthened the internal training for its law enforcement personnel.

In order to continuously keep tabs on the implementation of the relevant improvement measures of the IAM and the progress, the CCAC included the case in the list of “retrospective review” for regular follow-up.

(II)

According to a complaint received by the CCAC, during a follow-up consultation at the Conde S. Januário Hospital (hereinafter “CHCSJ”), a patient found that his medical record contained untrue entries and thus questioned if there were illegalities or irregularities existing in the matter.

It was discovered in the investigation that the Health Bureau (SS) initiated an inquiry process and verified that the incident was mainly caused by the problems concerning communication and handover of work in a certain department. It was also verified in the inquiry that the mistake in the medical record in question neither materially harmed the complainant nor affected his future medical treatment plan.

Due to the impossibility to attribute disciplinary responsibilities to a certain doctor in the inquiry process in question and the fact that the evidence obtained did not allow for the initiation of a severer process, the SS decided to archive the case and adopted proper measures to rectify and review concrete cases.

The CCAC considered that even though the medical record in question had already been corrected, the optimisation of accuracy of medical records should not be superficial and on a case-by-case basis. It is more necessary to conduct a comprehensive review and implement optimisation measures applicable to doctor-patient communication, the mechanism of correction of medical records and the mechanism of patient handover of the CHCSJ in order to guarantee the accuracy of medical records and patients’ health.

Following the CCAC's intervention, the SS stated that it had already carried out a systematic reform of the CHCSJ. The actions included continuous reinforcement of doctor-patient communication, requesting doctors to correctly work on patient handover, enhancing medical personnel's precision in the writing of medical records through training and verification of medical records and establishing a strict system of revision and verification of medical records.

In order to continuously keep tabs on the implementation and progress of the systematic reform of the CHCSJ, the CCAC included the case in the list of "retrospective review" for regular follow-up.

Some of the cases removed from the list of "retrospective review" in 2025 are summarised as follows:

(I)

In the course of handling a complaint, the CCAC found that in the 2014 version of the traffic violation ticket (hereinafter referred to as "ticket") from the Public Security Police Force (PSP), only the legal term "report" was kept on the front of the ticket. However, the back of the ticket still contained the relevant points to note on "report (misdemeanours)" and "accusation notification (administrative violations)", which reflected a problem concerning inappropriate use of legal terms and inadequate notification on the ticket.

Misdemeanour and administrative violation are of different natures in terms of legality and thus subject to two different defence procedures respectively. In particular, if the offender fails to voluntarily pay the criminal fine/administrative fine by the designated deadline, in the former case, the offender will be referred to the court for trial. However, in the latter case, coercive collection will be enforced under the tax execution process. Residents generally have difficulty distinguishing which sanctioning procedure applies to the traffic offences they have committed, thus losing a potential opportunity for defence. Therefore, the CCAC reported the case to the PSP and included it in the list of "retrospective

review” in 2025 in order to follow up on the relevant review and improvement progress.

Following a review of the content of the ticket, in April 2025, the PSP fully adopted the revised version of the traffic violation ticket, which allows the officers to, when filing charges against misdemeanours, select the options of “report” and “criminal fine”, and, when filing charges against administrative violations, select the options of “accusation notification” and “administrative fine”. Furthermore, the information on the back of the ticket was updated in order to ensure the accuracy of its content, its compliance with the law and the safeguard of the rights and interests of the individuals involved. Therefore, the CCAC removed the case from the list of “retrospective review”.

(II)

Regarding the case that the China-Macau Dragon Boat Association (CMDDB) charged fees from users of dragon-boats at the Nam Van Lake Nautical Centre, the CCAC found in the investigation that the Sports Bureau (ID) did not carry out a detailed assessment of the information submitted by the CMDDB when approving the relevant proposals. It also failed to verify that some of the leased dragon-boats were assets owned by the government and did not adopt any supervisory measures. The ID stated that it would improve the situation according to the CCAC’s opinions. In order to review the improvement progress, the CCAC included the case in the list of “retrospective review” in 2024 and commenced the retrospective review in 2025.

According to the information provided by the ID, the bureau has taken a new inventory of the dragon-boats and related facilities and confirmed the ownership of the relevant assets and the sharing of responsibilities of repair and maintenance. At the same time, the ID, through the signing of an agreement with the Municipal Affairs Bureau on the lake range of the Nam Van Lake used by the ID, the purpose of the lake range used by the ID and the rights and duties of both parties have been clearly defined and the insurance for the personnel

participating in competitions and pre-competition training has been purchased. In addition, in order to satisfy the need for training, the ID extended the pre-competition training periods for the “Macao International Dragon-Boat Races” and the “Association Cup Small Dragon Boat Races” and requested the CMDB to submit the budget of the competitions and pre-competition training and the report of the budget execution and the use of relevant facilities so that the ID may carry out the supervision. As the spending on the pre-competition training in 2025 was sponsored by enterprises, the CMDB did not charge the users any fees.

Given that the ID has adopted several measures to improve the supervision and optimise the arrangements of activities, the CCAC has removed the case from the list of “retrospective review”.

(III)

The CCAC received a report indicating that an individual from the Chinese mainland obtained a Macao SAR Non-permanent Resident Identity Card by marrying a Macao resident. However, the individual did not reside in Macao permanently and therefore was not eligible for permanent residency. Therefore, the complainant requested the CCAC to supervise whether the Identification Services Bureau (DSI) had effectively performed its duties of vetting and approval.

In the investigation carried out by the CCAC, it was substantiated that the reported situation was true. However, at that time, the individual’s non-permanent resident identity card had not yet expired and he had not yet applied for a permanent resident identity card. Therefore, the vetting and approval procedure had not been commenced. In order to continuously supervise the legality of the relevant vetting and approval procedure, the CCAC included the case in the list of “retrospective review”.

In 2025, the DSI informed the CCAC that it received the application for a permanent resident identity card from the individual involved in the previous

year. After the processing, the DSI verified that the individual did not meet the requirement regarding the period of habitual residency in Macao and therefore decided to reject the application. Since the bureau has already performed its duties in accordance with the law, the CCAC has removed the case from the list of “retrospective review”.

V. Departments or entities that proactively followed up on the CCAC’s suggestions

In the course of handling ombudsman cases, many departments or entities paid attention to the issues involved and followed them up prior to or during the process of the CCAC’s intervention. Alternatively, during the CCAC’s investigation or the communication process with the CCAC, they took the initiative to accept the CCAC’s stance or opinions and took actions to follow up on and/or improve the issues. Such proactive attitude to the improvement of the governance deserves recognition. The CCAC hopes that public departments and entities will maintain the positive work attitude, enhance the quality of law enforcement, implement government actions according to the law and adhere to the principle of “people-oriented governance”. These public departments or entities that demonstrated such proactive attitude in 2025 are listed as follows (in no particular order):

Departments or entities	Involved issues	Responses to CCAC’s opinions	Follow-up actions by the departments
Macao University of Tourism	Insufficient information disclosed to the public regarding the awarding of a written consultation.	The department has taken appropriate actions.	The department has adopted measures to optimise the content of the awarding of the written consultation disclosed to the public.

Departments or entities	Involved issues	Responses to CCAC's opinions	Follow-up actions by the departments
Education and Youth Development Bureau	Overtime work compensated by time off.	The department has taken appropriate actions.	The department has reinforced internal promotion and communication in order to eliminate the personnel's possible misunderstanding of the rules of overtime work compensation.
Sports Bureau	Refunds for tickets purchased in advance for access to sports facilities in the situations where typhoon signal no. 8 is about to be hoisted.	The department accepted the CCAC's opinions and has taken appropriate actions.	The department has refunded the complainant and those who encountered the situations of similar nature and refined the provisions of purchase of tickets for access to the sports facilities.
Municipal Affairs Bureau	Supervision of operation of hawkers and the enforcement of sanctions.	The department accepted the CCAC's opinions and has taken appropriate actions.	The department has adopted measures to strengthen the supervision of the situations of operation of hawkers and effectively implemented the relevant legal provisions.

Departments or entities	Involved issues	Responses to CCAC's opinions	Follow-up actions by the departments
Personal Data Protection Bureau	Obligation of personnel to submit application for allocation of the contribution time bonus under the Provident Fund Scheme.	The department accepted the CCAC's opinions and has taken appropriate actions.	The department has cancelled the requirement for the application in question and will strengthen personnel training in order to ensure that the procedures are carried out in accordance with the law.
Public Security Forces Affairs Bureau of Macau	Requirement for police officers who got married outside Macao to submit a certificate of marriage registration transcription when they are applying for family allowance.	The department has taken appropriate actions.	The department has reviewed and handled the matter and refined the relevant execution procedures in accordance with the law.
Customs of Macao Special Administrative Region	A worker's engagement in private business in violation of legal provisions.	The department has taken appropriate actions.	After ascertaining the facts, the department found a disciplinary offence and applied a disciplinary sanction.

Departments or entities	Involved issues	Responses to CCAC's opinions	Follow-up actions by the departments
Gaming Inspection and Coordination Bureau	A worker's engagement in part-time job in violation of legal provisions.	The department has taken appropriate actions.	After ascertaining the facts, the department found a disciplinary offence and applied a disciplinary sanction.
Correctional Services Bureau	Inappropriate request made by personnel of the Youth Correctional Institution (IM) to detainees for assistance in the preliminary evidence gathering within the facilities of the IM for an alleged disciplinary offence committed by personnel of the IM.	The department accepted the CCAC's opinions and has taken appropriate actions.	The department has taken measures to strengthen the training of custodial staff and improve their performance of law enforcement duties and the relevant code of conduct and has set up an internal reporting system in order to optimise the relevant procedures.
	Limitation of prison officers' annual leave to only 17 working days in 2025, with the remaining five working days being mandatorily carried forward to 2026.	The department has taken appropriate actions.	The department has reviewed and adjusted the arrangements of the annual leave of the personnel of the Corps of Prison Guards, allowing a total of 82 prison officers to take 22 working days

Departments or entities	Involved issues	Responses to CCAC's opinions	Follow-up actions by the departments
			of annual leave in 2025.
Public Security Police Force	A public security police officer allegedly violated the duty of exclusivity by working for a private company concurrently and participating in the preparation, operation and promotion of a local restaurant.	The department has taken appropriate actions.	After ascertaining the facts, the department found a disciplinary offence and applied a disciplinary sanction.
	A public security police officer allegedly held the position as the president of the general assembly of a civic association without proper declaration and authorisation and sought benefits from the activities organised by the association.	The department has taken appropriate actions.	Following the CCAC's notification, the department verified that the police officer had committed a disciplinary offence and applied a disciplinary sanction against him.