

2022

Annual Report

of

the Commission Against Corruption of Macao

Commission Against Corruption

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FOREWORD

In 2022, the CCAC performed its duties pragmatically. Despite facing the challenge of severe epidemic in Macao, it diligently performed its duties and placed a total of 274 cases on file for the year. Moreover, it concluded a total of 296 investigation files (along with those carried forward from 2021). In the anti-corruption area, the CCAC actively carried out investigation within limited time during which it detected various corruption cases, including an electoral bribery case involving more than 200 voters and a case involving the offence of breach of secrecy by a private enterprise. The CCAC also prioritised investigation of cases related to government subsidies with an effort to safeguard the public interests of the Macao SAR.

It was a year of several firsts which were really encouraging, including the case, for the first time, involving the surrender of a suspect and a case where Macao and Hong Kong, for the first time, made a successful cross-jurisdictional effort in jointly fighting corruption through overcoming the situation that the two places have different legal requirements on corruption offences in the private sector. Despite the CCAC has cooperation with the Chinese mainland and Hong Kong concerning mutual case assistance, in face of the development trend of the new era, a regularised mode of collaboration may combat criminal activities more effectively. Therefore, the CCAC hopes that judicial assistance in criminal matters can be established between Macao and the Chinese mainland and between Macao and Hong Kong so that inter-regional cooperation in criminal matters can be carried out according to law.

In the area of ombudsman's work, the CCAC endeavoured to promote the departments to achieve the goals of solving problems and improving systems through various supervision approaches. Regarding some of the cases which were concluded in 2022, quite a lot of complaints or reports which were of repeated or

similar nature reflected some administrative phenomena which were worth noticing. For example, regarding the enquiries and complaints received in the middle of 2022 arising from tackling the novel coronavirus epidemic, among those that were rational, the CCAC adjusted its measures in a timely manner, subsequently held meetings with the authorities according to the situation where it put forward feasible suggestions and urged the authorities to expressly state and regularise relevant content so that public departments, entities, and their workers, as well as the general public were able to clearly understand the aims of governance by the authorities and had rules to follow. Regarding the complaints arising from the acts or measures taken by the administrative bodies which were not properly known or understood, if the circumstances were not against the law or apparently irrational, the CCAC would also encourage direct and rational communication with the departments, which, likewise, facilitated the Government to optimise their work.

On the other hand, in 2022, the CCAC reviewed the follow-up work carried out by the departments or entities that were included in the list of “retrospective review” in a timely manner. The results showed that various departments generally respected and accepted the investigation conclusions and suggestions rendered by the CCAC in the administrative complaint case files and mostly sought appropriate solutions to improve their administrative work with positive attitudes. As such, the “retrospective review” mechanism which was established in 2020 has been implemented in an orderly and effective manner.

The revision of the *Organic Law of the Commission Against Corruption of the Macao Special Administrative Region* is one of the most prioritised tasks of the 2nd Five-Year Plan and the annual policy address. In 2022, the CCAC completed the preliminary technical preparatory work related to the revision of the *Organic Law of the Commission Against Corruption of the Macao Special Administrative Region* and its relevant administrative regulation. In 2023, the CCAC will proactively push forward the legislative processes and continue to maintain

communication with relevant departments concerning the matters of revision of the law. The CCAC hopes that through the revision of the law where forward-looking planning on improvement of systems, personnel allocation and the institutional set-up, among other matters, were taken into consideration, it can carry out its supervisory function more effectively and better tie in with the integration of the Macao SAR's policy direction into the national development.

Electronic governance is a major trend of the social development of Macao. The CCAC therefore, in recent years, has subsequently rolled out various e-services which are convenient for the residents based on the practical nature of work in order to meet the demand of the society. Following the service of progress enquiry of online complaint and online appointment service for declaration of assets and interests, the CCAC rolled out the online booking service for lodging a complaint and gradually improved the online complaint system in 2022. Statistics from 2022 reflected that nearly half of the complaints or reports were lodged through the online complaint system, yet the number of anonymous complaints or reports did not increase. It was even fewer than that of last year, which showed that the direction of the CCAC to step up efforts to improve its work was correct and effective.

For the fostering of integrity culture in Macao, the CCAC proactively instils correct values in the society with different sectors through diversified promotion and education approaches and cooperation modes. In 2022, the Branch Office in Taipa reopened upon renovation, by taking this opportunity, it was slated to be a second integrity education base in Macao. Not only can the society understand the CCAC from a different perspective, its positioning can even demonstrate that the CCAC attaches importance to the integrity education for young people with an aim to achieve the goals of nurturing good virtues of the future pillars of Macao and promoting young people to proactively participate in integrity building.

The year 2022 marked the 30th anniversary of integrity building of Macao. Over the years, the integrity work has been carried out in Macao step by step – from the

improvement of law, to the establishment of different systems and even the respect of virtues and promotion of integrity – all in a bid to encourage the building of integrity culture in the society of Macao. Such work has all along been solidified while innovation has been sought. Despite facing different challenges, the CCAC keeps striving ahead, carries out its duties dedicatedly, closely integrates the work of the suppression, regularisation and guidance in a flexible way and promotes various governance work firmly. Looking forward, the CCAC will, as usual, commit itself to fulfilling its duties in the integrity building of Macao and stays true to the objective of maintaining integrity.

March 2023

The Commissioner Against Corruption

Chan Tsz King

PART I

CASE PROCESSING SUMMARY

PART I
CASE PROCESSING SUMMARY

In 2022, the CCAC received a total of 678 complaints, reports and sources of information, of which 634 were complaints lodged by residents, 25 were cases referred by other departments, five were cases placed on file by the CCAC upon gathering information on its initiative, one was placed on file upon receiving information related to cases from judicial bodies, 11 were placed on file upon obtaining information from requests for assistance made to the CCAC and two involved internal information exchange by the Anti-Corruption Bureau and the Ombudsman Bureau. In addition, the CCAC received a total of 1,274 requests and enquiries throughout 2022.

Statistics on sources of information recorded in 2022

Sources of information	2022	
	Total	Percentage
Complaints and reports lodged by residents	634	93.5%
Cases referred by other public bodies	25	3.7%
Cases placed on file for investigation on the initiative of CCAC	5	0.7%
Cases placed on file for investigation by judicial bodies	1	0.2%
Requests for case assistance	11	1.6%
Cases intervened by both Anti-Corruption Bureau and Ombudsman Bureau	2	0.3%
Total	678	100%

Upon receiving a complaint or report, the CCAC will conduct a preliminary analysis. Then the Commissioner will issue an order to assign the relevant department to follow it up. The complaints or reports that fall within the jurisdiction of the CCAC and involve criminal crimes will be investigated by the Anti-Corruption Bureau, while those that fall within the ombudsman’s jurisdiction will be investigated by the Ombudsman Bureau. When the complaints or reports do not

fall within the CCAC’s jurisdiction or when they lack sufficient information and do not fulfil the conditions to be placed on file, they will be sent to the Complaint Management Centre for archive purpose or referred to other departments for follow-up.

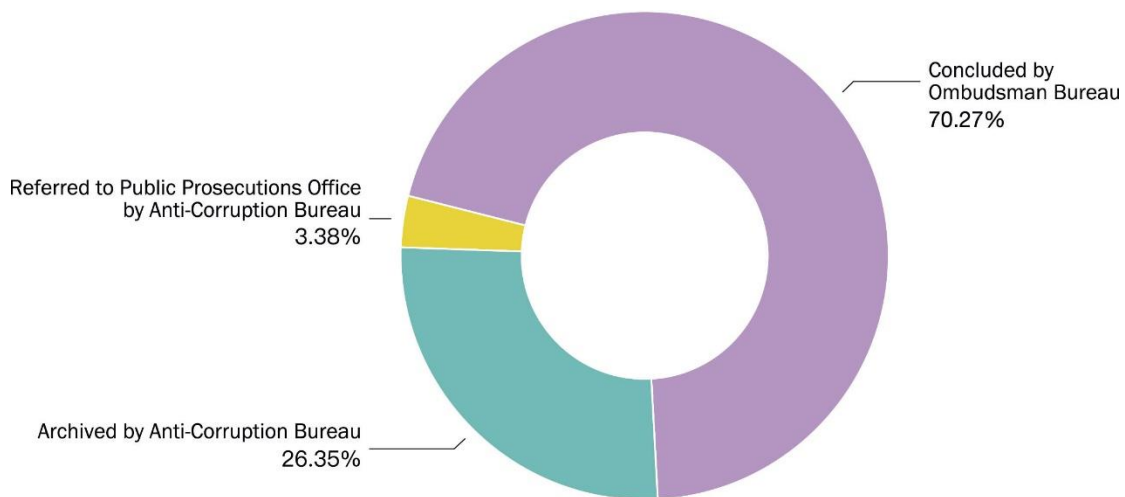
In compliance with the principles of pooling resources and enhancing efficiency, the CCAC consolidates the complaints or reports according to the subject matters and handles them together. Therefore, in 2022, the CCAC put a total of 274 cases on file, including 103 processed by the Anti-Corruption Bureau (including 11 requests for case assistance) and 171 processed by the Ombudsman Bureau. In addition, there were a total of 322 cases which did not meet the conditions to be placed on file and were sent to the Complaint Management Centre, of which 193 were directly archived and 129 were transferred to competent departments for follow-up.

Statistics of Complaint Management Centre in 2022

Type		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Yearly total
Requests/enquiries of different natures		127	89	114	93	116	81	76	119	148	102	131	78	1,274
Source of case	Complaints or reports lodged by residents (together with cases referred by other public bodies)	45	31	55	48	73	53	39	64	80	57	66	48	659
	Complaints or reports from other sources	1	2	3	3	0	2	1	2	2	1	2	0	19
Distribution of case	Cases sent to Anti-Corruption Bureau for investigation	7	3	12	11	11	5	6	9	8	13	12	6	103
	Cases sent to Ombudsman Bureau for investigation	19	11	21	15	19	10	7	10	22	12	15	10	171
	Cases handled by Complaint Management Centre	21	7	24	17	33	29	25	37	34	29	37	29	322

Along with the cases carried forward from 2021, the CCAC concluded a total of 296 cases in 2022. Among the 88 cases concluded by the Anti-Corruption Bureau, ten have been referred to the Public Prosecutions Office and 78 have been archived. Among the 208 cases concluded by the Ombudsman Bureau, there were 50 cases in which the departments concerned have improved and streamlined their measures and works and given positive response and ten cases included in the list of “retrospective review” in order for another review.

Statistics on cases concluded in 2022

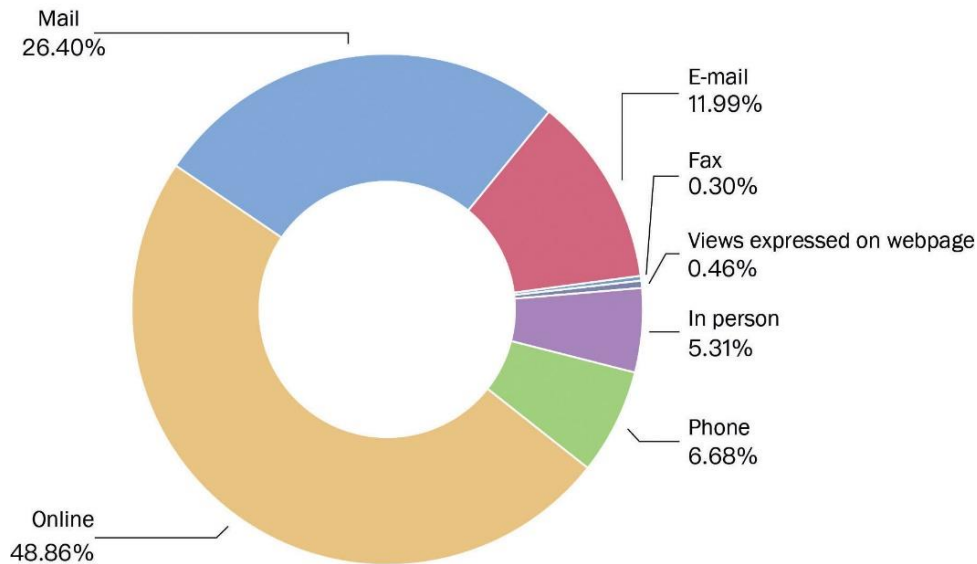


The numbers and percentages of the complaints and reports received by the CCAC in 2022 through different channels: 35 received in person (5.31%); 44 received by the complaint hotline (6.68%); 322 received through the online complaint system, (48.86%); 174 received by mail (26.40%); 79 received by e-mail (11.99%); three received from the views expressed on the webpage (0.46%); two received by fax (0.30%).

Statistics on cases recorded in 2022
(classified by methods to lodge complaints and reports)¹

Methods to lodge complaints or reports	Number	Percentage
In person	35	5.31%
Phone	44	6.68%
Online complaint	322	48.86%
Mail	174	26.40%
E-mail	79	11.99%
Views expressed on webpage	3	0.46%
Fax	2	0.30%
Total	659	100%

Statistics on cases recorded in 2022
(classified by methods to lodge complaints and reports)



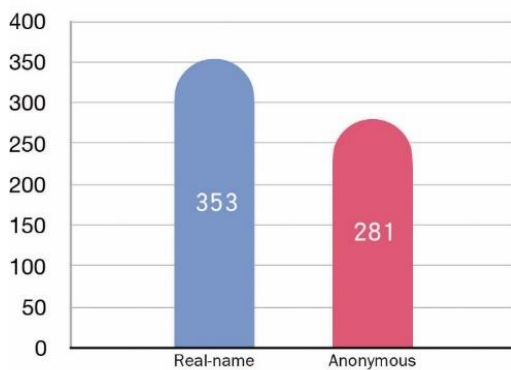
In order to provide convenience for residents who lodge complaints in person, on 1st March 2022, the CCAC launched the online appointment service for in-person complaints. Residents may make an appointment through the online appointment

¹ Including referrals from public bodies.

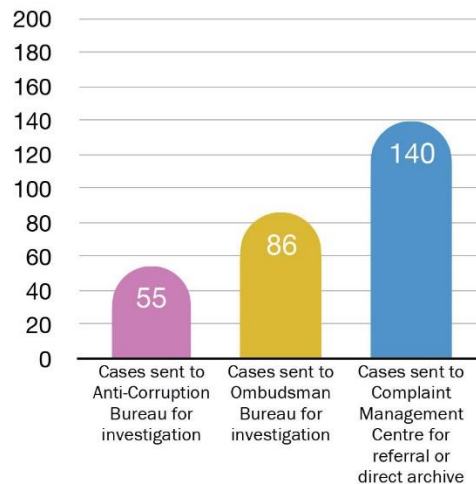
system on the webpage of the CCAC for lodging a complaint or making an enquiry at the office at Dynasty Plaza at NAPE, the Branch Office in Areia Preta or the Branch Office in Taipa during office hours. According to statistics, 79 appointments were made through the system in 2022 and the complainants showed up for 69 of them. In addition, in 2022, 156 in-person complaints were lodged at the offices of the CCAC without appointment, objectively reflecting the extent of residents' awareness of the responsibility about filing real-name complaints or reports. The CCAC hopes that residents may make more use of the appointment system in order to reduce the waiting time for them and help the CCAC make better arrangement of manpower and resources.

Among the complaints or reports in 2022, 353 were lodged under real names (including some complainants or informants requested to remain anonymous) and 281 were lodged anonymously. Among the 281 anonymous complaints or reports, 55 and 86 were passed to the Anti-Corruption Bureau and the Ombudsman Bureau for investigation respectively, while 140 were sent to the Complaint Management Centre for referral or direct archive due to anonymity and failure to meet the conditions to be placed on file.

Statistics on real-name and anonymous complaints or reports in 2022



Anonymous complaints or reports handled in 2022



The reports or complaints received by the CCAC through the online complaint system in 2022 account for 48.86% of all received throughout the year, registering a growth compared with 42.2% in 2021, which shows that residents are increasingly familiar with and more likely to use the system. In addition, the CCAC continues to optimise the system and its interface in order to increase the convenience and smoothness for residents using the system as well as enhance their awareness of filing reports factually and responsibly. Currently, the points to note are listed on the online complaint system in a detailed way so that residents may clearly know the duties and scope of competence of the CCAC, the legal basis for referral, the fact that filing the complaint neither suspends nor interrupts any kind of period, the applicable regimes of judicial secrecy and the consequences of unlawful acts such as making false statements or accusations. At the same time, the CCAC also encourages residents to file real-name complaints. In order to join hands together to create a transparent government and a clean society, residents need not only to pluck up the courage to report illegal acts and unfair situations but also to provide information with a rational and responsible attitude, whereby the accuracy of the CCAC's utilisation of resources and the effectiveness of follow-up and processing of cases will be enhanced.

Meanwhile, in 2022, the complaints received by e-mail and from the views expressed on the webpage account for 11.99% and 0.46% of the total respectively. The CCAC hopes and encourages residents to make more use of the online complaint system since it is a simpler and faster way compared with filing the complaint by sending e-mail or leaving views on the CCAC's webpage. Complainants may simply leave the details of their complaints or reports and their contact information on the specially designed platform of the system and upload the relevant documents to the system. At the same time, they will receive an enquiry code from the system immediately for checking the follow-up progress in the future.

Starting from 1st July 2021, the CCAC provides an enquiry code for all

complainants or informants who meet the relevant conditions so that they may log in to the online complaint system to check the follow-up progress of the complaints or reports they have lodged by using the code. Filing real-name complaints and reports enables the complainants to maintain communication with the CCAC in order to ensure the thoroughness of the information and boost the effectiveness of the follow-up actions. In addition, taking account into the principles of secrecy of case and the right to information, real-name complainants and informants will be able to get more details of the investigation when they use the enquiry code to check the basic progress of the follow-ups on the ombudsman cases in the system.

According to statistics, a total of 836 enquiry codes (including those for submissions of additional details of complaint) were sent to residents who lodged complaints or reports in 2022 and almost 40% of them have been used, reflecting that the way of checking the case follow-up progress through the enquiry code really helps save the time taken to do it in person or by phone and it is increasingly accepted by society. The CCAC will continue to review the effectiveness of enquiry code and optimise the system in a timely manner.

In addition, the CCAC continues to promote computerisation of case processing. Up to December 2022, computerisation of around 98% of the cases under processing was completed, while around 64% of the archived cases over the years have been completely computerised.

PART II

ANTI-CORRUPTION

PART II

ANTI-CORRUPTION

I. Introduction

Since the outbreak of the Novel Coronavirus more than three years ago, Macao experienced the most rampant outbreak of the epidemic in 2022. The whole society of Macao came to a standstill due to the epidemic in the middle of the year. However, the CCAC's personnel remained steadfast in performing their duty. Without fear of obstacles caused by the epidemic and having made every effort to overcome the difficulties, they successfully completed the work plans related to the fight against corruption stated in the policy address. They also actively carried out various investigation work and took the opportunities to complete the investigation missions within a limited period of time.

The anti-corruption work in 2022 had the following characteristics:

The priority work of the CCAC in the fight against corruption in 2022 included the in-depth investigation of cases related to subsidies granted by the Government. Such cases involved the Sports Fund, the “Continuous Development and Improvement Programme”, the former Education Development Fund and the former Cultural Industries Fund. In May 2022, the Commission of Audit released a performance audit report on the “Supervision of fund granting by the Cultural Industries Fund”. After an inspection carried out on the subsequent supervision work performed by the former Cultural Industries Fund over subsidised companies, many doubts were raised about transactions with related parties and conflicts of interest. The CCAC therefore immediately started an investigation in accordance with the order of the Chief Executive. In 2022, the CCAC also detected a suspected case of fraud, where an employee of the former Education and Youth Affairs Bureau, who was responsible for analysing subsidy applications for activities of youth associations, allegedly controlled a youth association secretly and committed fraud

in collusion in order to obtain subsidies from the authority.

There was an increase in the number of cases investigated by the CCAC related to illegitimate access to computer data by public servants. The CCAC discovered several cases where public servants, in an attempt to obtain advantages for third parties or to fulfil their own illicit intention, took advantage of their duties and illegally accessed computer data to which they had access, which violated the criminal law. In view of the existence of similar cases in the past, it is necessary for the Government to strengthen promotion and education and build systematic and technical firewalls in order to ensure the security of public data and personal information.

Although the elections for the 7th Legislative Assembly ended a long time ago, the investigation work for the relevant cases is still ongoing. In as late as December 2022, the CCAC detected an electoral bribery case involving more than 200 voters.

The CCAC also successfully detected a case of the crime of breach of secrecy involving a private company. Despite that there are difficulties in the investigation of crimes of corruption and related cases in the private sector due to various reasons, the CCAC spares no effort in following up on those cases dutifully. It was revealed in the case that a senior manager of a private company colluded with others and committed acts that harmed the company's interests. He violated not only professional duties of employees but also the fundamental values of commercial integrity.

In addition, in 2022, there were some negative trends in the aspects of complaints and reports against corruption. Firstly, a small number of complainants continuously made complaints against similar facts or certain targets. Several (sometimes even dozens) complaints were made in a short period of time. As the CCAC duly investigated and dealt with each complaint, those repetitive complaints unnecessarily increased the volume of investigation work and administrative formalities; secondly, some complainants resorted to the form of false accusation to

vent their personal anger, which may lead to themselves being criminally responsible. The CCAC will continue to carry out publicity work to raise the quality and level of complaints from residents. It also takes this opportunity to urge the public to maintain a rational and responsible attitude when filing complaints or reports.

In 2022, there was a case of voluntary surrender by a suspect for the first time. It is believed that this may be attributed to the probity culture of Macao as well as the effectiveness of the CCAC’s work to combat corruption and raise awareness over the years.

II. Criminal reports and cases filed for investigation

Among the complaints or reports in the anti-corruption area received by the CCAC in 2022, 103 were placed on file for investigation. Among these cases, 63 cases were related to the public sector, 29 were related to the private sector and 11 were mutual assistance cases. The statistical data on the cases in the anti-corruption area handled by the CCAC between 2020 and 2022 are shown in the following table:

Statistics on cases handled between 2020 and 2022

Item	2020	2021	2022
Cases in the anti-corruption area handled	107	119	103
Cases with investigations completed	149	125	88

Among the cases in the anti-corruption area with investigations completed in 2022, 10 were referred to the Public Prosecutions Office and 78 were archived.

III. Summaries of some of the cases

Among the cases in the anti-corruption area concluded in 2022, some of the cases referred to the judicial bodies for follow-up were selected and are summarised as follows:

(I)

Following the suspected case of passive corruption committed by a former leader of the former Land, Public Works and Transport Bureau (DSSOPT), which was detected in the end of 2021, the CCAC detected another suspected case of passive corruption and money laundering committed by another former leader of the bureau in January 2022.

It was found in the investigation that the former leader allegedly received advantages including huge sums of money and immovable properties and abused his power during his tenure by committing illicit acts during the vetting and approval processes for the applications for construction projects made by the businesspersons involved. Knowing that some pending projects went against the administrative instructions issued by the authority or the relevant procedures, the former leader still abused his power by drastically changing the original street alignment plans and then issuing the revised ones, issuing the construction works licences by way of exception and granting approval for adjustment of the content of the works with special burden, so that the developers could maximise the profits they would gain from the projects.

Investigation showed that the former leader allegedly received advantages including huge sums of money and immovable properties from the businesspersons through his relatives and friends in an indirect way. The acts of the former leader allegedly constituted passive bribery to perform illicit acts and money laundering. The businesspersons involved and relevant individuals allegedly committed active bribery and money laundering respectively.

The former leader and the relevant relatives have hidden in places outside the Region for a long time in order to avoid investigation and have not come back to Macao thus far. Some of their immovable properties have been seized by the relevant body.

Given that the two cases involving the two former leaders of the then DSSOPT

are highly relevant and that there were also similarities in the businesspersons and the illegal projects involved in these two cases, with the consent of the Prosecutor Coordinators in charge of the two cases, the two cases were combined as one and were followed up and investigated together. The Public Prosecutions Office brought charges in June 2022.

(II)

The CCAC received an online complaint claiming that a nurse from the Health Bureau (SS), during the exercise of her duties, had privately logged into the medical information system of the SS for several times in order to access the medical records of a colleague. She was therefore suspected to have abused her power and invaded personal privacy.

Investigation showed that a nurse at a health centre, in order to fulfil her personal interest, during the exercise of her duties between December 2019 and March 2021, abused the power inherent to her functions by logging into the medical information system of the SS several times through a computer of the health centre and improperly accessing the personal data and medical records of a colleague, in spite of her knowledge that such act had no legitimacy and that no work instruction had been given.

The aforesaid nurse was suspected to have committed the crime of power abuse provided for in the *Penal Code*, the crime of undue access provided for in Law no. 8/2005 (*Personal Data Protection Act*) and the crime of illegal acquisition, use or provision of computer data provided for in Law no. 11/2009 (*Law on Combatting Computer Crimes*). The case was referred to the Public Prosecutions Office for follow-up in January 2022.

(III)

The CCAC received a report claiming that an employee of the Cartography and Cadastre Bureau (DSCC) had illegally accessed the data of the internal system of

the bureau and revealed the land information collected to a friend who engaged in real estate business, so as to facilitate land acquisition activities and make profits. In addition, the aforesaid employee allegedly operated a café without making declaration and without obtaining authorisation. It was also mentioned in the complaint that the employee, together with an employee of the Municipal Affairs Bureau (IAM), had committed fraud to obtain eviction compensation in the course of engaging in land acquisition activities.

Investigation showed that the employee of the DSCC illegally accessed land and property registration data of others without authorisation at least between 2015 and 2019, in order to obtain property information for facilitating his land transaction intermediary business and for satisfying other personal purposes.

It was found in the investigation that the aforesaid employee, in order to hide his identity as a public servant, allegedly established a company in the name of a family member through which he engaged in land transaction intermediary business and renovation business. He was also suspected to hide his identity and operate a café. None of the aforesaid activities was declared in accordance with Law no. 11/2003 (*Legal Regime of Declaration of Assets and Interests*).

It was also found in the investigation that the aforesaid public servant, together with an employee of the IAM, during a land transaction activity, falsely declared that they were the owners of a property and demanded eviction compensation payment from the buyer. They fraudulently obtained an amount of more than HKD1 million.

The aforesaid employee of the DSCC was suspected of committing several crimes, including the crime of power abuse provided for in the *Penal Code*, and the crime of illegal acquisition, use or provision of computer data provided for in Law no. 11/2009 (*Law on Combatting Computer Crimes*), the crime of inaccurate data provided for in Law no. 11/2003 (*Legal Regime of Declaration of Assets and Interests*). The employee of the DSCC and the aforesaid employee of the IAM were

also suspected to have committed the crime of fraud provided for in the *Penal Code*. The case was referred to the Public Prosecutions Office for follow-up in February 2022.

(IV)

The CCAC received a report that a deputy sergeant of the Traffic Department of the Public Security Police Force allegedly received bribe. According to the report, the deputy sergeant leaked information about the police to a VIP gaming room owner of a casino, who offered accommodation in luxury hotel suites to the deputy sergeant and his wife in return.

Following an investigation, the CCAC found that the deputy sergeant was very close to some persons associated with VIP gaming rooms and visited the VIP gaming rooms many times in violation of law. During the visits, he allegedly leaked information about the police to the VIP gaming room owner and received advantages such as money and free hotel accommodation in return.

The CCAC took investigative action against the involved deputy sergeant and persons associated with the gaming rooms. A large quantity of cash as well as some communication equipment and documents were seized at the home of the deputy sergeant. Also, mobile phones, documents and computers related to the case were seized at the premises involved.

The deputy sergeant was suspected of committing abuse of power and passive bribery to perform illicit acts provided for in the *Penal Code*. The VIP gaming room owner was suspected of committing active bribery.

The case was transferred to the Public Prosecutions Office (MP) for follow-up in March 2022. Following the suggestion of the MP, the judge of the Court of Criminal Instruction approved that coercive measures would be adopted against the aforesaid persons, including provision of guarantee and periodic presentation.

(V)

The CCAC received a report indicating that a worker of the former Education and Youth Affairs Bureau (the former DSEJ) who was responsible for analysing the subsidy applications for activities of youth associations allegedly controlled a youth association and defrauded over subsidies from the authority in a secret way.

Following an investigation, it was discovered that the officer of the former DSEJ controlled a youth association through his wife and friends and defrauded over subsidies for activities from the former DSEJ through false reports and documentary proofs. The worker also added late subsidy applications for the activities of the youth association through operating the back-end of the computer system and suggested his superior approving the relevant subsidy applications. Moreover, in the course of the vetting and approval of the report concerning the use of subsidy for the activities, he still suggested his superior settling and paying the subsidies despite he knew that the report and documentary proofs did not match the facts. In addition, upon knowing the former DSEJ would conduct an internal review of the concerned activities, he privately accessed the intranet and sent the relevant internal assessment documents externally.

The worker of the former DSEJ involving in the case allegedly committed fraud, document forgery, forgery committed by public servant, unlawful economic advantage and power abuse stipulated in the *Penal Code*, as well as illegal acquisition, use or provision of computer data and computer forgery provided for in Law no. 11/2009 (*Law on Combatting Computer Crimes*). The case was referred to the Public Prosecutions Office in August 2022 for follow-up.

(VI)

The CCAC received a case about bribery in the private sector referred by the Public Prosecutions Office and a report about bribery in the private sector at the same time. The details of the two cases were completely the same and an investigation was therefore carried out.

It was found in the investigation that before his retirement, a former senior management member of a consultancy firm secretly prepared for the opening of a construction consultancy firm running the same business on the day after his last day of work and headhunted some workers of the company. He also revealed his willingness to the customers whom he was responsible for in the company that he would charge lower than the prices charged by the company. As a result, he managed to win the businesses and construction projects that the company was supposed to get. The company claimed that it had recorded a loss of over MOP1 million.

It was also found in the investigation that a secretary of the former senior management member involved in the case knew well in advance that the latter would start his own business after leaving the company. Nevertheless, she still followed his instructions and repeatedly provided him with some documents and information containing trade secrets of the company through a company email account and mobile phone applications. She also published recruitment advertisements for the new company in private. Her acts aimed to help the former senior management member to compete for businesses with the company through means of unfair competition.

The CCAC believed that the conspiracy act committed by the two parties not only violated the inherent duties of employees at their work, but was also against the important values of business integrity. The two parties, as accomplices, allegedly violated the offences of breach of secrecy as stipulated in the *Penal Code* and illegal acquisition, use or provision of computer data as provided for in the *Law on Combatting Computer Crimes*. The case was referred to the Public Prosecutions Office in October 2022.

(VII)

The CCAC received a case of electoral bribery related to the Legislative Assembly Elections in 2021 referred by the Public Prosecutions Office and subsequently commenced an inquiry.

Following the investigation, it was discovered that during the nomination period, the trustee of the nomination committee of a candidate group co-organised with a tour guide a half-day tour, where they provided meals and gifts such as laundry detergent and umbrellas on which the slogan for soliciting votes for the candidate group was printed. All the expenses involved were paid by the trustee, who managed to tempt over 200 voters into signing and leaving their personal identification data on the nomination form of the group. In the course of the investigation, many people confessed that they learned from social media on mobile phone or by word of mouth that they could join the tour with meals for free if they signed on the form. Before they set off, they were even invited to take photos in front of the Public Administration Building.

The trustee involved allegedly offered free tour, meals and gifts to over 200 Macao residents in order to collect enough voters' signatures on the candidate group nomination form submitted to the Legislative Assembly Elections Affairs Management Committee. The trustee, the tour guide and over 200 voters involved have allegedly committed electoral bribery in accordance with the *Electoral Law of the Legislative Assembly*. The case was referred to the Public Prosecutions Office for follow-up in December 2022.

(VIII)

In March 2022, the person-in-charge of a sports association surrendered to the CCAC, claiming that he had embezzled the funds of the association.

Following an investigation, the CCAC found that the then leader of the sports association allegedly submitted receipts and expenditure reports mentioning overstated amounts of costs of activities for application for subsidies to the Sports Bureau and the Sports Fund in an attempt to defraud extra funds for the payment of operation expenses of the association, involving over MOP1.1 million. The acts have caused losses of public funds.

In addition, it was also found in the investigation that the leader of the sports association allegedly misappropriated the funds deposited in the bank account of the association managed and controlled by him without permission during his tenure in order to satisfy his own financial needs, involving at least over MOP2.4 million.

After that, the leader of the sports association took the initiative to give an account of the course of the incidents to the CCAC and admitted liability.

The leader of the sports association involved has allegedly committed fraud, document forgery and abuse of trust in accordance with the *Penal Code*. The case was referred to the Public Prosecutions Office for follow-up in December 2022.

IV. Mutual case assistance in cross-border investigation

In 2022, the CCAC followed up a total of 29 mutual assistance cases, including 20 cases at the requests for case assistance received from counterparts outside the Region, of which 12 were made by the agencies of the Chinese mainland and eight by the Independent Commission against Corruption (ICAC) of Hong Kong. The CCAC made nine requests for case assistance to counterparts outside the Region, of which four were made to the agencies of the Chinese mainland, three to the ICAC of Hong Kong and two to both the agencies of the Chinese mainland and the ICAC of Hong Kong. Among the 29 mutual assistance cases, 16 were concluded and 13 are still being followed up (see the following table).

Item	Case assistance requests made by agencies outside the Region to the CCAC		Total	Case assistance requests made by the CCAC		Total
	Hong Kong	Chinese mainland		Hong Kong	Chinese mainland	
Cases placed on file for investigation in 2022	3	8	20	0	2	9
Cases in 2022 including those carried forward to 2022	5	4		3	2	
				2 case assistance requests made to both Hong Kong and the Chinese mainland		
Cases being followed up	5	2	7	0	4	6
				2 case assistance requests made to both Hong Kong and the Chinese mainland		
Cases archived (case assistance completed)	3	10	13	3	0	3

In March 2022, at the request of the National Supervisory Commission, the CCAC assisted in an investigation carried out by the Guangdong Provincial Supervisory Committee. Satisfactory results were achieved.

In May 2022, the ICAC of Hong Kong successfully laid charges against two members of an air-conditioning system supplier in Hong Kong, who were suspected to have offered bribes to an employee of a gaming company in Macao in order to secure awards of works and services contracts. The CCAC of Macao and the ICAC of Hong Kong conducted a joint operation. In the process of investigating the case, the CCAC of Macao and the ICAC of Hong Kong had smooth cooperation in intelligence exchange, criminal investigation and the joint operation as well as demonstrated high level of professionalism. The case was regarded as another successful cross-jurisdictional effort in jointly fighting corruption.

V. Court verdicts

According to the statistics published by the court, a total of 25 criminal cases processed by the CCAC were tried in 2022 and 69 suspects were involved. Final judgements have been rendered on 11 cases and some of the charges of one case, while the remaining cases are still at the appeal stages.

After analysis and consolidation of the 11 cases with final judgements, the CCAC made allegations of document forgery, fraud, fraud involving a high value, active bribery, passive bribery to perform illicit acts, power abuse, breach of secrecy, forgery committed by a public servant, inaccurate data in declaration of assets and interests and computer forgery against the suspects involved. Among these 11 criminal cases, eight were handed down the sentences by the Court of First Instance for the same convictions.

Also, there were three cases on which final judgements had yet to be rendered and they were appealed to the Court of Second Instance. Afterwards, in one case, after the sentences were handed down by the Court of First Instance against several suspects for the convictions including high-value fraud and document forgery, the Court of the Second Instance held that all the grounds of the appeals of the appellants could not be substantiated and the original judgements of the convictions were upheld. In another case, after the sentences were handed down by the Court of First Instance against two suspects for the convictions including fraud, power abuse, abuse of trust and inaccurate data, the Court of the Second Instance held that all the grounds of the appeals of the appellants could not be substantiated and the original judgements of the convictions were upheld. In the last case, after the sentences were handed down by the Court of First Instance against some suspects for the convictions including fraud and document forgery, the Court of Second Instance granted suspension of execution of the sentence to only one of the suspects, while the original judgements of the remaining convictions were upheld.

VI. Declaration of assets and interests

Years of practice has demonstrated that the mechanism for declaring assets and interests is an effective instrument for combatting corruption and raising awareness of integrity in Macao. The declaration of assets and interests makes it possible to strengthen both the supervision of public servants and the promotion of anti-corruption work, so as to improve and consolidate the Government's probity image and to perfect the work on integrity building of the SAR Government.

The legal regime of Declaration of Assets and Interests has been published and implemented since 1998. Over the past 24 years, the CCAC has been fulfilling its duties according to law, effectively carrying out the work related to the declaration of assets and interests and continuously developing and perfecting the relevant system, so as to ensure that the work related to declaration of assets and interests may be carried out smoothly. With the arrival of the 25th year of the implementation of the legal regime of Declaration of Assets and Interests, it is expected that there will be a considerable number of public servants who are obliged to renew their declarations every five years according to the provisions of the aforesaid law. In view of the 5th "large-scale five-year update", the CCAC will arrange and promote the relevant preparatory work in an appropriate and orderly manner to deal with the increase of workload and to ensure the effective implementation of the relevant governance measures.

In 2022, with the cooperation of public departments and declarants, the work related to declaration of assets and interests was carried out smoothly. The vast majority of the declarants fulfilled their duties according to law, while an extremely small minority of declarants were investigated or convicted due to illegalities in their declarations. In 2022, the CCAC investigated and handled one case involving the crime of inaccurate data in declaration of assets and interests. In addition, among the cases judged by the court in 2022, there were three individuals who were convicted of the crime of inaccurate data in declaration of assets and interests.

In 2022, the CCAC recorded a total of 11,610 submissions of declaration forms (see Table I) and sent a total of 195 overdue notices to those who failed to submit the declaration within a statutory period (including declarants and their spouses and cohabiting partners) (see Tables II and III). The relevant data are shown in the following tables:

Table I

Statistics of submission of declaration of assets and interests in 2022

Reason for submitting declaration	Total number of submissions
Appointment	995
Change of position	3,398
Termination of office	1,312
Renewal every five years	3,887
Renewal with that of spouse	478
Pursuit of data-provision duty	1,269
Voluntary renewal	271
Total	11,610

Table II

Statistics on overdue notices sent in 2022

(Recipients: Declarants)

No.	Department/entity in which the declarant works	No. of overdue notices sent
1	Civil Aviation Authority	1
2	Monetary Authority of Macao	1
3	Fire Services Bureau	6
4	Public Security Police Force	21
5	Macao Post and Telecommunications Bureau	2
6	Gaming Inspection and Coordination Bureau	5

No.	Department/entity in which the declarant works	No. of overdue notices sent
7	Labour Affairs Bureau	1
8	Marine and Water Bureau	2
9	Transport Bureau	2
10	Correctional Services Bureau	5
11	Statistics and Census Service	1
12	Education and Youth Development Bureau	12
13	Economic and Technological Development Bureau	1
14	Financial Services Bureau	1
15	Public Security Forces Affairs Bureau of Macau	5
16	Identification Services Bureau	1
17	Public Works Bureau	1
18	Land and Urban Construction Bureau	2
19	Macao Foundation	1
20	Social Security Fund	1
21	Government Information Bureau	1
22	Office of the Prosecutor General	1
23	Office of the President of the Court of Final Appeal	2
24	Municipal Affairs Bureau	22
25	Cultural Affairs Bureau	12
26	Sports Bureau	3
27	Macao Institute for Tourism Studies	1
28	Public Security Police Force Welfare Association	2
29	Judiciary Police	7
30	Macao Customs Service of the Macao Special Administrative Region	7
31	Supporting Office to the Legislative Assembly	1
32	Public Administration and Civil Service Bureau	3

No.	Department/entity in which the declarant works	No. of overdue notices sent
33	Unitary Police Service	1
34	Health Bureau	43
35	University of Macau	8
36	Macao Polytechnic University	7
Total		193

Table III

Statistics on overdue notices sent in 2022

(Recipients: *Spouses or cohabiting partners* of declarants)

Recipient	No. of overdue notices sent
<i>Spouses or cohabiting partners</i> of declarants	2

The promotion of e-governance to increase the efficiency of public administration is one of the governance objectives of the SAR Government. Therefore, the CCAC has also been promoting the application of e-governance by actively developing some systems for the convenience of residents and striving to improve the work related to the declaration of assets and interests. The launch of the “notification processing system for declaration of assets and interests” by the CCAC in 2013, which has helped to significantly reduce the paperwork of public departments, and the launch of the online appointment system for the declaration of assets and interests in 2021, which has made it easier for declarants to schedule time for submitting their declarations, have achieved the objectives of saving resources and providing convenient services to residents. Furthermore, with regard to the simplification of data transmission formalities, the CCAC and the Office of the President of the Court of Final Appeal (the other depositary entity for declarations of assets and interests) engaged in the preparatory work for the creation of a platform for sharing information on the declaration of assets and interests. They carried out

their own system development work so as to jointly propel the creation process of the aforesaid platform. In 2022, the information sharing platform developed by the CCAC began to take shape and entered a testing stage. It is believed that the exchange of information through the aforesaid system will be conducive to the improvement of work effectiveness of the two depository entities.

With regard to the use of the electronic system, according to statistical data, in 2022, a total of 1,367 persons made appointments for submitting the declaration of assets and interests through the online appointment system. The online appointment mechanism not only provides convenience for declarants but also helps the CCAC to carry out its public functions more efficiently. The “notification processing system of declaration of assets and interests” has been launched for nine years and the usage rate has continuously increased. The results have been satisfactory. In order to make more public administrative departments or entities, autonomous services, autonomous funds, public legal persons or public corporations, corporations public funded and concessionaires of public property (hereinafter referred to as “departments/entities”) to get to know and adopt the “notification processing system of declaration of assets and interests”, the CCAC, in 2022, successively promoted the aforesaid system among the departments/entities that had yet to use it, especially the newly established ones, and invited them to make applications and become users. Up to 31st December 2022, there were 67 departments/entities using the “notification processing system of declaration of assets and interests” developed by the CCAC (see Table IV), including five departments/entities that applied for a system account in 2022. In 2022, the CCAC received a total of 3,517 letters/notification letters from the departments/entities, of which 3,389 notification letters were uploaded through the aforesaid system, representing more than 90% of the total number of letters/notification letters received (see Table V). The CCAC urges the departments/entities that have yet to use the aforesaid system to apply for the use of it as soon as possible so as to better fulfil the duty of notification and achieve the objective of increasing work efficiency.

Table IV**List of users of the “notification processing system of declaration of assets and interests” in 2022**

No.	Department/Entity	No.	Department/Entity
1	Civil Aviation Authority	32	Science and Technology Development Fund
2	Monetary Authority of Macao	33	Macao Foundation
3	Commission of Audit	34	Pension Fund
4	Fire Services Bureau	35	Social Security Fund
5	Public Assets Supervision Planning Office of the Macao Special Administrative Region	36	Supporting Office to the Permanent Secretariat of the Forum for Economic and Trade Co-operation between China and Portuguese-speaking Countries
6	Commission Against Corruption	37	Government Information Bureau
7	Legal and Judicial Training Centre	38	Financial Intelligence Office
8	Judiciary Magistrates Council	39	Office of the Prosecutor General
9	Public Security Police Force	40	Office for Personal Data Protection
10	Macao Post and Telecommunications Bureau	41	Consumer Council
11	Macao Economic and Cultural Office in Taiwan	42	Office of the President of the Court of Final Appeal
12	Gaming Inspection and Coordination Bureau	43	Municipal Affairs Bureau
13	Legal Affairs Bureau	44	Social Welfare Bureau
14	Labour Affairs Bureau	45	Cultural Affairs Bureau
15	Marine and Water Bureau	46	Sports Bureau
16	Government Headquarters Affairs Bureau	47	Macao Institute for Tourism Studies
17	Transport Bureau	48	Housing Bureau
18	Cartography and Cadastre Bureau	49	Printing Bureau

No.	Department/Entity	No.	Department/Entity
19	Correctional Services Bureau	50	Macao Trade and Investment Promotion Bureau
20	Statistics and Census Service	51	Macao Light Rapid Transit Corporation, Limited
21	Education and Youth Development Bureau	52	Macao Slaughter House Ltd.
22	Economic and Technological Development Bureau	53	Judiciary Police
23	Financial Services Bureau	54	Supporting Office to the Legislative Assembly
24	Public Security Forces Affairs Bureau of Macau	55	Public Administration and Civil Service Bureau
25	Identification Services Bureau	56	Talents Development Committee
26	Meteorological and Geophysical Bureau	57	Secretariat of the Executive Council
27	Public Works Bureau	58	Unitary Police Service
28	Environmental Protection Bureau	59	Health Bureau
29	Land and Urban Construction Bureau	60	University of Macau
30	Macao Government Tourism Office	61	Macao Polytechnic University
31	Cultural Development Fund	62	Macao Customs Service of the Macao Special Administrative Region
List of departments that activated and started to use the “notification processing system of declaration of assets and interests” in 2022			
63	Academy of Public Security Forces		
64	Policy Research and Regional Development Bureau		
65	Public Security Police Force Welfare Association		
66	Medical Litigation Mediation Centre		
67	Macao Science Center Limited		

Table V
**Use of the “notification processing system of declaration
of assets and interests” in 2022**

Number of notification letters received through the “notification processing system of declaration of assets and interests” in 2022	3,389
Total number of notification letters of declaration of assets and interests received in 2022	3,517
Percentage of notification letters received through the “notification processing system for declaration of assets and interests” in 2022	96%

The CCAC has been committed to promoting the works related to the legal regime of the Declaration of Assets and Interests in order to make declarants attach more importance to the obligation of declaring assets and interests and filling in the details of their assets accurately. To this end, the CCAC has been continuously, through both online and offline methods, carrying out promotion and education about declaration of assets and interests among those obliged to make declaration, including provision of themed seminars, elaboration of guidelines and examples for filling in the declarations and release of the relevant information by electronic means. On the other hand, the CCAC intends to strengthen online promotion. Through the launch of a promotional video on the Internet, the complete process of filling in the declaration will be demonstrated with an aim to deliver the important information regarding declaration of assets and interests to the declarants and deepen their knowledge about the declaration of assets and interests.

PART III

OMBUDSMAN ACTIONS

PART III

OMBUDSMAN ACTIONS

I. Introduction

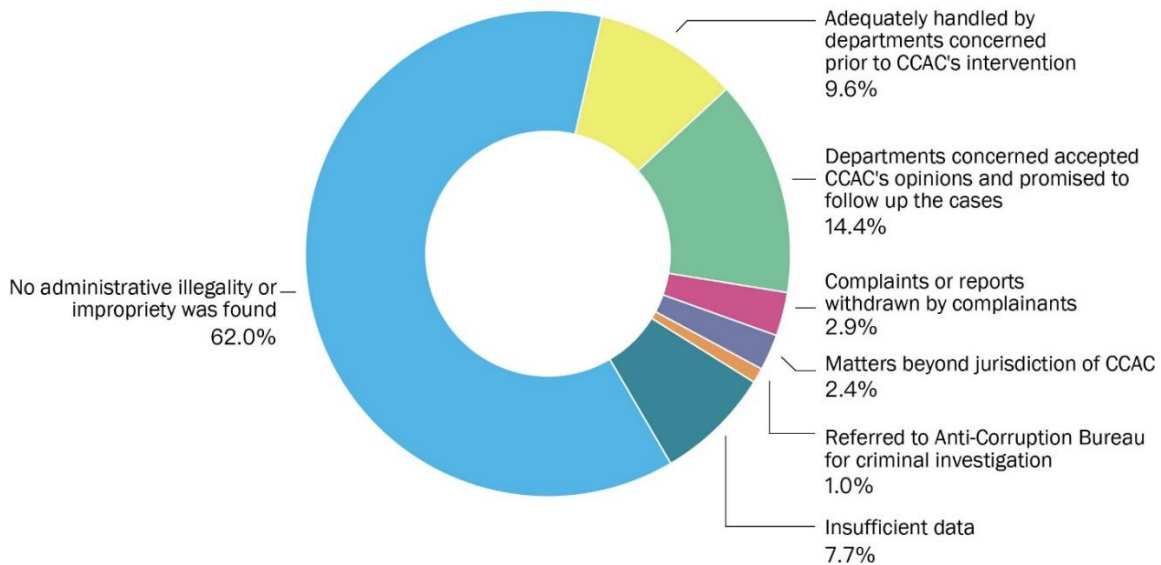
In the wake of development of electronic governance, the CCAC has been gradually perfecting the online complaint system by consolidating the basic functions such as points to note, content of the complaint/report, submission of documents or missing documents and enquiry into follow-up progress, among others, into the system in order to provide residents with a more convenient complaint channel.

Among the 171 cases placed on file by the Ombudsman Bureau of the CCAC in 2022, 169 were under inquiries, while the remaining two were under comprehensive investigations or were converted into comprehensive investigation files later. Half of the cases were complaints or reports received through the online complaint system. As to the real-name complainants or informants who have provided their contact information online, the CCAC may notify them of the follow-up progress or communicate with them for evidence collection through the online complaint system whenever necessary in the course of the investigation or in the completion phase of investigation, thus achieving the effect as in-person notification.

As to anonymous complaints or reports, the CCAC seeks the possibility of further communication and evidence collection through the online complaint system. When the complainants or informants use the respective enquiry codes provided by the system to check follow-up progresses, they may receive or reply the messages from the CCAC. The CCAC always encourages residents to provide all relevant documents so that the investigation will be well targeted, whereby the CCAC may verify whether administrative illegalities or improprieties exist and thus address the problems with the right remedies by rendering more precise opinions or recommendations to the relevant departments or entities.

In order to enhance working efficiency and effectiveness, in 2022, the CCAC consolidated 14 investigation files with nine files undergoing follow-up according to the subject matters and handled them together. In addition, along with the cases carried forward from 2021, the CCAC concluded and archived a total of 208 cases in the area of ombudsmanship, including 129 archived due to no evidence of administrative illegality or irregularity, 16 archived due to insufficient data, five archived due to their not falling within the jurisdiction of the CCAC, two referred to the Anti-Corruption Bureau for criminal investigation, six archived due to withdrawal of complaints or reports by the complainants, 30 archived after the respective departments accepted the opinions or promised to follow them up and 20 adequately handled by the departments concerned prior to the CCAC’s intervention. In addition, ten of the aforesaid cases, albeit archived, were included in the list of “retrospective review”.

Cases concluded by the Ombudsman Bureau in 2022



As to part of the cases concluded in 2022, due to the repetitiveness and similarity of the matters being complained about and reported, the issues they might involved included the situations commonly occurring within a certain period of time, different complaints against certain departments or entities, or the performance of

certain duties of public servants, etc., which have reflected some administrative issues worth noticing:

For example, in June 2022, due to the situations of the spread of novel coronavirus, the Macao SAR Government adopted a series of measures, including closure of public departments or provision of limited non-urgent services, assigning personnel of various public departments to carry out different duties at nucleic acid test stations or medical service facilities, setting up subsistence and support teams which were responsible for or supported daily needs of residents living in red and yellow code zones, such as distribution of food packs and meals, cleaning and disinfection of the buildings, handling of domestic waste, etc. Therefore, part of the public service personnel should work on shift instead of sticking to regular work regime in order to cope with the necessary works that dramatically increased. During that period, the CCAC received many complaints and enquiries about matters related to compensation and allowance. In order to standardise the handling of the issues, the CCAC handled the situations occurring in this period together and exchanged opinions with the Public Administration and Civil Service Bureau through meetings. The CCAC suggested the authority carrying out its statutory functions to consider and study the feasibility to lay down legal documents with general binding effect in case of critical times so as to deal with special cases with specific measures, or, at least, issuing standardised and consistent guidelines so that the public departments and entities and their personnel have a clear understanding of the matters and a set of concrete rules to follow and thus correctly and effectively implement the stipulations under the relevant regimes laid down in the laws governing public service personnel.

Meanwhile, regarding the ombudsman actions in 2022, the CCAC still found that many residents could not correctly know or understand the reason or basis for the actions carried out or measures adopted by administrative entities. In particular, the eight cases placed under inquiries by the CCAC in 2022 regarding various

epidemic prevention measures adopted by health departments mostly involved dissatisfaction with the arrangements and the thoroughness and clarity of information provided regarding the isolation measures. In the investigations of such complaints, the CCAC discovered that the problem was not the lack of response from the public departments but rather residents' dissatisfaction with the contents of the responses or the efficiency of handling the relevant matters. Admittedly, as far as the quality and quantity of the services and works are concerned, the epidemic posed enormous challenges and pressure to the Macao SAR Government. The facts discovered in the investigations reflected that the relevant departments or entities had been actively adjusting the direction of the policies in a positive manner and had done their best to streamline the measures in various areas although there was still room for improvement.

The CCAC believes that despite the situations where unlawful or apparently unreasonable administrative acts or procedures exist, for which it is necessary to resort to the ombudsman mechanism, the cases show that with rationality in opinion expression and calmness in communication, if residents directly and actively report the issues to the departments concerned, they will surely take optimisation and improvement measures. Therefore, shaping a good mentality and ensuring right understanding of matters is still the CCAC's permanent mission.

As another example, in the cases concluded in 2022, the CCAC found that public servants' awareness of observance of specific duties of public service personnel, such as exclusivity, seemed rather weak, although those who involved in all cases substantiated by investigation have already been subject to disciplinary sanctions. Regarding the concept of "engagement in private business", the CCAC has been explaining it through various channels such as the CCAC's webpage, publications, seminars, training courses and case consultation. Unless otherwise permitted by law, personnel of the Public Administration are prohibited to carry out or engage in private activities incompatible with their duties. In the cases where the

superior's or department's permission or approval is not compulsory, for example, if it is foreseeable that the public servant possibly needs to participate in management and operation of a company, namely when the manager or person in charge is on holiday or absent and the public servant will engage in the relevant activities as the alternative or substitute, in order to avoid suspicion of favouritism or engagement in private business without the superior's permission, the public servant should declare the case beforehand and pay attention to the issues related to recusal when carrying out the relevant public duties.

Finally, it is worth mentioning that the CCAC concluded many cases about delay in vetting and approval of renewals or applications of the right of abode by the Macao Trade and Investment Promotion Institute. Following the investigations, it came to light that following the implementation of Law no. 16/2021, *Legal Regime of Immigration Control, Stay and Residence Permit of the Macao Special Administrative Region*, the number of cases involving the relevant problems that the competent authority needed to review has reached one thousand and it is gradually completing the relevant vetting and approval processes and the respective reports. Therefore, in general, no situation involving administrative omission was seen.

In 2022, under the premise of striking a balance between the principle of confidentiality and the right to information, regarding the cases or issues that concerned the general public, no matter the cases were placed under inquiries or comprehensive investigations, the CCAC tried the best to disclose the findings of the relevant investigations by publishing complete reports of the cases, featuring them in the annual report or press releases in order to enhance the transparency of ombudsman actions.

In 2022, all the departments or entities involved in the cases in the list of "retrospective review" gave concrete responses to the CCAC's opinions and improved the situations concerned, demonstrating again that the relevant mechanism has been running in an orderly and effective way since its establishment

in 2020 and reflecting that a majority of the public departments or entities are willing to cooperate with the CCAC and show the attitude that they are seeking to properly solve the problems and streamline the administrative work.

II. Comprehensive investigation summaries

(I)

Comprehensive investigation report on serious wall tile falling at common areas of Edifício do Lago and Edifício Ip Heng

The CCAC received complaints and views from households of the two economic housing projects, Edifício do Lago in Taipa and Edifício Ip Heng in Coloane as well as other associations, who reflected that since the two buildings were established between 2012 and 2013 and were granted a use license, the phenomena of large slabs of tiles falling off walls at many common areas of the two buildings existed. They doubted if the supervision of the Housing Bureau (IH) on the construction of the building was ineffective such that the problems of design defects, use of improper materials existed, among others.

Therefore, the CCAC reopened the inquiry file concerning Edifício Ip Heng and it was incorporated into the case relating to Edifício do Lago that was under investigation. A comprehensive investigation file was therefore opened so that an in-depth investigation could be carried out. More documents that had not been fully submitted by relevant departments were collected and the statements of a large number of personnel were heard.

Upon a comprehensive analysis of the evidence provided by witnesses and the proof obtained, it could not ascertain that there was corrupt behaviour in the works tender, vetting and approval or inspection procedures of Edifício do Lago and Edifício Ip Heng.

Regarding administrative procedures, the CCAC ascertained that the sizes of the wall tiles used at the lift lobbies and public corridors of Edifício do Lago did not conform to the requirements of the Public Administration. During the inspection and acceptance phase, at the random checks conducted on the walls at the public corridors of Edifício do Lago, the hollow tile situation was detected at over 95% of the total number of checks. Nevertheless, a provisional acceptance note was signed. During the building maintenance, tiles fell off at public corridors many times at Edifício do Lago. The IH therefore requested, through the former Infrastructure Development Office (GDI), the contractor to carry out repairs. However, neither did it conduct in-depth checks on and make records of the wall tiles of all floors of all the blocks nor did it provide improvement solutions to prevent similar situations from happening again. Instead, a repair was only carried out “to replace a fallen tile when there was one”. At least before the release of the comprehensive investigation report by the CCAC in May 2022, there had been tiles falling at different floors of Edifício do Lago from time to time.

Regarding Edifício Ip Heng, it was ascertained that during the phases of construction as well as inspection and acceptance, there were not any responsible entities having requested for a pull-off test of tiles at the public corridors of the building. Upon signing the provisional acceptance note, tiles successively fell off the walls at the common areas of Edifício Ip Heng during the warranty period, the former GDI and the IH only urged the contractors to follow up the repair works instead of finding out the causes in a timely manner and seriously pursuing whether the problems arose from the design or construction phase or from both phases. After the warranty period for the building construction had expired, the tile falling incidents at the common areas of Edifício Ip Heng still occurred. The IH requested all condominium unit owners of Edifício Ip Heng to bear the responsibility of repair works and handle the tile falling issue by resolution at the general meetings of all condominium unit owners. The issue of wall tile falling at the common areas was discussed on the agendas of the general meetings of all condominium unit owners

from eight blocks of Edifício Ip Heng, where the IH opted to vote to abstain and there was not any proposal of repair plans having successfully passed in the general meetings.

The tile falling problem involving large areas of the two major economic housing projects concerned was undoubtedly relevant to various factors, such as designs of wall finishes of common areas of the buildings by the design units, material selection and sizes of tiles, quality of tile laying workmanship of the construction workers of the contractors, abrupt changes of ambient temperature, stringency of oversight as well as inspection and acceptance, adequacy of the subsequent repairs and follow-up work, etc. However, there existed unsatisfactory negligence or imprudence in the phases of design, construction, oversight, supervision and coordination. As such, all units and departments cannot distance themselves from this matter.

The former GDI did not actively cooperate with the IH when the latter inquired about or requested for information in relation to the two economic housing projects concerned in the case. When the IH requested for the inspection records concerning the units of Edifício do Lago carried out by the oversight company of the construction works of the building, the former GDI even refused to provide such information by taking the reasons that the responsibilities of construction and maintenance did not relate to the IH. Thus, when the tile falling incidents subsequently occurred, such act directly hindered the IH to carry out the functions of supervision and coordination according to the law due to limited participation and grasp of information during the construction process of the building construction. The relevant act of the former GDI indeed involved administrative irregularity.

Upon obtaining the news from the management companies of the two buildings that a large number of tiles falling off the walls at the common areas, the IH, which just all along performed the role of a messenger and solely transferred the

problems to the former GDI or accompanied it for follow-up work, failed to actively carry out the functions of supervision and coordination bestowed by the *New Economic Housing Law*. Moreover, when the former GDI failed to investigate the causes of tile falling and the accountable parties accurately and in a timely manner, the IH did not request it to strictly implement the regulations provided for in the *Legal Regime of Public Works Contracts*. Such act also allegedly involved omission, an irregularity of an administrative act.

The problems concerning prevention of tile falling in the two economic housing buildings and the maintenance of the tiles have accentuated the serious lack of coordination and cooperation between the former GDI and the IH. The two departments lacked coordination with each other and it seems that they did not try to have more communication and coordination with each other regarding inter-departmental works, resulting in residents' negative impression of government departments that they pass the buck and it is impossible to pursue liability. The indifferent attitude of the relevant departments towards the large number of hollow tile walls discovered at the public corridors during random checks has reflected the poor supervision of the administrative bodies, the oversight unit and the inspection unit on the construction works.

During the warranty periods and the successive tile falling situations at a later stage, the relevant oversight companies seemed to rarely participate and provide constructive responses. In particular, they did not provide a detailed analysis report on the causes of or solutions to tile falling. The CCAC considered that in the beginning, there was no professional opinion on the tile falling incidents given by third parties other than the works award contracts, including the oversight companies and the quality control unit, thus having significant negative impact on the search for the fundamental cause of the unusual tile falling and the accountable parties. Therefore, it is one of the main reasons why the tile falling problem remains unsolved. Regarding the vetting and approval process, the selection of the materials

and sizes of the tiles on the walls of the common areas of the economic housing buildings involved did not strictly accord with the requirements originally imposed by the IH. Although the oversight units also knew that there were a lot of hollow tiles found during the inspection and acceptance phase, the relevant oversight companies and quality control unit did nothing and the opinions they raised were not concrete. An oversight company should not only point out the contractor's problems in the completion stage of the construction. It is also the company's responsibility to discover and solve the problems in a timely manner when the construction is still in progress. In other words, the contractor, indeed, is not the only one accountable for the flaws of the works found during the provisional acceptance process. The oversight company and the quality control unit that supervise the quality of the works also bear unshirkable responsibilities.

Judging from the future design and selection of wall tiles at the public corridors of the economic housing buildings at zone A of the New Urban Zones, it was obvious that the authorities had learnt the lesson and made efforts to optimise the design and construction quality of economic housing buildings. The design and material selection of the wall finishes of common areas as well as the laying method were planned by the current-term IH and the former GDI based on their mutual agreement, consensus and adjustment. As regards issues concerning construction of economic housing buildings, it can be seen that the IH is gradually strengthening and implementing its role as economic housing coordinator and the cooperation among the relevant departments has apparently improved.

After completing the comprehensive investigation and producing the report, the CCAC notified the Chief Executive on the result of investigation according to law. The CCAC suggests the authorities, from the legislative or technical perspective, that they can consider carrying out a study on the need to quantify the works and standards through regulations and thinking about the possibility of setting an upper limit or ratio concerning the number of flaws found during the provisional

acceptance process of the construction works, which will not only reflect the construction quality of the contractor, but also monitor the work quality of the oversight company and the quality control unit which serve as the supervision units. Moreover, the CCAC also suggests that the fact that households of economic housing are with limited financial means should be taken into consideration. Despite that the warranty periods for the two economic housing buildings already expired, it does not prevent the authorities from, if permitted by law and under the principle of good faith as well as the people-based governance philosophy, adopting appropriate and effective governance measures so as to improve the sense of well-being of residents. It may consider giving financial and non-financial support, proactively responding to the needs of the residents and seeking an ultimate solution with the households, so as to solve the tile falling problem once and for all and avoid the danger of tile falling in the future, namely by carrying out comprehensive and appropriate repairs, promoting and encouraging discussion and resolution on solutions at general meetings of all condominium unit owners of different blocks, among other matters.

After the investigation report was publicly released, the relevant departments publicly expressed that they accepted the opinions of the CCAC. The GDI requested the relevant contractors to provide the repair work proposal concerning the tile falling at the common areas of the two buildings according to the newly revised *Guidelines for the Design and Construction of Public Housing*. The IH negotiated with various management bodies in order to reach a consensus to carry out the repair works as soon as possible. Regarding inter-departmental collaboration, the two bureaus expressed that they would improve the communication mechanism and strictly comply with the principle of attaching importance to both quality and quantity. They would also step up efforts to regularise the responsibilities of the oversight and quality control units concerning the supervision of works with a view to promoting the construction of public housing.

By the end of 2022, some of the condominium unit owners from different blocks still did not reach a consensus while some of them even struggled at the design. It is worth mentioning that regarding the safety problems arising from the structures of economic housing buildings or the architecture itself, the SAR Government definitely has an undeniable responsibility – nothing more, nothing less. It is widely known that economic housing buildings are different from private buildings as they serve to assist Macao residents who have certain income level and properties to solve their housing problems. Public money should not be spent irrationally that falls outside the scope of statutory need and consideration. The CCAC always believes that proposals for solving problems should be practical while personal safety should be the ultimate and only goal sought to be achieved by all involved parties. It is hoped that before the tile falling situation appears again or worsens, the efforts made by all parties will not be in vain.

(II)

Comprehensive investigation of unlawful occupation of state owned land

The CCAC received several complaints concerning failure of the former Land, Public Works and Transport Bureau (the former DSSOPT) to deal with the issues concerning unlawful occupation of state owned land. In order to investigate and analyse the relevant issues in a centralised way, the CCAC consolidated the complaints placed on file separately into a comprehensive investigation file.

Following the investigation, the CCAC found that there were many cases of unlawful occupation of land that had been under investigation or evidence collection by the former DSSOPT for many years. The procedures remained stagnant following the first on-site preliminary investigation conducted by the relevant department. It seems that no actual action has been taken to step up the recovery of the relevant land parcels.

Although the former DSSOPT put the cases of unlawful occupation of state owned land on the priority list, the bureau might speed up only the handling of the

cases that involved public interests such as the need to construct public facilities, roads or public housing on the land plots concerned, or were related to serious environmental hygiene problems or hazard to public safety. However, in general, such situations were only exceptional. Indeed, the cases were commonly ignored.

In fact, every case of unlawful occupation of land has its specificity or is difficult to handle probably for the reasons such as remote location of the land plot, no concrete planning made by the SAR Government, that someone is living or running business there, dispute over boundary and ownership, or on-going judicial proceedings following the initiation of eviction procedures. In addition, since the former DSSOPT's duties included handling of not only cases of unlawful occupation of land but also illegal constructions, vetting and approval of building proposals, supervision of construction sites, etc. Indeed, the complexity of the cases and shortage of manpower were the main reasons for the stagnation of the relevant procedures.

Nevertheless, since there were many cases that had been put on hold for a long time and Macao lacks land resources, occupation of state owned land by people without legitimacy to do so should not be allowed. Upon completion of necessary investigative measures, the CCAC comprehensively sorted the progresses of the public works department's handling of the relevant administrative procedures and raised standardised opinions to the competent authorities by letter. Also, the case has been included in the list of "retrospective review" in order to promptly review the progress of the follow-up on the relevant case.

The former DSSOPT showed a positive attitude in its preliminary response and revealed that it was taking a series of measures for improvement, including gradually and systematically organising the electronic records of cases of unlawful occupation of land in order to facilitate its staff's review of the progress of every case and make it convenient for them to arrange the work or grasp the opportunity of handling the cases. The Government has also publicly promised to carry out

regular inspection and supervision and to clear and recover the unlawfully occupied state owned land plots systematically.

III. Inquiry case summaries

(I)

Inquiry report on the intelligent terminal system for taxis

Upon the entry into force of Law no. 3/2019 (*Legal Regime for Transport of Passengers in Light Vehicles for Renting*, hereinafter referred to as “New Taxi Law”) on 3rd June 2019, starting from 3rd December 2020, taxis can only operate after installing the intelligent terminal systems (hereinafter referred to as the “terminal systems”).

Since September 2020, when the terminal systems were successively installed and went into operation, some people in the industry voiced their grievance and doubts via the media or organisations, which continuously sparked discussions and responses in the society. At that time, the CCAC also successively received complaints about the charges for the terminal system and the related management issues. Therefore, the Commissioner Against Corruption, according to the law, ordered that an inquiry be carried out.

In the course of investigation, the CCAC successively asked the Transport Bureau (DSAT) for the tender file information, industry consultation papers and explanatory documents relating to the contract for the “Supply and maintenance service of the taxi management system” and also heard the statements of different parties, including the complainants, the DSAT staff and the taxi industry representatives. By looking into and analysing the legality and rationality of the tender procedure as well as the doubts of all complainants, the CCAC decided if there were illegal acts or issues involving administrative impropriety based on the facts and law.

The terminal system has two important components. One of them is the vehicle device which serves for the taxis to operate and another one is the taxi monitoring system which serves for the authorised department to supervise the operation of taxi services. The tender scheme makes it clear that no matter who the awarded bidder for the former would be, the taxi licence and permit holders are required to pay the bidder a fixed amount of service fees and deposits. The monthly service fees of the taxi monitoring systems are borne by the SAR Government.

Moreover, the CCAC found that the DSAT combined the two contracts, the public utility concessionaire contract for the service of vehicle device and the acquisition of public service contract for taxi monitoring system, into one. The DSAT then launched one combined open tender relating to the contract for the “Supply and maintenance service of the taxi management system”. After review, the authority outsourced the service to the single winning bidder, New Leader Tecnologia Informatica (Macau) Lda., and signed a single administrative contract with it.

Concerning the doubts about the awarding procedures, after investigation, the CCAC did not find any apparent administrative illegality or issues involving impropriety in the entire administrative procedure file by the DSAT.

Regarding the stipulation of monthly service fees of the vehicle device, in the “Explanation about the service fee and deposit for the intelligent terminal system for taxis”, which was made public, the DSAT has already mentioned that the main purpose of charging the monthly service fee, which is priced at MOP300 in the tender scheme, is to safeguard the interests of taxi permit holders and avoid the awarded entity setting the amount of the fee too high if it could determine the amount on its own. In addition, the amount will remain unchanged within the contractual term in order to avoid the awarded entity increasing the service fee with the excuse of inflation in the future, which will cause increase of the cost of taxi operation. In fact, all these terms have already been indicated in the tender

specification. In other words, no matter which tenderer has won the contract, the amount of the service fee to be charged is the same. Therefore, there is no possibility of overcharging by the awarded company. In fact, there were some holders of taxi licenses or permits who failed to pay the relevant deposit or service fee by the deadline having made a request for precautionary measures to the Civil Court of the Court of First Instance. They blamed the concessionaire for illegally charging them deposit and service fee and suspending the service on the basis that they did not make the payment. They claimed that the latter caused infringement on them. They requested the court to order the concessionaire to continue providing the relevant service even though they did not make the payment. The Court of First Instance has decided the judgment of all cases against them.

Therefore, as to the doubts about the legality and rationality of the suspension of the service due to failure to pay the deposit and service fee for the vehicle device, the quality of the service of the terminal system for taxis and its supervision and the fact that the taxi driver licenses were changed twice within a short period, the CCAC believes that there is no situation of illegality or administrative impropriety following the investigation and legal analysis.

In the course of investigation, the CCAC has also raised its opinions to the DSAT concerning the practice of grouping two administrative contracts with different objects into a single tender and considered that such practice could indeed confuse the rights and obligations arising from the concessionaire contract and the award contract, in particular, the service fees charged by the concessionaire for providing the holders of taxi licenses or permits with vehicle devices and relevant services due to the granting of concession and the amount to be charged for the award of the service contract concerning the taxi monitoring system by the SAR Government. However, from the legal perspective, such practice is not expressly prohibited by law. From the technical and supervisory perspectives, judging from the close correlation between the vehicle device and the taxi monitoring system, it

can be considered that the act of the DSAT concerning the opening of a unified tender for acquiring the whole set of terminal system and the award of service contract to the same private entity is rational. There is not any apparent illegality.

In fact, following the entry into force of the “New Taxi Law” and the implementation of the supervisory mechanism for the terminal system for taxis in 2019, the DSAT inspectors recorded zero cases of illegal taxi operation in the following year, while the Public Security Police Force recorded less than 150 cases. There were 1,900 cases of overcharging throughout 2019. However, up to December 2020, only eight were recorded throughout the year. Up to the end of 2021, the Public Security Police Force recorded less than 100 cases of illegal taxi operation throughout the year. The CCAC considered that the data has reflected that the “New Taxi Law” and the relevant supervisory mechanism for the terminal system for taxis have indeed played an important and positive role in combatting the “taxi chaos” that had remained rampant in the past.

(II)

Inquiry report on the cultural heritage protection work for Lok Kok Restaurant

The CCAC received a report reflecting that the incident of the disappearance of the façade of Lok Kok Restaurant, which is located at Rua de Cinco de Outubro No. 159, has all along been not seriously looked at and properly handled by the competent departments. It was doubted if there was illegal demolition or other administrative illegalities or improprieties. The Cultural Affairs Bureau (IC) was also suggested disclosing publicly the survey for the cultural heritage inventory for monitoring by residents. The CCAC initiated an inquiry file, collected and holistically collated different types of case files opened by the cultural and public works departments as well as documents and information concerning the plot of land involved over the last three decades. It also analysed the efforts by the competent departments concerning the implementation of cultural heritage

protection laws and regulations at different phases with a view to verifying if there were situations of inadequate supervisory efforts or administrative omission by relevant departments.

Since 1984, Lok Kok Restaurant has been placed as classified group of buildings because it is located at Avenida de Almeida Ribeiro. During investigation, it was found that the current and previous owners of Lok Kok Restaurant have not fulfilled the obligations vested by the cultural heritage protection laws for different periods being in force since 1991, which directly caused the restaurant to become seriously dilapidated and to be practically abandoned for a long time. In face of the omissions by different owners, the cultural departments, at that time, did not proactively carry out any practical actions to urge the owners to preserve the exterior of the building or carry out any necessary work to ensure the rigidity of the building.

Over the years, the Cultural Institute of Macao and the IC have only performed the duty as a building inspection committee member according to the *General Regulation on Urban Construction* over the past years. They did not implement the cultural heritage protection regimes independently and proactively for the time being in force. Neither did they open any independent case file regarding maintenance and preservation of Lok Kok Restaurant. They were in such passive state and did not put many efforts in law enforcement. In early 2014, despite relevant departments found that the owners had carried out illegal works at the lot where Lok Kok Restaurant was located, they neither exercised the administrative punitive powers against such act nor further looked into the fact about the collapse of the façade of Lok Kok Restaurant when the illegal works were carried out. They also did not verify if such collapse was merely an “unfortunate” incident as stated by the owner or was attributed to other reasons with a view to confirming the technical judgment by the IC that it was “not a natural collapse” and pursue the criminal responsibility that may exist in a timely manner.

Upon the entry into force of Law no. 11/2013 (*Cultural Heritage Protection Law*), information showed that the then IC did not follow the stipulation as stated in Subparagraphs 1) and 3) of Article 12, Article 36, Paragraph 1 of Article 39, Subparagraphs 1), 5) and 6) of Paragraph 1 and Paragraph 2 of Article 98 and failed to impose administrative penalties on the owner of the classified immovable property who did not fulfil the obligation of carrying out cultural heritage protection work and the obligation of notification. Since the act of administrative illegality was performed by the owner in 2014, the IC however, at that time, just concerned about following up the redevelopment work of Lok Kok Restaurant in the year, which demonstrated that the IC was slow to react to and handle the incident, which directly caused the relevant responsibilities arising from administrative illegalities to be extinguished due to the statutes of limitations.

Moreover, the CCAC believed that in the past, relevant public works departments only followed up and handled cases of classified immovable properties or immovable properties to be classified according to the classification of general dangerous buildings provided for in the *General Regulation on Urban Construction*. Even after the entry into force of the new *Cultural Heritage Protection Law* where more important responsibilities within the scope of cultural heritage protection were vested to relevant public works departments, the then public works departments, after technically judging that the disappearance of the façade of Lok Kok Restaurant was not a natural collapse, still just opened a case file of illegal works according to the *General Regulation on Urban Construction* and handled such case according to the schedule for the case files of illegal works for general buildings. They failed to open any independent file for handling, or exercise the punitive function concerning the demolition of classified immovable properties vested by the new *Cultural Heritage Protection Law* or even the duty of reporting. Therefore, it is worth mentioning that the then public works departments were indeed comparatively passive in implementing the duties vested by the new *Cultural Heritage Protection*

Law and in the attitudes of handling the cultural heritage protection work for Lok Kok Restaurant.

As regards the suggestion for publicly disclosing the survey of the cultural heritage inventory, after the CCAC has considered several aspects, namely the new *Cultural Heritage Protection Law* which stipulates that a public consultation mechanism should be included in the classification procedure for cultural heritages; the classified immovable property list that should be published through Administrative Regulation for coming into force; the fact that the IC has the powers to plan and perform the duties of carrying out a study, recording, creating the inventory, suggesting the classified immovable properties and setting up protection zones for properties with relevant cultural interests according to law; the survey for the cultural heritage inventory that merely serves as a preliminary examination, as well as that which, along with the result and publication of the survey, is not work mandatorily stipulated by law. Moreover, after the IC has compared the practices taken by other territories which publicly disclose the survey for the inventory which serves as the nature of preliminary preparatory work, the publication of the inventory has not brought any significant protection effect of the “cultural heritage to be”. Therefore, legally and rationally, the IC in fact has and reserves the discretion to make an appropriate decision whether to publish the relevant survey for the inventory. Thus, the CCAC believes that there is not any illegality or impropriety found in the exercise of the aforesaid powers by the IC.

Undoubtedly, in recent years, the IC has indeed stepped up efforts in carrying out the routine management of classified cultural heritages and improvement of relevant systems as well as carrying out work which extends the characteristic features and passes on the culture. It also attaches importance to adequately and rationally utilising their cultural interests to promote the sustainable development of the city.

The act of administrative illegalities involved in the case of Lok Kok Restaurant due to the breach of cultural heritage protection regime and the inadequacies including the failure to look at and follow up the issue in a timely manner which caused the responsibilities arising from relevant administrative illegalities to be extinguished due to the statutes of limitations were facts occurred before 2019. Given that the construction project for the restoration and redevelopment for Lok Kok Restaurant came to an end by the end of 2022, it is not shown that the cultural heritage protection work for such building is again encountering challenges at this stage.

Upon the completion of investigation, the CCAC has already notified the Chief Executive on the result of investigation and reflected the opinions to the IC and the Land and Urban Construction Bureau (DSSCU) so that the competent departments can clearly understand the stance of the CCAC, better identify their roles and duties concerning cultural heritage protection work, step up efforts and attach more importance to implementing the *new Cultural Heritage Law* in order to prevent similar incidents from happening again in the future.

The IC and the DSSCU publicly showed an attitude of acceptance regarding the facts and suggestions published by the CCAC through the form of a summary in the press release.

(III)

Protection for persons with disabilities and equality of rights

There was a complaint mentioning that the Municipal Affairs Bureau (IAM) had charged a deaf-mute scavenger with littering cardboard waste and placing his cart in public area and the action taken by the IAM was unfair to persons with little legal knowledge and communication difficulties and went against the provisions and spirit of the United Nations Convention on the Rights of Persons with Disabilities.

Following the investigation, it was proved that a person with extreme hearing loss holding a “Disability Assessment Registration Card” had been charged thrice by inspectors of the IAM with violation of relevant provisions under the *General Regulations Governing Public Places*. However, in the relevant administrative proceedings, it was unable to find any documents with records mentioning the disability of this person and the proceedings were only handled in accordance with general procedures. In particular, it was unable to verify if the person was literate and whether or not he was aware of his statutory right to object in the procedures of administrative illegality and the period for taking the relevant action. Therefore, the CCAC considered that the relevant procedures were suspected to go against the United Nations Convention on the Rights of Persons with Disabilities.

The CCAC reflected its opinions to the IAM following completion of the investigation, suggesting that the IAM should formulate internal guidelines or other normative documents so that in the procedures of prosecution of administrative illegality against people with disability or special need, its personnel will adopt concrete measures that facilitate disabled people to clearly understand the contents of the accusations and their statutory rights and duties in order to comply with the object of the United Nations Convention on the Rights of Persons with Disabilities and meet the requirements for necessary assistance and supportive measures provided by the Convention to ensure disabled persons enjoy the right to information and may exercise their legal rights.

The IAM agreed on the CCAC’s opinion in its reply and promised that in the future it would require inspectors to clearly state in the notification of accusation that whether the offender has special need regarding communication when necessary, whereby they may adopt appropriate follow-up measures, including provision of sign language interpretation for the people who need assistance or communicating with them through writing, in order to ensure that they may exercise the statutory right of defence. In addition, the IAM also accepted the CCAC’s suggestion and

therefore it would establish an inter-departmental cooperation mechanism with the Social Affairs Bureau in order to seek the viability of eliminating scavenging by people with disabilities.

(IV)

Refusal to receive document constitutes administrative illegality

A complainant told the CCAC that his application for a certificate of traffic accident had been unjustifiably rejected by the Traffic Department of the Public Security Police Force (CPSP) and suspected that the matter involved administration impropriety. Therefore, the CCAC was requested for following up the case.

Following the investigation, the allegation was substantiated. Since the Traffic Department had not yet completed the collection and recording of the information on the traffic accident at that time, the reception worker suggested the complainant coming again to submit the application the following day. Following the analysis on the information sent by the CPSP in response to the case referral, the CCAC considered that whether or not all the information was ready did not affect the acceptance of the application by the department. The relevant worker's act went against the stipulation regarding acceptance of document provided by the *Administrative Procedure Code* and therefore the CCAC reflected its opinion to the CPSP.

After follow-up and review, the CPSP promised to review the traffic accident handling procedure of the Traffic Department, streamline the process of certificate application and improve relevant personnel training.

(V)

Recusal is necessary from the exam in which family members participate

There was a report alleging that the Macao Conservatory irregularly recruited students for the Programme of Continuing Arts Education of the School of Music for academic year 2021/2022. The levels that the successful applicants were

admitted to were lower than that they had signed up for, which made it impossible for the applicants who did not have basic knowledge or only had a little basic knowledge to be admitted to the programme. In addition, a descendant of an orchestra musician was admitted to the programme and therefore the fairness of the recruitment was in doubt.

According to the provision regarding the admission requirements under Paragraph 2 of Article 24 of the *Internal Regulations of the Macao Conservatory*, applicants who pass the admission exam designed for assessing their skills and abilities in the specific artistic areas will be admitted. Therefore, whether or not the applicants are admitted and which level they are admitted to depend on their performance in the admission exam. The assessment and classification of admitted applicants are at the discretion of the Macao Conservatory regarding the admission standards. Since the CCAC could not see any apparent administrative illegalities or improprieties in the case, the CCAC had no power to intervene into it.

Meanwhile, the investigation substantiated that a descendant of one of the teachers of the School of Music also took the admission exam of the relevant music programme. However, the teacher neither declared the situation to the school nor recused himself from the exam. He even participated in the proctoring and evaluation processes. Without doubt, his acts completely went against the recusal system provided for in the law. Although the applicant concerned needed to take another admission assessment, the school did not take any action against the teacher's irregular acts. Following the CCAC intervention, the school finally initiated a disciplinary proceeding against the teacher and punished him. The school received a written reminder from the CCAC due to delay in report of the irregular situation.

The Cultural Affairs Bureau stated that it accepted the CCAC's opinion. It has reviewed the mechanism of notification of irregular situations, reinforced the

definition of the recusal rules and the respective alerts and promised to optimise the admission exam system of the Macao Conservatory.

(VI)

Allocation of social housing by drawing lots in accordance with law

According to a complainant who was an applicant for social housing, he applied for social housing in 2017 and was put on the final waiting list. In March 2021, he received a notification of re-assessment before the allocation of social housing. However, it was not until early 2022 that the complainant was informed by phone that he was allocated a social housing flat in Taipa. Since the result fell short of his expectation of being allocated a flat in Macao Peninsula, the complainant suspected that there was misconduct in the administrative procedures of application assessment and allocation carried out by the Housing Bureau (IH), which resulted in delay in processing of his application and failure to allocate him a flat in Macao Peninsula. Therefore, the CCAC was requested to investigate the matter.

When the old social housing regime provided for in Decree-law no. 69/88/M and Administrative Regulation no. 25/2009 was in effect, the eligible households had the right to choose a flat according to the order in the list. On 20th August 2020, Law no. 17/2019, *Legal Regime of Social Housing*, and Administrative Regulation no. 30/2020, *Enforcement Regulations on the Legal Regime of Social Housing*, entered into force and the old social housing regime was revoked. Under the new regime, in principle, the IH shall allocate the social housing flats to eligible households by drawing lots. Therefore, the allocation had nothing to do with the speed of processing of the complainant's application and applicants do not have the right to choose in accordance with law. Following the investigation, the IH met with the complainant and explained to him the relevant statutory procedures and legal regimes.

Since the IH complied with the law in the social housing allocation procedure, the CCAC believed that there was no administrative illegality or impropriety in the situation.

(VII)

Requests made by public departments shall be legal and reasonable

According to a complaint, the Health Bureau (SS) rejected the complainant's application for renewal of license for his dental clinic for the reason that the Chinese name of the clinic did not meet the requirements as set out in the *Guideline on Names of Premises Providing Healthcare Services* (hereinafter "the Guideline"). In addition, the SS also rejected the application for medical advertising later without reasons. The complainant suspected that administrative illegality or impropriety existed in the matter.

In accordance with law, premises providing healthcare services under private regime shall operate only when the license is granted. The license is valid for one year and requires renewal approved by the SS every year. Otherwise, the license will expire 60 days after the validity period ends.

It was found in the investigation that the dental care centre involved was granted the license for operation in September 2004 and the license had been being renewed successfully since then. Even during the two years after the implementation of the Guideline on 7th July 2016, the license renewal was also approved. At that time, the SS never raised any doubts on or requested for change of the name of the centre.

In 2018, the SS considered that the Guideline was applicable to the applications for license renewal and restoration previously approved in accordance with Decree-law no. 84/90/M and therefore requested the dental care centre involved changing its name in accordance with the Guideline, otherwise its license would not be renewed. In addition, the notification of rejection sent to the applicant did not

indicate the reason in accordance with law. Neither the factual nor the legal basis that justified the rejection was pointed out.

Following a comprehensive analysis, the CCAC considered that the administrative decision made by the SS went against the principle of goodwill provided for in the *Administrative Procedure Code*. In particular, the centre already completed the registration of business name with the Business and Movable Property Registry in 2011 and the SS has been approving its license renewal ever since then, whereby the premise has already had a stable and widely known name. Therefore, the name of the premise should be protected in accordance with the law and arbitrary request for changing or abandoning the name should not be made. Otherwise, the principle of legitimate expectation will be violated. In addition, the notification of rejection without justification also went against the relevant stipulations under the *Administrative Procedure Code*.

Therefore, the CCAC expressed its stance and opinion to the SS twice and the latter finally agreed and approved the renewal of the license of the dental care centre involved without changing its name. The bureau also promised that it would optimise the content of the notification.

After that, due to relocation of the said dental care centre, the complainant made an application for medical advertising to the SS, including display of the Chinese, Portuguese and English names of the clinic on billboards and signboards. However, the SS rejected the application and banned the Chinese name on the license from appearing on billboards and signboards despite the fact that it had already approved the license renewal and allowed the clinic to continue to use the Chinese name stated on the license. Following an analysis, the CCAC considered that the SS's action was apparently unreasonable.

Upon completion of the investigation, the CCAC reflected the opinions to the SS by letter. However, the SS has never given any direct response but only stated that the case was under judicial process.

In 2022, the Administrative Court and the Court of Second Instance judged against the SS respectively and the relevant judgments were consistent with the CCAC's stance mentioned above.

(VIII)

Respect for the opinions on subsidy granting

According to a complaint, the complainant successfully found a job after completing a course under the “Vocational Training Programme with Subsidy” organised by the Labour Affairs Bureau (DSAL), while the DSAL, on the grounds that the complainant did not submit the “Registration Form of Salary Tax - Form M/2” in a designated period, decided that he was not employed successfully and therefore a full amount of the training subsidy was not granted to him.

According to Administrative Regulation no. 33/2020 (*Subsidised Training Plan*) in force at that time, those who have obtained a job not through referral by the DSAL two months upon completion of the courses and participation of the examinations must notify the DSAL within 15 working days from the date of the beginning of employment and must present a photocopy of the document proving their professional tax registration with the Financial Services Bureau (generally referred to the “Registration Form of Salary Tax - Form M/2”), other documents or information that may prove the employment of the trainees, or other supporting documents or information deemed necessary by the DSAL, in order to prove that they have met the requirements on “successfully obtaining employment” within a statutory period and may receive a full grant of the training subsidy.

After investigation, it was verified that the complainant did not make employment registration with the DSAL but looked for employment on his own upon completion of a course under the aforesaid programme. He was, however, successfully hired within two months and entered into a labour contract with his employer. As the employment commencement date did not fall within the aforesaid statutory period for submission of supporting documents, the complainant was not

able to submit the “Registration Form of Salary Tax - Form M/2” to the DSAL by the designated period. He could only provide a photocopy of the relevant labour contract to the DSAL as a supporting document for application for a full grant of the training subsidy. However, on the grounds that the complainant did not submit a “Registration Form of Salary Tax - Form M/2” within the designated period, the DSAL did not deem it a successful employment, and thus granted only half amount of the subsidy to him.

In the CCAC’s opinion, the “Vocational Training Programme with Subsidy” is an economic relief measure taken by the SAR Government and the legislative intent was to relieve the financial stress of those who have become unemployed due to the epidemic through subsidy granting. Therefore, the application of law should not be limited to literal interpretation and deviate from the original legislative intent of the policy. Upon completion of the relevant training course, the complainant not only demonstrated positive employment eagerness but also found a job within the statutory period and submitted a photocopy of the labour contract to the bureau as a supporting document or information proving his employment. The complainant therefore should be deemed to have met the literal definition of “successful employment” and the legal conditions defined in the historical elements and should receive a full grant of the subsidy, without prejudice to the right of the competent authority to adopt other monitoring measures it deemed more effective, including requesting the complainant to submit supplementary supporting documents or information deemed necessary by the authority to ensure that the complainant was still employed after receiving a full grant of the subsidy.

In spite of its respect for the position of the bureau, the CCAC gave its opinion to the DSAL, emphasising the legislative spirit of the administrative regulation of the launch of the “Vocational Training Programme with Subsidy” as well as the stance of the CCAC. In response, the DSAL expressed an attitude of general acceptance of the opinion of the CCAC and agreed that there were conditions to

have a more extensive literal interpretation of “successful employment” and that the handling of subsidy granting should be more favourable to the trainees. In the end, it accepted the opinion that the complainant may submit supplementary documents proving his formal employment within a designated period and that the difference between the granted amount and the full amount of the relevant training subsidy should be paid back to the complainant.

(IX)

Knowledge and compliance with the law are the responsibilities of residents

In response to the “SMS Notification Service for Traffic Offences” provided by the Public Security Police Force (CPSP), a complaint was made against the practice of the authority of not providing the SMS notification service immediately when issuing penalty tickets for vehicles that have failed to pay parking fees for using the charged parking spaces on public roads and not sending a SMS notification to vehicle owners until their vehicles have been locked. The complainant queried that the bureau violated the principle of fairness and there might be administrative illegality.

After investigation it was verified that the CPSP has been, through its official website and other publicity avenues, clearly publicising the coverage of the “SMS Notification Service for Traffic Offences”, which does not cover the illegal acts of parking vehicles at charged parking spaces on public roads without payment of parking fees. According to Articles 21, 34, 35 and 37 of the *Public Parking Service Regulation* approved by Administrative Regulation no. 35/2003, using charged parking spaces on public roads without payment of parking fees for a period not exceeding one hour shall be punished with a fine equal to half the amount provided for in Article 34. However, if the period exceeds one hour, the act will be considered abusive parking provided for in Article 35. In such case, in addition to the payment of a fine imposed on the owner of the vehicle, the vehicle may be locked and other

extra fees must also be paid.

As there are differences in the legal bases, responsibilities, consequences and handling procedures between the administrative illegality of using the charged parking spaces on public roads without payment of parking fees and other illegal parking acts, it is not appropriate to make direct comparisons between them. In addition, as the authority already promoted the coverage of the aforesaid “SMS Notification Service for Traffic Offences” before providing the service to residents, there should not be any confusion. Moreover, such extra service is provided by the competent authority out of good intention and purely serves as a friendly reminder. It does not hinder road users from abiding by the relevant laws and regulations on roads and the rules of using charged parking spaces or being aware of the consequences of violating them and the obligation of observing them, since such obligation does not depend on the reminders from the Public Administration. As regard whether another set of SMS notification content and mechanism should be created, it is surely the competent authority that should make a decision on it. The CCAC has already reflected the relevant opinion to the CPSP.

In this case, the complainant intended to attribute the legal consequences arising from non-payment of parking fees to the lack of perfection of the act of the authority done out of good intention to provide convenience to residents. It apparently lacks of legal and reasonable grounds.

Therefore, the CCAC urges that public road users should strengthen their legal knowledge and awareness of law-abidingness. They should perform their civic duty by proactively understanding and abiding by all the laws and regulations relevant to the use of public roads.

(X)

**Engaging in part-time jobs to earn extra incomes
violates the duty of exclusivity**

According to a report, a staff member of the Public Administration and Civil Service Bureau (SAFP) promoted some fitness products on social media platforms regularly every day and invited colleagues to go to the gym run by her husband for exercise. She was suspected to have violated the duty of zeal and the duty of not engaging in activities incompatible with her duties. After investigation, the CCAC verified that the matter was true and therefore referred the relevant report to her department. In the beginning, the SAFP pointed out in the relevant disciplinary process that the staff member involved already declared to her superior in advance that she concurrently served as a fitness coach in some interest classes in a non-profit organisation but she was not found to have performed the acts of promoting or selling fitness products. The relevant disciplinary file was therefore archived directly. However, as the CCAC found that the facts investigated in the relevant disciplinary process were at odds with the findings of the CCAC, the CCAC once again sent the evidence collected to the SAFP for the purpose of initiating a disciplinary process. In the end, as the staff member engaged in private business outside the approved period and the hours she engaged in private business during the approved period exceeded the upper limit approved, she was considered to have breached the duty of zeal and the duty of not engaging in activities incompatible with her duties provided for in the *Statute of Personnel of the Public Administration of Macao*. As a result, the sanction of written reprimand was imposed on her.

In another report, it was claimed that a staff member of the former Land, Public Works and Transport Bureau allegedly had a part-time job of promoting sporting goods. After investigation the CCAC verified that the matter was true and therefore referred the relevant report to the department of the staff member involved. In the relevant disciplinary process, it was verified that the staff member engaged in the relevant private business and activities on a regular basis and even received gifts or discounts as reward offered by a private entity after carrying out the relevant promotion acts. His acts clearly violated the principle of exclusivity provided for in the *Statute of Personnel of the Public Administration of Macao*, and therefore

disciplinary charges were initiated against him and the sanction of written reprimand was imposed.

There was also a report claiming that a staff member of the former Macao Polytechnic Institute (IPM, currently the Macao Polytechnic University) sold goods and looked for cooperation partners through social media platforms for a long period of time. As the investigation findings matched the facts of the report, the CCAC subsequently notified the IPM about the matter. During the relevant disciplinary process, the IPM verified that the staff member involved had promoted sports drink and fitness classes through social media platforms for many times and he also engaged in activities as a fitness coach without authorisation. Therefore, the IPM decided that he violated the duties provided for in the *Personnel Statute of the Macao Polytechnic Institute* and imposed a fine on him as a disciplinary sanction.

(XI)

Empathy and tolerance should be shown at exceptional times

During Macao's first citywide nucleic acid test, a resident made a complaint that he was sent to the Nucleic Acid Test (NAT) Station at Pac On and stayed there for more than eight hours as he did not do a NAT within a designated period. During the period, he requested to leave for home isolation but was refused, and then he got into a physical scuffle with a security guard and was injured. He queried that the acts of the competent authority violated the law and therefore requested the intervention of the CCAC. Investigation showed that the Novel Coronavirus Response and Coordination Centre already gave a grace period for the citywide NAT at that time and publicised, in advance, the consequences of not doing a NAT within a designated period, including the Macao Health Code being changed to yellow and being taken by the police department to undergo the relevant test at a designated venue. People who refuse to take the test will be subject to medical observation at a designated venue for 14 days. If they still refuse to do so, the SAR Government will issue mandatory isolation orders. At that time, 55 persons refused to undergo the

NAT after being warned and the complainant was among them. In pursuit of the purposes of prevention, control and treatment of communicable diseases, individuals have the duty to collaborate with the competent authorities according to law as well as to comply with the orders and guidelines issued by them. The competent authorities may take necessary measures, namely medical examinations or health inspections on groups with the risk of communicable diseases or specific sources of infection. The aforesaid decision was in full compliance with the provisions of Article 3 and Subparagraph 2 of Article 7 of Law no. 2/2004 (*Law on the Prevention, Control and Treatment of Communicable Diseases*). Therefore, there was no administrative illegality or irregularity in this case.

There was also a complaint querying whether the Macao Government Tourism Office (MGTO) intentionally delayed the vetting and approval process for the complainant's application for exemption from the expense of staying at a medical observation hotel. After investigation, it was concluded that the MGTO must, according to law and the established procedures, vet and verify the eligibility and specific circumstances of all the individuals who applied for exemption from medical observation expenses on a case-by-case basis and then submit them to the supervisory entity for approval. Taking account of the workload related to the medical observation hotels that needed to be dealt with in the same period, it is understandable that the time for handling each application would be different. Therefore, it cannot be concluded that the MGTO deliberately delayed the vetting and approval of the relevant application, and there was no administrative illegality or irregularity in this case.

IV. Retrospective review

In 2022, the CCAC implemented the work of “retrospective review” and once again reviewed the follow-up actions of the cases or systems by some departments which were included in the relevant list last year. The results of “retrospective review” showed that various departments of the SAR Government generally respect

and accept the investigation conclusions and suggestions rendered by the CCAC in the administrative complaint case files. They, indeed, had also practically taken different measures to improve governance from different levels. The CCAC therefore removed relevant cases from the list of “retrospective review” in 2021:

Some of the cases on the list of “retrospective review” in 2021	Departments or entities	Objectives of “retrospective review”	Results of “retrospective review”
The case related to the complaint about an eatery located at Rua da Praia do Manduco that did not properly cover up the food and had poor hygiene	Municipal Affairs Bureau	<ol style="list-style-type: none"> 1. Improve the notification content. 2. Review whether relevant recommendations are strong enough and whether the bureau has punished those who deserve punishment in order to demonstrate the legislative intent of the relevant legal regime. 	<p>The department accepted the opinions:</p> <ol style="list-style-type: none"> 1. The legal basis and relevant consequences are indicated in the notification; 2. The preliminary hearing procedures for the liabilities for administrative illegalities of the eatery has been initiated.
The case related to the complaint about the “Scheme for Inclusion and Harmony in the Community”	Social Welfare Bureau	<ol style="list-style-type: none"> 1. Regularise the “Scheme for Inclusion and Harmony in the Community”, including in compliance with Article 9 of the <i>Regime of Granting Subsidy to Individuals and Households in a State of Financial Need</i>; 2. Improve the notification content. 	<p>The department accepted the opinions:</p> <ol style="list-style-type: none"> 1. In April 2022, the <i>Statute of Scheme for Inclusion and Harmony in the Community</i>, which was approved by Secretary for Social Affairs and Culture Order no. 24/2022, was published; 2. Improve the content of the application result notification, in which, according to law, the reasons and the means of appeal are indicated.

Some of the cases on the list of “retrospective review” in 2021	Departments or entities	Objectives of “retrospective review”	Results of “retrospective review”
<p>The case related to the complaint lodged by a resident about an enquiry about a newspaper publishing indecent photos</p>	<p>Public Administration and Civil Service Bureau</p>	<p>Improve the review mechanism of the subordinate Public Information Centre, including carrying out a study on the improvement of working guidelines and optimisation of inter-departmental communication mechanism, among others.</p>	<p>The department accepted the opinions:</p> <ol style="list-style-type: none"> 1. The Public Information Centre improved the working guidelines, clarified the criteria for implementation and contingency plans; 2. Reinforce the standard of work and customer service skills of front-line workers; 3. Improve the collection, maintenance and update of government information in order to respond to the residents’ enquiries; 4. Optimise the work of communication of information among departments, try to use faster methods such as e-mails or telephones to carry out inter-departmental communication, obtain information or negotiate the ways for responding to the complaints lodged by the residents.

<p>The case related to the complaint about vehicle parking at the district of Ilha Verde and the complaint about the parking area for empty fuel tank trucks in Ilha Verde (cases on the list of “retrospective review” were consolidated for handling)</p>	<p>Transport Bureau / Public Security Police Force</p>	<p>Improve the traffic regulations and law enforcement for vehicles parking at the district.</p>	<p>The departments accepted the opinions:</p> <ol style="list-style-type: none"> 1. The Transport Bureau has placed corresponding transport signs, marked signs on the pavement and placed traffic equipment at the plot. It has properly arranged the order for pedestrians and vehicles to cross and drive on the roads respectively, and the conditions for law enforcement against illegal parking are met; 2. The Public Security Police Force continuously sends its workers to carry out inspection at the district and the plot relevant to the case. It also steps up efforts to charge illegally parked vehicles according to law.
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Regarding the cases on the list of “retrospective review” in 2022, in addition to some cases from which the CCAC did not receive a response and which, therefore required the CCAC to continuously follow up under the “retrospective review” mechanism in the following year, other cases were closely followed up by relevant departments or bodies, which were able to complete the improvement or optimisation work in the same year. Therefore, the CCAC subsequently removed them from the list:

(I)

Improvement of measures for the advantage of supervision

There was a complaint alleging that the co-organisers of the summer activities arranged classes for students under the stairs. It was doubted if the supervision of the Education and Youth Development Bureau (DSEDJ) was ineffective and the CCAC was therefore requested to look into the matter.

After investigation, it was found that the DSEDJ, which had previously received similar kinds of complaints, proactively communicated with the co-organisers and subsequently changed the place for the classes.

However, during investigation, the CCAC found that such situation was already recorded on the photos taken by the inspectors during inspection at the premises as early as at the preparation period of the summer activities. However, it lacked immediate and serious follow-up actions. Therefore, the CCAC urged the department to step up efforts in the prior supervision of the premises where the summer activities were carried out and suggested it carry out a study on the improvement of information platform for the summer activities so as to identify relevant situations in a timely manner and carry out effective supervision. This case was included in the list of “retrospective review” for review in the future.

In the year, the DSEDJ proactively reported its follow-up actions to the CCAC and pointed out that in spite of the cancellation of all of the summer activities for 2022 due to the epidemic, it completed various improvement measures, including creating a new checklist for inspection of premises, strengthening the all-round prior inspection for the premises where the activities were carried out, including the function of collating information at the information management platform for summer activities and enhancing close cooperation with the co-organisers. In addition, the function of uploading photos of the premises where the activities take place at the registration platform for the summer activities was also improved for use by the residents.

As the DSEDJ has proactively implemented various improvement and optimisation measures which are advantageous for the department to exercise its supervisory function on the premises where the summer activities take place, the CCAC removed this case from the list of “retrospective review”.

(II)

Responsibility for supervision of unauthorised absence from duty

There was a report alleging that several workers of the Civil Aviation Authority (AACM) were habitually absent from duty during office hours and left office to handle their personal affairs. It was like a place “without supervision”. As it has not been shown that the authority tended to regularise such situation, the CCAC was requested to look into the matter.

As problems related to workers’ attendance fall into the area of management of internal workers by the department, the CCAC referred them to the AACM for follow-up actions. The AACM, which immediately carried out an investigation, found that in addition to some workers who were absent from duty, there were also circumstances of disciplinary offences committed by other workers who punched in and out on behalf of others. Considering that such workers had violated the duties of zeal and assiduity provided for in the *Statute of Personnel of the Civil Aviation Authority of Macao*, the AACM therefore initiated a disciplinary procedure against those workers according to the *Disciplinary Regulation of the Civil Aviation Authority* and decided that 16 workers were subject to written reprimand and 13 were sentenced to a fine.

Moreover, the AACM also proactively reviewed and admitted that there were deficiencies and omissions in the personnel attendance system of the department. Some of its workers did not properly understand the system of flexible working hours or the attendance guidelines. The AACM also lacked unified standards and workflows in handling the issues concerning personnel’s temporary absence from duty for personal reasons. The department promised to review the attendance

supervision system. Therefore, the case was included in the list of the “retrospective review” for review in the future.

In 2022, the CCAC, through the “retrospective review” mechanism, verified that the AACM had newly revised the *Regime of Flexible Working Hours for the Personnel of the Civil Aviation Authority* and the *Complementary Regulations of Attendance and Absence for Personnel of the Civil Aviation Authority*, in which the application procedures for the attendance and absence from work were regulated. The AACM also adjusted relevant supervision measures through regulations, including the prerequisites and approaches to handle the situations concerning personnel’s temporary absence from duty for personal reasons. Meanwhile, the AACM also introduced the mechanism for random checks in a regular way and enhanced the functions of information system for the management of attendance records. Moreover, talks were also held with an aim to step up promotion efforts in order to ensure the workers knew and understood the relevant attendance system.

As the relevant public institution has taken various improvement measures, the CCAC removed this case from the list of “retrospective review”.

(III)

Recusal system should not be just existed in name only

There was a report alleging that the holder of a civic association which has received subsidies approved by the Macao Foundation for several consecutive years was a relative of a member of the Board of Trustees of the Macao Foundation. It was doubted if the recusal system was obeyed and if there were circumstances of illegalities. Therefore, the CCAC was requested to look into the matter.

According to Administrative Regulation no. 12/2001 (*Statute of Macao Foundation*), which has been amended, and the internal provisions for vetting and approval of subsidies which are formulated according to law, the Board of Trustees of the Macao Foundation should meet annually to approve the annual activity plans

and budgets of the Foundation. The budgetary appropriations of subsidies for specific plans, which are proposed by the Administrative Committee, will be passed to the Board of Trustees for consideration and approval. After investigation, it was found that the civic association relevant to the case had indeed submitted reports and activity records in relation to the subsidised activities to the Macao Foundation for inspection according to law. There was not any administrative illegality or impropriety found in the procedures of vetting and approval of the reports, vetting and approval of the financial expenditure and compilation of the final conclusion reports by the Macao Foundation according to the established workflow.

However, during the investigation process, the CCAC found that the Macao Foundation indeed did not strictly implement the *Administrative Procedure Code* and the recusal system provided for in the *Internal Regulations of Recusal System Applied to the Collegiate Bodies of the Macao Foundation* which was approved by the Foundation in 2009. The Foundation prepared references for the members of the Administrative Committee concerning situations requiring recusal in order to remind them to carry out the duty of recusal if the holders of the applicants are their relatives. However, the Foundation does not apply the same way for the members of the Board of Trustees.

Therefore, the CCAC subsequently raised its opinions to the Macao Foundation and reminded that despite that the lack of recusal might lead to defects where relevant acts or decisions were revocable, there would also be doubts about the justice and impartiality of the members of the aforesaid Collegiate Body. The CCAC suggested it taking measures to review the implementation of the recusal system by the aforesaid Collegiate Body.

Giving positive responses to the suggestions of the CCAC, the Macao Foundation revealed its willingness to review and would remind all members of the Collegiate Bodies about the recusal system. It would also provide every member with the channels of prior declaration, maintain the accuracy of recusal information

and keep the recusal records. Moreover, it would also strictly abide by the recusal system provided for in the *Administrative Procedure Code* and the internal regulation of the Macao Foundation.

In order to follow up the implementation of the aforementioned measure, the CCAC included this case in the list of “retrospective review” for review in a timely manner in the future.

(IV)

The mechanism has to be improved

There was a complaint alleging that the internal management of the Macau Junior Tennis Academy (hereinafter referred to as the “Tennis Academy”) was poor. The Macau Tennis Association (hereinafter referred to as the “Tennis Association”) to which the Academy was subordinate was unjust for selecting the members of the team of the Academy. It was doubted if the supervision of the Sports Bureau was ineffective and the CCAC was therefore requested to look into the matter.

After investigation, it was found that the Tennis Academy is jointly organised by the Sports Bureau and the Tennis Association. The management work of the Tennis Academy is shared between the two parties by entering into an agreement. The Sports Bureau is mainly responsible for providing equipment for the training venues, assisting in publicity of admission matters and providing financial support while the Tennis Association is mainly responsible for the arrangement of teaching matters, including the management of the Tennis Academy. It also needs to regularly report the teaching matters to the Sports Bureau. Therefore, the operation of the Tennis Academy and the tennis team are subject to the supervision of the Tennis Association and the Academy can receive financial subsidies from the Sports Bureau.

However, the CCAC found that the supervisory system taken by the Tennis Association for the Tennis Academy is not expressly provided for in the aforesaid

agreement. Moreover, there is not any recusal mechanism contained in the statute concerning the selection of team members.

The CCAC believed that the Tennis Association, which is responsible for supervising the Tennis Academy, enjoys autonomy in teaching matters and selection of athletes, but it does not imply that it is not subject to the supervision of the Sports Bureau. The Sports Bureau, which is a public department responsible for promoting the development of local sports, should take measures to supervise the sports associations of Macao according to law. In addition, the teaching operation of the Tennis Academy and the tennis team are subject to subsidies granted by the Government, the Sports Bureau particularly has the responsibility to supervise the Tennis Association and improve the relevant systems regarding the operation of the Tennis Academy and the tennis team in order to ensure that the public funds are used in a rational, effective and proper way.

Therefore, the CCAC raised its opinions to the Sports Bureau and included this case in the list of “retrospective review” for review in a timely manner concerning the follow-up of the supervisory efforts for the relevant sport association and the Sport Academy by the Sports Bureau.

V. Departments or entities with positive attitudes

According to the information and statistics concerning the cases from the Ombudsman Bureau in 2022, complainants or informants mostly lodged the same complaints to the CCAC and relevant departments or entities at the same time. Therefore, before or at the time when the CCAC looked into the matters, most of the relevant departments or entities attached importance to and followed up the matters, or they immediately showed their cooperation during the investigation process of the CCAC or the communication with the CCAC. Moreover, they were willing to accept the stances or opinions related to the improvement of governance

raised by the CCAC. Therefore, these public departments or entities (in no particular order) deserve recognition:

Departments or entities	Issues involved	Responses to CCAC's opinions	Follow-up actions by the departments or entities
Health Bureau	Improper conversion of Health Code	The department has taken appropriate actions.	The department, along with the complainant, met with the developer where the issue concerning the conversion of Macao Health Code to the Guangdong Health Code was rectified on the spot.
Sports Bureau	Refund for swimming tickets due to inclement weather	The department has accepted the CCAC's opinions and taken appropriate actions.	The department has improved the provision concerning refund for purchase of tickets online.
Macao Government Tourism Office	About the steam and massage facilities converted into karaoke rooms in an unauthorised way	The department has taken appropriate actions.	The department and the Public Security Police Force jointly carried out inspection and initiated procedures for administrative penalty against the facilities. They promised to continuously conduct on-site inspection to similar facilities.
Transport Bureau	About the tendering procedure for number plate	The department has taken appropriate actions.	The department has changed the place for tender opening to a reception room where the video surveillance system and the recording system were equipped for the viewing by the residents publicly. The mechanism for publishing the "provisional list for tendering" and the "tendering result" on the webpage was improved with an aim to enhance transparency.
(Former) Land, Public Works and Transport Bureau	Accumulation of a large amount of objects and articles at the roof of a building which seriously affect hygienic conditions	The department has accepted the CCAC's recommendations and taken appropriate actions.	Considering the special situation of the owner of the relevant flat, the department has taken necessary measures to coordinate and complete the clearance of objects and articles accumulated at the public places of the building.

Departments or entities	Issues involved	Responses to CCAC's opinions	Follow-up actions by the departments or entities
Housing Bureau	Water leakage at the rooftop of an economic housing unit	The department has taken appropriate actions.	The department has coordinated with the contractor to complete the repair work.
Public Security Police Force	Notification procedure concerning the revoking of renewal of residence permit	The department has taken appropriate actions.	The department has improved the way for verifying the notification list concerning the revoking of renewal of residence permit. It also formulated working guidelines and reinforced training of the personnel.
Correctional Services Bureau	Arrangement of shift-work and rest time for education personnel at the Youth Correctional Institution	The department has accepted the CCAC's opinions and taken appropriate actions.	The department has rearranged the duty roster for the education personnel in order to comply with the <i>Statute of Personnel of the Public Administration of Macao</i> .
(Former) Macao Polytechnic Institute (currently the Macao Polytechnic University)	About a personnel doing part-time work	The department has taken appropriate actions.	The Macao Polytechnic University has initiated a disciplinary procedure and sentenced the personnel to a fine.
Environmental Protection Bureau / Land and Urban Construction Bureau	Installation of electric vehicle charging facilities in private residential buildings	The departments have taken appropriate actions.	The relevant departments have coordinated to follow up the cases where the installation did not comply with the regulations. Departmental communication was also enhanced. The "Application guidelines for installing electric vehicle charging facilities in carparks of private residential buildings" were revised in a timely manner.
Labour Affairs Bureau	Report of alleged false recruitment, performance of work not being authorised and in a place other than the authorised one	The department has taken appropriate actions.	The department verified, after investigation, the existence of administrative illegality related to the <i>Law on Employment of Non-Resident Workers</i> and sentenced the violators to administrative penalties.

Departments or entities	Issues involved	Responses to CCAC's opinions	Follow-up actions by the departments or entities
Municipal Affairs Bureau	Advertisement signboards in violation of law	The department has taken appropriate actions.	After investigation, the department verified the existence of administrative offences and has initiated relevant penalty procedures. It promised to continuously optimise the vetting, approval and renewal procedures concerning advertisement licenses. It will also take measures to strengthen inspection and supervision.
Public Security Police Force	About unauthorised occupation of a car parking space reserved for internal use by the department; about a personnel smoking in the office	The department has taken appropriate actions.	The department initiated a disciplinary investigation against the involved personnel and imposed fines on them. It also published internal guidelines to enhance supervision.
Macau International Airport Co. Ltd	About the service of wheelchair at airports	The institution has accepted the CCAC's opinions and taken appropriate actions.	The institution has taken necessary measures to issue guidelines to all airlines for lending wheelchairs to people in need free of charge, with the charging of deposits depending on specific circumstances.

PART IV

PROMOTION & EDUCATION

PART IV

PROMOTION AND EDUCATION

In 2022, the CCAC carried out various types of publicity and education work through different channels to promote the integrity of the society based on the direction of “All for Integrity” mentioned in the 2nd Five-Year Plan. Apart from constantly strengthening the awareness of integrity in the public and private sectors and continuously carrying out honesty education for young people, the CCAC also tied in with the trend of online learning in recent years where many online learning resources were launched and promotion strategies were adjusted in a timely manner. They included exploring new modes of cooperation with civic associations and promoting more online projects. Moreover, the CCAC continued to promote integrity and honesty to all walks of life in Macao through various promotional channels on the internet and diversified promotional activities, along with the methods that combined online and offline modes. In addition, to commemorate the 30th anniversary of integrity building of Macao in 2022, a series of integrity activities were held. The Branch Office in Taipa was repositioned as an integrity education base mainly targeting at young people and civic associations for deepening the promotion of integrity education and contributing to the development of a probity culture in Macao.

In spite of the epidemic, in 2022, the CCAC still held a total of 444 seminars, talks and activities on different topics, which recorded 27,124 participants who were mainly public servants, employees of commercial institutions, teenagers, students of higher education institutions, secondary, primary schools and kindergarten and the general public. The statistics are shown in the following table:

Statistics of education on corruption prevention in 2022

Topic	Target	No. of sessions	No. of participants
Integrity and Observance, Public Procurement, Noble Character and Righteous Conduct, Declaration of Assets and Interests	Public servants	59	3,154
E-learning Course entitled “Uphold Your Integrity”	Public servants	4	255
Seminar on the law on <i>Prevention and Suppression of Bribery in the Private Sector</i>	Private entities, public departments, educational institutions	19	772
Integrity Awareness	Civic associations, government departments, educational institutions	31	756
Integrity Education	Teenagers, students of higher education institutions, secondary, primary schools and kindergarten	331	22,187
Total		444	27,124

I. Education on corruption prevention for public and private sectors

In order for the probity culture to be deeply embedded in the society, the concerted anti-corruption efforts by the public departments and private sectors are indispensable. Therefore, the CCAC has all along been maintaining close cooperation with the public and private sectors and holding integrity seminars of different topics routinely. Due to the demand for online learning, different topics of learning videos are regularly rolled out at the “Webpage on information about integrity for public servants” and legal theme-based webpage concerning the law on *Prevention and Suppression of Bribery in the Private Sector* which aims to encourage public servants and workers of the private sectors to learn by themselves and strengthen their awareness of integrity. In 2022, the CCAC even exchanged and shared with the learners of the “4th Leadership Training Course for Public Servants” the first-hand information and case study concerning anti-corruption and

ombudsman's actions, with a view to facilitating public servants to think more about how to raise the integrity and efficiency of public administration.

(1) Seminars on integrity for public servants

To consolidate the culture of honesty of public departments and integrity awareness of the workers, the CCAC sustained its efforts to hold seminars on integrity with different topics for public servants and public departments including “Integrity and Observance”, “Noble Character and Righteous Conduct”, “Public Procurement” and “Declaration of Assets and Interests”. A total of 59 seminars were held for 3,154 public servants from 16 departments/institutions in 2022.

(2) Persistent update on the “Webpage on information about integrity for public servants” and launch of e-learning course

Since the “Webpage on information about integrity for public servants” has been launched in 2020, the CCAC continuously updates the column of “Academy of Integrity” on the webpage on which videos of different topics adapted from cases detected by the CCAC are regularly uploaded, with a view to introducing to the public servants about the stipulation of exclusiveness stated in the legal regime of public services and other commonly seen duty-related crimes such as “abuse of power”, “document forgery”, “embezzlement” and “breach of secrecy”, among others.

Moreover, in order to tie in with the trend of e-learning promoted by the Government, the CCAC continued to launch the e-learning course entitled “Uphold Your Integrity” in collaboration with the Public Administration and Civil Service Bureau. The course, which is offered in modules, focuses on introducing to the public servants about the obligations and code of conduct they should comply with in order to enhance their senses of honesty and law-abidingness through self-learning online. Time attended in such course has been counted as training hours for promotion of public servants. In 2022, a total of four classes were launched for 255 participants from 37 departments/institutions.

(3) Seminars on integrity for the private sector

In 2022, the CCAC persistently organised talks for public and private sectors and educational institutions on the law on *Prevention and Suppression of Bribery in the Private Sector*. Despite that legal provisions were introduced, cases and examples were selected and tailor-made for the individuals and organisations in different circles. In the year, a total of 19 talks were held for 772 participants who were employees of banks, hotels, small and medium-sized enterprises and subsidised institutions.

In addition, the CCAC added a column of “videos for learning” on the theme-based webpage of the law on *Prevention and Suppression of Bribery in the Private Sector* on which videos of different topics were regularly uploaded. The videos, which were filmed in a lighthearted and funny way, featured situations which were prone to active corruption and passive corruption in the daily life. After watching the videos, viewers might answer some questions which would assist them to enhance their sense of awareness and consolidate relevant legal knowledge. Moreover, the content of the aforesaid law were also disseminated in advertisements on bus bodies, TV programme “Enquiry and reply” and infographics on WeChat.

II. Integrity education for young people

In collaboration with the education sector, the CCAC continues its effort to disseminate the integrity and honesty culture and promote proper moral values in a diversified way to young people, students of higher education institutions, secondary, primary schools and kindergarten.

Statistics of integrity education work for young people in 2022

Programme	No. of sessions	No. of participants
Seminar on Honesty for Higher Education Students	17	813
Education Programme on Honesty for Teenagers	89	5,993
A Talk on Honesty for Graduates	19	1,207
“Integrity Week” in Secondary Schools	1	327
“New Generation of Integrity ” – Education Programme on Honesty for Primary Students	122	3,898
“Spreading the Messages of Integrity with William” School Drama Tour	31	3,739
“Love Integrity” – “Integrity Week” Series for Primary Schools	27	5,586
Integrity Education Activities Held at Branch Office in Taipa	25	624
Total	331	22,187

(1) Integrity and honesty education for higher education students

The CCAC has all along been maintaining liaison and collaboration with different higher education institutions of Macao and persistently holds the “Seminar on Honesty for Higher Education Students” based on the law on *Prevention and Suppression of Bribery in the Private Sector*, where a video clip is presented and elements of active corruption and passive corruption are introduced to the students. The seminar aims to encourage students to reflect on the harmful effects of corruption on society and individuals and help them develop a zero-tolerance attitude towards corruption. In 2022, a total of 17 sessions of “Seminar on Honesty for Higher Education Students” were held for 813 students from three higher education institutions. In addition, the CCAC also invited higher education institutions to arrange students to visit the integrity education base located at the Branch Office in Taipa to consolidate the knowledge learned during lessons through diversified modes of learning.

1. Providing internship opportunities to young students to participate in integrity promotion

To strengthen the honesty education work for young students and develop cooperation with higher education institutions, the CCAC continues to provide internship opportunities to students from higher education institutions of Macao. In 2022, students from two institutions joined the internship. In the course of internship, the interns mainly assisted in a variety of promotion and education work. They also disseminated the messages of integrity and honesty to students from secondary and primary schools and the general public with the CCAC workers in school campuses and the two branch offices of the CCAC in order to support the integrity education of the CCAC with full efforts.

2. New positioning of the Branch Office in Taipa to step up efforts in integrity promotion and education work

In 2022, the Branch Office in Taipa reopened in March following the completion of renovation. In addition to receiving complaints and reports, it is repositioned as an integrity education base targeting at young people and civic associations which benefits the CCAC to carry out more holistic and targeted integrity education work.

The facilities of the two integrity education bases in the Branch Office in Taipa and the Branch Office in Areia Preta have different features. The target groups, which initially only covered primary school students, has expanded to include secondary school and higher education students due to the new positioning of the Branch Office in Taipa. As such, the CCAC can meet the demand from different strata of the society and exert the functions of integrity education more holistically.

To carry out the function of integrity education base for young people, upon the reopening of the Branch Office in Taipa, the CCAC immediately invited the leaderships and academic staff from the higher education institutions and secondary schools of Macao to visit the Branch Office in Taipa in order to strengthen the communication and exchange with the education sector. Representatives of the institutions and schools who paid the visit expressed that integrity education work

carried out by the CCAC deserved affirmation. They also agreed that the education base facilitated the visitors to have a deeper understanding of the CCAC's work, which established closer ties between the residents, particularly the young people and the CCAC, and encouraged them to commit themselves to the integrity building work of Macao. Meanwhile, the Branch Office in Taipa also organised integrity education activities targeting at secondary school and higher education students. In the exhibition area, the young people can have a better understanding of the functions and work carried out by the CCAC and deeper experience of integrity culture through the equipment which has special features of the CCAC such as the display of three-dimensional weapons and exhibits, the statement-taking simulation room and the identification of witness simulation room, as well as various popular interactive games. In 2022, a total of more than 600 students were arranged by 12 higher education institutions and secondary schools to visit and learn in the Branch Office in Taipa.

3. Holding the “Micro-Movie Production Competition on Honesty – When Integrity Touches My Heart”

In order to encourage young people to reflect on topics related to honesty through micro-movie production and share their thoughts about honesty and integrity through images, the CCAC organised the “Micro-Movie Production Competition on Honesty – When Integrity Touches My Heart” targeting at higher education and secondary school students of Macao in 2022. In the two enrollment phases during November and December 2022, a total of more than 700 students from 188 teams of 37 secondary schools or higher education institutions were attracted to participate in the competition. Participating teams submitted their entries in February 2023 and the results of the competition will be announced in April.

(2) Integrity and honesty education for secondary and primary school students

1. Education Programme on Honesty for Teenagers

The “Education Programme on Honesty for Teenagers” is an education programme in which the CCAC sends its workers to secondary schools for introducing the topics related to honesty to the students. This programme, which has been carried out in secondary schools for many years, gains the support and cooperation of schools and receives positive responses. The topics are tailor-made for students from different developmental stages. Through various diversified approaches including video clips on cases, daily life examples and current issues, the CCAC guides the secondary school students to discuss and think about the importance of integrity with a view to assisting the teenagers to build a good character.

In 2022, there were 17 schools joining the “Education Programme on Honesty for Teenagers”. The CCAC held a total of 89 seminars for 5,993 students.

2. Theme-based Seminars Entitled “A Talk on Honesty for Secondary School Graduates”

The theme-based seminars entitled “A Talk on Honesty for Graduates” aim to introduce to secondary graduates about the practical integrity guidelines so as to enable them to know the anti-corruption law currently in force in Macao and corruption-prevention knowledge before they graduate from school and step into the society. The seminars encourage them to understand and abide by the law in order to live a positive life. In 2022, a total of 19 seminars were held for 1,207 students from ten schools.

3. “Integrity Week” for secondary and primary schools

Every year, the CCAC organises the “Integrity Week” with different secondary and primary schools, where themed activities related to honesty and integrity are held in the school campuses. In March 2022, the CCAC organised the “Integrity Week” with Luís Gonzaga Gomes Luso-Chinese Secondary School which was joined by a total of 327 students. During the activity, the school held two theme-based competitions related to honesty and integrity for the students, namely the

honesty slogan design competition and the honesty song creation competition. Moreover, the CCAC workers held theme-based seminars and virtual reality booth games in the school campuses in order to disseminate the integrity and honesty messages to the students.

Regarding primary schools, the CCAC persisted its efforts to send workers to school campuses to hold the “Love Integrity” – “Integrity Week” series in primary schools. During the week, activities were held during lunch breaks or lessons in order to flexibly tie in with the teaching arrangements of the schools to disseminate the integrity and honesty messages amongst primary students in the format of booth games, curricular activities, short stories of honesty, video clips, VR games and quiz games on exhibition panels. The activity has been rolled out since 2020, it is popular among schools and has a positive effect.

In 2022, the CCAC held the “Love Integrity” – “Integrity Week” series for primary schools in Pui Ching Middle School of Macau, Luso-Chinese School in Taipa and Colégio Dom Bosco (Yuet Wah) where the staff of the CCAC played games and told stories to the students. A total of 5,586 students participated in the activities.

4. “New Generation of Integrity” – Education Programme on Honesty for Primary Students

In 2022, a total of 122 sessions of the “New Generation of Integrity” – Education Programme on Honesty for Primary Students were held. 3,898 students from 17 schools participated in these sessions. The “New Generation of Integrity” – Education Programme on Honesty for Primary Students, launched by the CCAC’s Branch Office in Areia Preta at its Galaxy of Integrity, featured integrity education activities for primary three to primary six students. Through puppet shows, computer animated films and micro movies under different themes of moral education, the messages of honesty and law-abidingness are conveyed to children so as to guide them to build correct values of life at a young age. In 2022, in response

to the valuable opinions on the themes and activity content of the primary four curriculum, the CCAC created the brand-new teaching materials for primary four students entitled “Voyage through the Galaxy” under the theme of responsibility. The relevant animated teaching materials have been produced and put to use in classrooms, which are well received by students and teachers.

5. A school drama tour entitled “Spreading the Messages of Integrity with William”

Each year, the CCAC holds special activities for kindergarten and lower primary school students to celebrate the International Children’s Day and to spread positive energy of integrity. In 2022, the CCAC specially organised a school drama tour entitled “Star Journey”, where the Messenger Bear William and the dramatics club, through fun-filled singing and drama performances, among others, experienced stories across time with students in campuses. Through different challenges, they were inspired to think about the importance of integrity and honesty. The activity, held between May and June, recorded participation of 3,739 kindergarten and lower primary school students from 21 schools.

To make the activity more interesting and to enhance the students’ engagement, the CCAC also specially created a theme song “Commitment to Honesty” for the activity and invited some little volunteers from the Integrity Volunteer Team to do a song recording and performance, which was then uploaded to YouTube for the public to view. The relevant activity will be adapted into lesson plans and uploaded to the Resources Database for Integrity Education for parents and teachers to use.

6. Launch of the programme entitled “Story Time with William”

The CCAC has all along been dedicated to integrity education for teenagers and children. Over the years it has actively created and launched a series of teaching materials under the theme of honesty and law-abidingness for the “New Generation of Integrity” – Education Programme on Honesty for Primary Students. In 2022, the CCAC, according to the policy address, re-edited some of the teaching materials on

integrity for primary students and developed them into stories. They were re-designed according to the preference of children as well as the education needs of teachers and parents and were compiled into parent-child reading materials entitled *Story Time with William: Stories about Integrity for Children* that come with illustrations, voice acting and vivid guided reading, which aim to allow parents and education workers to join hands and bring up an honest and righteous new generation for Macao.

The programme entitled “Story Time with William”, which targets at kindergarten and lower primary students, features a collection of stories and Bluetooth storytelling devices and provides online reading as well as voice acting and guided reading. The collection of stories, featuring five fun-filled stories under the theme of honesty, enables children to cultivate good moral characters, such as self-discipline, responsibility, non-greediness, righteousness, law-abidingness, trustworthiness and honesty.

The CCAC held a book launch ceremony for the programme “Story Time with William” at Hipódromo Neighborhood Activity Centre on 10th December, where it gifted books to attending guests, including leaders and representatives of schools and civic associations. It also arranged the Messenger Bear William and the little young volunteers of the Integrity Volunteer Team to voice-act one of the stories at the ceremony. In addition, an experienced early childhood education worker, Lam Van Va, was invited to share storytelling skills at the ceremony, which attracted the participation of many parents with their children.

III. Cooperation with the education sector

The CCAC has been deepening the foundation of integrity education in an orderly and systematic manner and has also been working closely with the education sector. A communication platform has been created and an optimised model of cooperation has been formed to promote mutual progress. Various teaching

materials and activities have also been launched to cater to the needs of education development and young people in their growth so as to continuously optimise the work of integrity education for teenagers.

(1) Expanding the “panel of advisors for teaching materials on integrity” and improving the relevant work

The CCAC established the “panel of advisors for teaching materials on integrity” in November 2021 and recruited serving teachers from local non-tertiary education institutions and experts to use the lesson plans compiled by the CCAC on an experimental basis and to provide teaching resources for the “Resources Database for Integrity Education”. It hopes that it may join hands with the education sector to promote integrity education through this brand-new model so as to continuously increase the effectiveness of integrity education for teenagers in Macao.

In order to attract more teachers to join the panel of advisors so that it is of a larger scale and becomes more representative, the CCAC invited 36 awarded teachers who took part in the “Integrity Lesson Plan Design Collection Activity 2022” to join the panel in May 2022. Together with the 59 members who joined the panel since its establishment, there are 95 members in the panel at present, who are from 36 non-tertiary education institutions in Macao, including secondary schools, primary schools, kindergartens and special education institutions.

In 2022, the CCAC specially invited four awarded teachers of the “Integrity Lesson Plan Design Collection Activity 2022” to do filmed interviews where they shared their experience in designing the lesson plans and the relevant teaching effectiveness. The CCAC hopes that these filmed interviews will encourage and inspire education workers to design and launch more interdisciplinary lesson plans on integrity.

(2) Publication of teaching materials on integrity entitled *Nothing about the Planet is Trivial* for lower primary students

To continuously play the role as a partner in promoting integrity education, after gathering the opinions provided by the “panel of advisors for teaching materials on integrity”, the CCAC prepared the teaching materials entitled *Nothing about the Planet is Trivial* for lower primary students, which were launched and put to use starting from the 2022/2023 school year. Based on six animated short stories on the topics of honesty, these teaching materials aim to spread the core values of morality, such as not being greedy, not telling lies, keeping promises, fairness, responsibility, and self-discipline. They come with board games as teaching aids and provide diversified moral education activity resources, so as to facilitate the moral education work of teachers and parents. In 2022, the CCAC gave away the aforesaid teaching materials to 62 primary schools and 28 civic associations and organisations in Macao. Later, 20 schools asked the CCAC for a total of nearly 280 sets of the teaching materials and over 560 sets of the aforesaid board games.

(3) Organising the “Integrity Lesson Plan Design Collection Activity 2022”

To continuously increase social concern on integrity education, to promote professional exchange in the area of education and to enhance the quality of the design of integrity education, the CCAC organised the “Integrity Lesson Plan Design Collection Activity 2022” in January 2022. The response was enthusiastic and a total of 122 entries from open groups and student groups of 46 schools and higher education institutions were received in this activity.

The professional judging panel was composed of representatives from the University of Macau, the City University of Macau and the University of Saint Joseph invited by the CCAC. The entries were evaluated based on the criteria such as creativity, feasibility and dissemination possibility, accuracy and rigour, integrity, writing skills, effectiveness and teaching techniques. In the end, 20 outstanding lesson plans and 30 commendable lesson plans for the open groups and four outstanding lesson plans and seven commendable lesson plans for the student groups were selected.

In May 2022, the CCAC held an award presentation ceremony at the convention center of the Macao Science Center and presented awards to 60 groups of award-winning teachers and students. A sharing session by the “panel of advisors for teaching materials on integrity” was also held, where Vong Sou Kuan, Associate Professor of the Faculty of Education of the University of Macau, as an expert of the panel of advisors, gave a talk to participating education workers on her view on integrity education under the topic of “Call of the Era – Re-exploring Integrity Education in Schools”.

(4) Continuously updating the “Resources Database for Integrity Education”

To enrich the teaching resources for the “Resources Database for Integrity Education” and provide teachers with more timely and suitable teaching materials on integrity, the CCAC, in the school year 2021/2022, invited the members of the “panel of advisors for teaching materials on integrity” to provide lesson plans. 13 members provided 12 lesson plans to the CCAC and they also used two lesson plans compiled by the CCAC on an experimental basis. The aforesaid 14 lesson plans were first reviewed by the experts in the panel and then uploaded to the “Resources Database for Integrity Education”. At the same time, the CCAC compiled some awarded lesson plans selected from the “Integrity Lesson Plan Design Collection Activity 2022” and uploaded them, in stages, to the relevant designated page as selected outstanding lesson plans under the column of “Moral Education Activities” of the “Resources Database for Integrity Education”. These lesson plans were categorised, according to the learners, into sections for secondary schools, primary schools and kindergartens. They aimed to be viewed and used by education workers.

In 2022, two new animated stories were added to the “Stories about Integrity for Children” of the “Resources Database for Integrity Education”, namely “the Choice of Clarinha” and “the Belated Spacecraft” under the theme of upholding righteousness and the theme of being responsible respectively. They explore with children the attitude towards incorrect matters, the way of handling them and the

impact of a lack of responsibility. These animated stories, with each of them coming with related learning resources, aim to guide children to think about the importance of upholding honesty and integrity.

IV. Media publicity

The CCAC has been continuously promoting the fight against corruption and increasing the integrity awareness of the general public through different media and channels, including press releases, different types of advertisements, internet, leaflets and publications.

In order to cater to the current habit of receiving information of residents, particularly young people, the CCAC continuously promotes the messages of integrity to all sectors of society in a comprehensive manner through WeChat and YouTube, among other internet promotion channels, so as to instil the awareness of integrity and law-abidingness in their daily lives. In 2022, the CCAC launched 96 infographics on WeChat, where it provided information about the anti-corruption work, the ombudsman's functions and the related legislation of the CCAC to residents in a light-hearted and vivid way through comics, animations and videos. There were increases in the number of followers of the CCAC on WeChat and in the number of people who accessed and shared the CCAC's infographics. The two WeChat games on the knowledge about anti-corruption launched by the CCAC recorded more than 48,000 players.

In addition, in view of the trend that video clips have become major tools for disseminating information in recent years, the CCAC have enhanced the content of multimedia production in 2022. The Branch Office in Taipa was used as a multimedia production base to produce the short video programme entitled "CC A See", where the Artificial Intelligence (AI) presenter vividly introduces the work of the CCAC to its audience and explains the cases of the CCAC. The programme was

also promoted to the young people through different social platforms, so that the information on integrity may better cater to the preference of young people.

V. Promotion in the community

(1) Branch offices

1. Complaints, reports and requests for consultation received from residents

The Branch Office in Areia Preta and the Branch Office in Taipa continue to provide convenient channels for residents to lodge complaints, report cases and seek consultation. In 2022, the two Branch Offices received a total of 468 complaints/reports, requests for consultation and simple enquiries, 17 fewer than the 485 counts received in 2021. Details are as follows:

Statistics of reception of residents at the two Branch Offices in 2022

No. of complaints/reports		No. of request for consultation	No. of simple enquiries	
Lodged in person	Lodged in writing		Made in person	Made by phone
20	22	59	170	197
Subtotal: 42		Subtotal: 426		
Total: 468				

In 2022, the Branch Office in Areia Preta received a total of 266 complaints/reports as well as enquiries. Among them, there were 67 complaints/reports as well as requests for consultation and 199 simple enquiries.

Regarding the Branch Office in Taipa, a total of 202 complaints/reports and enquiries were received after its re-opening on 1st March, 129 more than those received in 2021. Among them, there were 34 complaints/reports as well as requests for consultation and 168 simple enquiries.

In addition, residents not only may, in person, visit the two Branch Offices to file complaints/reports directly or to make appointments for filing complaints/reports, they may also make appointments for filing complaints through an online appointment platform launched by the CCAC in March 2022 to avoid queuing problems. According to the statistics, there were 51 complaints made at the two Branch Offices through the use of the aforesaid platform, of which 27 were made at the Branch Office at Areia Preta and 24 at the Branch Office in Taipa.

2. Integrity education in the community

In 2022, the two Branch Offices of the CCAC received 54 units, including schools, civic associations and organisations. A total of 183 sessions of community integrity seminars and visiting programmes held there, which recorded 5,334 participants. The two Branch Offices, mainly through legal seminars and guided tours, allowed visitors to have deeper understanding of the work of the CCAC through light-hearted and interesting ways. Moreover, in view of the new positioning of the Branch Office in Taipa, the CCAC strives to strengthen contact and communication with regional associations. In addition to visiting civic associations, it also invites representatives from different civic associations and organisations to its Branch Offices for visits and exchange of views, which helps to enhance the probity culture in the community.

(2) Promotion actions “All for Integrity” – for residents and public departments

According to the plan “All for Integrity”, in 2022, the CCAC’s education and promotion actions targeted at residents and public departments. The CCAC held successively promotion actions on the ombudsman’s functions under the theme of “Filing Rational Complaints & Improving the Systems” in order to strengthen the promotion of the purpose of the ombudsman’s functions and its scope of application among residents through such means as posters, publicity leaflets and audio-visual broadcasting. In addition, the CCAC also introduced to them how to optimise the

use of the complaint system to solve their problems so as to enable them to accurately understand the concrete role of the CCAC as the supervisory body within the scope of the Ombudsman's duties.

Regarding the promotion of the “Integrity Management Plan – Progression and Innovation”, which targets at public departments, in 2022, the CCAC commenced the preliminary preparatory work, including creation of an information platform and a dedicated website for the “Integrity Management Plan – Progression and Innovation”, so as to prepare for the implementation of the plan.

(3) A series of activities for the “United Nations’ International Anti-Corruption Day”

9th December is marked the “United Nations’ International Anti-Corruption Day” (IACD) every year. To echo with the theme of this year’s IACD, “UNCAC at 20: Uniting the World against Corruption”, the CCAC carried out a series of special promotion activities, including the launch of a dedicated webpage, “Creative Dubbing Collection Activity: Speak up against Corruption”, WeChat quiz games, subject talks in the community as well as the production of publicity contents in the media, among others, which aimed to, through online and offline approaches, deepen the public’s understanding of the United Nations Convention against Corruption (UNCAC) and arouse public concern on corruption related issues.

The “Creative Dubbing Collection Activity: Speak up against Corruption”, which was held for the first time by the CCAC, received favourable responses. The CCAC collected a total of 137 entries, many of which fully reflected how the residents used their creativity and dubbing techniques in the dubbing of the video clips to show the importance of safeguarding integrity of the community. The CCAC selected 20 excellent entries based on the selection criteria and awarded those contestants. The excellent entries were uploaded to the dedicated webpage for sharing with the public in order to urge all sectors of the community to support the

theme of this year by uniting together to fight corruption and to safeguard integrity of the community.

In addition, the CCAC organised thematic activities on the IACD and invited civic associations to visit the Branch Office in Taipa, during which talks on anti-corruption and guided tours were provided to strengthen residents' understanding of the United Nations Convention against Corruption and awareness of integrity and law-abidingness.

Meanwhile, the "Knowledge on IACD" WeChat quiz games were also well attended by residents. The number of participants reached more than 20,000. Through the quiz games, the CCAC aimed to deepen residents' understanding of the CCAC and the United Nations Convention against Corruption.

(4) Developing community relations

1. Co-organising activities with civic associations in new mode

In order that the epidemic would not affect the integrity promotion work in the community, the CCAC developed a new cooperation mode with civic associations. During the summer holidays, the CCAC launched the first-of-its-kind parent-child handicraft making activity entitled "Cultivating Honesty", where online and offline approaches were applied. Organised and promoted by a few civic associations, parents and kids were invited to unleash their creativity and create their 3-D models of William with the Messenger Bear William as the blueprint. At the same time, the CCAC held the relevant handicraft making classes on its WeChat official account to call for residents' participation in the creation of new image of William in order to encourage the public to get to know the integrity promotion work more proactively, whereby the integrity promotion may still be effectively carried out in the community despite the pandemic. The activities were so popular among the population that around 200 entries were received, thus achieving the expected promotional effect.

The six civic associations that co-organised the activity included Kin Wa Family Service Centre of the Social Service Department of the Methodist Church of Macao, Fai Chi Kei Family and Social Services Complex of the Macao Federation of Trade Unions, Valdocco - Salesian Educative Pastoral Centre for Youth and Family, Community Service Centre in Taipa of the General Union of Neighbourhood Associations of Macao, Child Protection Centre of the Against Child Abuse (Macao) Association and Sheng Kung Hui Taipa Youth and Family Integrated Service Centre.

2. Interactive education drama carnivals “To Grow Integrity in the Community” 2022

In November and December 2022, the CCAC co-organised interactive education drama carnivals entitled “To Grow Integrity in the Community” with the bodies or centres affiliated to the Macao Federation of Trade Unions, the General Union of Neighbourhood Associations of Macao and the Women’s General Association of Macau in order to join hands together to spread positive vibes of integrity in the community.

Around 200 children in K3 of kindergarten through grade 3 of primary school and their parents participated in the three sessions of the activity. The carnivals featured abundant activities including performance of children’s plays and various booth games. After playing games and watching the plays, the children participated in the plan “Commitment to Honesty” where they made a promise to behave honestly. The co-organisers and parents complimented the activity and believed that it would help to guide the children to develop positive values in life.

3. Special events in commemoration of 30th anniversary of Macao’s integrity building

The year 2022 marks the 30th anniversary of Macao’s integrity building. The CCAC has designed a themed logo for various promotion activities and organised two special events in commemoration of the anniversary, including “30 Years Of

Integrity Building – An Open Day At The CCAC’s Integrity Education Base” on 25th September, which made available to the public the opportunity to visit the integrity education base in Taipa, that usually opens for schools and civic associations by appointment only. The activity enabled residents, through visiting and having first-hand experience with all the multi-media interactive equipment in the Branch Office, to better understand the functions of the CCAC from multiple perspectives. The activity was bustling with nearly 200 residents, some of who thought that the equipment at the integrity education base was so advanced and the games integrated with technologies were so interesting that they would help foster teenagers’ awareness of integrity of society. The open day also helped residents’ further understand the CCAC and enhanced their awareness of integrity and law observance. In addition, the WeChat quiz game entitled “Positive Energy of Integrity” in commemoration of the 30th anniversary of Macao’s integrity building recorded 27,441 participants, which achieved the desired promotional effect.

4. Visit to civic associations

In order to strengthen the liaison with the civic associations in different districts, in 2022, the CCAC sent representatives to visit four civic associations and centres of different natures including the Macao Youth Federation, the Community Centre in Taipa of the General Union of Neighbourhood Associations of Macao, the Youth Activity Centre of the Macao Federation of Trade Unions and the Sheng Kung Hui Taipa Youth and Family Integrated Service Centre. The representatives introduced to them the latest work of the CCAC, obtained their opinions about integrity building in the community and discussed with them the room for future co-operation in integrity education.

5. Participation in community activities

The CCAC set up booth games at the “International Children’s Day 2022” bazaar and the 53rd Caritas Macau Charity Bazaar in order to disseminate the message of integrity and law observance among residents and teenagers. In addition,

the CCAC also organised its staff and volunteers to participate in the “Virtual Walk for a Million of Macao 2022”. The CCAC has been proactively participating in various community activities.

6. Activities of integrity volunteer

Following the completion of the recruitment of members of the “Integrity Volunteer Team” and the “Integrity Volunteer Team – Parent-Child Volunteer Group” in 2020, the number of volunteers has reached around 400.

In 2022, members of the Integrity Volunteer Team provided assistance proactively in 20 integrity promotion activities organised by the CCAC. In order to specialise the volunteers’ skills, the CCAC organised visits and professional training courses for them, such as pronunciation and docent training, and established a docent team of the “Integrity Volunteer Team”. The members who had received the training proactively made use of their professional knowledge to participate in the promotion work, such as assisting in the reception of group visits to the Branch Offices, recording of the song for the drama tour in celebration of Children’s Day on 1st June, “Commitment to Honesty”, and live voice acting for the stories in *Story Time with William: Stories about Integrity for Children*, etc. whereby their role in integrity promotion would be further enhanced.

PART V

EXCHANGE & TRAINING

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Since Macao was still affected by the novel coronavirus pandemic in 2022, the CCAC was unable to send delegates to attend international or regional meetings in person. However, it still kept on attending various meetings, conferences, workshops and training courses online in order to actively grasp the trend of corruption fighting in the world and facilitate the integrity building of Macao.

I. Participation in international and regional meetings

Regarding international affairs, the CCAC maintains good communication with other countries and regions, actively performs the duties as a member of international or regional organisations and effectively carries out the actions of integrity building.

In 2022, the CCAC continued to appoint delegates to attend various meetings organised by different international and regional organisations by videoconferencing, including:

- The 11th and 12th General Meetings of the International Association of Anti-Corruption Authorities (IAACA);
- Plenary meetings and Steering Committee meetings of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network);
- Work meetings of the Asia/Pacific Group on Money Laundering (APG);
- Government expert meetings and other working group meetings on the United Nations Convention against Corruption organised by the United Nations Office on Drugs and Crime (UNODC).

Apart from the said meetings, the CCAC also performed its duty as a member of the International Ombudsman Institute (IOI) by participating in the elections of the Second Vice-President and the President of Asian Region of the organisation.

In addition, the CCAC and the Independent Commission Against Corruption (ICAC) of Hong Kong continued to maintain good partnership. On 4th November 2022, the leadership of the CCAC had a virtual meeting with the Commissioner of the ICAC, Woo Ying-ming, and his team. In addition to exchanging views on the works of integrity building of Macao and Hong Kong, they discussed and exchanged opinions on issues such as promotion of the establishment of mutual judicial assistance and intensification of co-operation in corruption fighting among the Chinese mainland, Macao and Hong Kong, as well as explored the deepening of the partnership between Macao and Hong Kong.

II. Implementation of the United Nations Convention against Corruption

In June and November 2022, at the invitation of the Office of the Commissioner of the Ministry of the Foreign Affairs of the People's Republic of China in the Macao Special Administrative Region, the CCAC assigned staff to participate, together with the Chinese delegation and via online means, in the first and second sessions of the 13th session of the Implementation Review Group of the United Nations Convention against Corruption (UNCAC), the 13th session of the Working Group on the Prevention of Corruption, the 16th session of the Open-ended Intergovernmental Working Group on Asset Recovery and the 11th Open-ended Intergovernmental Expert Meeting to Enhance International Co-operation under the UNCAC. The meetings took place in Vienna with in-person and virtual participants.

During the said meetings, the attendees not only reported the situations regarding the execution of the mechanism of the implementation review of the UNCAC but also endorsed the financial and budgetary resolutions. They exchanged views on and discussed the challenges and measures brought up on the agenda and

particularly explored the issues regarding asset recovery and enhancement of international co-operation in corruption fighting. Finally, they endorsed the conclusion reports of all meetings.

III. Personnel training

In order to enhance its personnel's professional skills and ability, the CCAC continued to actively arrange for them to participate in different training activities in 2022.

In 2022, the CCAC dispatched them to virtually participate in various conferences, workshops and training courses relevant to the CCAC's duties organised by international or regional organisations including IAACA, GlobE Network, APG, Asian Ombudsman Association (AOA), Organisation for Economic Co-operation and Development (OECD), etc.

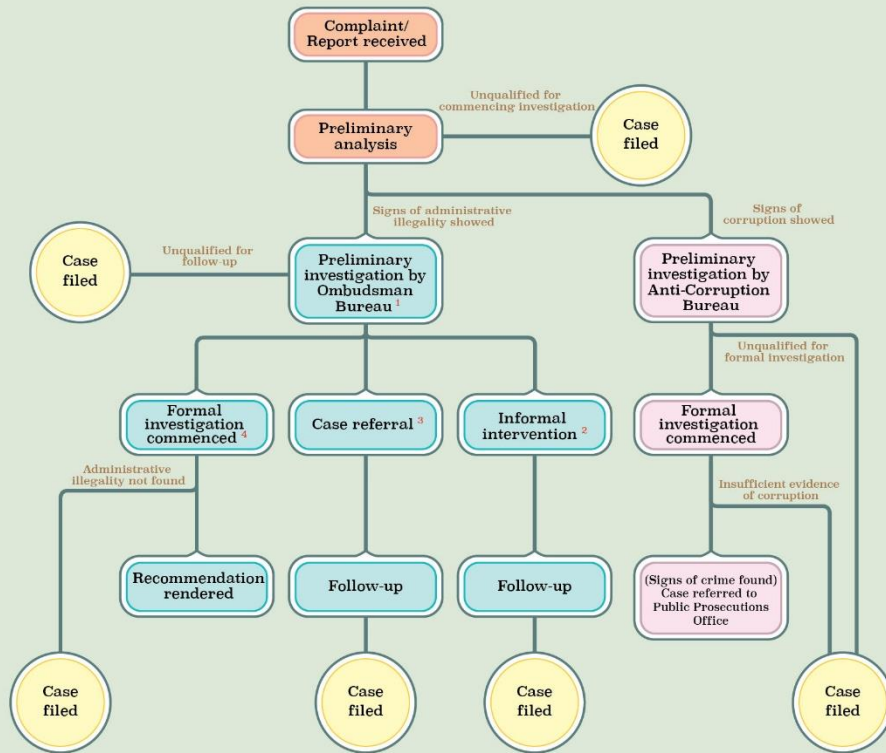
The CCAC also proactively carried out internal training courses, such as the training course on the duties of exclusivity and incompatibility that public service workers should comply with so that the relevant personnel further understood the definitions and contents of the duties, thus facilitating the running of promotion and education actions. In addition, the CCAC also invited experienced educators to provide the personnel with training and discuss and determine with them the elements of the teaching plans for different levels of education in order to help them further enhance the effectiveness of the integrity education and promotion actions.

PART VI

APPENDICES

APPENDIX I

The CCAC's Complaint Handling Procedure



Notes:

¹ Preliminary investigation by Ombudsman Bureau

It is conducted under the stipulation of the *Organic Law of the CCAC* and the *Code of Administrative Procedure*. In particular, the Principle of Defense shall be observed. That is, both the complainant and the complained side have the chance of pleading.

² Informal intervention

If the procedure has not been completed or the relevant act has not yet entered into effect, the CCAC will guide the relevant departments or entities in this way so that they will make prompt correction.

³ Case referral

In some cases, since the relevant administrative departments are the competent departments that possess related information (the CCAC only has the information provided by the complainants, which may not be sufficient or detailed), it is appropriate for the relevant departments to handle the cases according to statutory procedures. With the complainant's consent, the CCAC will refer these cases to the competent departments or entities and will follow up their progress.

⁴ Formal investigation

Due to the severity of the case and the scope involved, the CCAC will commence a formal investigation. Under Paragraph 12 of Article 4 of the *Organic Law of the CCAC*, the CCAC directly renders recommendation to the competent administrative department for the purpose of rectifying illegal or unfair administrative acts or procedures. Under Article 12 of the *Organic Law of the CCAC*, in case of non-acceptance of any recommendation, the competent department or entity shall give its reasoned reply within 15 working days. Meanwhile, the CCAC may report the case to the Chief Executive or reveal it to the public after reporting the case to the hierarchical superior or supervisory entity of the competent department or entity.

APPENDIX II

Organisation Structure of the Commission Against Corruption

