

**2021**

**Annual Report**  
**of**  
**the Commission Against Corruption of Macao**

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

# Contents

<b>FOREWORD.....</b>	<b>4</b>
<b>PART I CASE PROCESSING SUMMARY.....</b>	<b>8</b>
<b>PART II ANTI-CORRUPTION.....</b>	<b>18</b>
I. Introduction .....	19
II. Criminal reports and cases placed on file for investigation.....	20
III. Supervision on the elections.....	21
IV. Summaries of some of the cases .....	27
V. Mutual case assistance in cross-border investigation .....	34
VI. Court verdicts .....	36
VII. Declaration of assets and interests.....	37
<b>PART III OMBUDSMAN ACTIONS.....</b>	<b>44</b>
I. Introduction .....	45
II. Comprehensive investigation summaries.....	48
III. Inquiry case summaries .....	59
IV. Retrospective review.....	74
V. Departments or entities with positive attitude.....	80
<b>PART IV PROMOTION &amp; EDUCATION .....</b>	<b>85</b>
I. Clean election publicity activities as well as other competitions and activities .....	86
II. Education on corruption prevention for public and private sectors.....	92
III. Integrity education for teenagers .....	94
IV. Promotion in the community .....	100

<b>PART V EXCHANGE &amp; TRAINING .....</b>	<b>105</b>
I. Receiving visitors.....	106
II. Visits and regional and international meetings.....	106
III. Implementation of the United Nations Convention against Corruption.....	107
IV. Personnel training.....	108
<b>PART VI APPENDIX.....</b>	<b>110</b>
Appendix I The CCAC’s Complaint Handling Procedure .....	111
Appendix II Organisation Structure of the Commission Against Corruption ...	112

## FOREWORD

In 2021, the recurrent and ever-changing outbreak of novel coronavirus continuously posed many challenges to the society. In light of the new circumstances, the CCAC adjusted its measures in a timely manner, sought innovation and coped with changes with a view to make progress on its work in an orderly way under the pandemic so as to accomplish different tasks of the CCAC with all-out efforts.

In retrospect of the work carried out in 2021, the CCAC focused on the safeguard of clean election by fully preparing beforehand and deploying a lot of resources for the supervision of the Legislative Assembly Elections. Between March and September, despite focusing on the publicity of clean elections, the CCAC also provided various platforms and channels to receive electoral complaints or reports. It also took initiative to inspect and monitor the premises where electoral bribery was likely to occur, reminded in good faith about or deter acts that were on the verge of illegality and strictly suppress any identified illegal acts related to elections. A total of 13,089 inspections were carried out and 28 investigation files were opened successively (including four investigation files and two minor infringement files). Upon successful completion of the Legislative Assembly Elections, the CCAC quickly investigated and processed the cases of illegalities related to the elections according to law, achieving the effect of all-round prevention and suppression beforehand, throughout the process and afterwards as well as giving full play to its spirit of perseverance.

Besides safeguarding clean elections, the CCAC has never relaxed the supervision of the governance of the Government. In the routine anti-graft work, apart from detecting various duty-related crimes and disciplinary offenses involving civil servants, the CCAC also investigated different cases of bribery in the private sector. Moreover, compared to previous years, there was an evident decrease in frauds over various public funds in 2021, reflecting the effectiveness

of the forceful crackdown on fraud over public money that the CCAC has been carrying out for many years and the constant improvement of system building.

It is worth mentioning that, in 2021, the CCAC first dispatched staff from both the Anti-Corruption Bureau and the Ombudsman Bureau to carry out on-site investigative action. It investigated into one of the cases that might involve the crimes of corruption and related fraud crimes according to law. Meanwhile, it placed such case under comprehensive investigation for its administrative illegalities and improprieties, reviewed and inspected relevant operation systems and looked into the problems that might exist with an aim to enhance the efficiency and the level of precision of investigation.

When it comes to ombudsman's work, in 2021, the CCAC completed various comprehensive investigation files. As the supervisory body, apart from identifying the crux of the problems, it also, more importantly, sought solutions with competent bodies and departments with an aim to safeguard legitimate interests of the general public and improve administrative work. Judging from the cases handled in the past, it can be seen that quite many complaints stemmed from communication problems between the administrative bodies and the citizens as well as the transparency of information. The key to solve the efficiency and effectiveness of public administration of the SAR Government still lies on inter-departmental collaboration.

The CCAC understands that since there are countless issues involved in the functioning of society, it is inevitable that some of them are beyond the grasp of the departments or bodies. The supervision and feedback from the general public indeed facilitates the finding of shortcomings that need to be redressed. It is fortunate that most departments or bodies have given responses with positive and receptive attitude which deserve affirmation, recognition and praise. However, the CCAC's role in supervision is more than that because promoting the Government to persistently optimise its governance is also the mission of the CCAC. Therefore, the CCAC appropriately includes some cases in the list of "retrospective review" in order to make a timely review on relevant

improvements.

Judging from the complaints and reports lodged by the citizens in recent years, the CCAC believes that it is necessary to further enhance their proper and responsible senses to lodge reports and encourage the general public to understand more about their own rights, responsibilities and duties, such as all the individuals, including the complainant, who are involved in a case are obliged to abide by the duty of confidentiality. The CCAC understands that some citizens have expectation for the complaint system through which their problems can be solved thoroughly, but it should be pointed out that the activity of the CCAC is independent from the administrative or judicial remedies established by law and does neither suspend nor interrupt the continuity of any time limits of any nature. In other words, the CCAC investigates the facts as an independent third party with an aim to urge the departments to improve relevant problems in case of administrative illegalities or improprieties, but such act will neither suspend nor extend the period within which the interested party has the right to raise objections and judicial appeals to the competent departments. Therefore, the citizens should still grasp the time to protect their own rights through other means conferred by the law at the same time.

With changing circumstances, how to rise to challenges and achieve the tasks orderly have become the issues faced by both the public and private sectors. In 2021, the CCAC made use of every opportunity during the pandemic lull period to carry out its tasks according to its plan. Besides, on the front of publicity and education as well as exchanges, the CCAC made more use of online platform to smoothly facilitate the tasks of publicity of elections, personnel training and exchanges, particularly in maintaining close international and regional communication such that the CCAC could give full play to fulfil its duty as a member of regional or international associations. Meanwhile, the CCAC proactively implemented the work according to the “2<sup>nd</sup> Five-Year Plan” including enhancing the transparency of the data related to declaration of assets and interests.

To conclude, in 2021, under the premise that the CCAC performed its inherent functions conferred by the law responsibly, it endeavoured to make various innovation and attempts in order to continuously strengthen the integrity building of the Macao SAR so that it can keep pace with the times.

March 2022

The Commissioner Against Corruption

Chan Tsz King

**PART I**

**CASE PROCESSING SUMMARY**



**PART I**

**CASE PROCESSING SUMMARY**

In order to fully carry out the supervisory function conferred by the law, the CCAC receives complaints or reports by means of different channels. In 2021, most of the complaints or reports were lodged by citizens, totalling 662. In addition, there were 13 cases referred by other departments, 23 placed on file by the CCAC upon gathering information on its initiative, three placed on file upon receiving information related to cases from judicial bodies and seven placed on file upon obtaining information from request for assistance made to the CCAC. Moreover, there were four cases involving internal information exchange by the Anti-Corruption Bureau and the Ombudsman Bureau.

Of the 712 aforementioned complaints or reports, 179 involved elections. Also, the CCAC received a total of 1,463 enquiries throughout the year of 2021.

Based on the nature of complaints or reports, the CCAC will handle them accordingly. For the cases which meet the conditions to be placed on file, the Commissioner will issue an order to place them under inquiries or comprehensive investigations, which will then be passed to the Anti-Corruption Bureau or the Ombudsman Bureau for investigation. The complaints or reports which do not fulfill the conditions to be placed on file will be sent to the Complaint Management Centre for simple handling before direct archive or archive upon referral.

Upon collating and consolidating the complaints or reports with the same objectives, in 2021, a total of 119 cases which met the conditions to be placed on file were sent to the Anti-Corruption Bureau for follow-up work. Among them, seven involved request for assistance and 28 involved elections. There were 226 cases followed up by the Ombudsman Bureau, of which 221 were under inquiries and five were under comprehensive investigations. A total of 310 cases which did not meet the conditions to be placed on file were sent to the Complaint

Management Centre, of which some were directly archived or transferred to other competent departments for follow-up work.

### Statistics on cases recorded in 2021

Source of case	2021	
	Total	Percentage
Complaints and reports lodged by citizens	662	93%
Referred by other public bodies	13	1.8%
Cases placed on file for investigation on the initiative of the CCAC	23	3.2%
Cases placed on file for investigation by judicial bodies	3	0.4%
Mutual assistance	7	1.0%
Cases intervened by both the Anti-Corruption Bureau and the Ombudsman Bureau	4	0.6%
<b>Total</b>	<b>712</b>	<b>100%</b>

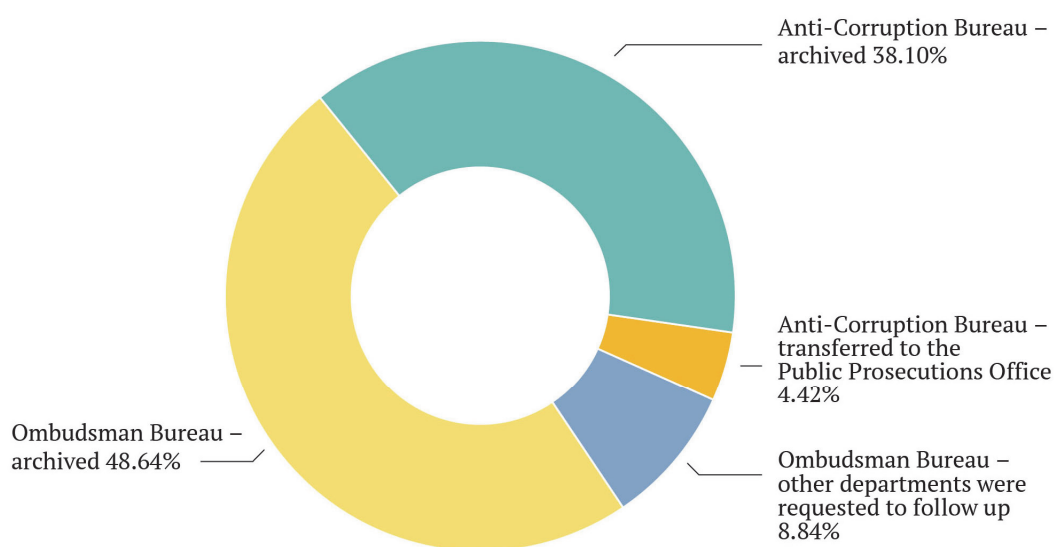
### Statistics of Complaint Management Centre in 2021

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Yearly total
Requests/ enquiries of different natures	25	21	130	138	140	155	135	148	202	76	187	106	<b>1,463</b>
Complaints and reports lodged by citizens (together with the cases referred by other public bodies)	23	35	46	52	48	63	43	80	135	49	58	43	<b>675</b>
Cases sent to the Anti-Corruption Bureau for investigation	3	5	9	15	14	17	10	4	18	8	7	9	<b>119</b>
Cases sent to the Ombudsman Bureau for investigation	11	18	16	27	19	29	18	25	17	20	12	14	<b>226</b>
Cases followed up and handled by the Complaint Management Centre	8	11	21	12	17	20	16	42	104	21	22	16	<b>310</b>

In 2021, the work related to the 7<sup>th</sup> Legislative Assembly Elections of the Macao SAR was the priority task of the CCAC. It was therefore inevitable that the statistics of cases in 2021 were comparatively lower than those in 2020.

Along with the cases carried forward from 2020, the CCAC handled a total of 294 cases in 2021. Among those handled by the Anti-Corruption Bureau, 13 were referred to the Public Prosecutions Office and 112 were archived. For the cases handled by the Ombudsman Bureau, 26 were followed up by other departments as requested by the CCAC, 143 were archived due to such cases were not falling within the competence of the CCAC, no evidence of administrative illegalities or irregularities, or insufficient data for the CCAC to continue to follow up.

### Statistics on cases concluded in 2021



In order to carry out the electoral work smoothly, despite continuously running the regular complaint hotline, since 8<sup>th</sup> March 2021, the CCAC has offered the function of lodging complaints and reports about violation of laws and rules related to the elections at the online complaint platform and has launched a 24-hour hotline for complaints about the elections in order to receive reports and provide citizens with channels for enquiries. The CCAC received a total of 49 complaints and enquiries through the online complaint system, the

hotline for complaints about the elections and the regular complaint hotline.

The aforesaid objective data demonstrates that the CCAC's approach of all-round prevention and suppression prior to the 7<sup>th</sup> Legislative Assembly Elections, throughout the process and afterwards was adequate.

In 2021, the CCAC further improved the complaint management mechanism by consolidating its strength and seeking innovation. Since 1<sup>st</sup> June 2021, the CCAC has minimised the use of emails in receiving complaints or reports. Instead, it has been continuously encouraging citizens to lodge complaints or reports personally, by phone, online or by mail. Also, the CCAC has strengthened and optimised the online services for making enquiries on complaint handling progress so that citizens who file real-name complaints or reports may be provided with more information, thus increasing public confidence in the work of the CCAC and consolidating their proper and responsible sense of filing reports.

According to the data of the information system of the Complaint Management Centre, among all the complaints and reports lodged by the citizens in 2021, the CCAC recorded 42.2% of complaints lodged online, a percentage almost doubled that of the same period of 2020. This shows that the CCAC's direction to optimise the complaint mechanism was right.

In order to strengthen citizens' social responsibilities to lodge complaints or reports, the CCAC listed in detail the points to note at the online complaint system, particularly about the scope of activity conferred by the *Organic Law of the Commission Against Corruption*, the legal base of referral of complaints, the differences of administrative complaints from the statutory administrative or judicial appeals and the time limits, the citizens' duties of confidentiality and of giving true statements, so that citizens are able to clearly understand the expectation and requirement for the complainants or reporters established by relevant law. In other words, all the individuals involved in the cases, including the complainant, are obliged to abide by the duty of confidentiality and the

citizens should also know more about their own rights, duties and obligations.

On the front of Ombudsman, the CCAC investigates the facts as an independent third party with an aim to urge the departments to improve relevant problems in case of administrative illegalities or improprieties. However, citizens should also grasp the time to better protect their own rights through other means conferred by the law at the same time such as raising objections, administrative or judicial appeals.

In fact, when handling cases related to corruption or ombudsman's actions according to law, the CCAC will flexibly adopt different approaches based on practical situations, including referral of the cases lawfully.

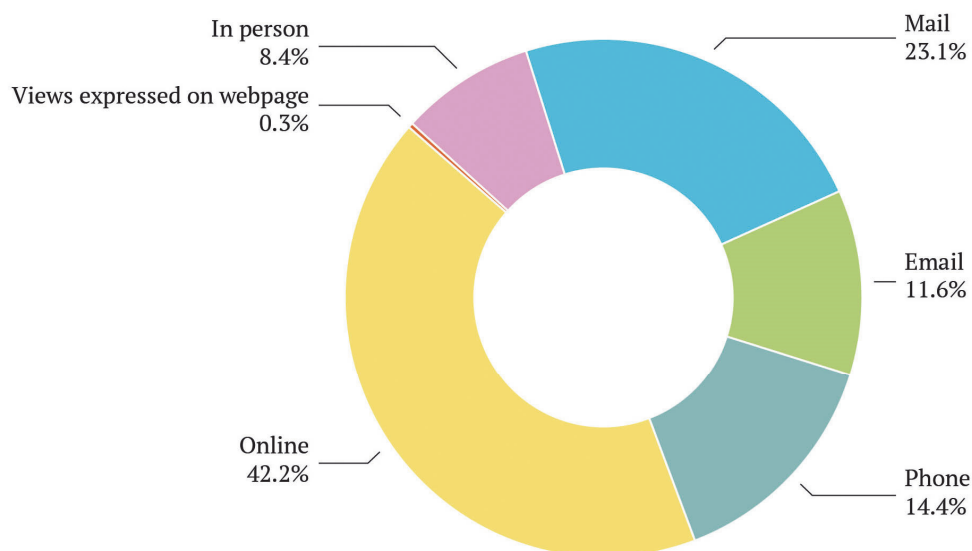
Moreover, statistics show that citizens were pleased with lodging complaints or reports to the CCAC by mail, representing 23.1%. The percentage of complaints or reports lodged through the regular complaint hotline and the hotline for complaint about the elections accounted for 14.4%. The percentage of complaints or reports lodged in person dropped to 8.4%. It was guessed that the situation was due to the pandemic.

The CCAC endeavours to provide citizens with the most convenient and effective means of lodging complaints or reports. It persistently optimises and improves the online complaint functions and encourages citizens to make more use of the online complaint system. In 2021, the percentage of complaints or reports lodged by email or through the webpage of the CCAC was only 11.9%, a drop when compared with 2020.

**Statistics on cases recorded in 2021  
(classified by methods to lodge complaints and reports)<sup>1</sup>**

<b>Methods to lodge complaints or reports</b>	<b>Number</b>	<b>Percentage</b>
Mail	156	23.1%
Email	78	11.6%
Phone (regular complaint hotline and hotline for complaint about elections)	97	14.4%
Online complaint	285	42.2%
Views expressed on webpage	2	0.3%
In person	57	8.4%
<b>Total</b>	<b>675</b>	<b>100%</b>

**Statistics on cases recorded in 2021 (classified by methods to lodge complaints and reports)**



<sup>1</sup> Complaints or reports lodged by citizens and referral from public bodies

In 2020, upon imposing a series of concrete measures aiming to encourage residents to lodge real-name complaints or reports such as education and publicity programmes, application of information technology to its complaint system, face-to-face notifications and communication as well as explanation and clarification to residents, the CCAC persistently paid attention to relevant data and reviewed it in the first half of 2021. When it was found that the proportion (43.1%) of anonymous complaints received in the first half of 2021 increased when compared with that (34.6%) in the same period of 2020, the CCAC immediately conducted a comprehensive analysis on the data. It was found that since the CCAC stepped up efforts to encourage citizens to lodge complaints or reports through the online complaint system due to safeguarding clean elections in March 2021, there was a significant increase in the proportion of lodging complaints through this channel, up from 38.8% in the same period of 2020 to 65.7% in 2021, of which most complaints were lodged anonymously.

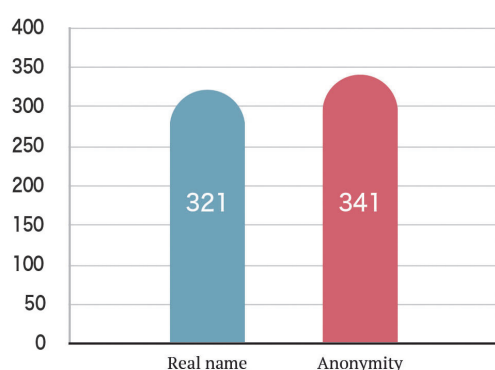
In view of this situation, the CCAC responded immediately by introducing an immediate enquiry service on the fundamental progress of the complaints or reports to the online complaint system so as to arouse the awareness of citizens to lodge responsible complaints. Starting from 1<sup>st</sup> July 2021, all complainants or reporters are provided with online enquiry codes. However, as an incentive, only real-name complainants are able to obtain relatively more information on the progress. In addition, regarding the cases which were still under follow-up work on 1<sup>st</sup> July 2021, the CCAC also includes them in the aforementioned facilitation mechanism and subsequently issues the online enquiry codes to the natural persons who have lodged complaints or reports under real names. For complaints or reports involving administrative illegalities or improprieties, the CCAC will upload the progress of handling such cases at the complaint platform in a timely manner. While seeking the balance of the principle of confidentiality, the CCAC provides the maximal convenience to citizens so that they are able to inquire about the fundamental progress of the online complaints or reports anytime and anywhere. Moreover, in order to effectively reduce the risk of breaching the principle of confidentiality that may be caused by written notifications or

notifications by phone, the CCAC will arrange its staff to make face-to-face notifications based on the reasonable requests made by citizens in different cases so as to ensure the right to know of the interested parties.

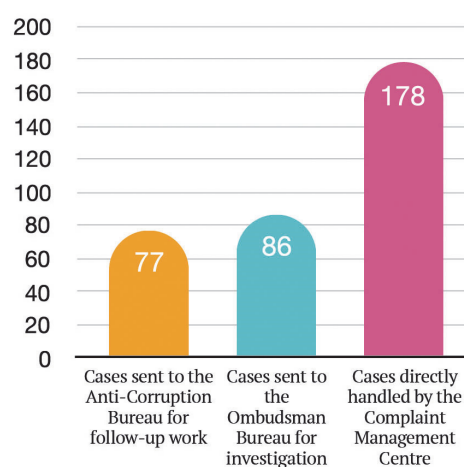
In 2021, statistics of complaints or reports showed that 321 cases were lodged under real names (including some complainants or reporters requested to remain anonymous) and 341 cases were lodged anonymously.

The above data which was recorded by the end of 2021 shows that the online enquiry service which was provided after review by the CCAC in the middle of the year could indeed achieve the outcome of encouraging citizens to lodge real-name complaints. Such implementation is worth continuing.

**Statistics on real-name and anonymous complaints or reports in 2021**



**Anonymous complaints or reports handled in 2021**



Of the 341 anonymous complaints or reports, 77 were sent to the Anti-Corruption Bureau and 86 were passed to the Ombudsman Bureau for follow-up work. A total of 178 cases were sent to the Complaint Management Centre for direct archive due to anonymity and failure to meet the conditions to be placed on file.



Despite intensive work, the Anti-Corruption Bureau, the Ombudsman Bureau and the staff of Information Technology Division still spared no efforts to push forward electronic filing (e-filing) of the cases. Up to December 2021, 97% of the cases under follow-up work were e-filed and about 31% of archived cases over the past years were e-filed.

**PART II**

**ANTI-CORRUPTION**

## **PART II**

### **ANTI-CORRUPTION**

#### **I. Introduction**

The year 2021 experienced the beginning of the National 14<sup>th</sup> Five-Year Plan and the second Five-Year Plan of the Macao SAR as well as the 7<sup>th</sup> Legislative Assembly Elections. The CCAC closely complemented the policies of the Macao SAR Government, deepened the effective implementation of the policy of “One Country, Two Systems” and strictly adhered to the basic principles of acting in accordance with law. Also, it spared no effort to supervise the Legislative Assembly Elections and the Government’s execution of policies and protect the commercial environment of Macao.

In 2021, the CCAC performed the duty to supervise the Legislative Assembly Elections in accordance with law so as to enhance the fairness, justice, openness and integrity of the process of the 7<sup>th</sup> Legislative Assembly Elections. Regarding the Government’s execution of policies in 2021, the CCAC carried out holistic supervision, from case investigation to systemic examination. As to combat of corruption crimes, the CCAC, for the first time, succeeded in hunting a fugitive down under the framework of “One Country, Two Systems”. Under the novel coronavirus pandemic, it is very import to protect the vulnerable commercial environment of Macao. Therefore, in 2021, in addition to the crackdown on corruption cases in the private sector, the CCAC attached great importance to the safeguard of legitimate interests of enterprises and protection of a fair commercial environment.

Throughout 2021, the anti-corruption works were carried out at a reasonable pace in an orderly manner and thus the goals related to integrity set in the Government’s policies were achieved. The anti-corruptions work in 2021 had the following features:

Firstly, although the supervision of the elections was the focus of anti-corruption work, the CCAC did not slack off in regular anti-corruption actions. Before mid-September 2021, the CCAC deployed major resources to supervise the elections. After the elections, the CCAC quickly completed the investigation of the cases related to the elections and dealt with the cases involving illegal conducts related to the elections in accordance with law. Subsequently, the focus was shifted back to regular crackdowns on corruption cases.

Secondly, in 2021, there was an increase in the detected cases involving occupational crimes and disciplinary offences committed by police officers. Meanwhile, there was an evident decrease in frauds over various public funds that used to be rampant over the previous years, proving the effectiveness of the forceful crackdowns on fraud over public money that the CCAC has been carrying out for many years and the constant improvement of system building.

Thirdly, the CCAC, again, persisted in acting with perseverance. With great support by the public security departments of the Chinese mainland and the Judiciary Police of Macao, the CCAC succeeded in hunting down a former leader of the former Land, Public Works and Transport Bureau (currently the Land and Urban Construction Bureau) who had been living in the Chinese mainland for a long time.

In 2021, the CCAC completed the intensive 11<sup>th</sup> recruitment of and training for investigators, injecting new blood for corruption fighting. The investigators who completed the entire training programme timely joined the supervision on the elections.

## **II. Criminal reports and cases placed on file for investigation**

Among the complaints or reports involving corruption received by the CCAC in 2021, 119 were placed on file for investigation, which included seven mutual assistance cases and 28 cases related to the Legislative Assembly

Elections. The statistics on corruption cases handled by the CCAC between 2019 and 2021 are shown in the following table:

**Statistics on cases handled between 2019 and 2021**

Item	2019	2020	2021
Corruption cases handled	111	107	119
Cases of which the investigations have been concluded	187	149	125

Of the corruption cases of which the investigations were concluded in 2021, 13 have been referred to the Public Prosecutions Office for the purpose of commencing criminal investigation, while 112 have been archived.

### **III. Supervision on the elections**

#### **(1) Overview**

The year 2021 experienced the Legislative Assembly Elections of Macao. In cooperation with the Legislative Assembly Elections Affairs Management Committee and other law enforcement departments, the CCAC deployed all resources to conduct all-out supervision on the 7<sup>th</sup> Legislative Assembly Elections in accordance with law. Specific deployments were made accordingly for the supervision of different phases of the elections.

Before 8<sup>th</sup> March 2021, the focus was to perfect and equip the team. Therefore, the leaders and chiefs of the CCAC formed the anti-electoral corruption task force to make proactive planning, precisely collect intelligence and data related to the elections and carry out quick screening and preliminary analysis of related complaints and reports.

As of 8<sup>th</sup> March 2021 when the Chief Executive determined the date of the Legislative Assembly Elections, the CCAC launched the “Webpage on clean elections 2021”, a 24-hour complaint hotline and an online complaint platform on the Legislative Assembly Elections in order to receive citizens’ complaints

and enquiries about illegalities related to the elections. Up to 10<sup>th</sup> September 2021, the CCAC received a total of 137 complaints and 113 enquiries. Meanwhile, in order to prevent and monitor electoral bribery, the CCAC carried out supervision through various means openly and secretly. It intervened into and investigated suspicious activities where advantages were given and focused on catering activities and activities where civic associations gave gifts and elderly allowance. Regarding the alleged irregularities, the CCAC actively exercised its competence to intervene into the situations and request the civic associations or individuals involved to rectify them.

In August when the elections were approaching, the leadership of the CCAC invited all candidate teams running for the direct election to the CCAC, where they explained to the teams the details about electoral bribery and the points that they should pay attention to during the electoral campaign period prescribed in the *Electoral Law of the Legislative Assembly*. In particular, clear advice was given to the civic associations involving distribution of various advantages before the elections.

During the electoral campaign period of the Legislative Assembly Elections that started on 28<sup>th</sup> August 2021, the CCAC dispatched personnel to supervise the activities organised by every candidate team and those attended by the candidates in order to supervise if there were any illegal actions and investigate and handle them immediately once any of them were detected.

On 11<sup>th</sup> September 2021 when electoral campaign was banned, the CCAC dispatched personnel to carry out inspections in the city in order to check whether there were electioneering activities and materials and immediately take actions against the alleged illegalities or refer them to the competent entities for follow-up. On the day, the CCAC received seven complaints and four enquiries about the elections.

On the cooling-off day and the polling day, the CCAC sent all personnel to carry out holistic and ceaseless inspections in every corner of the city, from the

polling stations to the campaign headquarters, from the sites of civic associations and relevant streets and buildings, and immediately dealt with the problems found. The 14 candidate teams and the related civic associations were treated and supervised equally and impartially. On the polling day, the CCAC received 23 complaints and 23 enquiries about the elections.

The all-round supervision carried out by the CCAC has safeguarded the fairness, justice, transparency and integrity of the process of the 7<sup>th</sup> Legislative Assembly Elections.

## **(2) Effectiveness of electoral supervision and related cases**

Between 8<sup>th</sup> March and 12<sup>th</sup> September 2021, the CCAC carried out a total of 13,089 on-site inspections, including 765 on 11<sup>th</sup> September and 4,186 on the polling day on 12<sup>th</sup> September.

Meanwhile, the CCAC carried out inspections against illegal propaganda on the internet. In particular, on 11<sup>th</sup> September 2021, a total of 2,617 internet inspections were carried out and 84 alleged illegal acts were detected. On the polling day on 12<sup>th</sup> September, 4,132 internet inspections were carried out and 16 alleged illegal acts were detected.

When conducting supervision on the elections, the CCAC put a total of 28 cases on file for investigation, including four on file for inquiry and two on file for misdemeanour. Some of the cases are summarised as follows:

### **(I)**

On 3<sup>rd</sup> August 2021, the CCAC completed the investigation into a case involving a staff member of a concessionaire who had allegedly violated the duty of neutrality provided by the *Electoral Law of the Legislative Assembly* and referred it to the Public Prosecutions Office for follow-up.

Bound by the guidelines issued by the Legislative Assembly Elections Affairs Management Committee, the concessionaire involved shall remain neutral in the Legislative Assembly Elections. However, it was found in the

investigation that a managerial member of the concessionaire gave the employees the nomination forms of a group that intended to run for the elections and asked them to sign the forms in the course of his duty. He even instructed a department under his charge to collect the forms signed by the employees. Therefore, his acts have constituted violation of the duty of neutrality and aggravated disobedience.

## (II)

On 26<sup>th</sup> October 2021, the CCAC completed the investigation into a case of alleged electoral bribery and referred it to the Public Prosecutions Office for follow-up.

It came to light in the investigation that a relative of a candidate called on others to vote for the candidate group and promised to offer money as reward through posts from two accounts on WeChat during the electoral campaign period. Although his act was not masterminded by anyone and the posts had been deleted within a short time, it has allegedly constituted electoral bribery under the *Electoral Law of the Legislative Assembly*.

## (III)

During the electoral campaign period, the CCAC found in an inspection that a clansmen association held an activity with the purpose of giving advantages to its members, but it did not declare to the Legislative Assembly Elections Affairs Management Committee the fact that the honorary president of the association was a candidate running for the Legislative Assembly Elections in accordance with Article 75-C of the *Electoral Law of the Legislative Assembly*, thus constituting illicit acts related to the duty of declaration under the same law. The CCAC laid charge against the clansmen association. Then the latter voluntarily paid a fine of MOP10,000 within the statutory time limit.

Moreover, it was found in the investigation that the trustee of a candidate group gave the electoral campaign materials of the group to the said clansmen association so that it would help distribute them to its members. Since this was



an electoral propaganda activity held in the electoral campaign period, the Legislative Assembly Elections Affairs Management Committee should have been notified in accordance with Article 75-B of the *Electoral Law of the Legislative Assembly*. It was discovered that the trustee did not give the notification, thus constituting a misdemeanour of failure to give notification of electoral propaganda activity under the *Electoral Law of the Legislative Assembly*. The CCAC laid charge against the trustee involved. Then the latter voluntarily paid a fine of MOP10,000 within the statutory time limit.

#### (IV)

The CCAC received a report alleging that a local bus company suddenly gave each employee MOP6,500 for the reason that the company had been upgraded to be a second grade company and requested them to support a certain candidate group. Also, the parent company of the bus company gave its employees MOP9,000 and requested them to support a certain candidate group, giving rise to suspicion of vote buying.

Following the investigation, it was substantiated that the company mentioned above gave the employees of the bus company an “anti-epidemic subsidy” amounting to between MOP6,500 and MOP9,000 respectively in 2020 and 2021. However, the said subsidy was merely a welfare benefit for the employees and it neither mentioned anything about electoral propaganda to them nor implicitly or explicitly requested them to support a certain candidate group. Therefore, the case has been archived.

#### (V)

During the election period, the CCAC received a report alleging that a clansmen association held an electoral propaganda activity in its site during the electoral campaign period and distributed the electoral campaign materials of a certain candidate group to its members during the activity, giving rise to suspicion that the association influenced voting intention through distribution of electoral campaign materials and that the case might involve electoral bribery.

It was found in the investigation that the electoral propaganda activity mentioned in the report had been declared to the Legislative Assembly Elections Affairs Management Committee beforehand. Therefore, the suspicion of failure of declaration was unfounded. Moreover, following an estimation of the value of the materials distributed to the participants and an analysis of the speeches given and what was done during the activity, there was no sufficient sign showing influence on voting intention through the electoral campaign materials. Therefore, the case has been archived.

## (VI)

The CCAC received an online report alleging that a service centre, as an organisation which had been providing service procured by the Government for a long time, called on people to sign nomination forms and vote for a certain group who intended to run for the elections through sending SMS messages. The report also mentioned that the workers of the centre requested seniors to vote for the relevant candidate group after signing the nomination forms.

It was discovered in the investigation that the centre had sent SMS messages to the service users and their relatives in order to assist a certain group who intended to run for the elections to collect nomination from citizens, but it did not request the receivers or seniors to vote for any candidate groups. The money spent on the sending of the messages was paid by a civic association and did not involve public fund, while the act of sending the SMS messages mentioned above had been defined by the Legislative Assembly Elections Affairs Management Committee as not involving illegal campaign. Therefore, the case has been archived as it did not involve illegality or irregularity.

Since the said service centre has assisted the civic association in sending SMS messages to the service users and their relatives for collection of nomination, the Social Welfare Bureau has reported to the Office for Personal Data Protection the fact that the centre failed to appropriately handle the contact information of the service users and their relatives.

#### **IV. Summaries of some of the cases**

Among the corruption cases of which the investigations were completed in 2021, except the cases related to the elections, the CCAC has selected some of the cases referred to judicial entities for follow-up or request for judicial measures and some of the archived cases. They are summarised as follows:

##### **(I)**

In early 2021, the CCAC cracked down a case involving bank workers who colluded with a crime syndicate to defraud over loans from banks.

It was discovered in the investigation that the syndicate masterminded by a Macao citizen apparently engaged in real estate brokerage, but actually, they secretly provided personal loans and charged high interest rates. When the borrowers were unable to repay the loans, they would be requested to participate in document forgery for application for bank mortgage loans, which would serve as the repayments. In addition, those borrowers were charged large amounts of handling fees. The syndicate also looked for citizens who desperately needed money in casinos or through third parties or newspaper advertisements for “speedy loan approval” in an attempt to defraud the banks into approving the fraudulent mortgage applications with falsified proofs of income and passbook copies. Some bank manager even falsified some documents on his own and used them to apply for loans from different banks, which were then spent on investment in and operation of the syndicate and purchase of borrowers’ properties at a price lower than the market price.

Between 2010 and 2020, the syndicate already defrauded the banks into approving 362 loan applications made by 378 persons, involving at least MOP770 million. It received illicit gains totalling over MOP219 million.

Meanwhile, it came to light in the investigation that some bank workers involved had violated the provisions of confidentiality of financial institutions by illicitly revealing customers’ data to members of the syndicate.

The CCAC referred the case to the Public Prosecutions Office for follow-up in January 2021 and reported the situations to the banks involved so that they would strengthen the supervision, vetting and approval of applications for mortgage loan.

## (II)

In February 2021, the CCAC cracked down a case involving a public servant who defrauded over public fund. There was a report mentioning that the public servant allegedly purchased goods at a low price through an online shopping platform from the Chinese mainland when procuring public goods and submitted a fake receipt issued by a local supplier for claiming back the expense in attempt to earn the price differences.

Following an investigation, the CCAC found that an assistant officer of the Juvenile Reformatory School under the Correctional Services Bureau was responsible for the sale of products in a trade fair organised by the bureau every year. The assistant officer purchased goods through an online shopping platform from the Chinese mainland on his own and asked a local shop to issue a receipt. Subsequently, he submitted the receipt to the Correctional Fund to claim back the expenses in order to pretend that the goods were bought from the local shop. It was also found in the investigation that the quantity and price of the goods purchased by the public servant through the online shopping platform did not accord with those stated for expense claiming. The quantity and price of the purchased goods were overstated.

The perpetrator has allegedly committed one count of fraud in accordance with the *Penal Code*. The case was referred to the Public Prosecutions Office for follow-up in February 2021. The CCAC has reported the case of disciplinary offence allegedly committed by the public servant to the Correctional Services Bureau for follow-up and requested the Juvenile Reformatory School to review the process of procurement and management of goods in order to ensure reasonable use of public fund.

### (III)

The CCAC received a report from the University of Macau (UM) indicating that an administrative officer of the Construction and Engineering Section of the UM participated in the tendering, tender evaluation and construction stages of the construction project of two colleges of the UM. However, he prepared the tender document for the company that won the tender and part of the works was subcontracted out to a company in which he had a shareholding. Moreover, the administrative officer neither made any declaration nor recused himself from the situations. In July 2020, the UM disciplined the administrative officer with justifiable dismissal.

Following an in-depth investigation, the CCAC discovered that the administrative officer colluded with two men from the Chinese mainland. They reached an agreement with the branch company of a state-owned construction company in Macao that they would be responsible for assisting the company in preparing the tender document and a fake “list of relevant construction experience” in order to falsely claim that the company had experience in campus construction works. They also suggested the company bidding for the relevant college construction project with a price lower than the budget internally determined by the UM, resulting in the company winning the construction contract with a value of MOP220 million. Following tender opening, the said construction company won the contract and sub-contracted a part of the works with a value of over MOP50 million to the company newly established by the administrative officer and the two men from the Chinese mainland right before the tender opening.

The three persons mentioned above and the two persons in charge of the company that won the contract have allegedly committed passive bribery to perform illicit acts, active bribery and document forgery in accordance with the *Penal Code*.

In addition, it was also found in the investigation that in July 2016, the administrative officer sent confidential information about a connecting corridor construction project of the UM to a person in charge of another construction company limited by his personal email so that the latter knew in advance that the university would soon commence the project. As a result, the company gained an advantage over the open tendering and eventually won the contract. His act has allegedly constituted breach of secrecy in accordance with the *Penal Code*.

The case was referred to the Public Prosecutions Office for follow-up in September 2021.

#### (IV)

According to a complaint made to the CCAC in person by a resident, a senior police officer of the Public Security Police Force (CPSP) allegedly accessed his and his friend's immigration records, which constituted a breach of professional ethics that uphold integrity and self-discipline.

After investigation it was found that, in 2018, a senior police officer of the CPSP, who did not have the right to access immigration records, borrowed the account from another senior police officer and secretly logged in the relevant system to access the immigration records of the aforesaid resident and his friend. The act of the senior police officer, which was not authorised or intended for investigation of cases, was carried out to achieve his personal purposes.

The acts of the aforesaid two senior police officers not only constituted a breach of obligations of public servants, but also the crime of undue access provided for and punishable by the *Personal Data Protection Act* and the crime of illegitimate acquisition, use or provision of computer data provided for and punishable by the *Law on Combating Computer Crime*. The case was referred to the Public Prosecutions Office in October 2021 and the relevant situation was notified to the CPSP so that disciplinary liability of the relevant personnel may be pursued.

(V)

In the course of the investigation into a bribery case, the CCAC discovered that a former leader of the former Land, Public Works and Transport Bureau (currently the Land and Urban Construction Bureau, hereinafter referred to as the former DSSOPT) allegedly received advantages of high value from businesspersons personally and through his relative and abused his power by illicitly approving some applications for construction works permits during his tenure.

The investigation of the case revealed that during his tenure, the former leader of the former DSSOPT, knowing that the street alignment plan of a construction project had already expired, still allowed application of the expired street alignment plan to the construction project, so that the project did not need to be subject to discussion by the Urban Planning Committee. At the same time, although the former leader knew that the construction project went against the provisions under the relevant architectural administrative instructions, he still allegedly instructed his subordinates to approve the construction project, so that the application was finally approved.

It was also found in the investigation that a businessperson involved allegedly assisted a relative of the former leader to falsely buy a share in a subsidiary of his group in the name of investment of the company, through which the relative applied for residency by major investment to the Macao Trade and Investment Promotion Institute, and the application was eventually approved.

Moreover, it was found that the former leader allegedly received advantage of high value from another businessperson in return for bypassing the statutory procedures and speeding up the inspection and acceptance of the relevant construction works. Finally, the use licence was issued just before the expiry of the land use period. The former leader was also suspected of requesting his subordinates to give favourable opinions in the analysis in the process of the vetting and approval of a combined land development project so that the

developer was awarded the land concession and subsequently gained massive profit by selling it at a high price.

The former leader allegedly committed passive bribery to perform illicit acts, money laundering and document forgery, while the businesspersons and individuals involved allegedly committed active bribery, money laundering and document forgery. After the case was referred to the Public Prosecutions Office for criminal measures in December 2021, the CCAC continued to probe into it and gather evidence.

## (VI)

The CCAC received a report claiming that some public relation employees of a casino conspired with club members of the casino to privately increase the conversion rates for cash coupon redemption so that those club members could receive cash coupons or supermarket cash coupons with a value higher than the actual amount they were entitled to. The aforesaid PR employees were therefore suspected to have contravened the company rules by receiving undue advantages and defrauding the casino.

After investigation it was found that the aforesaid PR employees did not violate the rules of the casino by increasing the conversion rates for cash coupon redemption for the club members without permission. However, they were found to have taken possession of the coupons to which some regular customers of the casino were entitled. The PR employees concerned allegedly contravened the code of conduct and committed criminal deception. Nevertheless, as the victims (holders of the right of complaint), that is, the regular customers of the casino, said they would not pursue criminal liabilities against them, there was no condition to carry out any follow-up work in this aspect. The CCAC notified the casino of the violation of the code of conduct and the acts of deceiving customers by the employees concerned.



## (VII)

In the course of investigating a complaint involving the private sector, the CCAC found that a company providing repair and maintenance service to the Macao Frontier Post of the Hong Kong-Zhuhai-Macao Bridge declared to the relevant department that it had hired 24 local employees. However, it was found that a few of them had abnormal entry and departure records and seldom stayed in Macao during the period of making contributions to the social security system. Some was even found to have never entered Macao since leaving the Region in 2015. Some employees admitted that they had never worked in the company involved or received any salaries. Their payment of contributions was only for the purpose of receiving old-age pensions from the Government in the future.

It was found in the investigation that there were strong indications that the relevant employees were fake staff. The company involved allegedly committed document forgery and the CCAC already reported the case to the Public Prosecutions Office. Moreover, in 2020, each local employee of the aforesaid company was granted a payment of MOP15,000 under the anti-pandemic support fund. The CCAC already informed the Financial Services Bureau about the case of relevant employees unjustifiably receiving the fund for follow-up actions.

## (VIII)

The CCAC received an anonymous report claiming that some intermediary, jointly with a committee member of the Cultural Development Fund (FDC), provided assistance to private companies in applying for subsidies or interest-free loans from the FDC. In return, they received 50% of the approved subsidies as rewards. The complainant doubted that someone had stolen the information of the successful cases from the FDC and passed it to the companies intending to make the relevant applications as a reference and defrauded government subsidies with unfinished film planning projects.

After investigation it was found that the film planning projects reported had finished shooting and that the intermediary and the committee member mentioned in the report were not evaluation committee members, people in charge or staff responsible for subsidy applications of the FDC. In fact, the aforesaid committee member reported was only a member of the consultative body. They had nothing to do with the granting of subsidies and had no power to intervene in the evaluation procedures.

Despite that there were no criminal acts in the case as claimed in the report, it was found during the investigation that there were loopholes in the process of subsidy granting by the FDC. Despite that the amount of subsidy granted should be linked to the estimated expenditure declared in an application, it is not lowered accordingly though the estimated expenditure declared in an application is less than the actual expenditure. Moreover, as regards the free financing method, as there is no guarantee mechanism as such, if the company of the applicant goes bankrupt or is wound up, the possible risk is that the subsidy supposed to be returned by the applicant will be irrecoverable. As regards the loopholes existing in the process of subsidy granting, the CCAC notified the situation to the FDC so that the latter may review it and make improvement in a timely manner. Afterwards, the CCAC archived the case.

## **V. Mutual case assistance in cross-border investigation**

In 2021, the CCAC continued to maintain smooth communication and cooperation with its counterparts of the Chinese mainland and Hong Kong. In the beginning of 2021, the Commissioner Against Corruption led the directors and chiefs of the CCAC to visit the Guangdong Provincial Supervisory Committee and anti-corruption agencies from nine Greater Bay Area cities, including Guangzhou, Shenzhen and Zhuhai, with which the CCAC has established effective communication channels and achieved satisfactory effects. Due to the pandemic, the resumption of cross-boundary travel between Hong Kong and Macao is still subject to the isolation measures. The CCAC and

Independent Commission against Corruption (ICAC) of Hong Kong held a videoconference in the beginning of the year, where both parties profoundly and honestly exchanged views on their cooperation and communication and decided the fundamental aspects of cooperation in case assistance.

Due to the pandemic, part of the case assistance work has yet to be carried out at full steam. There was a slight increase in the number of requests made to the CCAC in writing for case assistance compared to that of the previous year. There was however a significant drop in the number of requests made by the CCAC to counterparts outside the Region to three from 11 of the previous year.

**(1) Requests for case assistance to the CCAC from law enforcement agencies outside the Region**

In 2021, the CCAC placed seven cases on file for investigation at the requests for case assistance received from counterparts outside the Region. Along with the cases carried forward from 2020, there were a total of 16 requests for case assistance in 2021, of which 10 were made by agencies of the Chinese mainland and six by the ICAC of Hong Kong. Up to the end of 2021, seven cases were completed while the remaining nine are still being followed up.

**(2) The CCAC's requests for case assistance to agencies outside the Region**

In 2021, the CCAC made three requests for case assistance to counterparts outside the Region, of which one was made to an agency of the Chinese mainland and two to the ICAC of Hong Kong. Along with the cases carried forward from 2020, there were a total of 14 cases. Up to the end of 2021, seven requests have been completed and replied while the remaining seven are still being followed up.

### Statistics of mutual case assistance in 2021

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	
Number of cases placed on file for investigation in 2021	1	6	16	2	1	14
Total number of cases in 2021 including those carried forward to 2021	5	4		3	6	
				2 case assistance requests made to both Hong Kong and the Chinese mainland		
Number of cases being followed up	5	4	9	3	2	7
				2 case assistance requests made to both Hong Kong and the Chinese mainland		
Number of cases archived (Case assistance completed)	1	6	7	2	5	7

## VI. Court verdicts

According to the statistics published by the court, a total of 24 criminal cases processed by the CCAC were tried in 2021 and 100 suspects were involved. Final judgements have been rendered on 10 cases and some of the charges of two cases, while the remaining cases are still at the appeal stage.

After analysis and consolidation of the 10 cases with final judgement, the CCAC made allegations of document forgery, fraud, fraud involving a high value, active bribery, passive bribery to perform illicit acts, power abuse, forgery committed by a public servant, inaccurate data in declaration of assets and interests against the suspects involved. Among these 10 criminal cases, nine were

handed down the sentences by the Court of First Instance for the same convictions.

Also, there were two 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 some suspects for the convictions including participation in triads, fraud and money laundering, only some of the convictions of the case were remanded for retrial by the Court of Second Instance and the original judgements of the remaining convictions were upheld. In the other case, the sentences were handed down by the Court of First Instance against some suspects for the convictions including criminal association, document forgery, breach of secrecy, inaccurate data in declaration of assets and interests and power abuse. The Court of Second Instance only changed the judgement and decided that a suspect was acquitted of the charge of breach of secrecy and that the sentence for the charge of inaccurate data in declaration of assets and interests was reduced. The original judgements of the remaining convictions were upheld.

## **VII. Declaration of assets and interests**

The implementation of the declaration of assets and interests for public servants has been playing an important part in the work of integrity building of the CCAC. As the law contains explicit provisions on the legal responsibilities for violating the relevant rules, they have a warning and binding effect on the public servants, which lays positive impact on the corruption prevention. In 2013, with the entry into force of the newly amended legal regime of declaration of assets and interest, public disclosure of assets of officials also commenced. The mechanism of moderately disclosing assets not only promotes the participation of the public in the fight against corruption but also facilitates the effective implementation of integrity building policies, which helps to achieve the vision of building a clean government.

2021 marked the 23<sup>th</sup> year of the implementation of the legal regime of declaration of assets and interests. The overall implementation of the declaration system has been good and each piece of work has been conducted in an orderly manner. There has not been any case of punishment arising from failure to submit a declaration without justification by a declarant or anyone who needs to fulfill the obligation of providing information.

In 2021, the CCAC detected a case where a police officer committed the crimes of unexplained wealth and inaccurate data in declaration of assets and interests. The case was referred to the Public Prosecutions Office. In addition, there were nine cases relevant to assets declaration with verdicts of guilty by the court in 2021, including eight cases of inaccurate data in declaration of assets and interests and one case of unexplained wealth.

In 2021, the CCAC recorded a total of 11,779 submissions of declaration forms (see Table I) and sent a total of 156 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 2021**

<b>Reason for submitting declaration</b>	<b>Total number of submissions</b>
Appointment	1,211
Change of position	3,820
Termination of office	1,364
Renewal every five years	3,420
Renewal with that of spouse	445
Pursuit of data-provision duty	1,191
Voluntary renewal	328
<b>Total</b>	<b>11,779</b>

**Table II****Statistics on overdue notices sent in 2021**

(Recipients: Declarants)

<b>No.</b>	<b>Department/entity in which the declarant works</b>	<b>No. of overdue notices sent</b>
1	Health Bureau	29
2	Public Security Police Force	23
3	Municipal Affairs Bureau	13
4	Cultural Affairs Bureau	10
5	Macao Customs Service	9
6	University of Macau	9
7	Education and Youth Development Bureau	7
8	Correctional Services Bureau	5
9	Fire Services Bureau	4
10	Macao Post and Telecommunications Bureau	4
11	Land, Public Works and Transport Bureau (currently Land and Urban Construction Bureau)	4
12	Government Headquarters Affairs Bureau	3
13	Financial Services Bureau	3
14	Identification Services Bureau	3
15	Social Welfare Bureau	3
16	Sports Bureau	3
17	Gaming Inspection and Coordination Bureau	2
18	Economic and Technological Development Bureau	2
19	Office of the President of the Court of Final Appeal	2
20	Macao Polytechnic Institute (currently Macao Polytechnic University )	2
21	Public Administration and Civil Service Bureau	2
22	Legal Affairs Bureau	1
23	Transport Bureau	1

No.	Department/entity in which the declarant works	No. of overdue notices sent
24	Cartography and Cadastre Bureau	1
25	Statistics and Census Service	1
26	Public Security Forces Affairs Bureau of Macau	1
27	Academy of Public Security Forces	1
28	Cultural Development Fund	1
29	Macao Foundation	1
30	Pension Fund	1
31	Social Security Fund	1
32	Macao Institute for Tourism Studies	1
33	Macao Trade and Investment Promotion Institute	1
34	Judiciary Police	1
<b>Total</b>		<b>155</b>

**Table III**

**Statistics on overdue notices sent in 2021**

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

Recipient	No. of overdue notices sent
<i>Spouses or cohabiting partners</i> of declarants	1

To tie in with the development trend of electronic governance, the CCAC has made good use of technology and has been actively involved in the building of an e-government so as to increase the efficiency of carrying out its work in declaration of assets and interests with lower administrative costs. The CCAC added real-time queue status for declaration submission to its website in early November 2021 and launched an online appointment system for the declaration of assets and interests in early December so that declarants may make appointments on their own and arrange a reasonable time to submit their



declarations. Moreover, the number of people who make online appointments for declaration provides concrete data for the CCAC to allocate resources in a more reasonable and balanced way. In addition, the “notification processing system of declaration of assets and interests” developed by the CCAC also substantially facilitates the relevant work. Since its launch in 2013, over 27,000 notification letters have been received through the system. Among the 3,839 official letters/notification letters of declaration of assets and interests received by the CCAC in 2021, over 3,600 were received through the aforesaid system, which accounted for over 90% of the total number of official letters/notification letters received. This demonstrates that effective results have been achieved.

Up to 31<sup>st</sup> December 2021, a total of 62 public administrative departments or entities, autonomous services, autonomous funds, public legal persons or public corporations, corporations wholly or mainly public funded and concessionaires of public property (hereinafter referred to as “departments/entities”) that frequently communicated with the CCAC by official letters already registered for the “notification processing system of declaration of assets and interests” developed by the CCAC, of which 61 departments/entities have officially used the system and one has made registration but has yet to put it into use officially. Among the said 61 departments/entities, four applied for registration and started to use it in 2021 and one department/entity applied for registration a long while ago but only started to use it in 2021. The number of users took up over 70% of all departments. Nine departments/entities have been invited by the CCAC to use the aforesaid system but had yet to apply for registration (see Table IV). The CCAC hereby encourages more departments/entities to become a user and hopes that it may increase the participation in e-governance.

**Table IV**

**Departments/entities that had yet to apply for registration for the notification processing system of declaration of assets and interests**

<b>No.</b>	<b>Department/Entity</b>
1	Academy of Public Security Forces
2	Public Security Police Force Welfare Association
3	Macao Investment and Development Limited
4	Macao International Airport Co. Ltd.
5	Macao Science Center Limited.
6	Macao Productivity and Transfer Center
7	Macao Industrial Parks Development Co., Ltd.
8	World Trade Center Macau
9	The Policy Research and Regional Development Bureau

As regards external exchange and cooperation, the CCAC positively cooperates with its counterparts, including holding some meetings with the Secretariat of Court of Final Appeal on establishing an information sharing platform for declaration of assets and interests where they discussed and put forward proposals on how to improve the relevant work. The objective is to increase work efficiency and to make efforts to increase the utilisation rates of e-governance through communication, coordination and information sharing. The CCAC also strives to promote communication and exchanges with other entities. As the pandemic situation improved, the CCAC, through introducing the positive impact of the assets declaration work of Macao on the governance of the SAR Government, made visitors understand more about the fight of the Government against corruption, where it also exchanged views with them on mutually concerned issues in order to better understand the relevant work systems.

As regards external promotion, the CCAC continues to promote the significance of assets declaration among public servants through different ways.

It also continuously provides more complete information on assets declaration for declarants, including the updated webpage of declaration of assets and interests. The newly added pages, that is, “Q&A”, “Document required for declaration” and “Submission deadline calculator”, enable the entire webpage to promote its content to the declarants in a more targeted way and to further heighten the law-abiding awareness of declarants.

**PART III**

**OMBUDSMAN ACTIONS**

## **PART III**

### **OMBUDSMAN ACTIONS**

#### **I. Introduction**

In order to encourage residents to lodge real-name complaints or reports and strengthen their awareness of lodging complaints or reports in a responsible manner, the CCAC took a series of concrete measures in its promotion and education work and the application of information technology to its complaint system. The CCAC has, via different channels, reiterated that real-name complaints or reports will be protected by its confidentiality mechanism and has also taken new measures to give face-to-face notifications and explanations to residents about the cases – all in a bid to highlight the pros of real-name complaints for direct communication and interaction.

In 2021, the CCAC remained its down-to-earth spirit and impartially verified the facts of each case in an objective and careful manner. Moreover, rather than only solve the apparent problems, it attached more importance to carrying out in-depth investigations into their causes, particularly the inadequacies of the administrative systems, the legality and rationality of the related administrative acts and other deep-rooted problems. Therefore, a few cases with the same or similar objectives were consolidated and handled together by the CCAC when conditions permitted and the comprehensive investigation mechanism was actively adopted. As a result, there was a tremendous decrease in the case backlogs and the CCAC was also able to collate the administrative phenomena found in some cases and analyse them in a centralised manner, which enabled it to give its opinions to the departments or administrative bodies concerned in a unified way so that they may follow up and handle them effectively. The CCAC consolidated 28 inquiry files involving illegal works into a comprehensive investigation file and issued opinions on holistic improvement to the former Land, Public Works and Transport Bureau (currently the Land and

Urban Construction Bureau) so as to urge the relevant authority to effectively exercise its powers and responsibilities vested by the *Legal Regime of Urban Construction*. As regards the comprehensive investigation targeting the Education Development Fund, the CCAC first dispatched staff from both the Anti-Corruption Bureau and the Ombudsman Bureau to carry out on-site investigative action, which aimed to enhance the efficiency and the level of precision of investigation through internal information exchange.

In 2021, the CCAC paid particular attention to the idea of “shaping the mindset and setting the record straight”. In quite many cases under inquiries, it was found that residents’ understanding and recognition of administrative bodies and their acts could have been enhanced through communication and instruction, thus avoiding incomprehension, misunderstanding and dissatisfaction. To put it simply, transparency may increase residents’ confidence and trust in administrative bodies. Therefore, in many of its cases under inquiries, in addition to carrying out investigation and analysis upon request, the CCAC also tried to identify the crux of the problems according to its powers and functions so as to minimise residents’ misunderstanding and grievance and reflected its opinions to the relevant departments or administrative bodies. It suggested that they should strengthen communication with the residents and make verifications to them as the problem-solving direction.

It is commendable that the relevant departments or administrative bodies readily accepted the CCAC’s opinions and that some of them even positively initiated interdepartmental cooperation and communication mechanisms. In response to the replies of the departments, the CCAC did not hesitate to include them in the list of “retrospective review” so as to track the relevant improvements in the future.

While the CCAC encourages residents to lodge responsible complaints and reports, it condemns those proved to be groundless or involve misuse of the complaint mechanisms. Those cases with content proved to be unfounded had wasted considerable resources of the CCAC on investigation and those of the

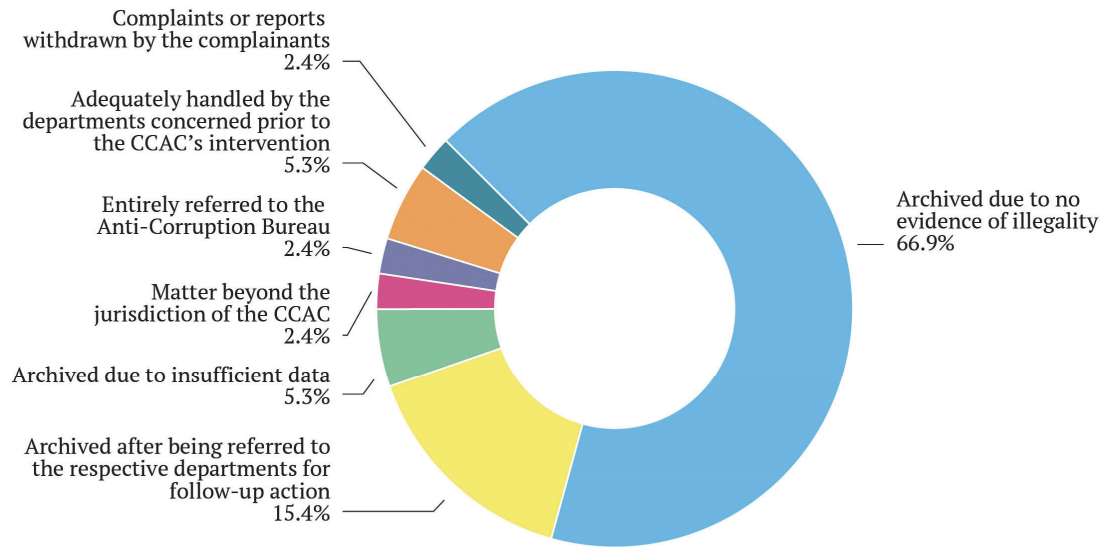
relevant departments on response making. Such irresponsible complaints turned out to have simply increased the burdens of the departments, particularly when all departments are diligently devoted to anti-pandemic work at the moment. Therefore, the CCAC again had to urge that complaints should be made in a responsible manner and based on facts. The CCAC also, as always, publicly urges residents to keep the principle of confidentiality in mind regardless of what acts have been performed in the course of lodging complaints or reports to the CCAC and that their public remarks should be made in a responsible manner.

Up to 31<sup>st</sup> December 2021, a total of 226 cases were placed on file by the Ombudsman Bureau of the CCAC, of which 221 were under inquiries and five were under comprehensive investigations.

Along with the cases carried forward from the previous year, the Ombudsman Bureau concluded a total of 169 cases, of which 166 were under inquiries. There was a decrease in concluded cases in the year compared to 2020, which was mainly attributed to the fact that the CCAC rendered full support to the work to ensure clean elections in 2021 and that a few comprehensive investigation case files were opened at one time. The CCAC already completed investigations of three of such cases and published reports on them.

Among the 169 cases archived, there were four entirely referred to the Anti-Corruption Bureau for handling, four archived due to withdrawal of complaints or reports by the complainants, nine archived due to insufficient data, four archived due to their not falling within the jurisdiction of the CCAC, 113 archived due to no evidence of administrative illegality or irregularity, 26 archived after the respective departments had been requested to handle them and the opinions given had been accepted or promises of handling them had been made and nine adequately handled by the departments concerned prior to the CCAC's intervention. Six of the aforesaid cases, albeit archived, were included in the list of "retrospective review" for 2021.

## Cases concluded by the Ombudsman Bureau in 2021



## II. Comprehensive investigation summaries

### (I)

#### “Investigation Report on the Fire Shutters of Edifício do Bairro da Ilha Verde”

Between the end of 2018 and the beginning of 2019, the fire shutters at the underground car park and the podium of the economic housing complex “Edifício do Bairro da Ilha Verde” failed to meet the relevant requirements and thus did not pass the inspection and acceptance. Upon interdepartmental working meetings, it was decided that 100 fire shutters would be replaced. The cost of the relevant works amounted to over MOP12 million. The incident widely aroused social concerns and sparked queries as to whether illicit acts were involved. The CCAC was therefore very concerned about it and started to receive complaints and opinions from residents and different groups consecutively. In response, the CCAC placed the case on file for an inquiry and even commenced a comprehensive investigation at a later time so as to carry out a profound investigation.



According to the *Fire Safety Regulation*, the fire shutters used in buildings should have fire and thermal insulation functions. From the vetting and approval process for the construction plan for Edifício do Bairro da Ilha Verde and the documents such as quotation of the materials of the fire shutters, opinions raised by the former Infrastructure Development Office (GDI) or the Fire Services Bureau (CB) against the fire shutters to be used were not seen. In the construction process, the CB never clearly indicated any opinions regarding thermal insulation in the Opinions on fire safety it made. In fact, the CB and the former Land, Public Works and Transport Bureau (currently the Land and Urban Construction Bureau, hereinafter referred to as the former DSSOPT) did not bring up the relevant problem until the completion of installation of all the fire shutters approved to be used as well as the construction works. As a result, the fire shutters at the underground car park and the podium of the housing complex failed to meet the relevant requirements and thus did not pass the inspection and acceptance.

According to the comprehensive analysis made by the CCAC based on the market survey it had conducted, it could not be concluded that there was administrative illegality or irregularity in the direct award of the fire shutter replacement works contract to the original contractor. Also, it was not found that the prices quoted by the contractor clearly deviated from the market prices.

However, according to the investigation, the CB considered that it was unlikely that thermal energy may cause chances of catching fire through fire shutters or fire doors. The former DSSOPT also compared the relevant regulations of Hong Kong, the United Kingdom and Portugal, where it found that it is generally acceptable that fire shutters or fire doors have only fire insulation function but no thermal insulation function. Nevertheless, given that the aforesaid facts did not hinder Macao from adopting more strict standards, the two bureaux, in as early as February 2017, reached a consensus that the requirement for thermal insulation of the fire shutters could be satisfied through an alternative plan on condition that the conditions of escape and inhibition of

the spread of fire were not poorer than the original ones. However, the Urbanisation Department of the former DSSOPT had not given any concrete guidelines to realise the said consensus for a protracted period of time. It even did not notify the Public Construction Department, another department of the former DSSOPT, to standardise the practices adopted by the bureau. As a result, the standard of fire resistance class of fire shutters was not applied to some of the public construction projects. Neither did the former DSSOPT update other public departments including the former GDI on the standard. The DSSOPT and the CB allowed the sector to adopt alternative measures in practice, but they still required the GDI to replace the fire shutters of the Edifício do Bairro da Ilha Verde. Therefore, despite that the GDI's decision, that is, replacing the fire shutters for the purpose of making the Edifício do Bairro da Ilha Verde construction project comply with the *Fire Safety Regulation*, adhered to the principle of legality, the rationality of the decision was inevitably in doubt.

The CCAC also considered that the IH and the former GDI were not clear about their respective competences and functions regarding construction of economic housing buildings. The *Economic Housing Law* empowers the IH to supervise and coordinate the construction of economic housing buildings, which means that the bureau's role and function have been transformed from that of a user or the representative of users into the one who promotes economic housing construction. However, in the entire process of the construction of Edifício do Bairro da Ilha Verde, neither the IH nor the former GDI proactively took any action or measures to cooperate with each other. The personnel of the two bureaux only treated the IH as a user. In fact, the former GDI took all the responsibilities of inspection, supervision and coordination of the works.

According to the law, in the course of constructing economic housing buildings, Opinions from the CB or the CB's inspection report including the fire resistance test of fire shutters must be obtained. However, the CB had all along believed that its Opinions were not binding, and that the implementation of the regulations of fire resistance class of fire shutters should fall within the powers

of the former DSSOPT and the CB itself should only facilitate the implementation. Therefore, it never expressly gave its opinions in its Opinions or inspection reports. In this case, in the reply to the former GDI concerning the Opinion on the fire resistance test report on the materials of the fire shutters of Edifício do Bairro da Ilha Verde and in the inspection report concerning the inspection of the social facilities at the podium of that building, the CB only indicated such opinions on the materials of fire resistance class respectively: “*therefore the DSSOPT’s opinion is necessary*” and “*therefore the competent department’s opinion is necessary*”. As a result, the staff of the former DSSOPT interpreted the aforesaid indications as “the fire shutters were without the function of thermal insulation”. They then, in the meeting held on 7<sup>th</sup> November 2018, indicated that the fire shutters in the building could not pass the inspection and acceptance because they lacked thermal insulation function and requested the former GDI to replace them all.

The CCAC believed that the CB’s interpretation of the provisions of the *Fire Safety Regulation*, particularly on whether the fire shutters conformed to the legal requirements, was certainly authoritative. Despite there is not any stipulation in the legislation in force that the opinions given by the CB are binding, pursuant to Paragraph 7 of Article 7 of the regulation, according to the general law, appeal could be lodged against the decision of issuance of licence by the former DSSOPT which was based on the opinions of the CB. It could be seen that such opinions were not completely without binding or external effect. In addition, the *Fire Safety Regulation* does not compulsorily require car parks to be divided into fire compartments and to install fire shutters. It was the public works and fire safety departments that had reached a consensus on applying stricter requirements. Since the competent authorities decided to adopt stricter standards for the purpose of protecting life and property of residents, they should have communicated well and shared information with all the departments or parties involved for the issues they had reached consensus on so as to avoid the situations of “information islands” due to lack of communication among the departments. However, the said situation had caused that the fire resistance

performance of the fire shutters in question was brought up as late as when Edifício do Bairro da Ilha Verde was subject to the building inspection and completion inspection.

Upon completion of the investigation, the CCAC, according to the law, submitted the report with improvement suggestions to the Chief Executive, where it suggested that all departments or at least their senior management personnel should pay due regard to the legislation of their departments or authorities and even consider adopting appropriate measures to carry out law popularisation and training internally. Also, to comply with the principles and spirit of protecting life and property of residents enshrined in the *Fire Safety Regulation*, the CB should recognise its own professional authority, act as a tight gatekeeper by fully looking into the fire safety issues in building construction and give opinions on fire safety to the relevant departments clearly and accurately. With regard to law enforcement standards and change of handling methods related to construction works, the former DSSOPT should effectively notify the sector or the departments involved of the relevant information so as to increase the transparency and maintain the consistence of law enforcement. With regard to the handling of fire resistance classes of fire shutters, the former DSSOPT and the CB should announce it internally and to the public after reaching a consensus. It should strengthen communication with its subordinate departments and must regularly share information with the sector and other departments or authorities involved in construction works. The SAR Government should also draw on the experience from the situations reflected in the case and cultivate the awareness of interdepartmental coordination and cooperation.

All the departments concerned publicly expressed that they attached great importance to the aforesaid recommendations and suggestions of the CCAC. The CB promised that, in order to effectively perform their statutory functions with professional skills, they would seriously review their existing operation pattern and conduct internal training so that personnel may have thorough understanding

of the provisions of the *Fire Safety Regulation* and would also strengthen communication and cooperation with the departments with the relevant responsibilities. According to the former DSSOPT, they would seriously follow up the issues and opinions mentioned in the report, address the inadequacies and maintain close liaison with the relevant departments and sectors in order to ensure that the fire protection facilities of buildings conform to the provisions of the existing legislation. The IH also said they would perform its statutory role in economic housing projects in a proper manner, including effectively coordinating and supervising the economic housing projects and, as both a project developer and a user, carrying out coordination and division of work among all the departments and bodies involved so as to make best use of resources to increase the effectiveness of economic housing construction.

With the publication of the *Legal Regime of Urban Construction* and the *Legal Regime for Fire Safety in Buildings and Premises* by the Government on 16<sup>th</sup> August 2021, the CCAC will continue to keep an eye on the implementation of the new legislation by the competent bodies.

## (II)

### **“Comprehensive investigation on illegal works”**

The CCAC has all along been attaching great importance and paying close attention to residents’ appeals against the competent bodies for their inadequate handling, low efficiency and ineffective combat efforts in terms of dealing with illegal works.

In the past, as regards issues related to illegal works, the CCAC conducted inspections on the systems and operation of the public work authorities. It also put forward some improvement suggestions at the legislation level and on practical and operational aspects. In response, the authorities concerned promised that they would take steps to improve the implementation and amendment of legislation and to enhance promotion of law-abiding awareness.

Afterwards, the former Land, Public Works and Transport Bureau (DSSOPT) (currently the Land and Urban Construction Bureau) rolled out a few different measures, such as establishing an “interdepartmental group for demolishing illegal works”, introducing an evaluation system used to handle cases based on the “grading, classification, and priority”, handling new illegal works detected at about the same time at new buildings “in batches”, publishing the *Guidelines on Anti-theft and Safety Facilities for Buildings* and the *Guidelines on the Demolition of Illegal Works*. It hoped that these measures would gradually be able to solve the problems relating to illegal works and serve the purpose of freezing the current status and curb the increase of new unauthorised building works or refurbishment of such building works.

Nevertheless, since the implementation of the aforesaid measures, the CCAC has still been receiving complaints or reports against the authorities for ineffective handling of illegal works, which demonstrates that illegal works are still being handled inefficiently.

Beyond doubt, the operational problems of handling illegal works are partly attributed to the inadequacies of the legal systems. As such, the CCAC has all along been giving sufficient time and space for the former DSSOPT to solve and improve the problems as well as to submit the relevant draft law. It has also been paying close attention to the amendment progress of the relevant law.

As the *Legal Regime of Urban Construction* and the *Legal Regime for Fire Safety in Buildings and Premises* published on 16<sup>th</sup> August 2021 will come into effect after one year from their publication, it is foreseeable that they should be able to prevent the problems arising from those inadequacies and loopholes of the legal systems. In particular, the relevant competent departments will be vested with more clear and definite law enforcement powers.

As the problems in the legal aspect were getting improved, the CCAC consolidated 28 cases involving illegal works being processed and completed the first phase of investigation work in the form of comprehensive investigation.

After comprehensively collating the progresses of the relevant administrative procedures carried out by the former DSSOPT, the CCAC, through official letters, reflected the problems and issued opinions to the competent bodies collectively, where it urged the authorities to seriously look at and review the operational problems. They are also urged to adjust their strategies and lay down new law enforcement proposals based on the new legislation, where they should pay particular attention to ways and methods, so as to increase the administrative efficiency and transparency of handling illegal works and to effectively respond to the aspirations of the community on properly solving the problems concerning illegal works.

Therefore, not only should the authorities increase the efficiency of handling new cases, they should also expedite the handling of case backlogs. The CCAC also clearly notified the authorities that the cases involving illegal works had been included in the list of “retrospective review” and will be subject to review in a timely and appropriate manner.

### **(III)**

#### **“Comprehensive Investigation Report on the Granting of Subsidy for School Development Plan by the Education Development Fund”**

In September 2020, there was a criminal case involving the former principal and the former vice-principal of a school in the Macao district who allegedly embezzled the subsidy from the “School Development Plan” applied by the school to the Education Development Fund (hereinafter “FDE”). The Commissioner Against Corruption, according to the Chief Executive’s instructions, immediately ordered the Anti-Corruption Bureau and the Ombudsman Bureau to carry out a joint investigation. It was the first time the staff of the two Bureaus concurrently stationed at the department for on-site inspection in order to investigate the case of grant of subsidy by the FDE and even the operation systems such as the vetting and approval from different perspectives and in different approaches. The Ombudsman Bureau launched a

comprehensive investigation to review the situations of the granting of the subsidies for the “School Development Plan” by the FDE to more than 70 non-profit and non-tertiary private schools (over 100 sections) in Macao over the past academic years and examine the loopholes and inadequacies concerning the mechanism of inspection and granting of subsidies in order to verify if there were administrative illegalities or improprieties.

It was found in the investigation that there were various loopholes in the rules and regulations of the “School Development Plan” Subsidy Application established by the FDE. In the phases of analysis of subsidy granting, vetting and approval, issuance of subsidy and supervision, there was a certain degree of vagueness over the knowledge and acts of the FDE. Even after some of the problems were revealed by the Commission of Audit in the performance audit report entitled “The Supervision on Financial Subsidy for Private Schools” in 2015, the improvement work of the FDE still did not appear to be holistic and satisfactorily done, giving rise to many irregular situations that were foreseeable or preventable.

Concerning the vetting and approval of applications, the FDE neither strictly complied with the rules and regulations of the subsidy applications that it prepared to approve subsidies nor strictly followed the requirement of submission deadline and other specific requirements for the documents for vetting and approval. Also, it did not pay sufficient attention to the rationality of duplicated application for subsidies for the same matters. Regarding the supervision of the reporting stage, the FDE failed to execute the stipulation under the *Regulations of the Education Development Fund on Granting Financial Assistance*, which required the schools to submit interim reports on the technical execution and financial situations of the subsidised projects or activities. The supervisory works were merely based on the reports and documentary proofs submitted by the schools in the reporting stage. Regarding the subsidised projects under the “medium/long term plan”, the supervision carried out by the FDE was feeble and loose, as it barely required the schools to submit proofs such as



numbered invoices or receipts. Instead, it simply accepted the data such as rough reports and tables.

The CCAC also discovered that the on-site inspection in the schools carried out by the staff of the FDE twice a year was merely a formality. The FDE did not strictly follow up the matters about the equipment and durable goods and therefore it failed to have a full picture of which assets were indeed procured with the subsidy. Moreover, the FDE even let the applicants place, collect, remove and destruct the construction works and assets procured with public money in an arbitrary manner. Waste of public assets and money was commonly seen. In comparison with other funds, the FDE was much weaker in requiring the schools to implement an assets management mechanism for the purpose of supervision. The FDE also had no idea of how to supervise the contractors. Neither there was express provision that required the grantees to strictly supervise the contractors nor a mechanism to directly supervise such private entities.

In addition, the FDE permitted the applicants to manage and “reallocate” the granted subsidy according to their will. Even for expenditure of an urgent nature such as ad hoc projects involving repair, insurance, water and electricity which did not have prior applications, some of the staff also permitted the applicants to flexibly allocate the subsidy among different expenditures on their own. As long as the subsidy amount was within the total application limit amount requested and granted, the staff of the FDE would also accept it.

As far as the knowledge and application of law is concerned, the CCAC found that the FDE had forgotten the applicable refund mechanism provided by the law, which constituted administrative illegality without doubt. When it came to the execution of the mechanism of concurrent receiving of financial support, the FDE’s attitude seemed to be neglectful, as it never, by any means, requested or reminded the applicants to comply with the statutory regime of the concurrent receiving. In addition, The FDE took a passive attitude toward the inter-departmental inspection of concurrent receiving of subsidies. As it did not take

the initiative to act in accordance with the law, administrative impropriety really existed.

It was also found in the investigation that although the information management system was not refined, the FDE still hastily went for paperless, which has caused serious deficiencies in the completeness of the case files of vetting and approval of the subsidy applications.

Admittedly, after the Commission of Audit publicised the audit report in 2015, the FDE has taken actions for improvement. Also, the FDE has been showing cooperative attitude to the CCAC's investigation and has reviewed and updated part of the rules and regulations of the "School Development Plan" Subsidy Application for academic year 2021/2022. For example, the revisions included cancellation of projects under the "medium/long term plan" and introduction of the projects not to be subsidised and stipulation that repeated purchase of equipment or materials was not supported. Moreover, in March 2021, the Education and Youth Development Bureau (hereinafter referred to as the DSEDJ) formed a specific internal auditing group and made an internal review report. However, the CCAC considered that some of the suggestions in the report were rather too general and there was still lack of concrete and practical solutions to many of the problems. Especially, when it comes to the supervision of the construction works involving subsidy with a considerably huge amount, it did not seem that the FDE had any specific consideration and prevention actions in order to preclude the occurrence of irregularities. Regarding more serious illegal situations such as failure to apply the regime of refund and the overlooking of the statutory regime of the concurrent receiving of financial support, the FDE mentioned nothing in said report. Therefore, the CCAC has highlighted the issues and publicly rendered recommendation that the FDE should act in accordance with the law. At the same time, the CCAC also suggested various measures for ensuring the rationality of operation and further improve the vetting and approval and the issuance of the relevant subsidies and the supervision.

Regarding the suggestions mentioned above, the DSEDJ, which is in charge of the FDE, gave a positive response and publicly stated that it would adopt measures for improvement, including enhancement of the supervisory mechanism, implementation of the refund mechanism in accordance with the law, compliance with the principle of earmarking, improvement of every step of the subsidizing procedure and establishment of clear guidelines. The bureau will also gradually request the schools submit financial reports of the projects involving subsidies of huge amounts verified by accountants, strengthen the recusal system applicable to its personnel and take remedial measures to deal with the cases where irregularities existed pointed out by the CCAC in the relevant report.

### **III. Inquiry case summaries**

#### **(I)**

##### **Explicit information is conducive to making accurate declarations**

According to a complainant, in the course of getting his electric motorbike transported out of Macao for engine replacement, he filled in Format A of the Import and Export Declaration through the electronic Customs Declaration Services System run by Transferência Electrónica de Dados – Macau EDI VAN S.A. (TEDMEV) (currently run by the Economic and Technological Development Bureau) but found that there are no columns in the form for filling in the brand, model and engine number of a vehicle. As a result, when his vehicle was re-imported to Macao, the relevant registration process was hampered due to the fact that the number of the replaced engine was at odds with that shown on the original import document. Doubting if there was administrative illegality or irregularity, he requested the CCAC to intervene and follow up the matter.

Upon investigation, it was found that the aforesaid problem stemmed from the use of a wrong declaration form filled in by the complainant. As the complainant only intended to have his vehicle transported out of Macao for a repair and re-imported back to the region afterwards, it should fall into the

category of “temporary export” according to the law and he should have made the customs declaration with Format B (intended for temporary export) of the Import and Export Declaration, rather than Format A which is intended for “export”. The reason is that Format B allows one to fill in particulars of a vehicle, such as brand, model, VIN and engine number. As such, when it is re-imported back to Macao, it will not be identified as a different vehicle. Given the above situation, the CCAC did not find any administrative illegality or irregularity in this case.

However, the CCAC agreed that members of the general public are not necessarily clear about the customs declaration procedures of goods intended for export, import and transit, particularly when vehicles needing repairs are to be exported temporarily and re-imported, which falls into one of the “special categories” in customs clearance. As document formats of the electronic Customs Declaration Services System of the TEDMEV (currently run by the Economic and Technological Development Bureau) are provided by the respective departments or bodies, the CCAC gave its opinions to the Macao Customs Service directly and suggested that it consider strengthening promotion and education in the relevant aspect so declarants are clear about what type of declaration forms or licences to be submitted when going through customs declaration formalities via filling in paper forms or electronic means. This will help reduce the chance of filling in wrong declaration which could affect the subsequent handling procedures.

The Macao Customs Service said in a reply that it agreed with the CCAC on the aforesaid suggestions and pledged that it would positively make improvements, including providing supplementary information on exportation and re-importation of vehicles on its website and instructing frontline customs officers to remind people of using correct custom declaration documents when their vehicles needing repairs are to be exported temporarily and re-imported, which falls into one of the “special categories” in customs clearance. It will also

have discussions with the sector on the existing customs declaration and clearance procedures as well as the room for improvement.

## (II)

### **Make improvement positively and enhance supervision**

A report claimed that some beneficiaries of the “Support Programme for the Production of Feature Films” launched by the Cultural Affairs Bureau (IC) failed to abide by the rules that require them to complete the production of the films within one year. It was doubted if the supervision of the IC was ineffective, and the CCAC was therefore requested to look into the matter.

According to the agreement signed between the IC and beneficiaries of the support programme, the latter should submit the initial-edition copy to the former within 12 months from the day of signing the agreement. If the beneficiary is unable to submit it by the specified deadline, he should request an extension in writing with justification one month in advance of the deadline. An extension of a maximum of six months is allowed only after the IC’s consent.

After the investigation, the CCAC found that the relevant beneficiaries already made applications for an extension by the deadlines for the submission of the initial-edition copies according to the rules of the programme. However, as the IC was not able to follow them up in time, the whole programme schedule got delayed. Later on, due to an outbreak of the novel coronavirus, the beneficiaries were not able to continue the shooting. After evaluating the actual situations of the beneficiaries, the CCAC extended the relevant submission deadline to 31<sup>st</sup> March 2021. In the end, all the beneficiaries were able to submit the initial-edition copies by the aforesaid deadline. The situations mentioned above were mainly attributed to manpower shortage, staff deployment, work arrangement and the pandemic. Administrative illegality or irregularity was not found.

During the investigation, the IC carried out reviews and learnt from the experience in a timely manner. It made some improvements on the content and

procedures of the following round of the support programme by specifying the work and execution period for each phase and giving a designated execution timetable to each beneficiary, which allows the personnel of the bureau to monitor the execution and record each item of work from the signing of the agreements to the end of subsidy granting. The responsible personnel will be required to periodically report to the superiors on the work progress and the problems encountered so as to strengthen the supervision on the work of the personnel.

The CCAC believed that the aforesaid proactive measures adopted by the IC would facilitate the bureau to supervise the execution of the programme, which not only may ensure that the programme can be completed on time and smoothly but may also prevent the similar problems from happening again.

### (III)

#### **Pandemic compensation is not for all**

A report claimed that the personnel serving as secretaries of the Director-General of the Macao Customs Service also received compensation for the service they provided during the period when public servants were exempted from work due to an outbreak of the pandemic. The complainant believed there was administrative illegality and therefore requested the CCAC to intervene into and investigate the matter.

According to the *Organisation and Operation of the Customs Service*, the secretary of the Director-General receives a remuneration corresponding to 485 points of the salary index of the public service and may not receive any compensation for overtime work.

Regarding “whether or not a secretary may receive compensation for the service she has provided during the period when public servants are exempted from work due to an outbreak of the pandemic”, the Public Administration and Civil Service Bureau (SAFP) once gave its opinion to quite many departments. In its opinion, a personnel whose position is secretary has the obligation to return

to work anytime whenever requested and may not receive any compensation when asked to provide service outside normal working hours. Therefore, if a personnel whose position is secretary is requested to provide service on a weekly rest day or a public holiday, she may not receive compensation for the overtime work as specified in the *Statute of Personnel of the Public Administration of Macao*. Likewise, for the situation where a personnel whose position is secretary has provided service during the period when public servants are exempted from work, the SAFP maintained that the method of handling such cases should be the same, despite that the compensation for providing service during the exemption from work for public servants is based on Article 199 of the *Statute of Personnel of the Public Administration of Macao* rather than the overtime work system provided for in Articles 79-H, 197 and 198 of the *Statute*.

After investigation the CCAC ascertained that the involved secretaries of the Director-General of the Macao Customs Service provided service between 3<sup>rd</sup> February and 11<sup>th</sup> February 2020, which fell within the period when public servants were exempted from work due to the pandemic. The personnel involved were then included in the list of personnel entitled to compensation and did receive the compensation by deduction of the corresponding number of normal working hours afterwards. It is obvious that the handling of the situation by the Macao Customs Service contravened the aforesaid provisions and ran counter to the SAFP's opinion. As such, the CCAC reflected its opinion to the Macao Customs Service.

In its reply the Macao Custom Service said it agreed on the CCAC's opinion and immediately took measures to correct the relevant situation by revoking the content and effect relating to the secretary in the list of personnel entitled to compensation. It also, according to the wishes expressed by the secretaries, deducted the compensated working hours from their annual leave for 2021.

## (IV)

### **Buses confuse residents as they cannot be easily recognised**

A report claimed that some public bus company did not, according to the Concession Contract of Collective Passenger Road Transport Service (hereinafter referred to the “bus contract”), take measures to differentiate vehicles for operation from those for hire. As such, the complainant doubted if there was ineffective control and administrative irregularity by the Transport Bureau (DSAT) and requested the CCAC to intervene into and investigation the matter.

After investigation it was found that although the relevant bus company already, according to the rules of the contracts, submitted an application to the DSAT for measures to be taken to differentiate its vehicles by colour prior to the coming into effect of the contract, the DSAT had all along not approved it even after the contract already became effective. The DSAT even allowed the involved bus company not to differentiate its buses by colour for reasons of public interest, with the justification that the relevant buses for hire were used to carry casino employees to and from work - if the service was suspended, a great number of casino employees would be affected, so would the public bus service. As a result, the colour of the buses for hire of the involved bus company used to carry casino workers was totally identical to that of its public buses. Therefore, the CCAC decided that the bus company involved clearly violated the relevant rules of the bus contract and this was caused by the acts and decisions of the DSAT. As the CCAC believed there might have been administrative illegality in this matter, it gave its opinion to the authorities in a seriously manner and kept a close eye on it.

The DSAT finally completed the approval of the application of involved bus company for vehicle recognition methods in the first half of 2021. Afterwards, the colour of the relevant buses for hire was changed successively. The aforesaid chaos no long exists.



(V)

**Social responsibilities of nurseries should be communicated  
to the public and should be supervised**

According to a complainant, in May 2021, his nursery received a phone call from a staff member of the Social Welfare Bureau (SWB) requesting that the child care service in his nursery should not be suspended during the summer holidays and interest classes should not be provided instead, despite that his nursery did not make such an application. The complainant doubted if the Bureau had treated him in a biased and unfair manner and therefore requested the CCAC to intervene into the matter.

Decree-Law no. 90/88/M (*Establishment of the general conditions to which social facilities for children, young people, the elderly, the disabled or general public are subject*) is intended to establish, in general terms, the conditions with which the creation and operation of social facilities intended to support children, young people, the disabled and the elderly must comply, no matter whether they are established by private entities for the purpose of social solidarity or for profit. The objective is to guarantee the quality of the services provided while the social ends pursued and the improvement of residents' social welfare are considered. As such, the SWB is vested with the power to supervise the facilities of nurseries and their activities. Therefore, a nursery must get approval from the SWB before it may suspend its child care service and organise interest classes during summer holidays.

It was found in the investigation that, due to the novel coronavirus in 2020, the SWB once took the initiatives to request nurseries to suspend their child care services. As the pandemic eased a little, some nurseries came to know that education centres may resume operation a bit earlier, so many of them immediately applied to the SWB for providing interest classes instead during the period when their child care services had to be suspended. The applications were all approved by the SWB at that time. In April 2021, the SWB received inquiries

from some nurseries about providing interest classes instead during the period of having to suspend their child care services. Taking into account that the pandemic situation had changed, the authorities had no intention to approve those applications and they therefore took the initiatives to contact the nurseries that made the relevant applications in 2020 and reminded that they should not suspend their child care services during the summer holidays and that they would not be approved to organise interest classes instead even though they suspended child care services.

Considering that the SWB only exercised the supervisory power vested in it by Decree-Law no. 90/88/M, the CCAC believed that there was no administrative illegality or irregularity and biases or unfairness. However, to achieve administrative transparency and sound governance, the CCAC issued an opinion to the SWB, where it suggested that its staff should particularly explain to the persons in charge of nurseries about the basic knowledge of the aforesaid decree-law about public interest of establishing nurseries, the operation norms and the supervisory power of the authorities, so that residents may have better understanding of the relevant law, realise their social responsibilities of establishing nurseries and have more confidence in the Government.

Later on, in the course of the follow-up work, the CCAC confirmed that the authorities had accepted the aforesaid opinion and put it into action.

## (VI)

### **Information relating to approval of economic housing issues should be made available to public**

According to a complaint made by an economic housing applicant, the Housing Bureau (IH) disqualified him as a selected buyer on the ground that his wife was once a household member of another economic housing unit before she died almost a decade ago. The bureau also announced that the administrative act of approving him to select a flat and sign a pre-contract agreement for the

selected flat was invalid. Believing that there was a wrong application of law by the IH, the complainant requested the CCAC to intervene into the matter.

During the investigation, the IH reviewed again the case of the complainant and decided that his situation should not have been classified as that described in Subparagraph 5) of Paragraph 5 of Article 14 of the *Economic Housing Law*. It therefore reconfirmed the complainant's eligibility and followed up the subsequent key distribution procedures.

Later on, as the complainant had not been arranged to sign a property transaction deed for the allocated flat for a protracted period of time, which he believed was caused by the IH's inefficient arrangement and handling of the economic housing issues, he requested the CCAC's intervention again.

Afterwards, it was verified that the horizontal property registration information of the relevant economic housing building was only provisional, and therefore the conditions of entering into a property transaction deed had yet to be met. In October 2019, the horizontal property ownership registration of the relevant economic housing building became definite. The IH issued a letter of authorisation in December in the same year and started to allow the signing of property transaction deeds for the relevant economic housing units. The complainant successfully entered into a property transaction deed for the relevant economic housing unit with the IH in the following year.

Due to the fact the IH rectified the problem relevant to application of law on its own initiative and that the signing of the deeds did not simply depend on its administrative acts or decisions, administrative illegality or irregularity could not be found in this case. However, it seemed that the complaint was also closely relevant to the communication between the administrative bodies and residents as well as the transparency of information.

## (VII)

### **Unlawful absence found in exercise of competence**

According to a report, there were various illegal and irregular situations existing in the administrative management of the Macao Polytechnic Institute (currently the Macao Polytechnic University). Therefore, the CCAC was requested to investigate the matters.

Following the investigation, it was unable to substantiate the facts being reported. However, in exercise of its competence, the CCAC found that there were administrative improprieties in the management of attendance of the personnel of the Macao Polytechnic Institute (currently the Macao Polytechnic University). In particular, teaching staff's unjustified absence was commonly seen. As to the situations where the authenticity of the medical certificates submitted was doubtful, the Macao Polytechnic Institute (currently the Macao Polytechnic University) neither handled them appropriately in accordance with the law or the relevant stipulations under the *Statutes of Personnel of Macao Polytechnic Institute* nor initiated disciplinary procedures against the relevant personnel. Subsequently, the CCAC raised its opinions to the Macao Polytechnic Institute (currently the Macao Polytechnic University) and suggested taking measures for rectification and improvement as soon as possible.

The Macao Polytechnic Institute (currently the Macao Polytechnic University) replied that it accepted the CCAC's opinions mentioned above and promised to deal with the cases of unjustified absence it had founded in accordance with the law and adopt appropriate measures in order to effectively manage the attendance record of all teaching personnel and prevent similar situations from reoccurring.

## (VIII)

### **Recruitment requirements shall not go against the law**

According to a report, in the open examination of professional or functional competence evaluation under the standardised management regime for three vacancies for Chinese-Portuguese translator-interpreter of 1<sup>st</sup> rank and 1<sup>st</sup> class, 3<sup>rd</sup> grade of translator-interpreter position, the Health Bureau (SSM) required that candidates should be holders of two bachelor's degrees in addition to meeting the general requirements for public service positions, which gave rise to suspicion that this criterion was too harsh since the education background required was higher than the basic education qualification for the relevant position required by law and thus was unlawful. Therefore, the CCAC was requested to intervene into the case.

Following the investigation, it was proved that the recruitment notice involved did not indicate higher education certificates including post-secondary degree or bachelor's degree as required education qualifications in accordance with Paragraph 2 of Article 27 of Law no. 14/2009 (*Regime of Public Service Positions*) amended by Law no. 12/2015 and Law no. 4/2017. Instead, the bureau listed the entry requirement of education qualification which was higher than the one set by the law.

It is understandable that the bureau's action to seek highly educated personnel to serve the SAR Government might be well intentioned. However, the entry requirement concerned has undoubtedly raised the entry barriers to the position, hence lowered the chance for those who have met the basic education background requirement set by the law to get the job. Their legitimate rights to apply for the recruitment exam in accordance with the law have been infringed. Since the action went against the principles of legality, equality and good faith, the bureau could only compromise despite its good intention.

Subsequently, the CCAC raised its opinions to the SSM and pointed out that there were defects in the recruitment process and therefore it should be invalid

from the stage of publication of the recruitment notice. The bureau should revoke the recruitment notice, publicise a new one and carry out the following stages afresh in order to ensure the opportunities for potential candidates who have met the basic education background requirement provided by the law and the legality, equality and impartiality of the recruitment process.

The SSM accepted the CCAC's opinions mentioned above. It revoked the recruitment notice involved and all of the following stages and published the new recruitment notice that accorded with the said legal requirement.

## (IX)

### **Interdepartmental collaboration in residency vetting and approval**

A report claimed that there were administrative improprieties existing in the issuance of Macao SAR Resident Identity Card by the Identification Services Bureau (DSI) to a Portuguese. Therefore the CCAC was requested to investigate the matter.

In accordance with the *Regulation on Entry, Stay and Residence Permit*, which was still in effect at that time, temporary residence permit might be renewed every two years depending on whether or not it met the prerequisites and requirements set by the law and whether or not the applicant habitually resided in Macao. Change of relevant conditions might lead to cancellation of temporary residence permit. In case of any change of employment relationship during the temporary residence period, the applicant should notify the Public Security Police Force (CPSP) immediately so that it might consider whether the change would lead to invalidity of the residence permit.

It was found in the investigation that the individual involved applied for temporary residency as technical personnel with special qualification and the application and renewal were approved by the DSI. Between 2015 and 2017 and between 2018 and 2019, the individual was notified of the prerequisites and requirements for renewal of the said temporary residency in the notifications of the residence certificate issued by the CPSP. However, the individual did not

inform the CPSP that the employment relationship with his employer was terminated in 2017. As a result, the authority was unable to know the change of his situation and consequently did not declare invalidity of his temporary residency. Eventually, the DSI issued Macao SAR Resident Identity Card to him merely based on the residence certificate issued within three months before the submission of his application.

The CCAC considered that the reason why the CPSP failed to timely grasp the latest update of the conditions of the applicant for temporary residency was the lack of mechanism of active verification and supervision. Meanwhile, the reason why the DSI issued the Macao SAR Resident Identity Card based on a residence certificate with untrue data was the lack of mechanism of data exchange between the CPSP and the DSI in the entire vetting and approval process. Therefore, the CCAC rendered recommendations to the two departments respectively. In addition to the request for necessary rectification of the case, the CCAC also gave them various suggestions respectively regarding improvement and perfection of the vetting and approval of the relevant applications. In particular, the CCAC reminded them to establish interdepartmental cooperation mechanism and adopt measures to exchange information in order to prevent similar situations from reoccurring.

Both the CPSP and the DSI accepted the recommendations and suggestions rendered by the CCAC. Subsequently, they had several meetings to discuss the establishment of a cooperation mechanism which would facilitate examination of residence permits. The CPSP even promised to bear the responsibility to verify the duration of applicants' stay in Macao, take the initiative to randomly check whether the applicants' conditions meet the prerequisites for obtaining residence permit in a timely manner, verify whether they have criminal record and whether there are any other situations that lead to invalidity. In addition, the CPSP will also improve the contents shown in the residence certificates. Especially, it will clearly indicate the requirements for the application in order to facilitate front-line staff's knowledge and verification.

**(X)**

**Occupation of official parking spaces shall be subject to disciplinary punishment**

There was a report alleging that a driver of the Legal Affairs Bureau (DSAJ), for a long time, had been occupying official parking spaces by parking private vehicles there, giving rise to suspicion of administrative illegality.

The report was substantiated by the CCAC's investigation. The private vehicles of the driver involved actually occupied the parking spaces of the department. Subsequently, the CCAC reported the case to the DSAJ for follow-up.

The DSAJ accepted the report from the CCAC and initiated a disciplinary procedure. Following the investigation, the preliminary hearing officer considered that the driver involved had culpably violated the duties of impartiality, zeal and obedience provided by the *Statute of Personnel of the Public Administration*. Therefore, a disciplinary complaint was filed against him. Finally, the bureau decided to sentence the driver to a fine of huge amount.

**(XI)**

**Setting up companies goes against the duty of exclusivity**

There was a report alleging that a customs officer had set up some companies for the purpose of carrying out works contracts awarded by the Macao Customs Service (SA) and the Fire Services Bureau, giving rise to suspicion of administrative illegality.

It was found in the investigation that the customs officer has set up three companies engaging in trade, construction works and transportation respectively since 2015. Subsequently, the CCAC reported the situation to the SA for follow-up.



The SA accepted the report from the CCAC and initiated a disciplinary procedure. Following the investigation, it was proved that the customs officer involved had engaged in those private businesses without any approval and that the departments had never awarded any procurement contracts to the companies. Meanwhile, it was also discovered that the customs officer was absent from meetings with the Committee of Health without justifiable reason and did not take the initiative to notify the SA of the fact that he was put on trial for his involvement in a criminal case during his service. The preliminary hearing officer considered that although the customs officer had already made assets and interests declaration of the said companies, he had still violated the specific duty prescribed in Subparagraph b) of Article 16 of the *Statute of Militarised Personnel of the Public Security Forces of Macao* as well as other general duties of militarised personnel. Finally, the authority sentenced the officer to dismissal from service.

## (XII)

### **Cultural heritage protection area should be expanded**

According to a complaint, after a building at Travessa da Paixão was vandalised with graffiti, the Cultural Affairs Bureau (ICM) did not punish the offender in accordance with the *Cultural Heritage Protection Law* and therefore it neglected the duty to preserve the architectural heritage. The CCAC was requested to investigate the matter.

Following an investigation, it was discovered that only the houses at no. 5 to no. 15 of Travessa da Paixão were classified as architectural heritage, the remaining area (which covers the said vandalised building) was classified as the buffer zone. The *Cultural Heritage Protection Law* prohibits vandalising classified immovable properties and stipulates the relevant punishment rules. However, the law does not provide any stipulations regarding graffiti on the buildings in buffer zone.

Since the building involved was private and was not a classified property, the ICM could only suggest the owner to deal with it on his own. The CCAC considered that although there was no administrative illegality or impropriety in the situation, the laissez-faire approach to such situation would be unfavourable to the conservation of the scenery and environment surrounding cultural heritage. Therefore, the CCAC raised its opinions to the ICM and suggested the latter paying attention to the issue when reviewing the existing regulations of cultural heritage protection. At the same time, the ICM should also strengthen the relevant promotion and education in order to enable citizens to understand the importance of the buffer zone to the conservation of cultural heritage and its surrounding scenery and environment.

#### **IV. Retrospective review**

In 2021, the CCAC followed up the cases on the list of the “retrospective review” in 2020. For instance, it exercised the competence provided by Subparagraph 7) of Article 4 of the *Organic Law of the Commission Against Corruption* to follow up on the reporting works in disciplinary procedures of the Macao Government Tourism Office. At the same time, the CCAC has put the cases that concern the public on the list of the “retrospective review” so as to implement the general principle of people-oriented governance, effectively exercise the supervisory function conferred by the law and constantly promote good governance of public departments or entities.

##### **(I)**

##### **Seeking truth from facts and practical supervision**

An informant told the CCAC that he had filed several complaints to the Municipal Affairs Bureau (IAM) over poor hygiene of an eatery located at Rua da Praia do Manduco that did not properly cover up the food and therefore he worried that the food would be contaminated by the rain during rainy days. However, the IAM only rendered recommendation instead of issuing ticket.

Therefore, the informant suspected that the IAM failed to conduct due supervision and requested the CCAC to investigate the matter.

Following the investigation, it was found that after receiving the complaints, the IAM dispatched personnel to carry out at least 25 non-scheduled on-site inspections and made at least 10 formal on-site inspection reports. During the inspections, the personnel directly gave hygiene guidelines to the license holder and the staff of the eatery and even requested them to improve the hygiene and food storage conditions in written form or else charges would be laid against it. Documental data of the IAM shows that the eatery involved was able to make relevant improvements as required by the IAM within the designated periods. In particular, it has stored the food for display in a transparent storage and covered the food for selling with food wrap.

In order to verify if the IAM had done the supervision works, the CCAC dispatched personnel to carry out on-site inspections openly and secretly during different times of day. It was found that the situation of the eatery involved accorded with the data provided by the IAM. Therefore, the CCAC considered that the IAM had effectively carried out inspection and supervision as required by the law. Whether it was still necessary to punish the eatery despite the gradual improvement made after the IAM rendered the recommendations was actually at the discretion of the supervisory entity, the IAM, while the CCAC did not see any evident administrative illegalities or improprieties such as lack of supervision.

Nevertheless, in the course of the investigation, the CCAC found that there was room for further improvement in the contents of some of the documents of the IAM. The CCAC has raised its opinions to the IAM and suggested formulating guidelines on food storage in eateries and clearly indicating in the notification the legal basis for prosecution and punishment and the statutory amount of the fine as a deterrent. The CCAC also recommended that regarding repeated violations despite repeated warnings or response in a perfunctory manner, the IAM might consider whether the relevant recommendations are

strong enough and it should punish whoever deserves punishment. Only by taking these steps can the legislative intent of the relevant legal regime be demonstrated. Finally, the CCAC clearly notified the IAM that the case had been put on the list of the “retrospective review” and it would carry out review in a proper and timely manner.

## (II)

### **Special subsidy should be publicised in accordance with law**

A citizen complained that his application for subsidy under the “Scheme for Inclusion and Harmony in the Community” was rejected by the Social Welfare Bureau (SWB) for the reason that the complainant’s underage daughter studied in the Chinese mainland, which made him fail to meet the requirements. Moreover, the complainant pointed out that the notification from the SWB did not indicate the reason for the rejection, giving rise to suspicion that the decision was not made lawfully. Therefore, the CCAC was requested to follow up the matter.

The “Scheme for Inclusion and Harmony in the Community” provides a one-off subsidy to families that are financially impoverished or in near poverty situation, especially three types of vulnerable families, namely single-parent families, families with patients of chronic illness and families with disabled members. In addition, under the scheme, activities and care and support plans are carried out to encourage these vulnerable families to take part in community activities. Therefore, one of the vetting requirements is that the beneficiary’s domicile is located in Macao.

Following the investigation, it was found that the main reasons of the rejection not only included the fact that the complainant’s daughter studied in the Chinese mainland (although he claimed that his daughter always came back to Macao to participate in activities) but also that the complainant permanently resided in the Chinese mainland and his overall income exceeded the income

limit for a two-person family required by the scheme. Therefore, the CCAC could not determine that the decision made by the SWB was unlawful.

Nevertheless, the CCAC agreed that the notification sent by the SWB to the complainant neither clearly indicated the reasons for the rejection nor pointed out the statutory channels for appeal. Moreover, the CCAC even discovered that the SWB did not publicise the “Scheme for Inclusion and Harmony in the Community” in the *Official Gazette of the Macao Special Administrative Region* in accordance with Article 9 of the *Regime of Granting Subsidy to Individuals and Households in a State of Financial Need*. Therefore, the CCAC raised its opinions to the SWB and rendered suggestions for improvement.

The SWB replied that it agreed on the CCAC’s opinions and suggestions and promised to carry out a holistic review and to perfect the implementation of the “Scheme for Inclusion and Harmony in the Community” as soon as possible, especially to publicise the details of the scheme in the *Official Gazette of the Macao Special Administrative Region* and to improve the notification of application result, in which the reason and the channels for appeal would be indicated in accordance with the law.

The CCAC has put the case on the list of the “retrospective review” in order to carry out timely review of the measures taken by the department for improvement.

### (III)

#### **Illegal parking deserves attention and retrospective review**

A report alleged that the parking area for fuel tank trucks located at Estrada Marginal da Ilha Verde and Rua Das Camélias had been being occupied by many cars without parking meter payment for a long time, resulting in decrease of revenue received by the Government through the company to which it awarded the contract of management of the metered parking spaces on public roads and giving rise to suspicion of the law enforcement department’s omission and

indifference to illegal parking. Therefore, the CCAC was requested to investigate the matter.

Following the investigation, it was discovered that the Transport Bureau had also received the same complaint and had already referred it to the Public Security Police Force (CPSP) for follow up and, especially, asked the latter to strengthen the efforts in prosecution against illegal parking in the relevant area. In addition, it also came to light that between January 2020 and May 2021, the CPSP instituted 151 prosecutions against illegal parking in the area involved. Therefore, the CCAC could not determine that there was administrative illegality or impropriety or omission existing in the law enforcement by the relevant authority.

Meanwhile, the CCAC also analysed the relevant rules in the contract of management of the relevant metered parking spaces on public roads and verified that the amount of money earned by the company from the meters did not affect that of the revenue received by the Government through the contract.

In view of citizens' concern of the situation, the CCAC has decided to put the case on the list of the "retrospective review" in order to carry out timely review of the effectiveness of the follow-up actions taken by the relevant law enforcement department.

#### **(IV)**

##### **Information for enquiries should be accurate**

A complainant alleged that when he asked the Public Information Centre under the Public Administration and Civil Service Bureau (SAFP) to which department he could lodge a report against a local newspaper that had published indecent photos, the answer he got was the Municipal Affairs Bureau (IAM). However, the IAM told him that this was beyond its scope of competence. Therefore, the complainant suspected that the relevant departments shifted the responsibility onto each other, which constituted administrative impropriety, and requested the CCAC to investigate the matter.

In accordance with Decree-law no. 47/98/M, the functions of the IAM include issuing administrative license to individuals or entities that intend to operate facilities for selling pornographic materials. However, this public institution is not conferred the power to investigate, handle or prosecute publication of indecent contents in newspapers.

Following the investigation, the CCAC substantiated that after the relevant operator of the Government Information Centre received the complainant's enquiry, he did not follow the superior's instruction and the internal guidelines to inform the complainant that he might choose to use the case referral service provided by the centre. The staff member even hastily provided such information to the complainant without correctly and clearly understanding the said power conferred by the law on the IAM. As a result, the complainant was not able to receive effective and accurate assistance immediately.

In the course of the investigation, the SAFP took an initiative to review the enquiry system. It reminded all reception staff of the Government Information Centre that they should pay attention to and strictly follow the relevant guidelines. Meanwhile, the SAFP considered that the case referral process is time consuming and passive. The process takes dozens of days from taking written record and opening a case file, sending a letter to the department responsible, waiting for the written reply and transcribing and referring the reply to the citizen. In such a fast changing society, it seems to be old-fashioned. Therefore, the SAFP promised to perfect interdepartmental cooperation and enhance the communication mechanism between the centre and other departments in order to quicker and more accurately provide citizens with the information they need.

In order to follow up the said improvement measures taken by the SAFP determinedly, the CCAC has put the case on the list of the "retrospective review" and it will especially carry out timely review of the progress of the Government Information Centre's establishment of the interdepartmental communication mechanism in the future.

## V. Departments or entities with positive attitude

As the CCAC is the supervisory entity, its missions in the area of ombudsmanship include cooperating with competent entities and departments to seek the most appropriate solution with an aim to safeguard legitimate interests of individuals and improve administrative works.

To recognise and correct a mistake is the greatest good. The departments or entities that have responded to the opinions raised or recommendations rendered by the CCAC with positive attitude deserve recognition, affirmation and praise. Indeed, since there are countless issues involved in the functioning of society, it is inevitable that some of them are beyond their grasp. Therefore, citizens' oversight and criticism are necessary. It is not surprising that they always discover shortcomings that need to be monitored and redressed. As long as they have a sense of justice and devotion to public interests, their open-mindedness deserves praise.

The CCAC has summarised the cases that deserve to be disclosed in order to let citizens and public departments and entities know the departments or entities that had made an effort to contribute to public administration as a way of encouragement to them.

Departments or entities	Issues involved	Response to CCAC's opinions	Follow-up by the departments or entities
Former Land, Public Works and Transport Bureau (currently Land and Urban Construction Bureau), Cultural Affairs Bureau	Planning and preservation of Colina da Ilha Verde and the seminary	The departments have accepted the CCAC's recommendations and taken appropriate actions.	They stated publicly and respectively that they would strictly enforce the <i>Urban Planning Law</i> and the <i>Cultural Heritage Protection Law</i> in order to ensure that the planning and preservation of Colina da Ilha Verde and the seminary accord with the laws.
Transport Bureau	Differentiation of buses with colours	The department has accepted the CCAC's opinions and taken appropriate actions.	Taking actions orderly to differentiate buses for public transportation from those for hire with colours and continuously



<b>Departments or entities</b>	<b>Issues involved</b>	<b>Response to CCAC's opinions</b>	<b>Follow-up by the departments or entities</b>
			monitor the places in which the advertisements are posted by the bus company.
Macao Customs Service	About the fact that secretaries were paid compensation for working during the period of exemption from work	The department has accepted the CCAC's recommendations and taken appropriate actions.	Repealing the decision of paying compensation for working during the period of exemption from work.
Statistics and Census Service	Overtime compensation paid to secretarial staff	The department has accepted the CCAC's recommendations and taken appropriate actions.	The department has notified its subordinate services and instructed them to redress the inappropriate practice of paying overtime compensation to secretarial staff.
Health Bureau	Recruitment notice indicating requirement of education qualification higher than that prescribed in the law	The department has accepted the CCAC's opinions and taken appropriate actions.	Repealing the effect of the unlawful recruitment notice and all the following stages in the process.
Public Security Police Force	Providing traffic offenders with accurate information	The department has accepted the CCAC's opinions and taken appropriate actions.	Strengthening training for front-line police officers, providing traffic offenders with accurate information and improving the procedure of issuing notification of traffic offence.
Identification Services Bureau, Public Security Police Force	Temporary residence permit	The departments have accepted the CCAC's recommendations and taken appropriate actions.	The Identification Services Bureau and the Public Security Police Force established a inter-departmental cooperation and communication mechanism to

Departments or entities	Issues involved	Response to CCAC's opinions	Follow-up by the departments or entities
			jointly improve the work of verification of whether or not the applicants have met the statutory requirements for obtaining relevant permits in the process of application for residence permit and permanent ID card.
Macao Polytechnic Institute (currently Macao Polytechnic University)	Teaching staff's attendance	The department has accepted the CCAC's opinions and taken appropriate actions.	Strengthening supervision on the teaching staff's attendance and formulating the relevant management regulations.
Environmental Protection and Energy Conservation Funds	Supervision on grant of subsidies	The department has accepted the CCAC's recommendations and taken appropriate actions.	Perfecting the supervision of and evidence gathering for the grant of subsidies of the Environmental Protection and Energy Conservation Funds.
Former Land, Public Works and Transport Bureau (currently Land and Urban Construction Bureau), Fire Services Bureau	Replacement of fire shutters of Edificio do Bairro da Ilha Verde	The departments have accepted the CCAC's recommendations rendered publicly and promised to take appropriate actions.	The competent departments have promised to review and effectively perform their duties and strengthen interdepartmental communication and coordination. They have also perfected the relevant laws and regulations.
Social Welfare Bureau	Scheme for Inclusion and Harmony in the Community	The department has accepted the CCAC's opinions and taken appropriate actions.	Perfecting the contents of the notification to applicants for the Scheme for Inclusion and Harmony in the Community and considering publicising the scheme in the <i>Official Gazette of the Macao SAR</i> .

<b>Departments or entities</b>	<b>Issues involved</b>	<b>Response to CCAC's opinions</b>	<b>Follow-up by the departments or entities</b>
Sports Bureau	Refund for swimming tickets	The department has taken appropriate actions.	Refunding the complainant the sum paid for the swimming tickets and perfecting the regulations of the use of swimming pool by stipulating the arrangements for refund in case of inclement weather.
Macao Customs Service	Information of electronic form for import/export declaration	The department has accepted the CCAC's recommendations and taken appropriate actions.	Uploading information of re-import of vehicle after export to the website of Macao Customs Service and instructing front-line customs officers to remind applicants to use appropriate document for customs clearance.
Transport Bureau	Management of carpark	The department has taken appropriate actions.	The bureau has punished the carpark management company for incomplete surveillance records and stated that it would step up inspection on the operation of carpark surveillance system and request the management company to strictly verify the accuracy of the information provided.
Housing Bureau	Errors in flat number registration	The department has accepted the CCAC's recommendations and taken appropriate actions.	The department has authorised a lawyer to deal with the errors in the registration of the number of flats in the building.
Education Development Fund	Subsidies from the School Development Plan	The department has accepted the CCAC's recommendations	Measures will be taken to enhance the supervisory mechanism, execute the refund mechanism in

Departments or entities	Issues involved	Response to CCAC's opinions	Follow-up by the departments or entities
(Education and Youth Development Bureau)		rendered publicly and promised to take appropriate actions.	accordance with the law, improve every step of the subsidising procedure and formulate clear guidelines. The department will gradually request the schools to submit the financial reports of the projects involving subsidies of huge amounts verified by accountants and strengthen the recusal system applicable to their staff.
Macao Customs Service	About the fact that a customs officer opened private companies	The department has taken appropriate actions.	The Macao Customs Service has initiated a disciplinary procedure and sentenced the officer to dismissal from service.
Public Security Police Force	About the fact that a police officer slept and played on his phone during his working time	The department has taken appropriate actions.	The Public Security Police Force has initiated a disciplinary procedure and sentenced the officer to a fine.
Public Security Police Force	About the fact that an auxiliary worker always left the territory during sick leave	The department has taken appropriate actions.	The Public Security Police Force has initiated a disciplinary procedure and sentenced the worker to a fine.

**PART IV**

**PROMOTION & EDUCATION**

## **PART IV**

### **PROMOTION & EDUCATION**

The year 2021 marked the 7<sup>th</sup> Legislative Assembly of the Macao SAR. Safeguarding the integrity of the Legislative Assembly Elections was the priority task for the year. Therefore, for publicity and education, the CCAC focused on launching clean election publicity activities and strived to take the pre-emptive opportunity to disseminate the message on the importance of clean elections to the general public so that they could acquire the knowledge of the election law and avoid any inadvertent breach of the law. Meanwhile, the CCAC also continued its effort in rolling out clean election publicity activities for secondary and primary school students as well as the public and private sectors so as to foster the sense of integrity and honesty to all the citizens of Macao.

#### **I. Clean election publicity activities as well as other competitions and activities**

In 2021, the CCAC held various publicity activities on the theme of clean elections for the youngsters and the general public including clean election seminars, “Know More about Clean Elections” School Drama Tour, “Integrity Cup” Invitational Debate Competition, “Clean Elections for All” City Orienteering Competition, “Clean Election Roadshow 2021”, WeChat quiz games and “Zone on Clean Elections” School Campus Touring Exhibition with a view to spread clean election messages to different strata of the society.

##### **(1) Clean election seminar**

As the 7<sup>th</sup> Legislative Assembly Elections of the Macao SAR took place in September 2021, the CCAC, as usual, sent its staff to some schools, civic associations/ institutions at their invitation where they held clean election seminars for their students, members and staff. By explaining the *Electoral Law*

*of the Legislative Assembly* through common electoral bribery cases, the CCAC reminded “first-time voters” and citizens to stay vigilant against the traps of electoral bribery, value their votes and avoid breaching the law inadvertently. Between March and August 2021, a total of nine clean election seminars were held for 649 people.

## **(2) “Know more about Clean Elections” School Drama Tour**

Between March and June 2021, the CCAC rolled out the “Know more about Clean Elections” School Drama Tour in secondary schools and higher education institutions of Macao by way of “integrating drama into campus”. A total of 32 drama performances were held for 23 secondary schools and four higher education institutions, reaching 4,369 students.

The CCAC hopes to, by way of visualising abstract ideas, disseminate clean election messages to secondary students and university freshmen through drama. At the end of the drama performance, the CCAC staff would draw a conclusion from it and point out the commonly encountered problems and myths of elections so as to remind the students to avoid breaching the law advertently due to temptation by advantages as well as understand the importance of clean election to them and the society.

## **(3) “Integrity Cup” Invitational Debate Competition**

The CCAC held the “Integrity Cup” Invitational Debate Competition in March 2021. The activity served as a platform for teenage students to have an in-depth discussion on elections, analyse the meaning and values of elections rationally as well as safeguard clean elections jointly.

The competition featured almost 100 representatives from six higher education institutions, including the University of Macau, the Macau University of Science and Technology, the Macao Polytechnic Institute (the current Macao Polytechnic University), the Academy of Public Security Forces of Macao, the City University of Macau and the Macao Institute for Tourism Studies. The

representatives of the said higher education institutions conducted three sessions of debate on the topics related to clean elections. Upon vigorous debate, the Macau University of Science and Technology won the Best Team Award while the University of Macau and the Macao Polytechnic Institute (the current Macao Polytechnic University) won the Distinction Awards. Leaders and representatives of numerous higher education institutions, representatives of the Chinese Educators' Association of Macau, the Union of Catholic Schools of Macau and the Education and Youth Development Bureau, as well as teachers and students of a number of secondary schools attended the activity, recording nearly 350 participants.

#### **(4) “Clean Elections for All” City Orienteering Competition**

For the first time, the CCAC held the City Orienteering Competition on 16<sup>th</sup> May 2021, with a view to promote participants' active participation in the activity to disseminate clean election messages around the city. More than 100 teams enrolled in the competition. The CCAC selected 30 teams by lucky draw. On the competition day, over 100 participants who were divided into groups of three to four people had to complete the mission related to clean elections by setting off at Tap Seac Square and visiting different points within limited time. The activity received favourable responses and the participants agreed that the activity helped them better understand the knowledge of the electoral law which aroused more citizens to pay attention to and support clean elections.

#### **(5) Clean Election Roadshow 2021**

In order to spread clean election messages to the community and enhance the impact of promotion, the CCAC held the “Clean Election Roadshow 2021” in July in Iao Hon Market Park (the activities originally held in the Flower City Park and the Leisure area of Edif. Wang Hoi and Wang Kin of Fai Chi Kei were cancelled due to the pandemic) to raise public awareness of clean elections.

The activity featured booth games, drama performances, WeChat quiz games and exhibitions on election information with a view to remind the general



public the issues to notice during the Legislative Assembly election period and to avoid falling into the traps of breaching the law. The Integrity Volunteer Team even supported the clean elections with full efforts by inviting the citizens living nearby to join the quiz games at the streets.

#### **(6) WeChat quiz games**

In order to attract more citizens to pay attention to and learn about clean elections, the CCAC rolled out three WeChat quiz games on the topics of clean elections at its WeChat public account.

In May and August 2021, the games of “Clean election X-ray machine” and “Learn about clean elections step by step” were rolled out successively and respectively to hammer home clean election messages to the general public through online quizzes. In addition, one day prior to the polling day of the Legislative Assembly Elections, another clean election quiz game, “Learn through watching video clips”, was launched, which featured simple and easily understood animated video clips to further promote the importance of clean elections to the general public. The three games received favourable responses from the general public, recording a total of 53,000 participants.

#### **(7) “Zone on Clean Elections” Touring Exhibition**

Between May and September 2021, the CCAC organised nearly 50 sessions of “Zone on Clean Elections” Touring Exhibition comprising the broadcasting of clean election video clips, display panels, colouring competitions for kids and quiz games at the Macao secondary schools, higher education institutions, Convention Center of the Macao Science Center, premises of civic associations, community centres, youth centres and elderly centres in order to directly spread clean election messages to the campuses and the community.

#### **(8) Promoting clean election messages by different channels**

The CCAC also disseminated clean election messages through different

channels in order to appeal to the general public to join hands to safeguard the fairness, justice and integrity of the Legislative Assembly Elections in an all-embracing way, including:

1. Thematic webpage: launch the “Webpage on clean elections 2021” in order to facilitate the general public to obtain detailed information related to clean elections in a more convenient and comprehensive way.
2. Promotion carried out by volunteers: arrange volunteers to hand out publicity leaflets about elections and affix publicity posters on streets of relatively crowded districts of Macao, including the central district, the Dynasty Plaza district, the Iao Hon district, the Areia Preta district and the Horta e Costa district some days prior to the polling day in order to appeal to the general public to support clean elections and avoid traps of electoral bribery.
3. Infographics: to tie in with the general public’s habit to obtain information through the new media, the CCAC produced video clips and animation videos on cases based on the blueprints of common illegal practices in elections and shared them through the WeChat public account. Infographics were created to persistently spread clean election messages through platforms of social network (e.g. WeChat etc.) in order to facilitate the general public to acquire the knowledge and observe the law.
4. Media advertisements: the CCAC placed comic strips or electoral information on the theme of clean elections in newspaper advertisements and columns and utilised electronic media, including the Chinese and Portuguese radios and televisions, to broadcast multi-faceted clean election advertisements, radio dramas and video clips in different slots every day with a view to widely disseminate clean election information.

5. Internet advertisements: the CCAC uploaded clean election messages on frequently visited websites, mobile applications and platforms of social network of Macao with a view to facilitate more citizens, young generations in particular, to receive clean election messages.
6. Advertisements in public places: lamppost buntings, railing banners, footbridge banners, MUPI, large outdoor signboards, large billboards and advertising light boxes in public car parks.
7. Advertisements at premises of public departments and enterprises: the Municipal Affairs Bureau, the Sports Bureau, the Public Security Police Force, the Public Administration and Civil Service Bureau and the CTM lent out the advertising areas and the windows of the external walls of their premises where large advertisements about clean elections were placed. Moreover, clean election advertisements were broadcast at 14 public departments (the Identification Services Bureau, the Education and Youth Development Bureau and the Social Welfare Bureau etc.) or the 50 reception areas at their subordinated service centres, as well as all of the 36 branches of the Bank of China (Macao Branch) to facilitate the general public to receive clean election messages in a light-hearted manner while using government services or handling their banking businesses.
8. Advertisements on bus: place advertisements on bus bodies and inside the bus compartments and broadcast clean election advertisements and video clips on screens inside the bus compartments.
9. TV programme “Enquiry and reply”: widely promote the relevant regulations of the *Electoral Law of the Legislative Assembly* and the notes to notice for the candidate lists on TDM’s TV programme “Enquiry and reply” with a view to facilitate the voters and the candidate lists to acquire the knowledge of and abide by the law in

order to safeguard the fairness, justice and integrity of the elections with concerted efforts.

10. Production of publications and publicity materials: print posters and publicity leaflets about Clean Elections 2021, produce a variety of publicity materials to be handed out to the general public at different occasions in order to promote clean election messages and anti-corruption hotlines.

## II. Education on corruption prevention for public and private sectors

In 2021, the CCAC held a total of 437 seminars and talks on different topics, which recorded 28,720 participants who were mainly public servants, employees of private companies, ordinary citizens, teenagers, students of higher education institutions, secondary and primary schools. The statistics are shown in the following table:

**Statistics of seminars and talks in 2021**

<b>Topic</b>	<b>Target</b>	<b>No. of sessions</b>	<b>No. of participants</b>
Integrity and Observance, Noble Character and Righteous Conduct, Declaration of Assets and Interests, Public Procurement	Public servants	62	2,769
Seminar on the law <i>Prevention and Suppression of Bribery in the Private Sector</i>	Private entities, public departments, educational institutions	38	1,717
Integrity Awareness	Civic associations and government departments	7	240
Integrity Education	Teenage students	321	23,345
Clean Elections	Students and public institutions	9	649
<b>Total</b>		<b>437</b>	<b>28,720</b>

### **(1) Seminars on integrity for public servants**

To further strengthen the integrity awareness of public servants and the probity culture of public departments, the CCAC sustains its efforts to hold seminars on integrity with different topics including “Integrity and Observance”, “Noble Character”, “Public Procurement” and “Declaration of Assets and Interests”. A total of 62 seminars were held for 2,769 public servants from 16 departments/ institutions in the year.

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

The CCAC launched the “Webpage on information about integrity for public servants” in November 2020 to introduce the in-depth concepts of duty-related crimes in a simple way. In 2021, the CCAC updated the information of the columns in the theme-based webpage in order to introduce to the public servants about the principle of exclusiveness as stated in the legal regime of public services and other duty-related crimes. In addition, to tie in with the trend of e-learning in the society, the CCAC launched an e-learning course entitled “Uphold Your Integrity” in collaboration with the Public Administration and Civil Service Bureau. The course, which is offered in modules, introduces to the public servants about the obligations and code of conduct they should comply with in order to enhance their senses of integrity and law-abidingness through self-learning online. Between September and December 2021, the CCAC offered two classes of e-learning course entitled “Uphold Your Integrity” which received favourable responses and attracted 208 public servants to enrol in the course.

### **(3) Seminars on integrity for the private sector**

In 2021, the CCAC persistently organised talks for civic associations, private entities and educational institutions on the law *Prevention and Suppression of Bribery in the Private Sector*, where the legal provisions were introduced and explained with cases and examples which were selected and tailor-made for the individuals and organisations in different circles. A total of

38 talks were held for 1,717 participants who were employees of banks, hotels, small and medium-sized enterprises and subsidised institutions.

### III. Integrity education for teenagers

In collaboration with the education sector, the CCAC continues its efforts in promoting to the children and teenagers the integrity and honesty culture. In 2021, the CCAC organised 321 multi-faceted education and publicity activities to 23,345 teenagers, students of secondary and primary schools to promote proper moral values.

#### Statistics of seminars and activities for teenagers in 2021

Programme	No. of sessions	No. of participants
Integrity and Honesty Seminar for Higher Education Students	12	645
Education Programme on Integrity for Teenagers	85	5,485
A Talk on Integrity for Secondary School Graduates	15	1,256
New Generation of Integrity	119	3,549
“Spend the Children’s Day with William” – a special event featuring animals voting for a leader	28	880
“Love Integrity” – “Integrity Week” Series in Primary Schools	30	7,161
“Know More about Clean Elections” School Drama Tour	32	4,369
<b>Total</b>	<b>321</b>	<b>23,345</b>

## **(1) Integrity and honesty education for higher education students**

### **1. Integrity and Honesty Seminar for Higher Education Students**

The CCAC has all along been maintaining liaison and collaboration with higher education institutions of Macao and persistently holds the Integrity and Honesty Seminar for Higher Education Students basing on the law *Prevention and Suppression of Bribery in the Private Sector*, where a video clip is presented and the elements of active corruption and passive corruption are introduced. The seminar aims to encourage students to reflect on the harmful effects of corruption on society and individuals and help them develop a zero-tolerance attitude towards corruption. In 2021, a total of 12 seminars were held for 645 students from the University of Macau and the Macau University of Science and Technology.

### **2. Offer of internship opportunities to teenage students for their participation in promoting integrity**

In 2021, the CCAC first developed cooperation with higher education institutions by offering internship opportunities to five students from two higher education institutions of Macao. During the internship, the interns went into the campuses and the community with the staff of the CCAC to disseminate the messages of integrity and clean elections to the students of secondary and primary schools and the general public. They also participated in clean election publicity activities and filming clean election advertisements in order to support the integrity education of the CCAC with full efforts.

## **(2) Integrity seminars for secondary students**

### **1. Education Programme on Integrity for Teenagers**

Regarding the “Education Programme on Integrity for Teenagers”, the CCAC sent its staff to introduce to the secondary students the topics on integrity tailored-made for different developmental stages and guide them to discuss and think about the importance of integrity by various ways including video clips on

cases, daily life examples and current issues.

In 2021, there were 16 schools joining the “Education Programme on Integrity for Teenagers” and a total of 85 seminars were held for 5,485 students.

## **2. A Talk on Integrity for Secondary School Graduates**

The CCAC holds the theme-based seminar entitled “A Talk on Integrity for Secondary School Graduates” for the new secondary school graduates. The seminar aims to introduce to secondary students the anti-corruption law currently in force and corruption prevention knowledge before they graduate from schools through case study and an in-depth explanation of the law in a simple way. Also, the seminar enhances students’ legal knowledge and encourages them to understand and abide by the law in order to avoid falling into the traps of corruption. In 2021, a total of 15 seminars were held for 1,256 students from nine schools.

### **(3) “Integrity Week” in secondary schools**

Every year, the CCAC co-organises the “Integrity Week” with different secondary schools of Macao, where a series of theme-based activities on the topic of “integrity and honesty” is held in the campuses, which enables the students to have an in-depth understanding and reflection on the topic.

In 2021/2022 academic year, the CCAC altered the former way of cooperation with the schools in holding the “Integrity Week” with a view to continuously provide internship opportunities to teenage ambassadors, who would then be the ones to create appropriate integrity activities in order to persistently disseminate clean election messages in the campuses. In November 2021, ambassadors of honesty and integrity of Santa Rosa de Lima (Chinese Section) took the lead to hold the “Integrity slogan design competition” and “Online quiz games” in the campus, giving full play to achieve a good impact of disseminating integrity messages among peers.



#### **(4) “New Generation of Integrity” – Education Programme on Honesty for Primary Students**

Over the years, the “New Generation of Integrity” – Education Programme on Honesty for Primary Students has been a brand activity for integrity education. In 2021, a total of 119 sessions of the “New Generation of Integrity” – Education Programme on Honesty for Primary Students were held for 20 schools, reaching 3,549 students. To make the activity more attractive to the primary students, Virtual Reality (VR) and Augmented Reality (AR) Game Devices were introduced in the visiting area “Galaxy of Integrity” of the Branch Office in Areia Preta so as to strengthen the publicity of “clean elections”. Through the AR technology, students and visitors are encouraged to learn through playing games by identifying corrupted acts and learning the consequences of corruption during the process. Moreover, to tie in with the CCAC to develop an AI robot to assist in the promotion of the integrity education programme, the cartoon character of the CCAC, “William, the AI robot”, which was developed in 2020, has been put into service since 2021. It acts as an assistant instructor for integrity education for primary schools and has classroom interaction with primary students. Being warmly welcome by the students, it helps to enhance the impact of integrity education.

#### **(5) “Love Integrity” – “Integrity Week” series in primary schools**

Since the “Love Integrity” – “Integrity Week” series in primary schools has rolled out in 2020, it is popular among schools. During the week, activities are held during lunch breaks or in lessons to tie in with the teaching arrangements of the schools to disseminate the message of integrity and honesty amongst primary students in the format of booths games, curricular activities, short stories of integrity, video clips, VR games and quiz games on panel gallery.

In 2021, the CCAC persistently sent its staff to primary schools to hold the “Love Integrity” – “Integrity Week” series. They played games and had story-telling sessions with students in Premier School Affiliated to Hou Kong Middle

School, Saint Paul School, Pui Va Middle School (Primary section), Luso-Chinese Secondary School in Taipa and Colégio Dom Bosco (Yuet Wah), reaching 7,161 students. Among them, Pui Va Middle School (Primary section) even held interclass integrity activities during the integrity week, namely Integrity slogan design competition, “Integrity” idiom calligraphy competition and Integrity bookmark making workshop.

**(6) “Spend the Children’s Day with William 2021” – a special event featuring animals voting for a leader**

To tie in with the Legislative Assembly Elections which took place in the year, the CCAC held the “Spend the Children’s Day with William 2021 – a special event featuring animals voting for a leader” in June and July. The activity, targeting at Primary one and two students, encourages the lower primary students to learn the importance of fair elections through playing games, listening to stories and carrying out mock polls. A total of 28 sessions were held for 880 students from 11 schools.

**(7) Persistent update of the “Resources Database of Integrity Education”**

To enrich the teaching resources of the “Resources Database of Integrity Education” in order to provide teachers with timely and appropriate integrity education teaching materials, in 2021, the CCAC selected 15 winning entries from the “Integrity Lesson Plan Design Collection Activity” for compilation and upload to the “Resources Database of Integrity Education”, where the lesson plans are classified by different stages of education, including secondary and primary schools as well as early childhood, for visit and use by education workers. In addition, the column of “Integrity Stories for Children” is also updated. Integrity stories coupled with illustrations, audio animated stories, easy crafts are created for primary students so as to facilitate teachers and parents to broadcast stories online and use relevant teaching resources.

## **(8) Establishment of “Panel of Advisors for Teaching Materials on Integrity”**

To strengthen and expand integrity education targeting at different stages of education, including secondary and primary schools as well as early childhood, the CCAC invited non-tertiary education schools and serving teachers who have participated in the “Integrity Lesson Plan Design Collection Activity” to form the “Panel of Advisors for Teaching Materials on Integrity of the CCAC of Macao”. The panel has already put into operation.

The “Panel of Advisors for Teaching Materials on Integrity” is a trial plan which covers three stages of education, including secondary and primary schools as well as early childhood, with a view to enhance cooperation between the CCAC and the education sector. The panel is formed by 53 teachers from 29 schools of Macao. Not only do the members teach moral education as well as major subjects including Chinese, English and Mathematics, they also teach information technology and visual arts etc. Some of the members are awardees of “Integrity Lesson Plan Design Collection Activity”.

The members will submit the teaching plans to the CCAC on a regular basis. Upon review by the expert panel formed by representatives of higher education institutions of Macao and education associations, the teaching plans will be provided to teachers for use. Moreover, the CCAC will also invite teachers from the panel to try teaching the lesson plans and teaching materials compiled by the CCAC. As such, the CCAC is able to listen to the opinions of the teachers as well as further enrich and update the “Resources Database of Integrity Education” of the CCAC. The relevant teaching resources may also better cater to the actual needs of teaching and are more suitable for the teachers to use in the lessons.

## **(9) Awards Ceremony of “Dissemination of Integrity in Schools” – Training of Teenage Ambassadors of Integrity and Practice Plan in Schools” cum Experience Day on Local Activities for Outstanding Teams**

In order to disseminate the message of integrity and honesty to young people and encourage them to proactively promote the sense of integrity to campuses

and everyday life, the CCAC first held the “Dissemination of Integrity in Schools” – Training of Teenage Ambassadors of Integrity and Practice Plan in Schools in 2020/2021 academic year, which attracted a total of 87 secondary students from 13 schools to participate.

Between January and March 2021, the 87 teenage ambassadors carried out activities to promote integrity and honesty in schools. Apart from display panels, booth games, design of slogans and posters, there were dramas, orienteering activities, comics, microfilms and creative character design etc. The number of persons from different schools participating in the activity ranged from over 100 to 3,000. Based on the activity reports submitted by the teams as well as the scale, creativity and use of resources of the integrity activities carried out by them, the CCAC selected ten outstanding teams.

On 17<sup>th</sup> April 2021, the CCAC held the Awards Ceremony of “Dissemination of Integrity in Schools” – Training of Teenage Ambassadors of Integrity and Practice Plan in Schools at the Convention Center of the Macao Science Center, during which outstanding ambassadors of integrity were awarded. In addition, nearly 50 ambassadors of integrity and their mentors from the ten outstanding teams participated in the Experience Day which was organised by the CCAC, comprising a visit to the Legislative Assembly to deepen the understanding of the operation and daily work of the legislative body of Macao as well as participation in experiential learning activities to strengthen team cooperation.

#### **IV. Promotion in the community**

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

The Branch Office in Areia Preta and the Branch Office in Taipa continue to play the role in providing convenient channels for citizens to lodge complaints, report cases and seek consultation. In 2021, the two Branch Offices received a

total of 485 complaints/ reports, requests for consultation and simple enquiries, representing a decrease of 103 counts compared with 588 counts received in 2020. Details are as follows:

**Statistics of reports or requests from residents in 2021**

No. of complaints/ reports		No. of requests for consultation	No. of simple enquiries	
Lodged in person	Lodged in writing		Made in person	Made by phone
15	10	42	251	167
Subtotal: 25		Subtotal: 460		
Total: 485				

In 2021, the Branch Office in Areia Preta received a total of 412 complaints and reports as well as enquiries. Among them, complaints and reports as well as requests for consultation accounted for 57 counts while simple enquiries accounted for 355 counts.

Regarding the Branch Office in Taipa, as it has been temporarily closed for internal renovation since August, the number of complaints and reports as well as enquiries in 2021 accounted for 73 counts, representing a decrease of 53 counts compared to last year. Among them, complaints and reports as well as simple enquiries accounted for ten counts while simple enquiries accounted for 63 counts.

Upon renovation, the Branch Office in Taipa is slated to be an integrity education base for young people and civic associations and will actively reach out to the community in order to better play its role in promoting integrity education in the community.

**(2) Developing community relations**

**1. “Building of integrity in the Community 2021” interactive education theatre co-organised with civic associations**

To strengthen cooperation with civic associations and make more gainful use of the community network of the civic associations, between November and

December, the CCAC held the parent-child activity entitled “Building of Integrity in the Community 2021” interactive education theatre in collaboration with five community organisations, namely Sheng Kung Hui Gambling Counseling and Family Wellness Centre, Fountain of Love and Joy Integrated Family Service Centre – Caritas Macau, the Social Service Division of the Methodist Church Macau – Family Support Education Centre, Stage – Service Center of the Macao Federation of Trade Unions and the Iao Hon Community Centre of the General Union of Neighbours’ Association of Macao. By way of “integrating drama into community”, the parents and children were able to take a simple test of “integrity” with the characters of the drama through appreciation of drama, body movement games, interactive discussion and craft workshop. As such, they could understand that a person with integrity should behave at his root and upholding integrity served as the key to laying a solid foundation of trust and positive growth. The civic associations were pleased with the way of collaboration to organise activities and suggested the CCAC hold similar types of activities again in the future in order to impress upon the community with integrity education.

## **2. United Nation’s International Anti-Corruption Day**

In line with the “United Nation’s International Anti-Corruption Day” on 9<sup>th</sup> December, between 15<sup>th</sup> November and 31<sup>st</sup> December, the CCAC offered an array of publicity activities based on this year’s theme of the organisation, “Your right, your role: Say no to corruption”. The activities included producing a new series of “United Nation’s International Anti-Corruption Day” video clips, rolling out a thematic webpage, holding the collection activity of creative tongue twisters, creating thematic infographics, and showing advertisements or video clips on radio channels, mobile applications, buses and public screens of public departments. The CCAC seeks to remind the general public of Macao, regardless of gender, age and walks of life, that every one of them can actively play a role in graft fight. With zero-tolerance to corruption, they should be brave enough to report and say no to it.

The aforesaid collection activity of creative tongue twisters features the themes of “zero-tolerance to corruption” and “encouraging the general public to lodge complaints or reports in person to the CCAC”. Between 15<sup>th</sup> and 30<sup>th</sup> November, the collection activity was launched online and a total of 437 entries were collected, recording 326 participants. The CCAC selected 20 excellent entries from the collection activity for awarding. Such entries will be used in future publicity activities.

### **3. Participating in community activities**

In 2021, due to the pandemic, some of the community activities were suspended. However, the CCAC still continued to participate in community activities whenever possible, including setting up booth games at the “International Children’s Day 2021” bazaar to infuse fun with education and promote the sense of integrity to the general public, especially children. It also proactively organised its staff and volunteers to participate in the “Virtual Walk for a Million”.

### **4. Integrity education in the community**

In 2021, the CCAC received a total of six institutions and associations which visited the Branch Office in Areia Preta, including the Macao Polytechnic Institute (the current Macao Polytechnic University), the Moon Chun Memorial College of the University of Macau, the “Power for Law Promotion ” Teenage Volunteer Team of the Legal Affairs Bureau, the University of Macau’s Subsidiary Association of Macau Asian Law Students’ Association – Macao Sector, Hou Kong Middle School as well as family members of civil servants organised by the Division of Social Support to Civil Service of the Public Administration and Civil Service Bureau. Through attending the seminars and visiting the teaching facilities of the Branch Office, the visitors had a deeper understanding of the CCAC.

### **5. Media publicity**

By way of various approaches such as different types of advertisements,

press releases, internet and new media, the CCAC seeks to promote integrity awareness to the general public and encourages them to report on corruption and support the integrity building of Macao. The CCAC sustains its efforts in strengthening the intensity of publicity in new media so that integrity messages are disseminated to the target audiences in a faster and more accurate way. In 2021, the CCAC persistently rolled out different types of infographics through its WeChat public account in order to disseminate CCAC's information and integrity messages vividly to the general public, with the number of hits totalling more than 126,000. The accumulated number of followers of the CCAC's WeChat public account reaches over 10,000 people.

## **6. Integrity Volunteer Teams**

In 2020, the CCAC accomplished the recruitment of the members of the "Integrity Volunteer Team" and the "Integrity Volunteer Team – Parent-Child Volunteer Group". In 2021, the volunteers continued to proactively assist in different publicity and education work. Over 200 volunteers participated in the 22 activities arranged by the CCAC, including trainings, visits and promotion work. As the Legislative Assembly Elections took place in 2021, the members of the "Integrity Volunteer Team" participated in the promotion work of the Legislative Assembly Elections such as assisting in activities, competitions, roadshows as well as distributing leaflets and producing video clips. They gave full play to their strength to promote the sense of clean elections to the community around.

In order to thank the members of the "Integrity Volunteer Team" for their long-term support to the integrity building of Macao, the CCAC specially held the "You are a part of our journey to integrity" - Awards Ceremony for Integrity Volunteers 2021 in November for expressing its gratitude to outstanding volunteers who proactively assisted the CCAC in various publicity campaigns over the past two years.



**PART V**

**EXCHANGE & TRAINING**

## **PART V**

### **EXCHANGE & TRAINING**

Since the outbreak of the novel coronavirus in early 2020, the CCAC has changed its former ways of exchanges and trainings outside Macao. Instead, it mostly participated in online meetings, seminars and trainings in order to continuously make joint efforts with the Chinese mainland, Hong Kong and international organisations to contribute to the building of integrity.

#### **I. Receiving visitors**

In order to tie in with the policies to fight the pandemic, in 2021, the CCAC did not receive any delegations outside Macao. Locally, due to the pandemic of Macao was relatively stable, the CCAC received delegations of Macau Anti-Money Laundering Specialists Association and those of the Financial Intelligence Office in February and March 2021 respectively, where the parties exchanged and discussed the cooperation of various plans.

#### **II. Visits and regional and international meetings**

Since the pandemic in the Chinese mainland and Macao was relatively stable, in January and February 2021, the CCAC went to the nine municipalities of the Guangdong province in the Guangdong-Hong Kong-Macao Greater Bay Area twice to visit the Guangdong Provincial Commissions for Discipline Inspection and Supervision and other municipal Commissions for Discipline Inspection and Supervision. Also, it conducted a study tour at the education bases for anti-corruption and other enterprises which served as role models for integrity in the nine municipalities of Guangdong province in order to continuously make efforts to establish a closer relationship with the counterparts of the Chinese mainland.

The CCAC persistently maintained a good partnership with the Independent Commission Against Corruption of Hong Kong (ICAC). On 18<sup>th</sup> February 2021, the leaders of the CCAC met the Commissioner of the ICAC, Simon Peh Yun-lu and other representatives by videoconferencing where they exchanged views on integrity building of Macao and Hong Kong. They also discussed and exchanged views on the cooperation of the Guangdong-Hong Kong-Macao Greater Bay Area and talked about deepening the cooperation between Hong Kong and Macao.

On the front of international affairs, despite the raging pandemic all over the world, the international associations held online meetings which enabled the CCAC to persistently keep good communications with other countries and regions and proactively carry out the duties as a member of the international associations. In 2021, the CCAC participated in the following international or regional meetings by videoconferencing, including:

- The Asian Regional Meeting of the International Ombudsman Institute (IOI) and the IOI General Assembly successively in May 2021.
- The Asia/Pacific Group on Money Laundering (APG) Plenary Meeting in July 2021.
- The Election of Directors of Board of Directors of the Asian Region of the IOI in August 2021.
- The “1<sup>st</sup> Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network)” at the invitation of the National Supervisory Commission participated by the CCAC staff in November 2021.

### **III. Implementation of the United Nations Convention against Corruption**

Between 13<sup>th</sup> and 17<sup>th</sup> December 2021, 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 staff participated in the 9<sup>th</sup> session of the Conference of the States Parties to the United Nations Convention against Corruption by videoconferencing. The meeting, which was held in Sharm el-Sheikh, Egypt, registered 2,133 participants from 152 countries to take part in person or online.

At the meeting, eight resolutions and two decisions were adopted, involving the issues of prevention of corruption, functions of audit institutions, asset recovery, cooperation of law-enforcement authorities, building of political declaration of the United Nations General Assembly Special Session.

#### **IV. Personnel training**

Despite the raging pandemic all over the world, the CCAC could still participate in online trainings. In 2021, the CCAC staff participated in many seminars, workshops and trainings organised by international organisations in order to continuously strengthen the knowledge of the profession and enhance the level of work. Such associations included: IOI, International Association of Anti-Corruption Authorities (IAACA), World Bank, APG, Asian Development Bank (ADB) and Organisation for Economic Co-operation and Development (OECD).

On the other hand, the CCAC proactively arranged internal trainings for its staff. In 2021, the seminar of “Knowledge of anti-money laundering” was held. The CCAC invited a local professional institution to carry out a training for its staff on the knowledge of anti-money laundering so as to grasp the trend and development of money laundering in the area of international finance in a timely manner and persistently enhance the level of enforcement of the staff and the capabilities to perform operations.

Due to the adjustment of the thresholds related to the public procurement procedures of the SAR Government, between May and June, the CCAC invited a professional instructor to give a course on the “Regime of Expenditure of

Construction Works and Acquisition of Goods and Services (Public Procurement)”. Through detailed explanation and case analyses, the instructor enabled the staff to have a more comprehensive and deeper understanding of the regime of the public procurement currently in force in Macao so as to facilitate the staff to accurately apply and interpret the legal regime in order to achieve the purpose of acting and supervising according to the law.

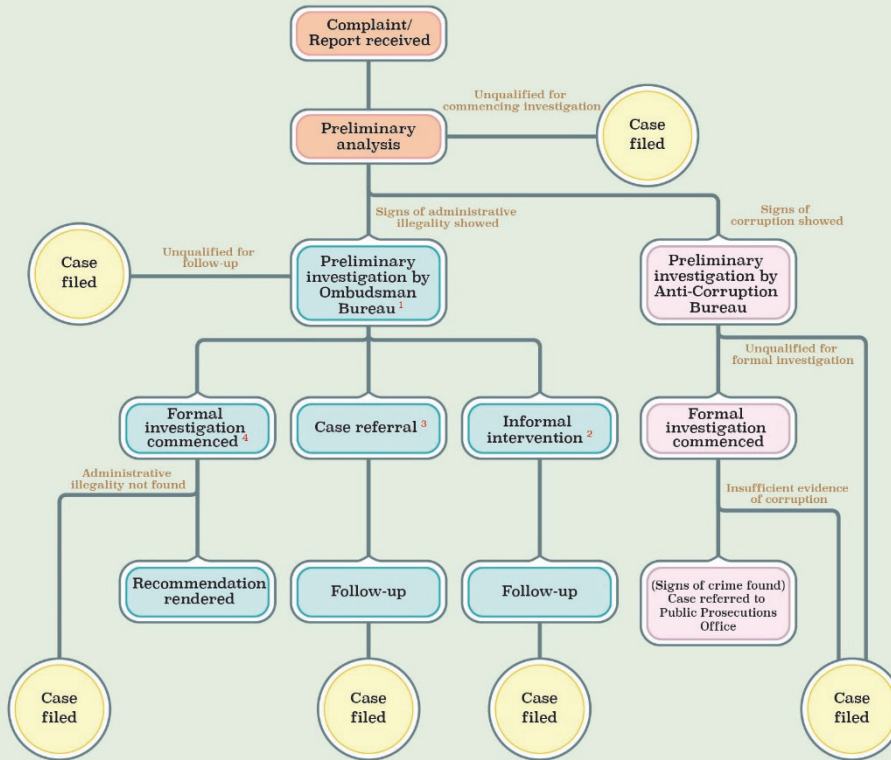
**PART VI**

**APPENDIX**

**PART VI  
APPENDIX**

**APPENDIX I**

**The CCAC's Complaint Handling Procedure**



**Notes:**

**<sup>1</sup> 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.

**<sup>2</sup> 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.

**<sup>3</sup> 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.

**<sup>4</sup> 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

