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Third periodic report submitted by Macao, China, under articles 16 and 17 of the Covenant, due in 2019 * ****

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I. Introduction

1. The present report is the third to be submitted under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (Covenant) by the People's Republic of China (China), relating to the application of the Covenant in its Macao Special Administrative Region (MSAR). It covers the period from 1 January 2014 to 31 December 2018.
2. This report was drafted according to the guidelines adopted by the United Nations Human Rights Committee regarding the form and content of reports to be submitted by States parties to the international human rights (HR) treaty bodies (HRI/GEN/2/Rev.6). It should be read in conjunction with Part III of China's Core Document (HRI/CORE/1/Add.21/Rev.2 and HRI/CORE/CHN-MAC/2010), as well as with the MSAR's reports on HR and connected documents, in particular the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of Persons with Disabilities (CRPD).
3. This report was prepared based on the information provided by the government departments responsible for the application of the Covenant, entities that have a crucial role in the promotion and protection of the rights enshrined in the Covenant and an online public consultation. Most of these departments work in close partnership with local non-governmental organisations (NGOs), which also contributed to the information contained in this report.
4. The drafting of the report was widely disseminated in the media, encouraging the population and all relevant sectors of the society including NGOs to participate pursuant to paragraph 65 of the concluding observations of the Committee on Economic, Social and Cultural Rights (CESCR).
5. The information and data provided focus primarily on changes in legislation and measures relating to substantial developments occurred in the MSAR during the covered period. It will be presented in a summarised and updated form. The CESCR's concerns and recommendations expressed in its concluding observations (E/C.12/CHN/CO/2) are considered in the respective provisions of the Covenant.
6. In respect of paragraph 64 of the concluding observations, it should be mentioned that recommendations were specifically distributed to government officials, the judiciary and lawmakers, extensively disseminated in the media, uploaded on the MSAR portal and are available on the Legal Affairs Bureau's website.
7. Major progress was attained in several fields at the legislative (e.g. labour, social security, sexual harassment, domestic violence, persons with disabilities, elderly, environment, food safety), administrative (e.g. action plans and strategic policies for children/youth, women, the elderly, persons with disabilities, environment, civil protection, urban planning, cultural heritage protection) and practical levels (e.g. gender equality, breastfeeding rooms, accessibility for persons with disabilities, nurseries, day care centres, protection of victims, civil protection).
8. The number of HR Commissions continued to grow like the Cultural Heritage Council (2014), Urban Planning Council (2014), Committee for Women and Children's Affairs (CWCA) (2005/2016), Medical Malpractice Evaluation Commission (2017) and Tertiary Education Council (2018). These bodies are usually composed of government and NGO representatives as well as prominent members of the civil society. NGO participation in these bodies is particularly important, playing an active role in the formulation of local policies, assessing and monitoring HR in different sectors of society.
9. The public consultation mechanism for major policies and legislation equally encourages the participation of the population in public affairs and promotes good governance, e.g. the revision of the legislation of Consumers Protection Rights and Interests (2014), Law on Special Education (2015), Ten-Year Rehabilitation Programme Plan 2016–

2025 (Rehabilitation Plan) (2016), Techniques of Medically Assisted Procreation (2017), Plan for the Safeguard and Management of the Historical Centre of Macao (2018) and Framework Law of Civil Protection (2018).

10. Concerning paragraph 53 of the concluding observations, it should be mentioned that the Ombudsman's mandate of the Commission against Corruption (CCAC), a local independent institution, focuses on promoting and protecting rights and freedoms, safeguarding persons' interests and guaranteeing that the exercise of public powers abides by the criteria of justice, legality and efficiency.

11. The Commissioner exercises his Ombudsman's functions with full independence and total autonomy, possessing adequate financial and human resources (Articles 45 and 59 of the Basic Law (BL) and Article 37(2) of Law 10/2000, as amended). The CCAC may initiate enquiries *ex officio*, analyse claims and issue recommendations to government entities. All features are in line with the Paris Principles.

12. The Government continues to endeavour considerable efforts to disseminate HR widely and comprehensively, *inter alia*, through the media, seminars, workshops, leaflets, school activities and fairs. In 2015, the Youth Law Centre was created for this purpose.

13. The MSAR legislation is available online (www.gov.mo and www.macaolaw.gov.mo) and through mobile apps of different government departments in the two official languages (Chinese and Portuguese) and sometimes in English.

14. The Legal and Judicial Training Centre continues to organise courses, seminars on HR protection for the legal profession and other community sectors, often in cooperation with the Legal Affairs Bureau, the Institute of European Studies of Macau (IEEM) and other entities, including the European Union and foreign renowned universities.

15. Another highlight is the dissemination of the 7 core HR conventions applicable to the MSAR and their reporting mechanism, particularly through the special edition of the "Macau Law Journal", which assembles in a systematic manner all the relevant documentation related to HR reporting. The latest edition, in 2016, was the ICCPR. All editions are available on the Legal Affairs Bureau's website in Chinese, Portuguese and English (http://www.dsaj.gov.mo/ContentFrame_en.aspx?ModuleName=Content/en/dadidir/hrreport_en.ascx).

16. Notwithstanding the development achieved related to HR, the Government acknowledges that there are shortcomings and challenges in some fields and is committed to address them and to take appropriate actions.

17. A CD-ROM of the 2017 Yearbook of Statistics is annexed to this report with data concerning the enjoyment of the rights enshrined in the Covenant.

II. Information relating to articles 1–15 of the Covenant

Article 1

MSAR's autonomy and the freedom of its people to pursue economic, social and cultural development

18. As stated in previous reports, under the principle of "One country, two systems" and in accordance with the BL, the MSAR is an inalienable part of China. National cohesion, territorial integrity and social stability are guaranteed, as well as a high degree of autonomy and enjoyment of executive, legislative and independent judicial powers, including that of final adjudication (Articles 1 and 2 of the BL).

19. Under the BL, residents are free to pursue their own economic, social and cultural development. The preservation of the previous social system and way of life and the self-governing powers of the MSAR in the areas specified in the BL (within its sphere of competence) are the key driving factors of the MSAR's autonomy (Articles 2, 3, 5, 8 and 11).

20. The MSAR is a dynamic society and has been improving its political, economic and social systems to guarantee a sustainable and prosperous development of the quality of life of its population.

21. The Chief Executive (CE) is elected in accordance with Annex I to the BL and Law 3/2004, as amended, and appointed by the Central People's Government (CPG). The two Chief Executives of the MSAR have both served two mandates of 5 years. A new Chief Executive will be elected and appointed by the CPG to assume office on 20/12/2019. The Legislative Assembly is currently in its sixth term (2017/2021) with a gradual increase of directly elected deputies (8 to 14). The term of office of the legislature is 4 years (Annex II to the BL and Law 3/2001, as amended).

Article 2

Non-discrimination

22. As mentioned in previous reports, Macao is a place where various communities live together with a wide range of ethnic, religious, linguistic and cultural diversity. Every ethnic group shares the same dignity and is entitled to its own cultural life, being able to profess and practise its own religion and use its own language (Articles 25, 27 and 43 of the BL). Tolerance and respect for cultural differences are cornerstones of the MSAR.

23. It should also be noted that the MSAR's HR framework remains valid. All persons are considered equal in, under and before the law, and may not be discriminated against on any grounds (Articles 24 to 44 of the BL).

24. Equality and legality continue to be pillar principles shaping the entire MSAR legal system, binding the legislative, administrative and judicial powers. Equality and non-discrimination are general principles and discrimination is censured at all levels. Positive discrimination is only admissible under the law to correct *de facto* inequalities.

Article 3

Equality of rights between women and men

25. As pointed out in previous reports, gender-based discrimination is strictly prohibited. Women and men enjoy the same rights and duties. Positive discrimination is adopted whenever necessary to provide special protection for women's legitimate rights and interests (Article 38 (2) of the BL).

26. The key legislative developments attained to protect women and girls were the adoption of the laws to counter domestic violence, sexual harassment and other crimes against sexual freedom and sexual self-determination, together with effective measures to protect women and girl victims of violence or any form of abuse. These achievements comply with paragraphs 55 and 58 of the concluding observations and will be addressed in detail in Articles 6–7 and 10.

27. The competences of the Consultative Commission for Women's Affairs were broadened to incorporate child affairs. The CWCA is an advisory body aimed at defending women's and children's rights and interests, as well as at supporting relevant policy-decision making in different areas of governance (Administrative Regulation (AR) 27/2016).

28. It is headed by the Secretary for Social Affairs and Culture (SSAC) and the Director of the Social Welfare Bureau (SWB) and comprises representatives in areas of social affairs, justice, labour, public security, health, culture and education, as well as 15 NGO representatives and 5 persons with recognised social merits (Article 4 of AR 27/2016). NGO participation enhances the policy process on the promotion and protection of gender equality and ensures transparency on the allocation of resources and quality of services.

29. The CWCA established 2 working groups, the "Follow-Up of Macao Women's Developmental Objectives" and "Monitoring of Children's Rights and Interests", tackling different aspects of women's and children's rights. It promotes awareness campaigns and

community-based activities, conducts surveys and publishes the “Status of Women in Macao” and launched, in 2015, the “Macao Women Database”.

30. In September 2018, the MSAR had an estimated resident population of 663,400 (53.1% female and 46.9% male). Women represented 51.26% of the total employed population (43.61% of the Public Administration and 56.39% of the student population in tertiary education – academic year 2017/2018). The Secretary for Administration and Justice – the second most important member of the MSAR Government – is a woman. Women accounted 42.45% of the leading positions in the Public Administration.

31. The promotion of gender equality, particularly, in the workplace and in schools, is an ongoing task of the Government: valorisation of women’s role in society and women’s empowerment.

32. The Labour Affairs Bureau (LAB) undertakes numerous actions to prevent discriminatory situations at the workplace, particularly, by means of awareness campaigns and talks. Between 2014 and September 2018, the LAB, in cooperation with different government departments and NGOs, held 119 talks for employers and workers on women workers’ rights in different languages, with 7,772 participants.

33. Regarding paragraph 55 of the concluding observations, sexual harassment became an autonomous crime under Article 164-A of the Macao Criminal Code (MCC) with Law 8/2017. Without prejudice to a heavier penalty, imprisonment of up to 1 year or a fine of up to 120 days may be imposed. The offender may also be subject to disciplinary and civil actions.

34. Between 2014 and September 2018, the LAB received 1 complaint of sexual harassment in the workplace. The case was found unsubstantiated after investigation.

35. The Policy Framework of the Macao Tertiary Education Institutions for the Promotion of Gender Equality and the Prevention of Sexual Harassment (2015) and the Procedural Framework of the Macao Tertiary Education Institutions for the Handling of Sexual Harassment Incidents (2016) were designed. Workshops (e.g. in the University of Macau – “Say “No” to Sexual Harassment” (2015) and “Feminism” (2016)) were also organised.

Articles 4 and 5

Restrictions to the derogation of rights and prohibition of restrictive interpretation

36. As referred in the Core Document and in previous reports, the admissible restrictions to the derogation of rights provided for in the BL must be read *in tandem* with its Article 40(2). Fundamental rights and freedoms may be restricted under certain specific circumstances and as provided by law, abiding the criteria of proportionality, necessity and suitability.

Articles 6 and 7

Right to work and the right to enjoy just and favourable working conditions

General description

37. The legal framework for labour relations in the public and private sectors mentioned in previous reports remains basically unchanged with the introduction of specific improvements.

38. The LAB, apart from being the main body responsible for the execution and monitoring of labour policies, ensurance of occupational health and safety and organisation of training courses, also assesses labour market needs and trends and analyses employment requests for hiring non-resident workers (AR 12/2016).

39. Labour in the public sector continues to be governed by the Statute of the Public Administration Workers (SPAW), Decree-law 87/89/M (as amended by Laws 12/2015 and

18/2018), Law 8/2004 and AR 31/2004, on the Appraisal of Public Workers Performance, and AR 11/2007, on the setting of rewards and incentives for public workers.

40. Despite the above, a few amendments were introduced by Law 12/2015 to the SPAW and to Law 14/2009 (the Career Regime), aiming at harmonising rights and duties of contracted personnel and at promoting flexibility in human resources management.

41. As regards the private sector, Law 4/98/M on the Framework Law on Employment Policy and Worker's Rights, Law 7/2008 on Labour Relations, Decree-law 52/95/M on Equal Opportunities and Equal Treatment, AR 26/2008 on Labour Inspection Activities, AR 17/2004 on the Prohibition of Illegal Work and Law 9/2003 on the Legal Procedural Regime for Labour Conflicts remain in force.

42. Nonetheless, some important and positive changes should be underpinned, such as the amendment to Law 7/2008, by Law 2/2015, and the adoption of Law 10/2015 on the Labour Creditor's Rights Protection System. Article 70 of Law 7/2008, as amended, raises the amount to calculate compensation from MOP\$14,000 to MOP\$20,000 whenever there is an unfair resolution of labour contracts and establishes a 2-year period for review.

43. Law 10/2015 established a protection system for all workers' credit rights ensuring payments whenever their credit rights have not been satisfied, covering: (1) basic remuneration, compensation of 6 months prior to the termination of contracts; (2) compensation for work accidents or occupational diseases in the absence of labour insurance; (3) dismissal compensation for non-resident workers due to the revocation of their employers' employment permit; (4) non-resident workers' accommodation allowance of 6 months prior to the termination of contracts; and (5) non-resident workers' transportation cost to their home country.

44. The Labour Creditor's Rights Protection Fund (AR 24/2015) was established with MOP\$188,000,000, MOP\$189,455,000 and MOP\$205,044,000 respectively in 2016, 2017, and 2018 (January–September) and MOP\$11,318,401, MOP\$10,741,819 and MOP\$7,183,975 were respectively spent for the payment/advance payment of labour claims.

45. As stated in previous reports, although there is no statutory minimum wage scheme in the private sector, Article 57 of Law 7/2008 establishes the general principle of a fair wage, based on specific criteria and standards of good faith. A calculation mechanism is established in Article 59 *et seq.* of Law 7/2008 for basic remuneration (*inter alia* salary, overtime, shifts or night shifts, and food, family and other allowances).

46. Nonetheless, it should be highlighted that a minimum wage system was set for cleaning and security workers in the property management services – a monthly income of MOP\$6,240 (Article 3 of Law 7/2015). A law related to minimum wage is being drafted.

47. According to the Statistics and Census Bureau (SCB), the median monthly employment earnings was MOP\$13,300, MOP\$15,000, MOP\$15,000, MOP\$15,000 and MOP\$16,000 in 2014, 2015, 2016, 2017 and in the 3rd quarter of 2018, respectively.

48. Information provided in previous reports regarding working period, weekly rest, holidays, absences and leaves in the public and private sectors remains valid, with the improvements made by Law 18/2018 to the SPAW introducing new modalities and extending the leave after a stillbirth to 90 days.

49. The LAB uses multiple strategies to enhance employers' and employees' legal knowledge and to develop harmonious labour relations like promoting workers' rights and interests through talks (e.g. maternity and marriage leave, pregnant women's rights, occupational safety), mobile apps, WeChat, YouTube, TV, radio and videos, infographics and leaflets in various languages (Traditional Chinese, Simplified Chinese, Portuguese, English, Indonesian and Vietnamese). Counselling on labour legislation, a 24-hour hotline (Mandarin, Cantonese, Portuguese and English) and an email enquiry system are also available.

Employment, unemployment and underemployment

50. Labour force participation, unemployment and underemployment rates are as follows:

Years	Labour force participation (%)			Unemployment (%)			Underemployment (%)		
	MF	M	F	MF	M	F	MF	M	F
2014	73.8	79.9	68.1	1.7	1.9	1.4	0.4	0.6	0.1
2015	73.7	79.6	68.0	1.8	2.0	1.6	0.4	0.6	0.1
2016	72.3	77.8	67.2	1.9	2.3	1.5	0.5	0.9	0.2
2017	70.8	76.0	66.3	2.0	2.4	1.6	0.4	0.8	0.1

Source: SCB/LAB.

51. For more information, please see the tables on pages 66 to 82 of the 2017 Yearbook of Statistics.

Non-resident workers

52. Regarding paragraph 56 of the concluding observations, Law 21/2009 on the Employment of Non-resident Workers (as amended by Law 4/2010 and Law 4/2013), Law 7/2008, Law 4/98/M and other relevant labour legislation should be stressed.

53. It should be underscored that non-resident workers enjoy the same working conditions, labour rights, duties and guarantees as resident workers as prescribed in Article 20 of Law 21/2009 (read together with Law 7/2008). Likewise, the principles of equality and non-discrimination are specifically established in Article 6 (2) of Law 7/2008 and any employer that violates such principles shall be subject to a fine between MOP\$20,000 and MOP\$50,000 for each worker involved in the contravention (Article 85 (1) (i) of Law 7/2008).

54. It is also important to bear in mind that the local non-resident labour policy is based on 2 premises: (i) to guarantee and prioritise the employment of residents (solely when local human resources lack expertise or are insufficient) and (ii) to ensure non-discriminatory treatment.

Non-resident workers by origin

Place of origin	2014	2015	2016	2017	09/2018
Africa	77	88	92	111	116
Americas	606	683	570	599	569
Asia pacific	168 365	179 535	175 804	177 629	184 586
Europe	971	985	874	849	822
Oceania	327	355	298	268	239
Total	170 346	181 646	177 638	179 456	186 332

Source: SCB/LAB.

55. The LAB has been reinforcing the protection of non-resident workers against abuses and exploitation. Talks are co-organised with consulates or social groups of non-resident workers. During the reporting period, 18 talks targeting non-resident workers were held.

56. Its Labour Inspection Division conducts on-site visits to detect irregularities, to investigate workers' complaints and to apply sanctions. For instance, Article 23(1) of Law 21/2009 imposes a written contract with non-resident workers (fines between MOP\$5,000 and MOP\$10,000). Between 2014 and September 2018, the LAB opened 104 cases involving 279 workers on complaints for lack of contract. Of these, 232 made their claims successfully, 41 failed and 6 are waiting.

57. Article 16(a) of Decree-law 32/94/M on the Licensing Regime of Employment Agencies prohibits employment agencies from charging jobseekers fees except when they provide accommodation, where they can only charge till 1/6 of their salary (together with its Article 17(3)). Agencies are likewise forbidden to receive any workers' salary (fines between MOP\$10,000 and MOP\$30,000). One prospective sanction is the cancellation of licence

(Article 12). Between 2014 and September 2018, the LAB opened 29 cases regarding extra fees charged. Of these, 9 were substantiated and fined, 18 were unsubstantiated and 2 are pending.

Child labour

58. In relation to child labour, the MSAR Government continues to be committed in its eradication. Work inspections were increased and penalties were applied accordingly. Between 2014 and September 2018, 301 cases involving 379 minors were opened (1 minor under 16).

59. The majority of the contraventions were related to the employment of minors without meeting the requirements, the absence of a medical certificate or written authorisation from the lawful representative while the majority of the administrative infringements were related to the failure to notify the LAB of the conclusion of labour contracts with minors or lack of a written contract.

Persons with disabilities

60. Regarding paragraph 54 of the concluding observations, substantial changes were made in relation to persons with disabilities, especially the adoption of Law 8/2018 on Fiscal Benefits for Hiring Persons with Disabilities and the Rehabilitation Plan. The Commission for the Rehabilitation of Persons with Disabilities (Rehabilitation Commission) analyses their social integration into the labour market as well as monitors the execution of the Rehabilitation Plan.

61. Law 8/2018 stipulates that employers who indicate the hiring of a worker with a valid disability assessment registration card that has worked for not less than 128 monthly hours (Article 2) may receive a maximum tax deduction of MOP\$5,000 for that worker (Article 3).

62. Additionally, the “Temporary Measures for Income Subsidy” launched in 2008 has been extended to include persons with disabilities since 2017 (AR 6/2008 as amended by AR 12/2017).

63. There were respectively 80, 47, 81, 78 and 63 first-time jobseekers with disabilities registered between 2014 and 2018. During the same period, there were 35, 30, 36, 61 and 33 successful referrals, with 33, 29, 35, 57 and 33 being employed as clerks, in the service and sales industries and unskilled jobs.

Persons with disabilities registered as jobseekers at the LAB

<i>Disabilities/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Visual impairment/amblyopia	2	2	3	2	2
Deafness/hearing impairment	9	8	9	12	12
Physical disability	29	15	22	12	12
Ex-mentally ill persons	7	9	9	17	11
Intellectual disability	27	9	29	28	14
Speech impairment	1	0	0	0	2
Multiple disabilities	4	2	4	5	7
Others	1	2	5	2	3

Source: LAB.

64. Between 2014 and September 2018, 42 activities for supporting the employment of persons with disabilities were organised within the LAB’s “Task Force for Capacity Development” programme (e.g. job matching or career counselling, interview assistance, post-employment follow-up visits). Among them, 23 were lectures on employment counselling, 10 were mock interview workshops, 6 were employment services presentations and 3 were forums and seminars.

65. The “Award Scheme for Employers Hiring the Disabled” and “Award Scheme for Outstanding Disabled Employees”, co-organised by the LAB and SWB biennially, continue to be major initiatives. The number of nominated enterprises raised from 69 in 2015 to 78 in 2017. Between 2014 and 2018, 205 (109 males and 96 females) employees with intellectual or physical disabilities, deafness/hearing impairment and other disabilities were nominated as outstanding employees.

66. The “Summer Work Experience Activity” encourages enterprises to hire students with disabilities, with 107 participants (61 males and 46 females) aged between 17 and 24 until 2018. Among them, 72 had intellectual disability, 7 physical disability, 2 hearing impairment, 3 autism, 17 learning disability and 6 multiple disabilities.

Measures to guarantee the right to work

67. The Government continues to adopt measures and programmes on job promotion/allocation, youth employment, re-qualification and professional training. Gaming, tourism and services remain the major industries in the MSAR.

68. The LAB’s courses include apprenticeship training, certification-linked training, on-the-job training and skills enhancement training. There were 12,633 trainees aged between 15 and 34, accounting for 39.9% of all trainees while persons aged 55 or above totalled 5,090, accounting for 16.1%. Additionally, 7,365 certificates of different levels were issued to young people aged between 15 and 34, accounting for 55.9% of certificates issued.

69. The LAB also works with youth NGOs, organising the “Youth Career Expo” and other activities, as a platform to help young people develop their career path, understand labour market trends and improve interview and communication skills.

Youth Employment activities

Activities/Years	2014	2015	2016	2017	09/2018
No. career talks/career planning workshops (No. of participants)	15 (1 457)	13 (391)	13 (928)	21 (585)	16 (496)
Mock interview workshops (No. of participants)	51	213	146	140	135
Career assessment (No. of participants)	29	63	93	186	80
Youth Career Expo (No. of participants)	4 105	4 014	4 240	4 066	3 402

Source: LAB.

70. As regards the elderly, the LAB provides support services – job matching, referral services and career planning. A “Mechanisms for Retirement Protection” was adopted and efforts to disseminate the elderly’s employability were made. In 2017, 115 persons aged 65 or above were nominated for the “Award Scheme for Outstanding Elderly Employees” while the “Award Scheme for Employers Hiring the Elderly”, organised in 2018, commended 63 employers. Through these activities, industries are made aware of the work abilities and value of elderly persons.

71. Measures and incentives to support unemployed persons, first-time jobseekers, persons with disabilities and unemployed persons receiving re-qualification and occupational training continue to be implemented (Order of the Secretary for Economy and Finance 6/2004).

72. Permanent resident workers (aged 40 or above, working 152 monthly hours) with low incomes or serious financial difficulties (quarterly income below MOP\$15,000) may receive an allowance 4 times annually (AR 6/2008, as amended by AR 7/2014 and AR 9/2018, on Temporary Measures for Income Subsidy). In 2017 and in the 1st quarter of 2018, there were respectively 1,021 and 231 beneficiaries receiving MOP\$7,129,196 and MOP\$1,669,891.

Health and safety at work

73. The legal framework mentioned in previous reports remains accurate. Preventive measures to avoid work-related accidents and diseases, including through education, training and dissemination of minimum standards (based on a set of incentives and sanctions) continue to be a priority.

74. Nonetheless, Decree-law 40/95/M on the Legal System for Compensation of Damages arising from Work Accidents and Occupational Diseases was improved by Law 6/2015, reinforcing the protection of workers' rights concerning available mechanisms and procedures for compensation, including the clarification of "occupational accident" (e.g. to include accidents between an employee's home and his/her workplace when certain tropical storm signals are hoisted or accidents during training).

<i>Occupational accidents /Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
No. of victims	7 318	7 429	7 309	7 390	5 474
Gender	3 892 (M) 3 426 (F)	3 999 (M) 3 430 (F)	3 787 (M) 3 522 (F)	3 690 (M) 3 700 (F)	2 698 (M) 2 776 (F)
No. of persons suffering temporary incapacity	7 232	7 337	7 210	7 308	5 457
No. of persons suffering permanent incapacity	74	66	78	65	7
No. of deaths	11	19	21	17	10
No. of employers punished for the violation of the OSH regulations	35	34	32	26	5
Penalty amount (MOP\$)	\$148 400	\$196 000	\$185 500	\$167 000	\$26 500

Source: LAB.

75. The main causes of occupational accidents were fall of persons, stepping on or striking against objects, pinching, punctured or incised wounds and excessive force or sprains. The LAB referred 4 cases of occupational diseases (involving 4 victims) to the court in 2017 and 4 cases (involving 4 victims) between January and September 2018.

76. There was 1 case of occupational disease with 1 victim confirmed by a court decision with a mild sensorineural hearing loss (2014), 1 case with 1 victim confirmed with bilateral sensorineural hearing loss (2015) and 1 case with 1 victim confirmed Pneumoconiosis (2016).

77. From 2014 to September 2018, the LAB conducted 20,422 occupational safety and health inspections at workplaces. Consequently, 10,168 recommendations were issued and 182 work suspension orders made. One hundred and forty three, 300, 312, 493 and 190 sanctions/disciplinary actions were imposed, with fines of MOP\$324,000, MOP\$630,000, MOP\$700,000, MOP\$1,148,500 and MOP\$457,500 respectively.

78. The LAB has undertaken various occupational safety and health courses for workers in different industries (e.g. hotels, education, construction, public administration, wholesale and retail trade). Between 2014 and September 2018, there were 1,648, 3,055, 2,461, 3,227 and 2,906 participants.

79. The LAB also issued the Construction Safety Card, valid for 5 years, attesting construction workers' basic knowledge. Between 2014 and September 2018, 49,316, 47,478, 36,540, 25,520 and 18,968 workers participated in the programme.

80. In June 2018, the LAB launched a "Special Training Programme on Construction Safety" to provide Construction Safety Card holders with advanced safety training. A "Special Training Card on Construction Safety" was issued, with a 5-year validity. Till September 2018, 451 workers participated in the programme.

81. In July 2018, it launched, for the hotel, catering and gaming industries workers, the course on "Occupational Safety Card for the Hotel and Catering Industries", covering

common work hazards, basic safety knowledge, preventive measures and use of personal protective equipment, with a 5-year validity card. Till September 2018, there were 1,628 participants.

Article 8

Right to trade union membership

82. The information provided in this Article remains accurate. The Standing Committee for the Coordination of Social Affairs, comprising representatives of employers' and workers' associations, continues to perform its role in the Government's labour policies and strategic plans.

83. As explained in previous reports, labour organisations are an active group in the society, acting politically and defending workers' interests. Members of labour organisations cannot be discriminated against or subject to any restrictions by the fact that they are members. In September 2018, there were about 435 labour-related organisations (56 workers' associations and 379 professional work-based associations) registered at the Identification Bureau (IB).

84. Regarding paragraph 57 of the concluding observations, the right to strike and be a member of a labour organisation is a fundamental right guaranteed under Article 27 of the BL and no one should be discriminated against for those reasons.

85. As an illustration, in 2018, lifeguards went on a 7-day strike for their employer's violation of working hours. One of the consequences was a fine of MOP\$230,000 on the employer. The case is still under investigation.

Article 9

Right to social security

86. The right to social security is a constitutional right and it is the Government's responsibility to develop the concerned policies and measures as mentioned in previous reports (Articles 39 and 130 of the BL). There are two main social security systems - public and private sectors. While the social security system for the public sector remains basically unchanged, the one for the private sector has been subject to substantial improvements.

87. In the public sector, the Pension Fund (PF) continues to be the entity responsible for the retirement benefits of public workers. There are two schemes under the management of the PF, the Retirement and Survivor's Pensions Scheme (defined benefit) and the Provident Fund Scheme (defined contribution).

88. Under the Retirement and Survivor's Pensions Scheme, a member is entitled to a lifetime monthly pension upon retirement, while eligible heirs of a deceased member are entitled to a monthly survivor's pension, in accordance with the relevant law. As of September 2018, there were 9,154 (5,903 males and 3,251 females) active members under the Retirement and Survivor's Pensions Scheme, of which 84 (40 males and 44 females) were magistrates. As of the same date, there were 3,769 old-age pension recipients (2,974 males and 795 females) and 385 beneficiaries of the survivor's pension (76 males and 309 females).

89. Since the introduction of the Provident Fund Scheme Regime (Law 8/2006, as amended, and AR 15/2006, as amended) – a retirement benefits plan provided by the Government to public workers based on monthly contributions of the workers and Government – the Retirement and Survivor's Pensions Scheme no longer admits enrolment, except for Judicial and Procuratorate magistrates that are in the career regime. All other workers having an employment relationship with the Public Administration, with the exception of part-time workers and those working in entities with their own retirement benefits schemes, are entitled to enrol in the Provident Fund Scheme. As of September 2018, 22,360 (11,895 males and 10,465 females) workers were members of the Scheme.

90. Under the Provident Fund Scheme, the monthly joint contributions by member and the Government are directed into investment options and accumulated together with the

returns of the investments. After the termination of employment with the Public Administration, the member will receive the vested amount in a lump sum or up to a maximum of 3 installments, upon the member's request.

91. To protect the interests of members, the PF has engaged an investment consulting company to assist in the monitoring of the investment funds. In addition, a passive global equity fund was introduced in 2014.

Members' investment allocation

Year/investment applications	Global Equity	Global Equity	Global Bond Fund	Bank Deposits
	Fund (Active)	Fund (Passive)		
2014	49%	4%	23%	24%
2015	44%	8%	24%	24%
2016	42%	9%	24%	25%
2017	37%	14%	24%	25%
09/2018	34%	15%	23%	28%

Source: PF.

92. In the private sector, the Social Security Fund (SSF) is the entity responsible for the social security schemes. Law 4/2010, as amended by Law 6/2018, established the Social Security System with the purpose of providing all residents with a minimum social security protection, particularly retirement pension.

93. The new amendment enhances the protection coverage by extending its scope and aims at better protecting those elderly that were unable to participate in the original social security system through the introduction of a retroactive payment mechanism (Article 68).

94. The social security system comprises a: i) mandatory system, which is applicable to any resident who works in the private sector on a contract basis as well as to public administration workers employed in any form of contract (Article 10); and ii) voluntary system available for workers that have a work relationship with their spouses or equivalent or with family members to the second degree and living together, public administration workers in active employment who have enrolled in the Retirement and Survivor's Pensions Scheme, and other residents who are 18 or above regardless of being employed (Article 11).

95. Its income sources remain the same, *i.e.*, beneficiaries, employers and the MSAR (Article 4). Under the mandatory system, resident workers have to be registered by their employers (Article 12), who must also be registered as contributors (Article 15). Other residents who meet the legal requirements may register themselves at any time as contributors in the voluntary system (Article 12). All registered residents, irrespective of the system, are beneficiaries of the social security benefits.

96. According to Law 4/2010, the amount of contributions for both workers and employers are established by an Order of the CE. From 1 January 2017, each worker contributes MOP\$30 monthly; each employer contributes MOP\$60 monthly per worker (Order of the CE 357/2016). Other residents, registered in the voluntary system, contribute MOP\$90 monthly. According to the SSF, by September 2018, there were 351,686 beneficiaries, of which 185,230 were female.

97. In 2018, the old-age pension, disability pension, unemployment, sickness, marriage and funeral allowances are in the amount of MOP\$3,450 per month, MOP\$3,450 per month, MOP\$138 per day, MOP\$104 (without hospitalisation) and MOP\$138 (with hospitalisation) per day, MOP\$1,957 and MOP\$2,534, respectively (Order of the CE 142/2016). As regards the birth allowance, MOP\$5,000 was established (Order of the CE 26/2018).

Benefits/Years	No. of beneficiaries				
	2014	2015	2016	2017	09/2018
Old-age pension (over 65)	33 026	33 025	32 849	32 620	32 080

<i>Benefits/Years</i>	<i>No. of beneficiaries</i>				
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Early old-age pension (60 to 65)	44 358	51 988	60 845	69 392	75 427
Disability pension	3 181	3 842	4 529	5 162	5 683
Unemployed allowance	2 696	4 162	6 543	4 683	2 767
Sickness allowance	2 374	2 149	1 977	1 841	1 274
Birth allowance	6 192	6 588	6 746	6 520	5 222
Marriage allowance	3 087	2 785	3 036	2 988	2 458
Funeral allowance	1 723	1 764	2 143	1 943	1 478
Compensation for occupational respiratory disease	1	0	0	1	2

Source: SSF.

98. To allow earlier access to the old-age pension, persons with 60 years of age or above may apply for its partial anticipation, being entitled to the full amount when they reach 80 (Article 33 of Law 4/2010).

99. The adjustment of the social security benefits requires a comprehensive consideration of various social factors, including the MSAR's economic development, relevant policies, financial resources and pension expenditures related to the ageing population.

100. Law 7/2017 established the Non-mandatory Central Provident Fund System, a complementary sub-system of the social security system aiming at strengthening the social protection for residents in their old age, wherein a voluntary contribution to a Fund, administered by the Government, is made. The balance can only be withdrawn after the account owner completes 65 years of age.

101. Article 20 establishes that this System comprises 2 contribution plans: i) joint provident fund scheme, in which the minimum monthly contributions of the worker and the employer is 5% of the worker's base salary for the month concerned (Article 26(2)); and ii) individual provident fund scheme, in which the minimum amount of monthly contributions is MOP\$500 (the account holder may pay a higher amount) (Article 26 (8)).

102. In the event of the termination of the labour relationship, the worker who has completed 3 years of contributions has the right to obtain 30% of the employer's contributions in the joint provident fund scheme, adding 10% in each full year of contribution (Articles 34 (1) and 26(9)).

103. Tax benefits are granted to employers, encouraging adherence and payment of contributions by employers, workers and residents to jointly prepare for post-retirement. Workers' contributions to the Fund are considered as non-taxable income (Article 53).

104. According to the SSF, as of December 2017, there were 576,515 account owners, of which 462 were under 18 who enrolled in the social security system in accordance with Article 10(1) of Law 4/2010 (Article 7(1)(2) of Law 7/2017).

105. Concerning paragraph 56 of the concluding observations, although non-resident workers are not entitled to contribute to the Social Security System, both employers and non-resident workers may agree on setting up a private pension scheme on a consensual basis.

106. According to the Monetary Authority of Macao, the percentage of non-resident participants in private pension funds has increased in the past 5 years.

Non-resident participants in private pension funds

<i>Item/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Private pension-covered workers (%)	32.5%	34.7%	36.7%	38.7%	37.5%
No. of private pension-covered workers	129 462	136 321	141 123	145 543	145 117
Resident workers	80.5%	79.0%	78.5%	78.0%	78.0%

<i>Item/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Non-resident workers	19.5%	21.0%	21.5%	22.0%	22.0%

Source: Monetary Authority of Macao.

107. Pursuant to Decree-law 6/99/M, the contributions of both employers and employees to the pension scheme and the pension funds are tax-free and the money settlement received by the beneficiaries is also non-taxable income (Law 2/78/M, as amended).

108. The MSAR Government spent MOP\$6,559,000,000 in social security in 2014, and MOP\$8,139,000,000 in 2017, representing, respectively, 9.78% and 10.01% of the total public expenditure.

Article 10

Protection of the family

General description

109. As mentioned in previous reports, family is the fundamental unit of society, being protected by the constitutional law (Article 38(1) of the BL) and ordinary law (e.g. Civil Code and Law 6/94/M on the Legal Framework on Family Policy). Men and women enjoy the same legal status and are free to enter into marriage. The MSAR legal framework on protecting the rights of women, children, older persons and persons with disabilities has been improved as addressed in the relevant parts of this report.

110. The Government continues to be fully engaged in its responsibility *vis-à-vis* families by creating necessary conditions and promoting their quality of life (Article 1(2) of Law 6/94/M) like action plans (e.g. the 2012–2020 Macao Youth Policy, the Rehabilitation Plan and the Ten-Year Action Plan for Older Persons Services 2016–2025 (Older Persons Plan)) and mechanisms/measures to ensure the protection and enjoyment of fundamental rights of its residents, particularly of vulnerable persons/groups.

111. Key HR Commissions play an important part in the above strategies, such as the CWCA, the Senior Citizens Affairs Committee (SCAC) and the Rehabilitation Commission. Local NGOs are equally involved, working closely with the Government, carrying out their work independently and autonomously while being subsidised.

112. As stated in previous reports, the SWB's priority intervention targets are poor families, single-parent families, older person families, families with older persons, families with chronically ill or disabled members (Order of the SSAC 18/2003, as amended by Order of the SSAC 158/2018).

113. Different types of services and assistance continue to be provided: (i) financial aid; (ii) legal advice; (iii) referral service to other government departments; (iv) boarding institutions for children, youth or persons with disabilities; (v) day care centres for older persons, persons with disabilities and children; (vi) counselling and assistance in seeking jobs; (vii) individual and family counselling services; (viii) hotline counselling services; (ix) education, awareness campaigns and rehabilitation services for drug addicts or persons with gambling problems; (x) meal service for older persons, persons and families in need; (xi) temporary shelter for the homeless and catastrophe victims; (xii) funeral service for the needy; (xiii) rehabilitation bus and escort services for older persons or persons with disabilities.

114. As mentioned in previous reports, measures continue to be implemented to support persons in need. AR 6/2007 and Order of the CE 264/2018 established the allowance regime for persons or families with financial difficulties. Allowances can be regular, temporary or exceptional and granted based on their concrete situation after the SWB's assessment.

Persons and Families with SWB's financial assistance

<i>No. of beneficiaries/expenditure</i>	<i>2014</i>		<i>2015</i>		<i>2016</i>		<i>2017</i>		<i>2018</i>	
	<i>Families</i>	<i>MOP\$</i>								
Financial assistance*	5 413	\$271 032 999	4 637	\$248 972 892	4 456	\$251 815 030	4 118	\$223 908 521	3 737	\$159 434 128
Study aid to children in single-parent family*	745	\$4 025 550	664	\$3 779 500	593	\$3 451 200	552	\$3 103 207	479	\$2 155 000
Nursing assistance*	1 759	\$18 047 488	1 602	\$17 657 760	1 565	\$17 783 409	1 478	\$16 815 999	1 362	\$12 581 986
Disability assistance*	615	\$3 931 800	554	\$3 825 570	502	\$3 559 930	451	\$3 270 830	407	\$2 321 520
Rent allowance*	408	\$6 296 213	398	\$6 287 409	336	\$5 511 616	324	\$5 606 610	301	\$4 374 910
Subsidy for Senior Citizens**	63 735	\$445 412 600	69 017	\$516 731 700	73 719	\$555 704 000	80 991	\$647 669 000	82 901	\$746 109 000
Disability allowance**	9 758	\$95 172 000	9 451	\$94 342 500	11 416	\$124 818 200	11 239	\$123 568 000	12 334	\$134 168 000

Source: SWB.

* Calculated based on number of family members.

** Calculated based on number of cases.

115. According to the SWB, there were, respectively, 3,119, 2,820, 2,660, 2,481 and 2,248 families in crisis receiving regular economic assistance between 2014 and September 2018. The amounts, being last adjusted in 2018, relate to the number of family members: MOP\$4,230 (1), MOP\$7,770 (2), MOP\$10,710 (3), MOP\$13,020 (4), MOP\$14,700 (5), MOP\$16,380 (6), MOP\$18,060 (7) and MOP\$19,710 (\geq 8). (AR 6/2007 as amended by Order of the CE 264/2018).

116. The priority intervention targets may also apply for the monthly-granted special allowance, such as study aid, nursing assistance and disability assistance (Order of the SSAC 18/2003, as amended).

117. A substantial improvement to assist families in balancing their working life and taking care of their children is the increased number of nurseries from 45 in 2014 to 57 in September 2018, providing children from 3 months to 3 years with a safe and healthy environment.

118. Updated data related to the expenses on social services, social service facilities by type of service and users of social service facilities are provided in the tables on pages 133 to 136 of the 2017 Yearbook of Statistics.

Domestic violence and other forms of abuse

119. Pursuant to paragraph 58 of the concluding observations, Law 2/2016 on Preventing and Combating Domestic Violence was adopted, criminalising domestic violence as an autonomous crime. The public nature of the crime was prescribed, i.e. a victim's complaint is no longer required to initiate criminal proceedings. A new legal and institutional framework with specific procedural criminal norms and law enforcement measures, and preventive and victim protective measures, encompassing all the relevant departments and the civil society, was introduced.

120. Under Article 18(1) of Law 2/2016, whoever, in a family relationship or in an equivalent relationship, inflicts on another person any kind of physical, mental or sexual ill-treatment shall be punished with imprisonment from 1 to 5 years. Article 18(2) states that if the ill-treatment was committed in circumstances which reveal the special censurability or perversity of the perpetrator, he/she shall be punished with imprisonment from 2 to 8 years.

121. The circumstances deemed to reveal the special censurability or perversity of the perpetrator shall include, inter alia: (i) the victim being a minor under the age of 14, an incapacitated or a particularly vulnerable person due to age, pregnancy, illness or physical or mental disability; (ii) the act having occurred in the presence of a minor under the age of 14; or (iii) the circumstances provided for in subparagraphs (b), (c), (f) and (g) of paragraph 2 of Article 129 of the MCC in relation to qualified homicide. More severe penalties may also be imposed in case of serious offence against the physical integrity or death of the victim.

122. Accessory penalties may be imposed individually or cumulatively for a period of 6 months to 5 years to prevent the re-occurrence of domestic violence (Article 19), as well as urgent coercive measures, if there are strong *indicia* of the commission of the crime, namely, the removal from his/her domicile, when the defendant cohabits with the victim; the prohibition of staying in specified areas, particularly those near the domicile of the victim or of his/her cohabiting family members, their workplace or the educational establishment they attend; the prohibition of accompanying, lodging or receiving certain persons; the prohibition of possessing arms, objects or tools capable of being used to facilitate the commission of further crimes of domestic violence (Article 25(1)).

Domestic violence cases handled by the police

Type/Year	2014	2015	2016		2017*	09/2018
			Jan-Sep	Oct-Dec*		
No. of cases	353	273	383	9	10	1
Spousal abuse (No. of cases)	241	207	275	8	8	1
Female victims	229	194	239	8	8	1

Type/Year	2014	2015	2016		2017*	09/2018
			Jan-Sep	Oct-Dec*		
Male victims		12	13	36	0	0
Abuse involving other family members (No. of cases)		112	66	108	1	2
Victims		90	50	74	0	1
Victims under the age of 18		15	8	28	1	1

Source: Office of the Secretary for Security (OSS).

Cases investigated by the police

Year	No. of cases	No. of perpetrators		No. of perpetrators detained	
		M	F	M	F
2014	353	328	58	1	0
10–12/2016*	9	8	1	8	1
2017	10	10	0	10	0
09/2018	1	1	0	1	0

Source: OSS.

* Law 2/2016 entered into force on 5/10/2016. Before that, domestic violence cases were inserted within cases of offences against physical integrity.

123. According to the Office of the President of the Court of Final Appeal, after Law 2/2016, 9 domestic violence cases reached the courts as of September 2018 (1 victim is under 18), of which 3 were tried and led to 3 convictions, while the remaining 6 are still waiting for trial.

124. The SWB is the entity responsible for coordinating all the preventive actions against domestic violence, including signalling risk situations and executing general protective measures (Article 5). A multi-disciplinary and cross-sectoral cooperation mechanism with the Public Police Security Forces (PSPF), Judiciary Police (JP), Health Bureau (HB), Education and Youth Affairs Bureau (EYAB), LAB and NGOs was established.

125. Protective and assistance measures are guaranteed to victims, such as temporary shelter, economic assistance, legal aid, healthcare, assistance in access to education or employment, individual and family counselling, legal information and counselling services and other measures necessary for safeguarding their safety and well-being (Article 16 of Law 2/2016).

126. The duty for public and private entities providing medical and nursing services, care services for children, elderly and persons with disabilities, or engaging in teaching, social service or counselling activities to report cases they suspect or which come to their knowledge to the SWB was paramount towards the prevention of domestic violence and victim identification (Article 6 of Law 2/2016).

Domestic violence cases handled by the SWB

Type/Year	2014		2015		2016		2017		09/2018	
	No. of cases	No. of victims								
Wife abuse									27	
Husband abuse	31	31	46	46	90	90	68	68	1	27
Child abuse	10	10	4	4	7	7	5	5	15	1
Elder abuse	8	10	14	16	31	32	20	22		16
Violence from family members	2	2	5	5	2	2	1	1	0	0
Total*	69	71	80	82	140	142	96	99	47	48

Source: SWB.

* Some cases involve more than one type of abuse.

127. In 2016, a Family Crisis Support Service Network was established to assess the risk of victims suffering from physical, mental and sexual abuses, including the extent and history of abuse and other potential victims, as well as to adopt appropriate measures (follow up, crisis management and counselling).

Cases handled by the SWB

Type/Year	2014	2015	2016	2017	09/2018
Suicide	16	11	10	23	2
Emotional distress	246	254	203	214	104
Child neglect ⁽¹⁾	7	(1)	(1)	(1)	(1)
Marriage problems	207	201	175	209	91
Parent-child relationship	169	141	121	120	73
Individual counselling ⁽²⁾	448				
Family counselling	137	733 ⁽²⁾	748 ⁽²⁾	924 ⁽²⁾	942 ⁽²⁾

Source: SWB.

Note:

¹ Statistics will no longer be included from 2015.

² Two categories were combined from 2015.

128. A centralised record system was also created to: i) collect data to study the domestic violence phenomenon, including its characteristics and trends; ii) identify the causes of domestic violence, behavioural patterns and typical social and legal responses and; iii) develop appropriate activities to counter domestic violence (Article 7 of Law 2/2016). And a new 24-hour Domestic Violence Hotline was added to the 3 existing support hotlines.

129. In respect of paragraph 58 of the concluding observations, there are 2 shelters offering temporary accommodation to women victims of violence, including domestic violence. Between 2014 and September 2018, 70, 139, 133, 26 and 12 women used the temporary shelters respectively. And, in May 2017, a male shelter for victims of domestic violence was launched.

130. There are 9 shelters for minors. Between 2014 and September 2018, 3, 3, 7, 11 and 12 girl victims of violence, including domestic violence, stayed in the shelters respectively. The shelters accommodate minors according to their age, gender and specific needs.

131. Between 2014 and September 2018, the SWB organised 25 training courses related to domestic violence, covering a wide range of fields, including law, social work and psychology, with 10,662 participants.

Training on domestic violence for PSPF and JP

Year	Name/type	Entity	Trainees	
			M	F
2014	Domestic Violence	PSPF	20	12
2015	Visit to Hong Kong Family Conflict and Sexual Violence Policy Unit	PSPF	9	1
	Prevention of Domestic violence	JP	5	1
	Lecture: Family Policy Legal Framework	JP	1	1
2016	Lecture: Law on Preventing and Combating Domestic Violence	JP	98	27
	Procedural Guidelines for Handling Domestic Violence Cases	JP	96	31
2017	Handling Cases of Child abuse and Mentally Disabled Persons (Hong Kong)	PSPF	2	0
		JP	1	1
	Visit: Handling Domestic Violence and Sexual Abuse of Children (Hong Kong)	PSPF	3	0
	Handling Children in Domestic Violence (Sexual Assault)	JP	8	6
	Criminal Investigation Strategies and Procedures on Handling Suspected Child Abuse Cases	PSPF	76	11
		JP	13	35
	Lecture: Domestic Violence Crimes Against Sexual Freedom and Sexual Self-determination	PSPF	1	1
		JP	4	0
	Criminal Investigation Strategies and Procedures on Handling Suspected Child Abuse Cases	JP	6	7
09/2018	Basic Training on Protection of Children	PSPF	111	60
		JP	3	5
	Video Interviews with Children and Mentally Incapacitated Witnesses	JP	2	0
	Meeting: Regular Working Meeting for “Collaborative Mechanism of Prevention and Combat of Domestic Violence Act”	JP	2	0

Source: OSS.

132. Awareness campaigns have been conducted, including through educational leaflets, posters, media and community activities. Between 2016 and September 2018, 12,740 persons participated in the public awareness-raising activity *Zero Violence*. The *Happy Family Serial Activities* and *Campaign against Domestic Violence* were organised for 6 consecutive years, attracting more than 134,000 participants.

Trafficking in persons

133. As pointed out in the last report, Law 6/2008 established a comprehensive and integrated framework to prevent and combat trafficking in persons (TIP) and support its victims. The information therein provided is still accurate. The Human Trafficking Deterrent

Measures Concern Committee continues to be deeply and actively involved in most of the actions undertaken to counter TIP, in cooperation with other government departments and NGOs.

TIP cases investigated by police

Year	No. of cases investigated	No. of cases qualified by the Procuratorate as TIP	No. of cases filed	No. of cases pending	No. of cases prosecuted	No. of persons prosecuted	Judgment (No. of persons)		
							Acquittal	Convicted as TIP	Other Convictions
2014	5	4	4	0	0	0	0	0	0
2015	5	2	1	0	1	1	1	0	0
2016	4	2	1	0	1	1	0	0	0
2017	3	2	1	1	0	0	0	0	0
09/2018	1	0	0	0	0	0	0	0	0

Source: OSS.

Cases qualified by the Procuratorate as TIP

Year	No. of cases	No. of victims	Gender	Age		Nationality	
				≥18	<18	Chinese	Others
2014	4	4	F	1	3	4	0
2015	2	2	F	2	0	1	1
2016	2	2	F	1	1	2	0
2017	2	2	F	1	1	2	0
09/2018	0	0	0	0	0	0	0

Source: OSS.

134. As regards cases qualified and tried as TIP under Article 153-A of the MCC, there was 1 case in 2014, where 1 defendant was found not guilty. In 2016, 1 case of 2010 was tried and 1 defendant was sentenced to 16 years imprisonment for the crime of TIP together with exploitation of prostitution and forgery crimes. In 2017, 1 case of 2010 was tried and 1 defendant was sentenced to 9 years imprisonment for the crime of TIP together with illegal shelter.

135. The SWB continues to provide TIP victims with financial assistance (including living expenses, return transportation expenses, certificates fees), drug treatment services, shelter, medical referral and legal counselling, etc. Victims whose lives are in danger are entitled to receive physical protection (police protection).

Services to TIP victims and potential victims

Services/Year	2014	2015	2016	2017	09/2018
Shelter for adults (No. of persons)	2	2	1	-	-
Shelter for minors (No. of persons)	4	4	3	2	1
No. of counselling & follow up	55	20	12	5	3
No. of medical and healthcare referrals	8	7	4	2	1
No. of skills trainings	2	-	-	-	-
Repatriation Service by the International Organisation for Migration (IOM) (No. of persons)	1	1	-	-	-

Source: SWB.

136. Law enforcement agencies (Unitary Police Service (UPS), Customs Services, JP and PSPF) continue to counter TIP. Regular raids and targeted operations against TIP for sexual

exploitation are undertaken in potential black spots, such as saunas, massage establishments, night clubs and illegal guesthouses; whereas for labour exploitation, they are performed in construction sites, hotels, restaurants and employment agencies.

137. Stricter control at the border checkpoints, particularly concerning visitors/non-resident workers from high-risk countries, as well as random checks and questionnaire surveys targeting arriving visitors (females aged between 18 and 35) have been implemented.

138. HR and TIP are among the topics in the training courses for law enforcement agencies. Training activities in relation to identification of TIP victims and respective assistance were also conducted together with the IOM and NGOs. Outreach activities regarding preventing and combating TIP are also undertaken for students, non-resident workers and in the private sector, such as the gaming industry.

139. To enhance public awareness, considerable efforts have been made to disseminate information on combating and reporting TIP in schools and the community (including at border checkpoints) through posters, leaflets, media in different languages (Traditional Chinese, Simplified Chinese, Portuguese, English, Japanese, Korean, Thai, Filipino, Indonesian, Burmese, Vietnamese and Mongolian). They have also been uploaded on YouTube and on the website of the Legal Affairs Bureau and the Macao Law Portal since 2014.

140. Cooperation with neighbouring jurisdictions has been strengthened, intelligence sharing and collection system(s) established and large-scale tripartite anti-crime joint operations organised with the Mainland Chinese and Hong Kong police authorities. The Macao Sub-bureau of the National Central Bureau of China of INTERPOL plays a significant role in strengthening communication with countries/regions to counter TIP.

Child protection

141. As stated in previous reports, the paramount principle of the best interests of the child is to be taken into consideration in all decisions, policies and adopted measures concerning children (Article 38 (3) BL). The major changes to the legal framework for the protection of children are the amendments to the MCC by Law 8/2017, broadening the scope of crimes against sexual self-determination related to minors.

142. The scope of Article 166 (Sexual Abuse of Children) of the MCC was expanded to include whoever entices a minor under 14 to perform upon himself a relevant sexual act and whoever performs oral sex with a minor under 14 or introduces any part of the body or objects into the victim's vagina or anus. Penalties shall be imprisonment from 3 to 10 years.

143. Child pornography has become an autonomous crime under Article 170-A of the MCC. Regardless of the age of the minor, whoever (a) uses or entices a minor for a pornographic performance; (b) uses or entices a minor for a pornographic photo, film or recording regardless of its medium; (c) produces, distributes, sells, imports, exports or disseminates in any name or by any means or acquires or detains for those purposes the said material shall be punished with imprisonment from 1 to 5 years.

144. The crime of child prostitution provided for in Article 170 of the MCC (Procurement of a Minor) was also reinforced with Article 169-A "Recourse to the Procurement of a Minor". This provision states that whoever performs a relevant sexual act with a minor aged between 14 and 18 by providing or promising to provide remuneration or other return by himself or by a third person shall be punished with imprisonment of up to 3 years. If the relevant sexual act consists of vaginal, anal or oral intercourse or of the introduction of any parts of the body or objects into the victim's vagina or anus, the offender shall be punished with imprisonment of up to 4 years.

145. Penalties may increase by 1/3 in its minimum and maximum limits, inter alia, if the victim is an ascendant, descendent, adopter or adoptee or a relative or has kinship with the offender up to the second degree or is under his guardianship or curatorship (Article 171 (1) (a)). The exercise of parental power, guardianship or curatorship may also be inhibited for a period of 2 to 5 years (Article 173).

146. The Government continues to adopt targeted measures to protect children's interests. The Macao Youth Policy and the creation of the CWCA are highlights of such commitment. The Macao Youth Policy aims at: (i) promoting the social participation of young people; (ii) stimulating their physical and mental growth; (iii) creating a loving environment; and (iv) promoting social mobility. The Youth Affairs Committee is the main consultative body to assist the Government.

147. The SWB, in cooperation with NGOs and other government departments such as the EYAB, plays an important part in the field of child protection, especially as regards minors deprived of a normal family environment or victims of maltreatment or negligence or domestic violence or other situations which have endangered their well-being, health, moral up-bringing or caused social integration problems. It provides specialised support including activities in the areas of health, education and environment as well as prevention programmes on drugs, alcohol, tobacco, HIV/AIDS and gambling and social rehabilitation programmes.

148. The SWB, through funded NGOs, provides shelter for orphans, foundlings, children and young people who are abandoned, in crisis or not adequately cared for due to family problems, so that they could live and grow in a healthy and safe environment. These include 9 SWB-funded children's homes, covering children and young people aged between 0 and 21.

149. Accommodation, daily care in foster families and community-based accommodation services are also assured to children and young people to help them overcome temporary difficulties. Between 2014 and September 2018, 283, 316, 302, 345 and 333 minors, between 0 and 17, benefited from accommodation and daily care in foster families.

150. Undocumented children, refugee or those who seek the status of refugee are provided with suitable accommodation, appropriate care and development plans for their needs, like education, counselling and health services. From 2014 to September 2018, the SWB provided assistance to 40 minors aged between 0 and 17. In academic years 2016/2017 and 2017/2018, 111 and 117 persons, respectively, benefited from the Learning Assistance Programme for New Immigrant Students in Macao.

151. There are also 4 Community-Youth Working Teams providing outreaching service to youth in need. The core services include outreaching work, life and career development of youngsters, support services and prevention of drug abuse for families or children and youth that are at risk, *inter alia*, through counselling, therapies and group developing programmes and activities.

152. Awareness-raising activities continue to be promoted through different channels as shown in the table below.

<i>Year</i>	<i>Projects</i>	<i>Type</i>	<i>Amount</i>	<i>No. of participants</i>
2014	The Rights and Protections of Children in Macao	Training	5	342
	Children's Rights Crossword Puzzle and Lucky Draw	Competition	1	2 248
2015	Certificate Course on Child Sexual Assault Prevention	Training	1	44
	Pen Keyrings	Promotion Materials	1	4 000
2016	"Enhance Children's Awareness on Self-protection" Subsidy Programmes	Subsidy Programmes	3	1 106
	Children's Rights and Cyber-crime	Training	4	367
2017	Travel Bottle	Promotion Materials	1	4 000
	Game Book of Understanding the Children's Rights Convention	Promotion Materials	1	2 250
2018	Rubik's Cube Key Chain	Promotion Materials	1	4 000

Source: SWB.

153. Regarding young offenders, it should be mentioned that the information provided in previous reports remains accurate. The Youth Correctional Institution (YCI) is responsible for the teaching, education and re-education, vocational guidance and training of young offenders (Law 2/2007). Young offenders aged 16 are housed in the correctional facility (Article 7(2) of Decree-law 40/94/M). The EYAB assists the YCI by providing basic education. Presently, 17 male young offenders are receiving assistance.

Protection for older persons

154. The ageing population and their well-being are primary concerns of the Government (Article 38(3) of the BL). A specific law was adopted, Law 12/2018 on the Rights and Interests of Older Persons, aiming at promoting an inclusive society that devotes support and respect for the elderly and fosters the sense of belonging and usefulness in the old age.

155. Law 12/2018 strives an holistic approach covering, inter alia, support and care, basic living needs (e.g. financial aid, social benefits and social security), health (e.g. development geriatric services and provision of pain relief and palliative care services), accessibility to infrastructures and services (e.g. transport, town planning, residential buildings and public access areas and facilities), work and professional occupation (re-employment), preferable treatment, continuing education, social activities and social participation (e.g. voluntary and solidarity activities, cultural, recreational and sports activities) (Articles 6 to 19).

156. The protection of the rights and interests of older persons (residents aged 65 or above) lies not only with the Government but also with the whole society, which is the underlying concept of the Law. An elderly care system was established to help maintain and reinforce their capacity to live with autonomy, with family care, as complemented by household support services (Articles 21 to 23).

157. It should also be noted that family members, persons or entities that are responsible for paying maintenance to older persons and for taking care of them must comply strictly with their duties or they may be held civilly or criminally accountable.

158. In the case of non-compliance, older persons with the right to maintenance may take legal action before the court, as well as request for legal aid (Article 6). Adequate administrative intervention measures may apply. And, in case of civil disputes, counselling and mediation may be provided (Article 27).

159. Protective measures, whenever there is an imminent need (e.g. temporary accommodation), are also assured (Article 28), as well as assistance to older persons with insufficient economic resources (Article 7).

160. The SWB is responsible for coordinating the implementation of the Law, including studies and assessments regarding the phenomenon of population ageing (Articles 25 and 26). In cooperation with other government departments or NGOs, it provides support at the financial and technical levels according to the needs of older persons who live alone or who live in poor conditions, or families with older persons.

161. The SCAC assists the Government in implementing and monitoring the social policies for the elderly, particularly the drafting of the Older Persons Plan and Law 12/2018. An Inter-departmental Directive Group on Macao's Old Age Security Mechanism (Order of the CE 109/2016) was established to coordinate and facilitate the implementation of the short, medium and long-term policies and measures of the Older Persons Plan.

162. In relation to long-term care facilities for older persons, there are currently 6 day care centres and 21 homes providing comprehensive and integrated services like personal care, nursing rehabilitation, social activities and service referrals.

Social services/facilities for the elderly

<i>Services/facilities/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Homes*	1 374	1 469	1 501	1 523	1 603
Day centres**	2 826	3 851	4 604	3 846	4 110

<i>Services/facilities/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Day care centres*	161	191	201	230	241
Activity centres**	7 196	4 466	6 358	5 931	6 264
Home help services*	643	638	742	761	771
Services for those living alone**	2 911	3 267	3 700	3 957	4 319

Source: SWB.

Note:

* No. of persons.

** No. of times.

163. In addition, there are 6 home care service teams and programmes such as the “Home Safety Assessment and Equipment Funding Scheme for Older Persons”, “Network Support Scheme for Older Persons Leaving Alone”, “Care for Older Persons Service Network” and “24-hour Emergency and Assistance Hotline” for older persons and those living alone. Besides, an “Outdoor Emergency Call Service” which helps locate older persons in outdoor areas, especially those with dementia, was launched in 2018.

164. It should be referred that holders of the SWB’s Senior Citizen Card (for permanent residents aged 65 or above) are entitled to enjoy discounts, fee concessions or special benefits offered by government departments and other public or private organisations that have joined the project (e.g. supermarkets, theatres, hotels, medical centres and banks).

165. Between 2014 and 2018, the annual subsidy for older persons increased from MOP\$7,000 to MOP\$9,000. The number of beneficiaries increased from 63,735 (MOP\$445,412,600) to 82,901 (MOP\$746,109,000).

166. Another key element of the Government’s policy (“Family Care, Ageing in Place, Participation and Active Ageing”) is to outreach the community by promoting joint recreational, cultural and occupational activities wherein family values, self-esteem and care are encouraged. Such activities are jointly carried out with NGOs and community centres, such as the “Day of Older Persons of the MSAR”.

Refugee status/protection of asylum seekers

167. The Legal Framework on the Recognition and Loss of Refugee Status (Law 1/2004) remains unchanged. The applicant must always be informed of his/her rights, including the rights to contact the Office of the UN High Commissioner for Refugees, to interpreters, legal protection, confidentiality, free legal consultation, to extend his/her application to the spouse, children and other dependent family members, basic living conditions (e.g. food, accommodation and monthly economic assistance) and special support (e.g. medical services, school for minors).

168. Between 2014 and 2018, the Commission for Refugees handled 3 new applications involving 3 persons; the applications were withdrawn as the applicants voluntarily returned to their countries of origin. There are 2 other applications still pending.

<i>Year</i>	<i>Family</i>	<i>Number of persons</i>	<i>Total amount for assistance</i>
2014	4	6	MOP\$271 290
2015	5	7	MOP\$240 940
2016	5	7	MOP\$256 650
2017	3	5	MOP\$220 200
09/2018	3	5	MOP\$165 150

Source: SWB.

Persons with disabilities

169. By the same token, persons with disabilities shall be taken care of and protected by the MSAR (Article 38(3) of the BL and Decree-law 33/99/M). Law 9/2011 on the Regime of Disability Allowance and Free Health Care Services, Law 8/2018, AR 3/2011 on Assessment System of the Type and Degree of Disability, Registration and Issuance of the Disability Card, and the Rehabilitation Plan should be emphasized.

170. A person with disability is defined as a person who, by reasons of, congenital or acquired, loss or anomalism of psychological, intellectual, physical or anatomical structure or function susceptible of causing capability restrictions, may be in a disadvantaged situation that hinders his/her participation in normal activities, taking into account the age, gender and main social indicators (Article 2 of Decree-law 33/99/M).

171. Disability is classified into 6 types: physical disability, visual impairment, hearing impairment, intellectual disability, mental disability and speech impairment, and 4 degrees according to its severity: mild disability, moderate disability, severe disability and extremely severe disability (Article 2 of AR 3/2011). A Disability Assessment Registration Card is issued by the SWB with a 5-year validity (Articles 7(2) and 8 of AR 3/2011).

Holders of Disability Assessment Registration Card (09/2018)

Type/Degree of Disability	Type*	Mild	Moderate	Severe	Extremely Severe	M	F	No. of Persons
Physical Disability	8	2 277	1 146	867	201	2 100	2 399	4 499
Visual Impairment	1	142	23	180	295	313	328	641
Hearing Impairment	17	852	1 104	259	587	1 354	1 465	2 819
Intellectual Disability	47	401	381	243	104	520	656	1 176
Mental Disability	28	867	604	941	96	1 389	1 147	2 536
Speech Impairment	0	13	6	26	0	4	41	45
Multiple Disabilities	2	129	194	333	272	419	511	930
Total	103	4 681	3 458	2 849	1 555	6 099	6 547	12 646

Source: SWB.

Note:

* Not by level (below 4 years old).

172. Holders may apply for Disability Allowance: regular disability allowance for persons with mild or moderate disabilities and special disability allowance for persons with severe or extremely severe disabilities (Articles 3 and 6(1) of Law 9/2011). Both regular and special disability allowances have increased: the former from MOP\$6,000 to MOP\$8,000 and the latter from MOP\$12,000 to MOP\$16,000 (Order of the CE 317/2016).

173. The Rehabilitation Plan, aiming at stimulating the social integration of persons with disabilities by promoting the sustainable development of rehabilitation services, covers 13 service areas: disability prevention and diagnosis, medical rehabilitation, pre-school training and nurseries, education, employment and vocational rehabilitation, residential care, community support, social security, the development of self-help organisations for persons with disabilities, accessible construction (passages, facilities and transportation), information and the application of communication technology, recreational and cultural activities and public education.

174. The implementation of the Rehabilitation Plan is being monitored by the Rehabilitation Commission.

175. The Comprehensive Assessment Centre for Rehabilitation Service under the SWB provides cross-professional assessment and recommends target appropriate service through several means and supports rehabilitation institutions in their provision of services, including shelters, halfway houses, early education and training centres, respite centres, daytime training centres, vocational rehabilitation and employment services centres, community

outreach services, case support and counselling services, non-emergency medical and escort services and shuttle rehabus services.

176. There are 11 rehabilitation homes, 10 daytime training centres, 6 vocational rehabilitation centres, 4 early intervention and education centres, 2 rehabus/escort services and 2 comprehensive service centres.

Users of rehabilitation services/facilities

<i>Year/Disability type</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Physical disability	1 730	754	1 596	763	478*
Intellectual disability	670	731	646	643	740
Mental disability	868	880	934	1 061	1 110
Hearing impairment	385	423	463	546	836
Speech impairment	67	85	87	96	53
Visual impairment	87	83	88	92	90
Autism	33	28	23	29	24
Multiple disabilities	398	445	455	450	597
Others	614	1 431	586	1 266	1 113
Total	4 852	4 860	4 878	4 946	5 041

Source: SWB.

Remarks:

* Not including the number of rehabus services provided by a social service facility, that is 3,544 person-times of physical disabled people from January to September 2018.

177. The creation of the Children Comprehensive Assessment Centre in 2016 by the HB, the EYAB and the SWB is noteworthy. It provides one-stop comprehensive assessment services for children under 6, aiming at achieving the goals of early detection, assessment, diagnosis and treatment. The Centre also supports families with disabled children to overcome difficulties and challenges appeared from the early stage of suspicion to rehabilitation. There were respectively 1,656 and 4,352 visits in 2016 and 2017.

178. The construction of a barrier-free environment is a relevant measure by optimising barrier-free facilities at public venues, including accessible bathrooms, lifts, slopes, wheelchair pathways, route for the blind or elevating platform, keypads for the use of wheelchair users in lifts, tactile warning strips along the pathways in public places and low-leveled counter top as the design for public reception desks.

179. The pamphlets “Knowing about Barrier-Free Facilities” and the “Barrier-free Universal Design Building Guidelines” were produced in 2017 for all new public constructions and government-subsidised projects.

Article 11

Right to an adequate standard of living

General description

180. In 2017, the land area of Macao measured 30.8 km², up by 0.3 km² year-on-year. The population density went down from 21,400 persons per km² in 2016 to 21,100 persons per km² in 2017. The GDP per capita was MOP\$625,254. General indicators on quality of life, such as water consumption, water quality and air quality are provided on pages 29–31 and 34–37 of the 2017 Yearbook of Statistics.

181. The Government continues to be fully engaged in its ongoing mission to improve the living conditions of its population. Target programmes and special measures were introduced to ensure to all the right to live with dignity and to assist vulnerable persons or families, as explained in Articles 6, 7, 9 and 10.

182. The SWB provides a wide-range of social security benefits to strike poverty and social exclusion (AR 28/2015), including financial assistance to those persons/families living below the poverty line (i.e. a monthly income equivalent or less than MOP\$4,050 for a person or MOP\$7,440 for a couple) in order to ease their economic pressure (Order of the SSAC 18/2003, as amended and AR 6/2007).

183. In 2016, in cooperation with a NGO, the SWB established the “WeiAnser Centre” to help the integration of foreign workers and residents and their children into the community by providing psychological counselling, lectures on legislation to increase their knowledge of their rights and duties, training classes to enhance their abilities (e.g. Cantonese classes, baking classes, elderly care classes) and cultural activities, etc.. From 2014 to September 2018, 896 activities and 506 counselling services were provided.

184. The “Wealth Partaking Scheme” launched in 2008 continues to be in force, helping residents with an annual amount of MOP\$9,000 (permanent residents) and MOP\$5,400 (non-permanent residents) (AR 12/2008, as amended by AR 8/2018). In 2018, the MSAR Government spent MOP\$6,178,419,000, reaching 707,081 beneficiaries.

Right to adequate food

185. As mentioned in previous reports, the Government pays key attention to ensure that everyone has access to adequate food and water as well as food quality and safety. Periodic evaluation of growth, nutritional education and instruction as well as supply of multivitamins and other supplements to infants continue to be part of the children’s healthcare programme. The percentage of low birth weight (<2,500 gram) was 6.5%, 6.8%, 7.2% and 7.6% from 2014 to 2017 and 6.9% from January to September 2018.

186. Dissemination of information, training and awareness campaigns on food quality and safety, importance of breastfeeding, healthy balanced diet and lifestyles and prevention of chronic diseases and risk behaviours are important tasks, mainly carried out by the SWB at the homes/centres for children/youngsters and the elderly, by the EYAB at nurseries, kindergartens and schools, and by the HB at health centres.

187. From 2014 to November 2018, there were respectively 21, 21, 24, 22 and 46 homeless persons benefiting from meals provided by the SWB. From academic years 2014/2015 to 2017/2018, the EYAB’s milk programme was implemented in 75, 74, 79 and 85 schools, reaching around 28,000, 31,000, 35,000 and 37,000 students respectively.

188. Additionally, the “Short-Term Food Assistance Service” provides temporary relief, especially, short-term food assistance, to alleviate persons or families, including migrants, in a precarious economic situation. Between 2014 and September 2018, 3,461, 4,008, 4,099, 4,698 and 3,202 persons benefited respectively.

189. The “Healthy Eating in School” programme, jointly organised by the HB and EYAB, continues to be actively in place through health education and activities. The EYAB’s school guidelines for catering management, food hygiene and safety and food nutrition are being implemented.

190. Regarding foodborne disease outbreaks, the HB has been monitoring closely and disseminating outbreaks information through various channels and mechanisms. During outbreaks, epidemiological investigations will be immediately conducted, and relevant entities notified. During the covered period, 141 outbreaks occurred, involving 836 persons.

191. Law 5/2013, on Food Safety, regulating food safety supervision and management, preventive measures, risk control and treatment is implemented by the Civic and Municipal Affairs Bureau (CMAB), being responsible for coordinating food safety supervision, supervising foodstuff production places, investigating and handling food safety incidents, enforcing preventive and control measures, educational and awareness-raising courses and initiating administrative proceedings (Articles 4 and 21 of Law 5/2013). Entities producing and trading foodstuffs have among other duties to comply with food safety criteria (Article 5).

192. The Government strengthened cooperation with its neighbouring authorities in this area while continuing with food monitoring, control and surveillance through regular sanitary

inspections, *inter alia*, sanitary control of primary fresh products and imported products of animal origin, at the entry ports, slaughter houses and food-animal storage facilities. During the covered period, the CMAB conducted averagely over 9,000 inspections per year.

Right to adequate housing

193. Shelters for the homeless, temporary housing or rent allowance for persons in need or with reallocation problems and social housing continue to be provided. From 2014 to September 2018, there were respectively 71, 96, 90, 106 and 60 persons living in shelters and 408, 398, 336, 324 and 301 families receiving rent allowance. The SWB also provides allowances to buy household goods or make basic home improvement, such as electricity rewiring.

194. Regarding paragraph 59 of the concluding observations, it should be restated that the MSAR has a public housing allocation scheme, with 2 major categories: economic housing (Law 10/2011, as amended by Law 11/2015) and social housing (AR 25/2009 on the Allocation, Rental and Management of Social Housing and Order of the CE 296/2009 on the Regulation on the Application for the Allocation of Social Housing).

195. Law 10/2011 established the regime for the construction and access to economic housing and defined the conditions of use and sale of the houses, aiming at supporting residents with a certain level of income and assets to have access to a house. The 2015 amendments changed the application requirements (Articles 14 and 15), public tender formalities, including preliminary assessment of applications (Articles 21 and 22), and the criteria for the selection, sorting and exclusion of candidates (Articles 23 to 28).

196. Article 24-A was added to Law 10/2011 stipulating that following the preliminary assessment, the Housing Bureau draws up a list of all candidates (selected and excluded), which includes the grounds for exclusion. The list is published in the MSAR *Official Gazette* and may be subject to appeal.

197. Accordingly, a general public tender undertaken between 18/12/2013 and 17/03/2014, made available 1,900 economic housing units (T1, T2 and T3). As of September 2018, a total of 1,606 housing units were sold.

198. In relation to social housing, these houses are allocated for renting to families with financial difficulties (AR 25/2009 and Order of the CE 296/2009). Applicants may apply by public tender based on their monthly family income and assets and number of family members. For instance, a household of 3 and 4 members must not have a monthly income more than MOP\$23,430 and MOP\$25,680 and assets that worth more than MOP\$506,100 and MOP\$554,700 respectively (Order of the CE 368/2017).

199. Apart from the general conditions, persons or families facing social, physical or mental crisis, or disaster victims may also apply for social housing.

200. To shorten the waiting time, the Housing Bureau has enhanced the selection procedures. The definitive list of eligible applications (2013) was announced on 26/12/2014 and the first batch of social housing units was allocated accordingly within 3 months; the allocation was completed in August 2017.

201. Regarding the general tender of 2017, applications are currently being vetted. From 2014 to September 2018, social housing was allocated to 4,588 households; as of September 2018, the number of social housing tenants reached 12,132 (involving 27,005 persons, with the average household size being 2.23 persons).

202. In the 2016 By-Census, there were 188,723 households in the MSAR and the average household size was 3.07 persons. Households living in owner-occupied units accounted for 66.2% of the total households. As of June 2018, there were 225,457 housing units.

Environmental protection and town planning

203. The Government attaches great importance to environmental protection and town planning. The existing legal framework was complemented by the application to the MSAR of the Paris Agreement and the Minamata Convention on Mercury, respectively in 2016 and

2017. Law 8/2014 on the Prevention and Control of Environmental Noise was also adopted, establishing limits to environmental noise, including that of construction work and daily life.

204. The Environmental Protection Planning of Macao (2010–2020) is being executed whereas specific strategies continue to be adopted to protect the valuable ecological environment and natural resources in the Macao SAR, and also enhance the quality of living environment, such as the Macao Water Resources Management Programme, Green-school and Green-enterprises Partnerships, 2017–2026 Macao Solid Waste Resources Management Programme and 2017 Exhaust Emissions Standards for Vehicles.

205. The Environmental Protection Bureau (EPB) plays a key role in this field working actively with the CMAB, Healthy City Commission, EYAB, LAB and other entities, including schools, NGOs and the private sector.

206. Environmental education and sustainable practices for a green society are priorities. Between 2014 and 2017, the EPB and CMAB held 8,049 educational and awareness-raising activities, with an average of 217 participants for each activity, and with respectively 861, 851, 840 and 986 co-organisers. During the same period, there were 111 seminars and courses on the environmental management system with 4,020 participants and 57, 66, 79 and 92 entities were respectively awarded the ISO14001 Certificate on Environmental Management System.

207. The CMAB also continues to improve the living conditions of the population with ongoing upgrading of the sewage system, adoption of maintenance and mitigation measures to alleviate flooding at black spots, replacement of garbage bins by refuse stations (the number of garbage bins decreased from 291 in 2014 to 167 in 2018), launching of recycling campaigns (with 356 waste recycling stations and 75 glass bottle recycling stations currently) and improvement of environmental hygiene.

208. To prevent the transmission of Dengue, Zika and other contagious diseases, the CMAB cooperates with the HB in cleaning hygiene black spots and inspecting construction sites and promoting awareness campaigns, such as “Stagnant Water Dumping Day” and “Preventing Dengue Fever”.

209. Concerning town planning, the implementation of Law 12/2013 on Urban Planning must be emphasised. It establishes norms and criteria for urban and management planning, conditions of land use and exploitation and creates the Urban Planning Council (consultative body comprising individuals from the private sector and government representatives (AR 3/2014)).

210. The renewal of public open areas is also a priority, like the expansion of pedestrian networks, the embellishment of squares and historical areas, and the upgrading of the landscape (e.g. green areas, hiking trails and open areas for leisure). Currently, there are 86 public recreational and leisure areas, with more than 1,280 outdoor fitness equipments.

211. Under the CMAB, 7 activity centres have been set up to provide a variety of cultural, leisure and recreational facilities, such as exhibition areas, auditoriums, libraries, studying and IT areas (with free access to computers and internet service).

212. Regarding the prevention of catastrophes and civil protection, following Typhoon Hato, the Government concluded the drafting of the Civil Protection Legal Framework and the Civil Protection and Contingency Coordination Bureau Framework. This Bureau is responsible for the overall civil protection and emergency response coordination. A Ten-Year Plan for Disaster Prevention and Mitigation (2019–2028) is being drafted.

213. As regards international and inter-regional cooperation, the Government continues to join efforts towards a sustainable regional environment approach with the Hong Kong SAR, Guangzhou, Shenzhen, Zhuhai and other cities of China.

214. Additionally, the EPB and Macao Trade and Investment Promotion Institute continue to organise the Macao International Environmental Co-operation Forum and Exhibition together with the governments of the provinces of the Pan-Pearl River Delta with the aim to turn the event into an international platform that fosters the development of environmental protection industry co-operation, technology transfer and sustainable development for the countries along the “Belt and Road”, Pan-Pearl River Delta Region, the Guangdong-Hong

Kong-Macau Greater Bay Area, Portuguese-speaking countries, European countries and the rest of the world. The 2018 theme was “Shaping of Eco-Cities for Inclusive Green Economy”, as a platform to promote solutions for a low carbon future and sustainable city development, in co-operation with the industry (green finance and technology).

Article 12

Right to health

Population’s state of physical and mental health

215. In 2017, the proportion of the youth and elderly population was respectively 12.7 % and 10.5 % of the total population. Between 2014 and 2017, the average life expectancy was 80.3 years for men and 86.4 years for women.

216. In 2018, the top 3 death causes were neoplasms (737), diseases of the circulatory system (524) and diseases of the respiratory system (407). There were 9,929 cases of notifiable diseases, consisting mainly of enterovirus infection (3,398) and influenza (4,110).

217. Concerning mental health, the Psychiatry Department and Psychiatric Centre (Taipa) of the Hospital Centre S. Januário (CHCSJ) continue to provide comprehensive psychiatric services. Following the relevant guidelines of the World Health Organisation (WHO), the HB created, in 2015, a joint mechanism, with a referral system, involving community organisations, health centres and the Psychiatry Department.

218. Apart from the Mental Health Commission and the Macao Psychiatric Association, a Community Psychiatric Service Team was created in 2016 to offer urgent and necessary intervention, evaluation and treatment to potential high risk mental health patients. The Government also subsidises NGOs to provide free psychological counselling services.

219. As of September 2018, there were 1,329 new patients and 27,701 follow-up patients in the Psychiatry Department. Currently, there are 22 persons under compulsory internment under Decree-law 31/99/M.

220. For the major demographic indicators, please see pages 46–61 of the 2017 Yearbook of Statistics.

Health system, main policies and measures adopted to ensure the right to health

221. The information provided in previous reports remains accurate regarding the core legislation on health and the healthcare system, which offers comprehensive preventive, curative and rehabilitative services. The public health facilities comprise 1 hospital (CHCSJ) (with an emergency station in Taipa), 8 health centres and 3 health stations.

222. The novelty is the adoption of Law 5/2016, on the Legal Regime for Medical Malpractice, to safeguard the rights and interests of the users of healthcare services and those providing such services, both in the public and private sectors. In 2017, the Medical Dispute Mediation Centre and the Medical Malpractice Evaluation Commission were established.

223. To pursue the objective of “Health for All” advocated by the WHO, the HB has completed a primary healthcare network through the health centres providing prenatal care, family planning, children’s healthcare, adult healthcare, oral healthcare, student healthcare, health education and Traditional Chinese Medicine (TCM) services.

224. In 2017, there were 678 private healthcare establishments providing primary healthcare services, including polyclinics (346), establishments of western medicine (152), TCM (118), dental (58) and therapy (4) clinics.

225. Healthcare and healthcare costs mentioned in the previous report remain unchanged while the subsidy to residents under the Healthcare Subsidy Scheme was raised to MOP\$600 annually for their medical expenses in private clinics (AR 6/2018).

No. of attendances in CHCSJ and health centres

	2014		2015		2016		2017		09/2018	
	M	F	M	F	M	F	M	F	M	F
CHCSJ Specialist Outpatient	165 517	202 487	170 155	204 055	179 915	212 516	189 195	221 279	182 190	147 640
CHCSJ Accident & Emergency	136 089	147 323	139 367	152 970	146 427	159 085	148 929	162 816	109 202	119 780
CHCSJ Inpatient	6 516	11 491	6 992	11 868	8 175	13 099	8 622	12 913	7 070	9 580
Health Centre Outpatient	224 391	392 532	252 901	429 799	289 406	477 609	311 504	501 033	249 825	398 669

Source: HB.

226. According to the HB, there were 453,425 (residents) and 84,751 (non-residents) outpatient consultations for children in health centres between 2014 and 2017. The number of attendances in private healthcare establishments were respectively 3,485,680, 3,267,422, 3,170,215 and 3,160,200 during the same period.

227. TCM plays an important role in the healthcare system. In 2017, outpatient services or acupuncture accounted 65,397 visits in health centres and 1,141,033 visits in private establishments.

228. In 2014, there were 2.5 doctors, 3.1 nurses and 0.4 TCM doctors per 1,000 persons and hospital bed occupancy rate was at 75.8 %. In 2017, there were 2.6 doctors, 3.7 nurses, 0.4 TCM doctors per 1,000 persons and the hospital bed occupancy rate was at 70.8 %.

229. Regarding elderly healthcare, the HB has undertaken various measures, including the establishment of a geriatrics specialty department with outpatient healthcare, a dementia centre, an inpatient ward and a community rehabilitation ward and of the colorectal cancer screening programme, the improvement of the elderly healthcare in Taipa, the priority of the elderly in consultations as well as the provision of a health support hotline and counselling service on nursing and drug use.

230. In relation to maternity and childcare, specific health services, including family planning programmes, free primary healthcare services as well as medication and devices used in family planning continue to be offered (e.g. routine health checkups, gynaecological consultations, pap smears screening, neonatal screening, pre-marital and genetic issues counselling, birth control methods, breastfeeding, treatment of infertility and prevention of genetic and sexually transmitted diseases (STDs). Between 2014 and September 2018, there were 15,807 deliveries in the CHCSJ.

Maternity and children's healthcare

	2014	2015	2016	2017	09/2018
No. of attendances in pre-natal Care	39 897	40 018	43 108	38 918	28 033
No. of attendances in family planning	38 874	40 801	43 302	45 149	35 179
No. of attendances in children's healthcare	76 994	79 867	86 511	84 689	61 900

Source: HB.

231. New vaccines were added to the vaccination programme, such as the Human Papillomavirus in 2013. In 2018, the immunisation coverage rate for infants was high with over 95% for children up to 12 months and over 90% for children up to 13. For data on the vaccination programme, please see the table on page 114 of the 2017 Yearbook of Statistics.

232. A positive measure that should be underscored is the considerable efforts undertaken by the HB concerning breastfeeding. Health education is delivered by nurses and volunteers targeting pregnant women, new mothers and their family members, comprising information

on breastfeeding and experience sharing (e.g. talks/activities, mobile app, postpartum nursing/breastfeeding follow-up phone calls, breastfeeding support hotline).

233. In 2016 and 2017, 3,012 activities on “Family Support towards Breastfeeding”, “Preparation of Breastfeeding” and “Skills of Breastfeeding”, with 33,112 participants, were organised. The breastfeeding rate has risen from 87.3% in 2014 to 92.6% in 2017. During the World Breastfeeding Week, the HB recognises mothers who have breastfed their children for a continuous duration of at least 6 months.

234. To encourage breastfeeding after maternity leave, breastfeeding rooms have been installed in public services since 2016. Presently, there are 207 breastfeeding rooms, of which 147 are in the public sector and 60 in the private sector.

235. As stated in previous reports, health education continues to play a key role in the Government’s health policy. In 2016, the Healthy Life Education Centre was established under the SWB to promote healthy lifestyle and deliver anti-drug messages, especially to children, youngsters and parents through different cultural, sports and arts activities. From January to September 2018, 16,129 students from senior kindergarten to primary six participated in the Healthy Life Education Programme.

236. In relation to HIV, the MSAR continues to enjoy a low prevalence. Infected persons and their families are provided with counselling services and support by the SWB. In cooperation with the Commission on the Fight against HIV/AIDS, the Government and NGOs adopted new measures to prevent, control and suppress HIV/AIDS.

237. Routine HIV tests have been proactively encouraged during checkups in healthcare establishments since 2015 (number of persons tested increased from 2,668 in 2015 to 8,375 in 2017). From 2014 to September 2018, 1,373 counselling services were provided and 64 local HIV positive persons were referred to the CHCSJ for follow-up.

238. HIV tests have been advertised on popular dating websites. A HIV/AIDS database and an online outreach service to disseminate information and to make appointments via mobile apps were launched in 2017.

239. During prenatal check-ups, HIV testing is one of the required blood tests. During the covered period, there were 35,081 pregnant women tested and 4 were found infected of HIV, who were provided with chemical prophylaxis to prevent vertical transmission to safeguard their baby’s health, as well as therapy and related services. No HIV vertical transmission (mother-to-child) has been reported.

HIV samples analysed in target groups

<i>Target group/Year</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>09/2018</i>
Hospital & Health Centres	2 650	2 476	8 821	7 751	4 962
Pre-natal	7 526	7 378	7 798	7 265	5 114
Injecting Drug Users	140	94	165	94	59
Prisoners	1 033	1 158	1 084	1 011	810
Non-resident workers in establishments such as saunas, karaoke bars and night clubs	7 644	7 654	7 105	6 828	5 506
People suspected to be infected tuberculosis	976	914	883	764	570
Unlinked anonymous surveillance	11 285	10 937	7 043	6 865	5 774
Voluntary testing service	157	168	243	403	294

Source: HB.

240. The Methadone Maintenance Programme to control HIV/AIDS transmission on high-risk groups and the HIV Surveillance Strategy continue to be executed, especially the outreach services to sex workers, providing health education, nursing care, social support, free condoms and lubricants as well as free clean syringes and recycling boxes of used syringes for drug users.

241. From 2014 to September 2018, 79,452 syringes were distributed and 62,052 syringes collected; 86,525 persons, including sex workers and other sexually active persons, were contacted during outreach visits, of which 1,760 persons received free rapid HIV and syphilis tests.

242. Information about HIV/AIDS prevention among non-resident workers, educational programmes on STD prevention, including HIV, was disseminated, including occasional health counselling activities in hotels and casinos. Promotional leaflets and posters were distributed and free rapid HIV and syphilis tests were offered. Between 2014 and September 2018, a total of 34,737 HIV tests targeting non-resident workers of saunas and nightclubs were conducted.

243. Likewise, awareness campaigns on sexual and infectious diseases continue to be conducted, e.g. the World AIDS' Day and the "Community Red Ribbon Action-AIDS Education Funding Scheme". From 2014 to September 2018, 77 programmes were subsidised and 240 community-based activities were held, with 18,295 participants.

244. Different activities were also organised at the tertiary education level (e.g. HIV/AIDS week, HIV tests, booth games, roadshows and seminars) and sex education was integrated into the primary and secondary school curricula. Meanwhile, preventive education on HIV/AIDS and drug abuse targeting high-risk adolescents who had dropped out school was conducted.

245. Regarding Law 17/2009 on the Prohibition of Illegal Production, Trafficking and Abuse of Narcotic Drugs and Psychotropic Substances (as amended by Law 4/2014 and Law 10/2016), its list has been regularly updated. The HB's licensing and monitoring over the importation of medicines as explained in the previous report are still in effect. The HB also provides services for the destruction of substandard drugs on a regular basis.

246. In respect of drugs registered by the HB from 2014 to September 2018, there were respectively 28,026, 28,822, 29,825, 30,798 and 31,641 western medicines and 6,015, 6,811, 7,445, 7,597 and 6,623 TCMs.

247. The HB is also responsible for regular assessment and inspection of medical establishments and monitor of diagnostic systems/equipment (e.g. MRI and X-ray equipment and other sensitive or radioactive devices), their installation or disposal.

248. As of September 2018, there were 565 pharmaceutical firms operating in the MSAR. During the covered period, 1,718, 1,955, 1,893, 1,973 and 1,353 routine inspections to pharmaceutical firms were respectively carried out by the HB.

249. The Government, together with the Commission on the Fight against Drugs and NGOs, continues to counter drug problems by preventive education, risk/harm reduction measures and free treatment programmes for drug addicts, including medical check-ups (infectious diseases, e.g. HIV, hepatitis B and C, TB, and other biochemistry check-ups, e.g. blood and urine), counselling and rehabilitation programmes provided through outreach-working teams.

250. A Central Registration System for Drug Addicts is updated by the SWB with the support of other government departments and entities. Between 2014 and 2017, the number of drug addicts registered was 568, 617, 548 and 462 respectively.

251. Regarding drug treatment in the outpatient centre between 2014 and 2017, there were respectively 111, 92, 69 and 24 new cases, and as of December 2018, there were 356 (301 males and 55 females) drug addicts receiving treatment, of which 26 were new cases. They were aged 14 to 60, being the majority aged 45–59.

252. As to the consumption of tobacco, Law 5/2011, on the Regime of Tobacco Prevention and Control was amended by Law 9/2017, following WHO standards, to strengthen restrictive measures such as the prohibition of smoking in certain places, or of tobacco advertisement as well as restrictions to the use of electronic cigarettes.

253. The Government proactively promotes a smoke-free culture through a number of anti-smoking programmes and actions. From 2014 to September 2018, the HB conducted 271,069, 289,300, 315,020, 326,977 and 259,445 anti-tobacco inspections respectively while there were respectively 7,820, 6,992, 6,803, 6,757 and 4,148 prosecutions.

254. Awareness campaigns through the media, billboard advertising, webpages, mobile apps, educational props and interactive multi-media games and other promotional activities were executed. NGOs were also subsidised to promote a smoke-free environment. The MSAR celebrates annually the “World No Tobacco Day”.

255. The overall tobacco consumption rate among the residents has gradually decreased from 16.9% in 2011 to 12.2% in 2017. According to the HB, during the covered period, there were 8,186 persons attending smoking cessation consultations, of which 1,188 were women.

256. The HB also organises seminars in schools on “Hazards of Tobacco”, to promote a healthy, tobacco-free lifestyle. From 2015 to 2017, the HB held 82 lectures, with the participation of over 5,400 students and anti-tobacco groups held 187 lectures, attracting over 8,400 students.

257. As regards contagious diseases, the information provided in the previous report is still valid. The list of contagious diseases of Law 2/2004 on the Prevention, Control and Treatment of Contagious Diseases, was last updated by Law 1/2016. To reduce the spread of diseases, the Government continues to promote awareness campaigns, distribute free protection masks and handwash disinfectant at healthcare establishments and conduct body temperature check at public places.

258. The Government spent MOP\$5,103,300,000 in public health in 2014 and MOP\$6,872,100,000 in 2017, representing respectively 7.61% and 8.45% of the total public expenditure.

International cooperation

259. During the covered period, the Government strengthened cooperation with other countries/regions, such as the Hong Kong SAR, Mainland China, Singapore, Portugal and the United Kingdom (UK), as well as with international organisations like the WHO, in health services, pharmaceuticals, technical support, professional training and academic research.

260. Between 2014 and September 2018, 13,008 trainees attended 271 training programmes, involving different spectrums like personnel management, humanitarian aid, medical knowledge and techniques.

Articles 13 and 14

Right to education

261. The right to education without discrimination as well as the autonomy, teaching and academic freedom of educational institutions is guaranteed under Articles 37 and 121 (2) of the BL. The information contained in the previous report is basically valid, especially the part related to non-tertiary education (Law 9/2006). A new law for tertiary education was adopted (Law 10/2017) replacing Decree-law 11/91/M. The 2 laws currently form the MSAR legal framework for education.

262. In non-tertiary education, it should be stressed that compulsory, universal and free education to all is a continuous policy (Decree-law 42/99/M and Articles 20 and 21 of Law 9/2006).

263. According to the EYAB and the 2011 Census and the 2016 By-census, the literacy rate of 2016 was 96.5%, 0.9% higher than that of 2011. The public education expenses were MOP\$10,787,500,000 (MOP\$7,346,500,000 in non-tertiary education) in 2017, being 13.3% of the public expenditure.

264. A Ten-Year Non-Tertiary Education Development Plan (2011–2020) has been implemented aiming at improving the quality of education in a comprehensive and inclusive manner, covering from kindergarten to secondary education, from special education and recurrent education to professional education, focusing on the healthy development of students at the physical, psychological and social levels.

265. Presently, 74 schools provide formal education, including pre-primary, primary, secondary and special education. Among them, 10 are public schools and 64 are private

schools (57 within the free education network) while the total number of students and teaching staff are respectively 76,346 (39,726 males and 36,620 females) and 6,784 (1,718 males and 5,066 females).

Academic year	Type of education	Public School		Private school			
		Medium of instruction		Medium of instruction			
		Chinese	Chinese & Portuguese	Chinese	Portuguese	English	Chinese & English
2014/15	Formal	8	2	49	2	8	5
	Special	1	0	3	0	0	0
2015/16	Formal	8	2	49	2	8	5
	Special	1	0	3	0	0	0
2016/17	Formal	8	2	49	2	8	5
	Special	1	0	3	0	0	0
2017/18	Formal	7	3	47	2	8	7
	Special	1	0	3	0	0	0
2018/19	Formal	7	3	47	2	8	7
	Special	1	0	3	0	0	0

Source: EYAB.

Note: One school may have several school units with different mediums of instruction.

Net Enrolment Rate (%)	Gender	2014/15	2015/16	2016/17	2017/18
Pre-Primary Education	M	99.4	94.4	89.4	86.7
	F	100.0	96.8	92.3	89.2
	MF	100.0	95.5	90.8	87.9
Primary Education	M	91.9	94.9	98.0	99.1
	F	97.3	98.3	100.0	100.0
	MF	94.5	96.5	100.0	100.0
Secondary Education	M	80.2	78.4	79.7	81.0
	F	86.1	87.1	84.9	87.3
	MF	83.0	82.5	82.2	84.0

Source: EYAB.

266. As a result of the “Notification Mechanism for School Dropouts” and other support services such as “Consultation and School Placement Services” and “Adaptation Learning Programme” provided by the EYAB, the dropout rates decreased in different educational phases.

Dropout Rate (%)	Gender	2014/15	2015/16	2016/17
Pre-Primary Education	M	1.4	1.5	1.1
	F	1.3	1.5	1.0
	MF	1.3	1.5	1.0
Primary Education	M	1.5	1.3	1.3
	F	1.2	1.4	0.8
	MF	1.4	1.3	1.1
Secondary Education	M	4.2	3.7	3.8
	F	3.1	2.7	2.3
	MF	3.6	3.2	3.1

Source: EYAB.

267. As mentioned in previous reports, the MSAR Government has established the “free education network” composed of public and subsidised private schools. The amount of the “free education subsidy” (AR 19/2006, as amended) granted to subsidised private schools has been increased (Order of the CE 162/2017). Between the academic years 2014/2015 and 2017/2018, 243,565 students (126,319 males and 117,246 females) benefited from the subsidy, totalling MOP\$8,416,233,917.

268. To students in the “non-free education network” (AR 20/2006, as amended), tuition subsidies continue to be granted and the amount has been increased (Order of the CE 163/2017). Between the academic years 2014/2015 and 2017/2018, there were 38,860 beneficiaries (20,164 males and 18,696 females), totalling MOP\$773,314,585.

269. For students from economically disadvantaged families, tuition subsidies, meal and stationery allowances remain available (Order of the SSAC 134/2010, as amended). From the academic years 2014/2015 to 2017/2018, 262 students (144 males and 118 females) were granted tuition subsidies, totalling MOP\$1,408,200; 12,334 students (6,148 males and 6,186 females) were granted school supplies allowance, totalling MOP\$29,895,800; and 11,793 students (5,811 males and 5,982 females) were granted meal allowance, totalling MOP\$38,453,200. As regards textbook/stationery allowances, 292,019 students (151,985 males and 140,034 females) benefited, totalling MOP\$753,379,800.

Special education

270. It should be reiterated that inclusive education is the main policy of the Government on special education (Decree-law 33/96/M).

271. In academic year 2018/2019, there are 2,301 students (1,650 males and 651 females) with special educational needs. From academic years 2014/2015 to 2018/2019, the number of inclusive students in the non-tertiary education system increased from 806 to 1,480, small class of special education from 153 to 215 and special education class from 471 to 606.

Academic Year	2014/15		2015/16		2016/17		2017/18		2018/19	
Gender/Age Group	M	F	M	F	M	F	M	F	M	F
3–5	169	49	194	54	239	68	290	95	273	95
6–11	374	158	463	183	587	222	715	248	816	292
12–17	341	155	334	155	349	170	388	184	441	206
18–24	116	68	129	80	130	76	132	64	120	58
Total	1 000	430	1 120	472	1 305	536	1525	591	1 650	651

Source: EYAB.

272. In recent years, the Government has been supporting the development of special education by various fundings to optimise teacher-student ratio, recruit classroom support staff, establish special education teams and provide healthy breakfast and lunch as well as pick-up and drop-off services.

273. Between the academic years 2014/2015 and 2018/2019, the subsidies for special education reached MOP\$38,402,156, MOP\$50,496,644, MOP\$57,263,177, MOP\$64,468,836 and MOP\$74,029,405, respectively.

274. Resources were additionally allocated to private schools that provide inclusive education, with the amount of MOP\$50,065,200, MOP\$63,840,900, MOP\$80,167,650, MOP\$96,785,450 and MOP\$109,263,700 (only the amount of the first semester) respectively over the same period.

275. Regarding paragraph 60 of the concluding observations, it should be reiterated that one of the general principles of the MSAR’s education system is the principle of access to education without discrimination and it is the Government’s obligation to promote equal opportunities (Article 3(1) of Law 9/2006), regardless of being residents’ or migrant workers’

children, and to ensure that the right to education would not be undermined due to financial difficulties.

276. From the academic years 2014/2015 to 2018/2019, there were respectively 997, 1,086, 1,037, 1,090 and 1,108 non-resident students receiving formal education.

277. For students who are new immigrants, non-residents or minorities, the EYAB provides tutorial classes to facilitate their learning and to help them adjust to school life. From the academic years 2014/2015 to 2018/2019, 684 students (352 males and 332 females) attended the classes.

278. Regarding recurrent education, presently, there are 2 public schools and 6 private schools. The Government supported recurrent education by subsidising of MOP\$269,681,150 to 4,451 male and 2,980 female students between the academic years 2014/2015 and 2017/2018.

279. To facilitate the reintegration of young offenders and prisoners into society, the Correctional Services Bureau collaborates with the EYAB and local educational organisations to provide them with recurrent education and different kinds of professional courses.

280. As to tertiary education, the new Law 10/2017, establishing general rules on the activities, organisation and operation of the MSAR's public and private tertiary educational institutions as well as activities of tertiary educational institutions based outside the MSAR, enshrines the principles of scientific autonomy and pedagogical autonomy, stressing the principles of equality and non-discrimination (Articles 4, 7 and 8).

281. AR 18/2018 on Tertiary Education and AR 19/2018 on the Credit System in Tertiary Education were adopted while the Tertiary Education Council was founded to promote the communication and coordination between the Government and tertiary educational institutions as well as among the institutions themselves fostering the development of tertiary education (Article 2 of AR 15/2018).

282. The Tertiary Education Fund was established aiming at the development of tertiary educational institutions and education quality and the Regime on the Evaluation of Tertiary Education Quality was adopted (AR 17/2018).

283. To support students with economic difficulties and to encourage outstanding students to continue tertiary education, student loans, scholarships, accommodation subsidies, travelling subsidies are available under the Tertiary Education Scholarship Scheme.

284. Between the academic years 2014/2015 and 2017/2018, 25,719 students (10,747 males and 14,972 females) received assistance, totalling MOP\$1,132,244,036. Besides, over the same period, 4,051 students (2,103 males and 1,948 females) were sponsored under the Interest Subsidy Loan Scheme, totalling MOP\$22,269,987 while, under the Subsidy Scheme for Outstanding Students to Study Education Programmes, 524 students (200 males and 324 females) were granted subsidies, totalling MOP\$91,613,000.

285. To alleviate students' burden, the Government has been providing stationery allowance to local students studying at the tertiary education level in the MSAR or overseas and the current amount is MOP\$3,000. Between the academic years 2014/2015 and 2017/2018, there were 132,528 beneficiaries with a total subsidy of MOP\$397,584,000.

286. According to the Tertiary Education Services Office, in the MSAR, there are 10 tertiary educational institutions. The teaching staff therein, as of academic year 2017/2018, was 2,303, of which 861 were females.

		<i>Academic Year (No./%)</i>				
<i>Net Enrolment Rate</i>	<i>Gender</i>	<i>No %</i>	<i>2014/15</i>	<i>2015/16</i>	<i>2016/17</i>	<i>2017/18</i>
Tertiary Education	M	No.	8 021	8 384	8 604	8 598
		%	38.94	41.50	42.81	42.35
	F	No.	11 461	11 816	11 905	12 111

Net Enrolment Rate	Gender	Academic Year (No./%)				
		No %	2014/15	2015/16	2016/17	2017/18
		%	57.88	59.68	58.94	58.51
	MF	No.	19 482	20 200	20 509	20 709
		%	48.22	50.50	50.89	50.51

Source: Tertiary Education Services Office.

287. Between academic years 2014/2015 and 2017/2018, there were 19 (16 males and 3 females), 22 (17 males and 5 females), 19 (13 males and 6 females) and 22 (14 males and 8 females) students with disabilities in tertiary education.

288. To promote lifelong learning, the MSAR Government has been financially supporting the “Continuous Education Plan” since July 2011 and has extended the plan to 2019 (AR 16/2011, AR 10/2014 and AR 10/2017). During the covered period, 3 subsidy plans were implemented: over 145,000 residents receiving over MOP\$520,000,000 (2011–2013), over 167,000 residents receiving around MOP\$740,000,000 (2014–2016) and over 120,000 residents receiving over MOP\$480,000,000 (2017–2019).

Article 15 Right to cultural life and scientific progress

Right to cultural life

289. The adoption of Law 11/2013 on the Protection of Cultural Heritage, consistent with the UNESCO Conventions concerning the Protection of the World Cultural and Natural Heritage, the Safeguarding of the Intangible Cultural Heritage and the Protection and Promotion of the Diversity of Cultural Expressions (all applicable to the MSAR) contributed to the consolidation of MSAR’s cultural heritage policy.

290. The Law protects tangible and intangible cultural heritage, including natural heritage, defining the legal, institutional and practical framework to safeguard natural, historical, artistic sites/cultural heritage as well as the procedures to classify the MSAR’s cultural heritage and community intervention. The Cultural Heritage Council was created (AR 4/2014).

291. In relation to tangible cultural heritage, 59 monuments, 46 buildings of architectural interest, 22 sites and 11 groups of buildings currently make part of the MSAR’s inventory (AR 1/2017 and AR 31/2018). There are 15 elements in the MSAR’s intangible cultural heritage inventory: Yueju Opera (Cantonese Opera), Herbal Tea Brewing, Woodwork – Religious Figure Carving, Taoist Ritual Music, Cantonese Naamyam (Narrative Songs), Festival of the Drunken Dragon, Belief and Customs of A-Ma, Belief and Customs of Na Tcha, Macanese Gastronomy, Patuá Theatre, Belief and Customs of Tou Tei, Belief and Customs of Chu Tai Sin, Craft of Bamboo Scaffolding, Procession of the Passion of Our Lord the God Jesus and the Procession of Our Lady of Fatima, recognising Chinese, Portuguese and Macanese cultural manifestations.

292. The UNESCO “Historic Centre of Macao” is a milestone of the MSAR’s 500 years of cross-cultural diversity. The Government attaches great importance to this classification and engages efforts in its preservation, promotion and dissemination.

293. The Cultural Affairs Bureau (CAB) is responsible for the implementation of cultural policies and strategies, promoting culture, cultural life and diversity (AR 20/2015), working closely with other government departments (e.g. CMAB, EYAB, Macao Government Tourism Office (MGTO)), entities (e.g. Macao Foundation) and NGOs.

294. The MSAR’s public budget for culture between 2014 and 2017 was MOP\$865,000,000, MOP\$902,000,000, MOP\$1, 207,300,000 and MOP\$1, 281,800,000, respectively.

295. As of September 2018, there were 780 cultural associations registered with the IB (112, 136, 168, 180 and 184 new associations registered respectively from 2014 to 2018).
296. The number of facilities and infrastructures improved from 24 to 27 museums, 5 to 6 movie-theatres/cinemas, 66 to 76 libraries and reading rooms between 2014 and 2018. There are 7 theatres and 1 historical archive.
297. Library network services were improved with a broader offer of books/periodicals, electronic resources (e.g. electronic books, journals and databases: <https://www.library.gov.mo/en/library-collections/e-resources>) and multi-media materials (Blu-ray/Disc/DVD/VCD/CD). The 16 libraries, with more than 2,650,000 visits annually, currently have a collection of approximately 831,646 volumes. From 2014 to September 2018, more than 3,500 activities were held, including thematic talks, exhibitions, reading workshops, storytelling for kids and parents.
298. At present, there are 13 daily newspapers in Chinese language (one of them being a free newspaper founded in 2011), 3 in Portuguese and 3 in English. In 2014, a Chinese-Portuguese bilingual weekly was launched, and a Portuguese weekly switched into a trilingual (Chinese, Portuguese and English). There are 11 broadcasting stations.
299. The CAB's cultural offer includes the Conservatory, Archive, Commissions for Classification of Shows, libraries, cultural facilities (31), inter alia the Macao Cultural Centre, the Macao Museum of Art and the newly-added Navy Yard No. 1 (2016) and No. 2 (2018) (multifunction space) and Cinematheque Passion (2017).
300. Access to monuments and facilities continues to be affordable, the majority being free of charge on Sundays or once a month and discounts or free admission being available, especially to children, students, the elderly, persons with disabilities and other vulnerable groups.
301. Measures continue to be adopted to guarantee full participation in cultural life for all, including the elimination of any physical, social or communication barriers and the promotion of community engagement and creativity.
302. From 2014 to September 2018, 169 events were organised by the Macao Cultural Centre, with 5,245 participants, in its Audience Building Scheme. In the same period, there were 356 outreach visits to schools and NGOs, reaching 16,709 participants.
303. The MSAR continues to offer a wide variety of art exhibitions and activities with quality, including recitals, world music, jazz, classical ballet, contemporary dance, musical, drama, cinema, workshops, literary competitions and multi-media shows. For data on performances and exhibitions, please see the table on page 127 of the 2017 Yearbook of Statistics.
304. Highlights of the MSAR's wide variety of cultural activities are the: 29th Macao Arts Festival, 32nd Macao International Music Festival, 18th Macao Fringe, concerts by the Macao Orchestra (35th anniversary) and the Chinese Orchestra (31st anniversary), and 36th Macao Young Musicians Competition.
305. The 3rd International Film Festival & Awards, another spotlight, organised by the MGTO, aims at developing a new hub for filmmakers in Asia and the industry, promoting visual arts to the population and encouraging local filmmakers.
306. Another one is the "Women Artists – 1st International Biennial of Macao" held in 2018, focusing on women's status in the contemporary art world, with 100 women from the local artists community as well as from Angola, Australia, Brazil, Cape Verde, East Timor, Georgia, Guinea Bissau, Hong Kong SAR, India, Iran, Japan, Mainland China, Mozambique, Portugal, Russia, São Tomé e Príncipe, South Korea Spain, Taiwan and United States (US).
307. The "Love the Community and Travelling Together" and "Musical Inheritance" series, held since 2014 in special education schools, prisons, residential care homes, should also be emphasised. Between 2014 and 2018, 35 performances were held, attracting 2,772 persons.
308. The Government continues to support local artists from diverse ethnic and cultural backgrounds (e.g. Mainland China, Russia, Australia, Singapore and Portugal), covering all sort of performing arts through an array of projects like the "Artist-in-Residence", "Macao

Series” and “Dance Project”. Between 2014 and September 2018, 84 productions were carried out, with the support of MOP\$10,634,650.

309. The CAB subsidises projects related to the cultural and creative industries, including exhibitions, workshops, teaching classes, productions related to visual arts, design, film and video, popular music, publication, fashion, animation and comic, participation of creative expos, trade fairs and creative markets. During the covered period, 134, 134, 122, 116 and 122 projects were funded with MOP\$13,352,032, MOP\$13,601,269, MOP\$10,500,754, MOP\$7,953,140 and MOP\$7,987,900, respectively.

310. Local artists are financially sponsored to go abroad and join with international arts groups while artists of international and regional prestige are invited to perform, teach and create performances locally with their counterparts.

311. From 2014 to 2018, around 70 activities, including workshops, performances and lectures, were held at cultural heritage sites during festivities and holidays, aiming to enrich the cultural experience of the public, of which 32 activities targeted children. The EYAB continues to work closely with the CAB and the CMAB in this area.

312. An illustration of Macao’s cultural diversity is the festivities of the local communities according with their traditions, including the New Year celebration, Buddha’s Birthday, the Feast of the Drunken Dragon, Ching Ming Festival, Chung Yeung Festival, Mid-Autumn Festival and Tung Ng Festival, Lusofonia Festival, the Filipino Sinulog Festival and the Thai Cultural Festival.

313. Another highlight is the “Macao International Parade” launched in 2011, which includes different ethnic minority associations of the MSAR, such as the Myanmar Overseas Chinese Association, the Indian Culture Association of Macau, the Filipinas Associação do Santo Niño de Cebu em Macau, the Capoeira Sports and Cultural Association of Macau and the Macau-Cabo Verde Friendship Association. The Parade provides a platform for cross-cultural interaction, with an annual participation of around 1,500 local and overseas performing groups and artists. It is broadcast live, locally and internationally.

314. Macanese culture is also cherished, e.g. the participation of the patuá-language drama group in the Macao Arts Festival since 2011 and the publication of cookbooks and dissemination of Macanese gastronomy.

Right to scientific progress

315. As stated in previous reports, creative freedom and the right of everyone to pursue knowledge and scientific progress without discrimination are safeguarded (Articles 37 and 124 of the BL and Law 9/2000). Science and education technology are part of the school curricula and activities.

316. Scientific and technological research continues to be supported by the Government and private institutions, through seminars, scholarships, publications, participation in international fora, etc. The Science and Technology Development Fund (AR 14/2004 and Order of the CE 235/2018) continues to provide financial support on teaching, research and execution of projects, including in the field of environmental protection and TCM. The financial support granted in the 3rd quarter of 2018 reached MOP\$72,886,566.

317. Several projects were financed in the fields of culture and arts and scientific and technological progress, e.g. the “2nd Symposium on Cooperation and Innovation in Science and Technology Information Service between Mainland, Taiwan, Hong Kong and Macao” and the “One Belt One Road One Tourism International Conference 2018”.

318. Students and student associations were also sponsored in different fields. For instance, 2 students, studying in the UK, were subsidised to go to the US to participate in the Hyperloop Pod Competition along with their university team while another was subsidised to participate in the International Genetically Engineered Machine (iGEM) Competition in the US.

319. Between 2014 and 2018, the Tertiary Education Services Office sponsored respectively 10, 9, 12, 13 and 11 university projects in the amount of MOP\$16,109,931, MOP\$10,022,500, MOP\$21,601,412, MOP\$57,808,309 (Typhon Hato) and MOP\$14,851,428.

320. As stated in previous reports, the Macao Science Centre is an important landmark as regards science and technology, specifically, aiming at stimulating and cultivating students' interest in science and enhancing public understanding in this field through interactive exhibitions and programmes.

321. The Macao Foundation continues to provide financial support to the development of projects and research on cultural, educational, scientific, academic and philanthropic activities. In the 3rd quarter of 2018, grants reached MOP\$320,139,295.

322. The Cultural Industry Fund (CIF) aiming at supporting projects related to the cultural industries promotes the diversification of the economy and sponsors projects and start-ups, innovation and creativeness being the key criteria (AR 26/2013).

323. From January to September 2018, the CIF granted MOP\$124 million in financial support, MOP\$76 million for projects and MOP\$47 million in interest-free loans. The fund assists 5 categories: creative design, exhibitions and cultural performances, collection of artwork, digital media and others.

324. Apart from individual projects, the CIF also sponsors specific ones, such as the "Building of Trademarks" (each project with the maximum of MOP\$5,000,000) and Cultural Creativity in the Community Neighbourhood" (30 projects, each with the maximum of MOP\$200,000) (2018).

325. The Creative Macau should be pointed out as a centre for the local creative industries, providing a platform for art and displays from diverse creative industries namely advertising, architecture, crafts, design, fashion design, film and video, interactive leisure software, music, performing arts, publishing, software and computer development and visual arts. The Sound & Image Challenge International Festival Workshops is one of its landmarks (2018 – 9th edition).

Right to sports and leisure

326. The "Sports for All" strategy is a long-term policy, wherein the development of physical education, leisure and sports to all without discrimination, as well as the promotion of healthy lifestyles are a priority. A wide range of sport activities are annually offered addressing the population's needs, including targeted-activities for women, the elderly, persons with disabilities and children.

327. The Sports Bureau (SB) is the main department to implement such strategy, working individually or together with other departments, entities and NGOs.

328. From 2014 to 2018, MOP\$76,927,502 (fixed subsidy), MOP\$395,566,294 (special subsidy) and MOP\$214,400,967 (major sporting events) were spent in sports and leisure activities.

329. As of September 2018, there were 400 registered sports associations (89, 77, 84, 86 and 64 new associations registered respectively from 2014 to 2018).

330. The number of registered members has increased significantly from 69,764 in 2014 to 85,593 in 2018, under the "Sports Easy Membership Programme".

331. From 2014 to September 2018, the SB subsidised sports associations to organise and participate in 683 trainings, 303 meetings and 1,949 competitions, with 13,914, 2,020 and 36,054 participants, respectively.

332. During the covered period, 95 sports events were conducted, with 1,900,669 participants. And 12,869 regular sport classes, with 311,505 quotas, were available from 2014 to September 2018.

333. Targeted sports events, such as the Women's Sports Festival, Sports Day for the Disabled and Elderly Sports Day, *Family Sports Day* and *Sports Summer Activities* are conducted annually. From 2014 to September 2018, a total of 19,560, 10,485 and 13,070 persons participated in the Family Sports Day, Elderly Sports Day and Disabled Sports Day, respectively. Over the same period, an increasing number of women participated in *Women's Sports Festival*, being 8,035, 8,025, 8,530, 8,730 and 8,737, respectively.

334. Additionally, free sport and recreational classes especially for the elderly, persons with disabilities, women and children as well as parents-children activities continue to be undertaken. During the said period, the SB subsidised 16 trainings and 16 competitions for the elderly (980 and 2,959 persons respectively), and 46 trainings, 28 meetings and 94 competitions for athletes with disabilities (702, 86 and 1,346 athletes respectively).

335. Presently, there are 45 widely-dispersed public sports facilities (24 in Macao, 10 in Taipa and 11 in Cotai), which are equipped with barrier-free facilities and open to the public free or with a minimal charge.

336. From 2014 to September 2018, there were respectively 5,934,545, 5,979,489, 6,577,028, 6,351,503 and 5,068,116 usages of public sports facilities.

337. The SB has been supporting athletes to participate in competitions and trainings, financing sports associations, hiring coaches and sending representatives to meetings. Athletes with high-level performance were selected to represent Macao in international sports competitions, including the Asian Games, Asian Para Games, Lusofonia Games, the International Children's Games, Asian Beach Games, National Youth Games, World Summer Special Olympics Games, National Winter Games, Summer Paralympic Games, Asian Winter Games, Summer Universidad, the National Games of the People's Republic of China, Student Sports Games of the People's Republic of China and Asian Indoor Martial Arts Games.

338. Between 2014 and 2018, a total of 1,741 athletes (967 males and 774 females) were awarded in 143 competitions. As regards subsidies granted to elite athletes, the amounts were MOP\$ 7,982,500, 8,333,000, 8,074,500, 7,562,629 and 5,927,500, respectively.

339. Among the major international sports events organised by the SB during the past years, the following should be highlighted: the Macao International Marathon, with 22,291 participants (2016–2017); Macau Grand Prix, with 161,312 participants (2016–2017); the Asian Dragon Boat Championship, with 87,810 participants (2016–2018); the FIVB Volleyball World Grand Prix Macao and the FIVB Women's Volleyball Nations League, with respectively 43,049 and 21,000 participants (2016–2018); the Wushu Masters Challenge, with 251,871 participants (2016–2018); the Macao Golf Open, with 9,505 participants (2016–2017) and the Asia League, Super 8 and Terrific 12, with respectively 12,000 and 25,000 participants (2018).

340. As mentioned in previous reports, the SB is an active member of the International Council of Sports Science and Physical Education, the Asian Federation of Sports Medicine and the Association for International Sport for All. It cooperates with international organisations and organises several international sports events annually.

341. Additionally, the MSAR has signed new agreements with the Fujian Province and Beijing to enhance exchange and connections across all sport levels, including competitions, trainings and visits.

Protection of intellectual property

342. Intellectual property is fully protected in the MSAR as explained in previous reports (Article 125 (2) of the BL, Decree-law 43/99/M (Regime of Copyright and Related Rights, as amended by Law 5/2012) and Decree-law 97/99/M (Industrial Property Code).

343. The new amendments to the copyright regime aim at protecting copyright in the technological and information society as well as protecting the rights of performers and producers of phonograms in the digital era in line with the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, both applicable to the MSAR since 2013.

344. Concerning the protection of intellectual property, the Macao Economic Bureau (MEB) is the entity responsible for trademark and patents registration.

Industrial property applications

<i>Year</i>	<i>Trademark</i>	<i>Invention patent</i>	<i>Extension of invention patent</i>	<i>Utility patent</i>	<i>Industrial design and model</i>	<i>Name and emblem of establishment</i>
2014	12 287	106	310	28	132	15
2015	13 140	65	382	20	250	30
2016	11 507	51	452	15	218	23
2017	13 135	68	441	18	193	7
09/2018	12 398	42	504	22	165	6

Source: MEB.

Industrial property registrations

<i>Year</i>	<i>Trademark</i>	<i>Invention patent</i>	<i>Extension of invention patent</i>	<i>Utility patent</i>	<i>Industrial design and model</i>	<i>Name and emblem of establishment</i>
2014	12 764	16	254	1	117	19
2015	12 094	37	321	15	177	24
2016	11 530	58	471	12	79	22
2017	11 076	21	416	7	249	11
09/2018	10 217	21	346	1	209	10

Source: MEB.

345. In respect of external cooperation, a cooperation agreement with the National Intellectual Property Administration (CNIPA) is still in force. As of September 2018, the MEB had delivered to CNIPA 1,030 invention patents applications and 153 utility patent applications for substantive examination. Additional cooperation to timely update information on patents and literature was also established.

346. In this area, the work of the IEEM should be underpinned as an institution that promotes the Intellectual Property Law School (15th edition in 2018) and the Intellectual Property Seminar (18th edition in 2018) as well as the Pearl River Delta Academy of International Trade and Investment Law (PRAIA) (4th edition in 2018).