



Chapter 11

The Economy, Culture and Social Affairs of the Macao SAR



The Structure of the *Macao Basic Law*

Preamble

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Chapter III Fundamental Rights and Duties of the Residents

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Annex II Method for the Formation of the Legislative Council of the Macao Special Administrative Region

Annex III National Laws to Be Applied in the Macao Special Administrative Region

Article 103 to 134

The “Two Systems” Principle

Under the “One Country, Two Systems” policy, the Macao SAR shall not practice the socialist system and policies, the previous capitalist system and way of life shall remain unchanged (Article 5).

Economy and is the material foundation of a society, and culture is the spiritual foundation. The reason to implement the “One Country, Two Systems” policy is not only to realize the unification of the country, but also to safeguard and ensure the long-term stability and prosperity of the Macao SAR. Therefore, there are chapters in the *Macao Basic Law* to show the importance of the safeguarding of these aspects of the Macao SAR.

Due to the difference of the capitalist system, there are special features in the economy, culture and society of Macao which are not the same as those in the Mainland. The *Macao Basic Law* ensures the high degree of autonomy granted to the Macao SAR in the governance of these aspects.

The Economy of the Macao SAR

Chapter V Economy

The features of the provisions in the Macao Basic Law regarding the economy of the Macao SAR:

1. The remaining of the previous capitalist system for 50 years
2. The protection of private ownership
3. The previous economic systems remained basically unchanged, with some modifications for the perfection of the systems
4. The implementation of a high degree of autonomy in the economic policies

Protection of private ownership

Article 103, the *Macao Basic Law*

The Macao Special Administrative Region shall, in accordance with law, **protect the right of individuals and legal persons** to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of **their property**.

Such compensation shall correspond to the real value of the property concerned at the time and shall be freely convertible and paid without undue delay.

The ownership of enterprises and the investments from outside the Region shall be protected by law.

《澳門基本法》第103條

澳門特別行政區依法**保護私人和法人財產**的取得、使用、處置和繼承的權利，以及依法徵用私人和法人財產時被徵用財產的所有人得到補償的權利。

徵用財產的補償應相當於該財產當時的實際價值，可自由兌換，不得無故遲延支付。

企業所有權和外來投資均受法律保護。

The independent finances

Article 104, the *Macao Basic Law*

The Macao Special Administrative Region shall have **independent finances**. All the financial revenues of the Macao Special Administrative Region shall be managed and controlled by the Region itself and **shall not be handed over to the Central People's Government**.

The Central People's Government **shall not levy taxes** in the Macao Special Administrative Region.

《澳門基本法》第104條

澳門特別行政區保持**財政獨立**。

澳門特別行政區財政收入全部由澳門特別行政區自行支配，**不上繳中央人民政府**。

中央人民政府**不在澳門特別行政區徵稅**。

The independent finances

The Macao SAR (or the MSAR Government) shall:

- manage its own budget (Article 105);
- practice independent taxation system (Article 106);
- formulate its own monetary and financial policies (Article 107);
- issue its own currency, the Macao Pataca (Article 108);
- apply no foreign exchange control (Article 109);
- maintain the status of free port and pursue the policy of free trade (Article 110 & 111)

“Macao, China” in the economic area

- › Macao as a separate customs territory (單獨的關稅地區) (Article 112)
- › Using the name “Macao, China” in GATT or other relevant international organization (Article 112)
- › Enjoying export quotas and tariff preferences exclusively (Article 112)
- › Issuing its own certificates of origin for products (Article 13)



In-depth Cooperation Zone in Hengqin



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Policies on industry and commerce

- › Free industrial and commercial operations (Article 114)
- › Labour policy on its own (Article 115)
- › Shipping policy on its own (Article 116)
- › Civil aviation management on its own (Article 117)
- › Policies on tourism and recreation (Article 118)



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Other policies related to economy

- › The environmental protection policy (Article 119)
- › Land laws and policies (Article 120)



中華人民共和國
澳門特別行政區基本法

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The Macao Basic Law safeguards the previous capitalist economic system in Macao.

It is the basis for the economic development of the Macao SAR.

The “One Country, Two Systems” policy is an institutional advantage of the Macao SAR.

The Culture and Social Affairs of the Macao SAR

Chapter VI Culture and Social Affairs

The subject in most of the articles in Chapter VI of the *Macao Basic Law* is **the Government of the Macao Special Administrative Region**. The *Macao Basic Law* states clearly that the MSAR Government shall, on its own, formulate policies on culture and social affairs, which means the MSAR Government holds the responsibility in formulating favourable policies on culture and social affairs for the development of the Macao SAR.

These policies are highly related to the fundamental rights of the Macao residents.

Policy on education

The MSAR Government shall, on its own, formulate policies on education (Article 121).

Independent education system

- educational system
- language of instruction
- allocation of funds
- examination system
- recognition of educational qualifications
- system of academic awards

Compulsory education system

- 15-year compulsory education



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Policy on education

- › Freedom of running educational undertakings of various kinds (Article 121)
- › Autonomy of educational institutions (Article 122)
- › Academic freedom (Article 122)



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Policy on medical and health services

The MSAR government shall, on its own, formulate policies to improve medical and health services and to develop **Western** and **traditional Chinese medicine**. (Article 123)



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Policy on S&T and professional qualifications

The MSAR Government shall, on its own, formulate policies on science and technology and protect by law achievements in scientific and technological research, patents, discoveries and inventions. (Article 124)

The MSAR Government shall, on its own, establish a system concerning the professions, and formulate provisions for assessing professional qualifications. (Article 129)



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Policy on arts and sports

The MSAR Government shall, on its own, formulate policies on:

- culture (Article 125);
- press and publication (Article 126);
- Sports (Article 127).



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Policy on freedom of religion

Article 128, the *Macao Basic Law*

The Government of the Macao Special Administrative Region, **consistent with the principle of religious freedom**, shall not interfere in the internal affairs of religious organizations or in the efforts of religious organizations and believers in Macao to maintain and develop relations with their counterparts outside Macao, or restrict religious activities which do not contravene the laws of the Region.

Religious organizations may, in accordance with law, run seminaries and other schools, hospitals and welfare institutions and to provide other social services. **Schools run by religious organizations may continue to provide religious education, including courses in religion.**

Religious organizations shall, in accordance with law, enjoy the rights to acquire, use, dispose of and inherit property and the right to receive donations. Their previous property rights and interests shall be protected by law.

《澳門基本法》第128條

澳門特別行政區政府**根據宗教信仰自由的原則**，不干預宗教組織的內部事務，不干預宗教組織和教徒同澳門以外地區的宗教組織和教徒保持及發展關係，不限制與澳門特別行政區法律沒有抵觸的宗教活動。

宗教組織可依法開辦宗教院校和其他學校、醫院和福利機構以及提供其他社會服務。**宗教組織開辦的學校可以繼續提供宗教教育，包括開設宗教課程。**

宗教組織依法享有財產的取得、使用、處置、繼承以及接受捐獻的權利。宗教組織在財產方面的原有權益依法受到保護。

Policy on social welfare

Article 130, the *Macao Basic Law*

On the basis of the previous social welfare system, the Government of the Macao Special Administrative Region shall, on its own, formulate policies on the development and improvement of the social welfare system in the light of the economic conditions and social needs.

《澳門基本法》第130條

澳門特別行政區政府在原有社會福利制度的基礎上，根據經濟條件和社會需要自行制定有關社會福利的發展和改進的政策。

Major welfare measures for the fiscal year 2023

All Macao residents

Non-mandatory individual accounts of the Central Provident Fund

Start-up fund of 10,000 patacas (for eligible residents)

Wealth Partaking Scheme

10,000 patacas (permanent residents)
6,000 patacas (non-permanent residents)

Healthcare voucher

600 patacas per person (permanent residents)

Allowance for Macao residents to gain access to basic medical insurance in mainland China

Provide allowances to eligible Macao residents, up to 1,000 patacas per head, for joining personal medical insurance schemes in mainland China

Birth allowance

5,418 patacas (both parents may apply at the same time)

Continuing Education Programme (2020-2023)

Maximum 6,000 patacas (per eligible resident)

Electricity bill subsidy for residential units

200 patacas per month (each residential unit)

On-going water tariff subsidy

Water tariff subsidy for residential and general non-residential users

Bus fare concessions for members of the public

Fare concessions for people holding top-up cards, student cards, senior cards, disability cards approved by the Transport Bureau, or people using electronic payments approved by the Transport Bureau

Real estate tax (all real estates)

Deduction of first 3,500 patacas of tax (Macao residents)

Waiver of real estate stamp duty

First three million patacas of a residential unit's value (Macao permanent residents purchasing residential property for the first time)

Incentive for the increase of supply in the real estate rental market

Reduction of the property tax rate for leased properties to eight percent; property tax rate for non-leased properties remains at six percent

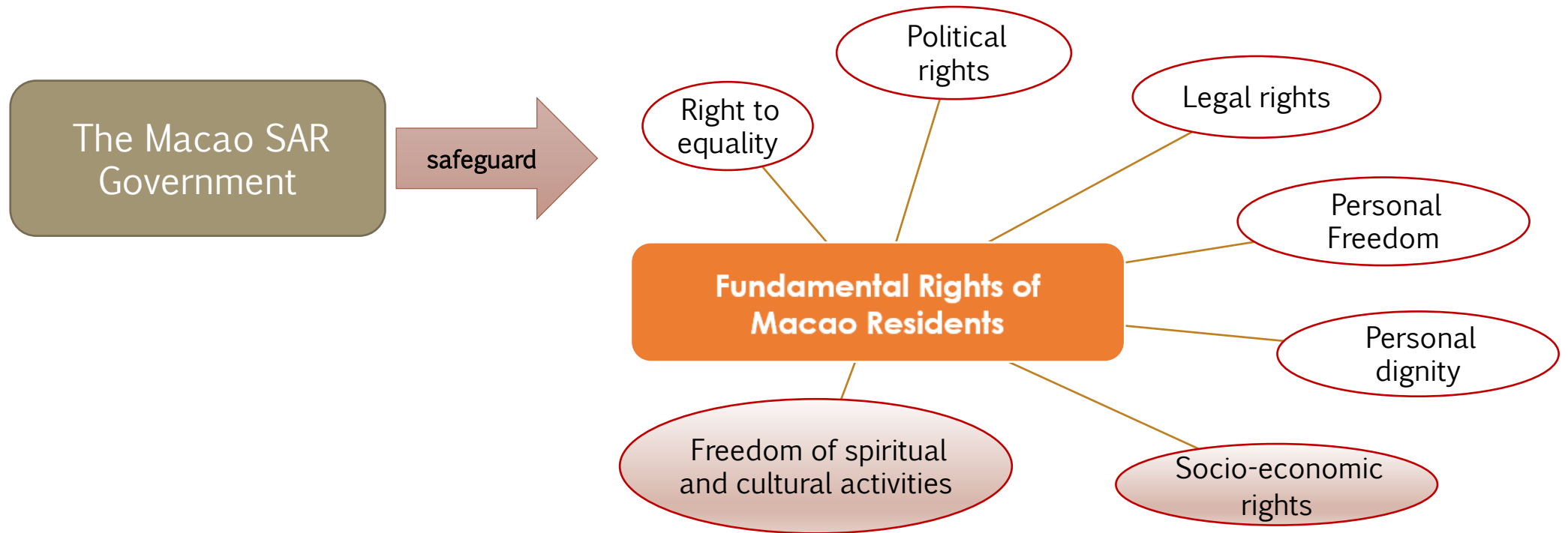
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Policy on NGOs

Macao has been known as a society of civil associations (社團社會). There are a number of provisions in the *Macao Basic Law* concerning the civil associations in Macao.

- Local organizations may provide social services. (Article 131)
- The MSAR Government shall improve the policy in respect of subventions for NGOs. (Article 132)
- NGOs in Macao may conduct external relationships with NGOs in other parts of China or overseas. (Article 133 & 134)

The MSAR Govt's responsibility



Important knowledge points:

- › Independent finances of the Macao SAR stated in the *Macao Basic Law*
- › The MSAR Government's responsibility in formulating policies on culture and social affairs, as to safeguard the relevant fundamental rights of the Macao residents.

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