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The Interpretation of the *Macao Basic Law*

Article 143, the *Macao Basic Law*

The **power of interpretation** of this Law shall be vested in the **Standing Committee of the National People's Congress**.

The Standing Committee of the National People's Congress shall **authorize** the courts of the **Macao Special Administrative Region** to interpret on their own, in adjudicating cases, the provisions of this Law which are within the limits of the autonomy of the Region.

The courts of the Macao Special Administrative Region may also interpret other provisions of this Law in adjudicating cases. However, if the courts of the Region, in adjudicating cases, need to interpret the provisions of this Law concerning affairs which are the responsibility of the Central People's Government, or concerning the relationship between the Central Authorities and the Region, and if such interpretation will affect the judgments in the cases, the courts of the Region shall, before making their final judgments which are not appealable, seek an interpretation of the relevant provisions from the Standing Committee of the National People's Congress through the Court of Final Appeal of the Region. When the Standing Committee makes an interpretation of the provisions concerned, the courts of the Region, in applying those provisions, shall follow the interpretation of the Standing Committee. However, judgments previously rendered shall not be affected.

The Standing Committee of the National People's Congress shall consult its Committee for the Basic Law of the Macao Special Administrative Region before giving an interpretation of this Law.

The Interpretation of the *Macao Basic Law*

《澳門基本法》第143條

本法的解釋權屬於全國人民代表大會常務委員會。

全國人民代表大會常務委員會授權澳門特別行政區法院在審理案件時對本法關於澳門特別行政區自治範圍內的條款自行解釋。

澳門特別行政區法院在審理案件時對本法的其他條款也可解釋。但如澳門特別行政區法院在審理案件時需要對本法關於中央人民政府管理的事務或中央和澳門特別行政區關係的條款進行解釋，而該條款的解釋又影響到案件的判決，在對該案件作出不可上訴的終局判決前，應由澳門特別行政區終審法院提請全國人民代表大會常務委員會對有關條款作出解釋。如全國人民代表大會常務委員會作出解釋，澳門特別行政區法院在引用該條款時，應以全國人民代表大會常務委員會的解釋為準。但在此以前作出的判決不受影響。

全國人民代表大會常務委員會在對本法進行解釋前，徵詢其所屬的澳門特別行政區基本法委員會的意見。

The Amendment of the *Macao Basic Law*

Article 144, the *Macao Basic Law*

The **power of amendment** of this Law shall be vested in the **National People's Congress**.

The **power to propose bills for amendments** to this Law shall be vested in the **Standing Committee of the National People's Congress**, the **State Council**, and the **Macao Special Administrative Region**. Amendment bills from the Macao Special Administrative Region shall be submitted to the National People's Congress by the delegation of the Region to the National People's Congress after obtaining the consent of two-thirds of the deputies of the Region to the National People's Congress, two-thirds of all the members of the Legislative Council of the Region, and the Chief Executive of the Region.

Before a bill for amendment to this Law is put on the agenda of the National People's Congress, the Committee for the Basic Law of the Macao Special Administrative Region shall study it and submit its views.

No amendment to this Law shall contravene the established basic policies of the People's Republic of China regarding Macao.

The Interpretation of the *Macao Basic Law*

《澳門基本法》第144條

本法的修改權屬於全國人民代表大會。

本法的修改提案權屬於全國人民代表大會常務委員會、國務院和澳門特別行政區。澳門特別行政區的修改議案，須經澳門特別行政區的全國人民代表大會代表三分之二多數、澳門特別行政區立法會全體議員三分之二多數和澳門特別行政區行政長官同意後，交由澳門特別行政區出席全國人民代表大會的代表團向全國人民代表大會提出。

本法的修改議案在列入全國人民代表大會的議程前、先由澳門特別行政區基本法委員會研究並提出意見。

本法的任何修改，均不得同中華人民共和國對澳門既定的基本方針政策相抵觸。

Supplementary Provisions

Article 145, the *Macao Basic Law*

Upon the establishment of the Macao Special Administrative Region, the **laws previously in force** in Macao shall be adopted as laws of the Region except for those which the Standing Committee of the National People's Congress declares to be in contravention of this Law. If any laws are later discovered to be in contravention of this Law, they shall be amended or cease to have force in accordance with the provisions of this Law and legal procedure.

Documents, certificates and contracts valid under the laws previously in force in Macao, and the rights and obligations provided for in such documents, certificates or contracts shall continue to be valid and be recognized and protected by the Macao Special Administrative Region, provided that they do not contravene this Law.

The contracts signed by the Portuguese Macao Government whose terms of validity extend beyond 19 December 1999 shall continue to be valid except those which a body authorized by the Central People's Government publicly declares to be inconsistent with the provisions about transitional arrangements contained in the Sino-Portuguese Joint Declaration and which need to be re-examined by the Government of the Macao Special Administrative Region.

Supplementary Provisions

《澳門基本法》第145條

澳門特別行政區成立時，澳門**原有法律**除由全國人民代表大會常務委員會宣佈為同本法抵觸者外，採用為澳門特別行政區法律，如以後發現有的法律與本法抵觸，可依照本法規定和法定程序修改或停止生效。

根據澳門原有法律取得效力的文件、證件、契約及其所包含的權利和義務，在不抵觸本法的前提下繼續有效，受澳門特別行政區的承認和保護。

原澳門政府所簽訂的有效期超過一九九九年十二月十九日的契約，除中央人民政府授權的機構已公開宣佈為不符合中葡聯合聲明關於過渡時期安排的規定，須經澳門特別行政區政府重新審查者外，繼續有效。

Important knowledge points

- The power of interpretation of the *Macao Basic Law* is vested in the Standing Committee of the National People's Congress.
- The power of amendment of the *Macao Basic Law* is vested in the National People's Congress.
- The power to propose bills for amendments to the *Macao Basic Law* is vested in the Standing Committee of the National People's Congress, the State Council, and the Macao Special Administrative Region.
- The laws and other legal documents previously in force, which are not in contravention of the *Macao Basic Law*, continue to be valid.