

# abstracts



## **Guide-lines of the Contemporary Chinese Juridical Thought**

António Manuel Hespanha

(pp. 7)

*The discussion about Law and its relations with politics and society was highly fruitful in contemporary China, from the final days of the Empire to Deng Xiao Ping period.*

*In a first stage, one of the aspects of the polemics concerning modernization of the Chinese society (which meant westernization) was discussed. Thus, the relative advantages of the discipline through law or discipline through tradition — an old question in the Chinese culture — was broached.*

*In a second stage, the issue regarding the function of the State and Law in the evolution of society, a classical issue in the Marxist theory, was apparently discussed. In this context, the debates on the relations between Party and State, between commissars' government and legal government emerged. The latter were typical in the Chinese conjuncture of the late sixties and seventies. However, we have the impression that we are dealing with the confrontation among old issues of the traditional Chinese politics.*

## **Amendments to the Criminal Procedure of Macau: Basis and Structural Principles**

José Alberto Correia Carapinha

(pp. 45)

*This article aims to provide its readers with an overview of the first draft of the future Criminal Procedural Code of Macau prepared by Professor Figueiredo Dias.*

*It starts with a brief historical evolution of the Portuguese legal system and the steps that were taken to reach the solution in force nowadays, which largely inspires the draft of the proposed solution to Macau.*

*After this first part dedicated to the historical evolution of the criminal procedural system the article tries to identify the major principles enshrined in the draft, both general principles and some other principles concerning the different stages of the procedure.*

*Apart from this it describes also the different type of criminal procedure foreseen by the draft as well as its summary description and functioning.*

## **The Role of the Statistics Information in the Development of Human Resources**

Vítor Rodrigues Pessoa

(pp. 61)

*To begin with this speech, delivered in a conference on The Role of the Statistics Information in the Development of Human Resources, refers to the international and regional context to which Macau belongs, in order to draw some conclusions relating to the problems connected with the management of the human resources in the Territory. When the author mentions the Action Plan for Development of the Human Resources in the Asia-Pacific Regional of the ESCAP — Economic and Social Commission for Asia and the Pacific — he presents three aspects for the development of human resources: investment in human capital, the effective use of these resources in the production, and the participation of the population in the benefits resulting from them. He also mentions that the trends at a world level aiming at the globalization of the markets and the interdependency and specialization of the economies have effects on the human resources management and on the labour market, in particular on an economy of reduced dimensions and open to the outside world as it is the case with Macau. In this article, the efforts of Macau Government in the implementation and upgrading of the programmes for vocational training and the easier access to social benefits are stressed — highlighting Education — as means that contribute to the development of the human resources and to improve the levels of social welfare.*

## **The Role of Information Technologies in the Modernization of the Administration and the Part Played by the Department for Administration and Civil Service in Their Promotion**

Manuel Abreu and Ton Chi Man (Joe)

(pp. 69)

*The information Technologies play an important role in the modernization of the Administration, if they are duly used, as an enhanced instrument which will generate significant added value to the activities of organizations, and in this way will render better services to the community.*

*In order to achieve that goal, and as it is internationally accepted namely by the OECD, their implementation must follow a strictly accurate planning of the information system and of the impacts that its adoption causes on the functioning and on the structure of the organizations.*

*A survey carried out recently in Portugal shows that even the most successful examples in this field indicate this conditioning factor.*

*In Macau there are some examples which have achieved that goal: in the field of products, the **Guia da Cidade** (The City Guide-Book) and the **LegisMac**; within the scope of infrastructures, the **InforMac** — Macau's Public Administration Telematic Network — run by the Department for Administration and Civil Service, and whose present and future architecture and services are duly illustrated in the present article.*

## **Administrative Procedure Code — Suggestions for Its Readjustment**

Zhu Lin (pp. 89)

*Decree-Law n. ° 35/94/M of 18th July, which approved the present Administrative Procedure Code, states that it may be revised, two years after its enforcement. In spite of being considered as an important tool to safeguard the citizens' interests — since its contents encompasses many subjects which are stated in an explicit way — it is absolutely necessary to update the code so that it becomes more useful and adequate to modern times.*

*The intention behind this article is to contribute to a better safeguard of the citizens' interests.*

## **Work and Rest in Macau's Public Administration**

Ilídio Duarte Rodrigues (pp. 99)

*All the workers are entitled to several rights, namely the right to rest, maximum number of working hours per day, weekly rest and paid vacation.*

*These rights are stated in Macau's juridical system and, specifically, in the regulations of the civil service.*

*The set of rules connected with these rights of the civil servants are enshrined in Decree-Law n. ° 23/95/M of the 1 st July, recently published.*

*This article aims at divulging the new set of rules relating to the right to rest and, at the same time, approaches succinctly the most important principles regulating the duration of work, weekly rest and complementary weekly rest, holidays and vacations as well.*

## **New Ways of Co-operation in a New Base of Trade Relation between the European Union and China — Province of Guangdong**

Zhang Lie, Lou Bingzhi e Pan Yigin (pp. 115)

*The European Union (EU) is the major and the most active regional and economic block in the world, and it is one of the five major trade partners of the People's Republic of China (PRC). The EU itself attaches great importance to this relation and, in July 1995, published a study, where the necessity of bilateral agreements between both parties is stressed.*

*In this article the authors comment on some aspects of these relations, on the way they have been conducted and suggest some alterations in what concerns the performance of both partners. They also mention the bases on which co-operation is built and some new ideas are pointed out as well as the steps to be taken to promote that important co-operation.*

## **Teaching of Languages at Macau Criminal Investigation Police School**

Fernando Passos (pp.129)

*The author stresses the contribution of Macau Criminal Investigation Police School, within the scope of the teaching of language skills, namely the Portuguese and Chinese languages, designed for the workers of Macau*

*Criminal Investigation Police Board.*

*According to the Dispatches n.º 46/GM/94 and n.º 47/GM/94 of 25th July, Macau Criminal Investigation School has been carrying out various actions aiming at providing language skills, contributing in this way to the generalization of bilinguism in the public administration of Macau. At present, about 32 per cent of the workers of Macau Criminal Investigation Board are attending languages courses at Macau Criminal Investigation School.*