

# abstracts



## **Brief Notes on Property Registration in Macau**

Vicente J. Monteiro

(pp. 805)

*The theme of this article is the registration system in the Territory of Macau, the matrix of which is Portuguese as it is well known.*

*In the introduction, the historical relation with the Portuguese system is referred to, the juridical regime of the property registration enforced in Macau is characterized, which, though doesn't entitle the person the right of the property, is based on authentic folio, with public credit, that is, based on the presumption of truth and exactness of the registration, and on rules and registration principles which are typical in countries where property registration is more developed (Germany, Spain, France, Switzerland, Argentina, Brazil, etc.), namely the principles of law-suit, priority, legality, successive dealings and the principles of the respective areas.*

*It is also broached the special regime of Law on Land, which is of great relevance and specificity in Macau. It deals with all the regulation of land attribution, which in its great majority belongs to the territory of Macau, though private owners also exist, being, however, of little significance.*

*The regime of horizontal property (housing flats) was recently reformulated by means of a law passed by the Legislative Assembly. The latter law is also analysed and criticized in this article, due to its major importance in the typical Macanese Real Estate market flow.*

*Causes and reasons which are normally considered as bureaucratic barriers to the registration regularization of the rights on the real estate are also analysed. All the aspects that should be taken into account in future measures aiming at legislative alteration are pointed out as well, from the author's point of view.*

## **“Overbooking”: A Singular Way of not Fulfilling the Passengers Air Transportation Contract**

José Tomás Baganha

(pp. 825)

*International air transportation of passengers is liable to the occurrence of unexpected facts, which can be qualified as “overbooking”.*

*Usually such happenings bring about significant material and moral damages to the passengers, to whom embarkation was refused. The article characterizes the contract of air transportation of passengers, describes the causes of that practice by the air companies, as well as the rights and obligations which derive from that contract.*

*The legal solutions adopted by the USA and the European Union to fight against such a frequent and undesirable practice are referred to.*

*Though this phenomenon does not have major reflections on the international air transportation operated from the Airport of Macau, the possibility of its occurrence in Macau or in any other destination, justifies the explanation of the rights and obligations deriving from the transportation contract, from the perspective of the protection of the passenger in case of such a happening.*

### **Aircraft as a Legal Space**

Cândida da Silva Antunes Pires

(pp. 839)

*This article broaches a specific subject of the Internal Air Law, — any events taking place on board of Portuguese aircraft making stop over Macau, and facts relating to the state and civil capacity of crew and passengers — which were never been contemplated, as, in fact, their existence was almost null before the establishment of the International Airport of Macau.*

*After a brief introduction to the subject, by delimiting the concept of Air Law, referring to its special characteristics, and to the establishment of fundamental notions as aircraft navigation and aircraft nationality, the author focused on the analysis of the precept tools, the aspects of the civil registration laws of Macau and Portugal, that define a regime which deals with the facts that are part of the civil registration due to its nature, and which can happen by chance on board of a Portuguese aircraft flying to or from Macau.*

*Some questions deriving from the differences between the legal regimes enshrined in the Civil Registration Code of Macau and Portugal are assessed and solved, stressing the procedures to be adopted by the authorities on board, when there is a case of birth, death, or other relevant facts related with the civil state or capacity of people, and which due to their nature are encompassed by Law that define in a decisive way their contents and effects.*

### **The Narratives of Intercultural Exchange**

António Manuel Hespanha

(pp. 795)

*The evocation of the Lusophonie may become a source of misunderstandings, fake dialogues and strategies of hegemonic policies if it is not clearly understood that we are dealing with a linguistic and plural space, a simple constellation of languages with common bridges.*

## **A Reflection on the Development of the Chinese Studies**

Deng Zhenlai

(pp.781)

*The contacts among the peoples of different countries originate philosophical trends which influence in a positive or a negative way the involved civilizations. It was the case of the milenarian Chinese civilization.*

*According to the author, many positive and negative outcomes emerge from these contacts. In order to take the greatest advantage of the abovementioned philosophical thoughts, it is necessary to make an in depth study of the said cultures, as a superficial analysis, as it has happened so many times, proved useless. When the study of the civilizations is not profound and rigorous the outcomes are false. In this article several trends are mentioned and compared and some scholars are criticized due to their superficial studies.*

## **Macau's Libraries Activities: Strategies for the Transition Period**

Wong Kuok Keong

(pp. 851)

*We can assess the degree of development and prosperity of a country through the work of its libraries. Macau is going through the final stage of the transition period. Many scholars and experts consider the economic advantages of Macau and their political reflection, but usually they do not attach great importance to the development and assessment of the activities of the libraries.*

*Hence, in this article the author tries to analyse and to draw our attention to the real existing problems in the China/West, cultural perspective regarding the human and material resources, the system management, the know-how, the social function, the existing devices and the functioning of the libraries, the problems which deserve the attention of the librarians, as well as the strategies to cope with them.*

## **The Future of the Municipalities of Macau**

Avelino Rosa

(pp. 859)

*The purpose of this article is to contribute to the debate, which is considered as necessary — about the future of the Municipalities of Macau — Leal Senado and Câmara Municipal das Ilhas — viewed in the perspective of the Basic Law for the Special Administrative Region of Macau.*

*The author tries to give an overview of the historical municipal context, and specially of the role played by the Leal Senado de Macau, within the framework which embodies both municipalities of the Territory, stressing the attributions and powers of their organs.*

*Through the analysis of the Basic Law, regarding to the municipalities, based on the several theses which have been defended throughout the years and on the ideas already existing at the time of the elaboration*

*of the abovementioned document, we can conclude that nothing will prevent the maintenance of the present municipal model, without prejudice to the possible adjustment of capacities within the context of the Public Administration of the Territory of Macau.*

### **Staff Training for the Criminal Investigation Police of Macau**

Fernando Passos

(pp. 881)

*In this article the author reflects on the beginning of the staff training activities for the Judiciary Police of Macau, the starting point of which was the setting up of the School for Practical Training in Criminal Sciences, in 1957.*

*The author refers, in detail, the staff training for the Directorate of the Criminal Investigation Police of Macau, through the activities of the Criminal Investigation Police School, set up in 1990, presenting some data related with the courses and the number of training hours.*

*It is also stressed the role of the Criminal Investigation Police School during the present period of transition, as it is one of the guarantors of the localization of the staff and the generalization of bilinguism, while it promotes, in a balanced way, vocational training and linguistic activities, being the latter in Portuguese and Mandarin.*

### **Languages in Contact in Macau**

Maria Helena Rodrigues

(pp. 853)

*In the multilingual space of Macau, the use of two linguistic codes, in a mixed and alternate way, has its major expression in the Macanese community.*

*By discussing the available criteria for the definition of the population and setting the scenario of the social and linguistic reality in the Territory, this study aims at determining the factors that regulate the choice between one or the other linguistic code — Portuguese and Cantonese — in different utilization contexts.*

*The obtained indicators are based on the descriptive analysis of speeches produced by speakers of the targeted population, when interviewed. These samples represent the social function of the Portuguese language as it is assumed by elements of the Macanese Society and contribute to the definition of the social and linguistic framework where the teaching/learning process of the Portuguese language is carried out. The social variables of the utilization of the language justify a consequent reflection upon the basic options regarding its teaching to Macanese students, as a mother tongue or as a second language.*