

abstracts

Portugal and Macau: Contributions to the Juridical History of the Urban Planning - Twentieth Century

J. Conceição Afonso

(pp. 947)

In this article entitled «Portugal and Macau — Contributions to the Juridical History of the Urban Planning — Twentieth Century», the author attempts to foresee and understand, thanks to his experience as an urbanist architect, the complex relations of cause and effect within the Sino-Portuguese culture, between the Urban Law existing in Portugal and in Macau during the following periods:

I — From the Regeneration Period to the End of the First Republic (1851-1926);

II — From the Military Dictatorship Period to the End of the World War Two (1926-1945);

III — From the Post War Period to the End of the Estado Novo (1945-1974)(New State Period);

IV — From the April Revolution of 1974 till the Present Day.

Reflection on the Localization of Law in Macau

Sun Tongpeng

(pp. 1005)

The localization of legislative system, of judicial officials and of legal language are the "hardware" of the juridical system, while the "software" — awareness, comprehension, cognition, acceptance and compliance of the citizens — is indispensable for its smooth operation. The author, in this article, analyzes the role of this "software" in the localization of law from a legal sociological point of view, with an aim to give new ideas to the localization work.

Historically, as the laws in Macau were closely linked with that of Portugal and Portuguese was the only official language, laws written in Portuguese could hardly be understood and accepted by the Chinese community. During the 100 years' of direct Portuguese administration, the Chinese people were basically excluded from the administrative system and deprived of the knowledge of the laws. The society was under the rule of informal norms, i.e., customs and traditions — the concept of "living law".

Now, the localization of law is carried out in different levels and progress is seen. However, these progresses are only limited to mere transplant or simple correspondence without considering of the real practice and results. Laws, as formal norms, can be implemented without too much enforcement if there is supporting force from the customs and traditions. With rapid economic and social development, citizens are more conscientious to law. As Macau enters the last phase of the transition period, they are paying more attention to the political, social and juridical changes. The localization of law is a long-term process that may only be completed in generations.

The author thinks that there will be a bright perspective for the localization of law in Macau, on the ground that the current juridical system will be maintained since the 400 years' friendship between China and Portugal has built a firm base on the society psychologically and culturally. Besides, with the continuation of the juridical development in China and embedment of Chinese culture in Macau, the localization of law and the establishment of juridical system in Macau will be successful.

The Localization of Legal Professionals — Review and Outlook

Zhao Yanfang

(pp. 1013)

The localization of legal professionals is an important part for the localization of law in Macau and provides guarantee for the preservation of the current juridical system. Before the signature of the Sino-Portuguese Joint Declaration in 1987, most of the legal professionals were Macanese who were engaged in lawyer activities, while magistrates, judges, registrars-general, and notaries public were exclusively Portuguese. The training of local professionals only started in 1988.

At present, there are about 400 legal professionals in Macau, amounting to less than 0.1 % of the estimated 450,000 population. Almost all of them are graduates from the Territory, Portugal, China or Taiwan, either working in courts, registry and notary public offices, or as lawyers or professors in the University of Macau.

With only 100 local people among these 400 legal professionals, the recruitment of mid-level and senior magistrates will still be a problem. Differences of culture, education and language ability exist among these young bilingual professionals. Besides, due to the lack of experience and insufficiency of legal knowledge, a way to intensify their cooperation and to raise their overall quality is still to be explored.

Lawyers in Administration of Macau

Maria João Antunes Ramos

(pp. 1025)

In general terms, this article looks into the functional-juridical situation of lawyers in the public administration of Macau. In the introduction of this article, it was intended to point out the characteristics of the

two personnel management systems used by the Government in the distribution of staff — the "profession" system and the "appointment" system. Then we will refer to the lawyers in particular. On one hand, we will find lawyers occupying very insecure but much more alluring vacancies. Examples are the posts of director and chief officer, assistant to chief officers, assistant to registrar-general and notary public, consultant in Governor's Office, secretary-general, and technical supporter to the Audit Court. On the other hand, we will also find lawyers employed with a more dependable future under the "profession" system — to be a senior technician, a criminal investigator in the Judicial Police, or a registrar-general and notary public. At last, in the appendix we will refer to some of the statistical data of these staff.

Role of the Future Macau Special Administrative Region in the Context of Relationships between the PRC and Portuguese-speaking Countries*

Luisa Brangança Jalles**

(pp. 1053)

The sovereignty transition of Macau will take place twenty years after the implementation of the People's Republic of China's open economic and modernization policy. This policy was initiated by Deng Xiaopeng in 1979. Its impact on the economy of Macau will be studied in this paper.

Recently in the 15th Congress of the Chinese Communist Party in September 1997, the maintenance of this policy in PRC was given particular significance.

As the Chinese economy is an integral part of the world economy, no countries shall be ignored. To China, every country is a potential partner in international organizations, a potential market for her products and services and a potential provider of goods and services essential for the continuation of her modernization policy. Therefore, future relationships with Portuguese-speaking countries are of equal importance. Under these circumstances, we have to admit that the imminent commercial relations of China with Portuguese-speaking countries will bring opportunities to the future Special Administrative Region of Macau. In a sense that will enable Macau explore its potentialities in a broad area of activities that have never been possible in the past.

Nevertheless, will a more open China give value to the role of Macau which in turn facilitate those relationships? In addition, in such case, will Macau be able to grasp the opportunity to develop its potentialities completely?

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The author bears complete responsibility for her analysis and opinions, which may not necessarily reflect the position of the Macau Government.

Workforce, its Value and Importance in Macau and in the People's Republic of China

J. Pinto Belo

(pp. 1083)

Vocational training and the development of the human resources' skills, in the end of this century, are one of the greatest social and economic challenges.

All the countries and territories, within the context of an economy without frontiers are facing the same challenge of developing the active population's skills in order to allow them the adaptation to the transformations which are taking place in the technologies and markets.

Macau, notwithstanding the social, cultural and economic differences, shares the same necessity of updating the knowledge and the skills of its human resources, so that the territory can meet the challenges of the world economy and the globalization of the markets.

An Economic Model for Macau

Aucendina Diogo

(pp. 1097)

GDP forecasts and its components, under the expenditure point of view that were published in the last three years in the Macau Economic Bulletin are based on a simulated economic and financial model. The aim of the present paper is to provide an insight on how the model works in general terms and the experience on input and operation of its supporting programme. Analysis on the difficulties encountered throughout the years of work with the model is formulated in the last chapter, that also provides insights on some guidelines for future inroads.