

De participação política limitada a participação integral e regulamentada: O desenvolvimento da política das associações civis de Macau

Lou Shenghua

(pp. 117)

There is a great difference between the association and the party in terms of characteristic, activity area and function orientation. As a social organization, the main activities of association are in the social field, its functional orientation is to provide social services, cultivate social capital and promote social harmony. Party is a political organization, represent of interests, policy initiatives and elite transport are its functions. However, there is no party in Macau, the association has assumed the political function of party in other regions, shows the quasi-party function. In Macau, on the process of association participation in politics, experienced from limited participation to comprehensive institutionalized participation. On the political effect of the political participation of association, shows the depolarization and non-antagonistic state of the political power. If party politics is a kind of competitive politics, the association politics of Macau shows the characteristics of non-competitive politics.

Uma investigação das formas da lei das RAEs não incluídas no artigo 18 das Leis Básicas

Feng Zehua

(pp. 143)

Due to the difference of the legal system between the mainland and Hong Kong and Macao, the Basic Law has incorporated various forms of law, which greatly enriched the socialist legal system with Chinese characteristics. The eighteenth article of the Basic Law clearly stipulate the scope of the Special Administrative Region law, which includes the Basic Law, National Laws listed in Annex III to the Basic Law, local legislative documents of the Special Administrative Region and National Laws implemented in a state of emergency. The scope of this kind which explicitly stipulates the form of the Special Administrative Region law has become the general view. When we carefully understand the legislative spirit and principles of the Constitution and the Basic law, it can be found that the law applicable to the Special Administrative Region can also be covered by the Constitution, the laws enacted by the National People's Congress for the Special Administrative Region and Authorization law. To clarify the form of the Special Administrative Region

law has the value of the rule of law in guiding the legal value of the legitimate and reasonable applicable law of the public authority and the residents of the Special Administrative Region, and it also helps to make full use of various forms of law to build a harmonious and vivid relationship between the central government and Special Administrative Region, which can further enhance the level of the rule of law and international competitiveness of the Special Administrative Region.

O Possível Papel da Raem na Resolução de Litígios no Contexto da Iniciativa «Uma Faixa, Uma Rota» – Potencial e Desafios

José Miguel Figueiredo

(pp. 161)

In this article, the Author analyses the possible role that the Macau SAR can play as a platform for the settlement of disputes in the context of the initiative «One Belt, One Road», and discusses the potential and the challenges of this possibility. The Author starts by describing briefly what is the «One Belt, One Road» initiative and which are the countries involved; later, he explores the type of legal relationships, public and private, that can be established under that initiative, concluding that, being so many and so diversified, it is inevitable that from those relationships many disputes will arise. In a further stage, the Author expresses the reason why the courts are definitely not the best way to solve the disputes arisen in that context, concluding that the alternative dispute resolution (ADR) means or procedures, in particular the arbitration, are the most suitable and convenient way to solve those disputes. That stated, the Author comes up with a range of arguments that can sustain that the Macau SAR can be a suitable place to be chosen as the «seat of arbitration» to solve the disputes in the context of the initiative «One Belt, One Road». By finishing the article, the author also presents some of the challenges that the Macau SAR will face if the Region wants to be chosen as a seat of arbitration, and purposes some eventual ways to overcome those challenges or difficulties.

Uma avaliação preliminar sobre a criação do regime do seguro de crédito à exportação em Macau

Tang Wai Keong

(pp. 185)

Export credit insurance scheme is an important instrument in promoting the development of Macao as a Service Platform for Trade Co-operation

between Mainland China and Portuguese-speaking Countries. The increased use of export credit insurance raises the exporters' international competitiveness and exports, and provides comprehensive protection against losses due to political and commercial risk. During the Central Government's Premier Li Keqiang's visit to Macao in October 2016, he announced 19 measures to bolster Macao's service and trade industries as well as an export credit insurance system. Export credit insurance is primarily used for the export of capital goods and capital intensive services to Portuguese-speaking Countries. The paper draws some lessons from Mainland China's experience for the future development of Macao in-work benefits.

Responsabilidade Penal das Pessoas Colectivas: Esboço para a sua Previsão Futura na Parte Geral do Código Penal de Macau

Hugo Luz dos Santos

(pp. 213)

The present article has the main aim to carve out a few guidelines that ought to pervade, from a iure condendo standpoint, the forthcoming reform of corporate criminal liability in Macau Penal Code. Having this assertion very firmly in mind, this article departs from the known (the alter-ego corporate criminal liability in force in the copious special legislation of Macau) in order to achieve the unknown (the strenuous defense of a true self-responsibility of enterprises) aiming to curtail the miscellany of punishments flaws enabled by the former corporate criminal liability which gives rise, in practical terms, to the heinous phenomenon of «organized irresponsibility».

Como “a Crença e os Costumes de A-Má” afectaram as crenças populares de Macau e os comportamentos dos trabalhadores marítimos, visto à luz da Lei de Salvaguarda do Património Cultural: o caso da prestação de culto na proa dos barcos por parte dos trabalhadores marítimos

Luís Miguel dos Santos

(pp. 239)

Intangible cultural heritage has the inseparable role which serves as the symbol of spiritual and wisdom values for general public members in Macau. Within the coastal provinces, cities and Special Administrative Regions in China, particularly for Fujian and Guangdong (Canton) provinces where

fishing is the primary industry, the Belief and Customs of A-Ma has a close relationship with the local residents. This study investigates how the Belief and Customs of A-Ma under the “Macao Heritage Protection Law” influence the local beliefs, religions and the behaviors of marine staff from the perspectives of marine staff. This study employed the well-known Social Cognitive Theory as the theoretical framework to collect a series of meaningful themes and social phenomenon.