



Convention on the Rights of Persons with Disabilities

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Replies of Macau, China to the list of issues in relation to its combined second and third reports^{*}, ^{}**

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** The present document forms part of the replies to the list of issues in relation to the State party report of China (CRPD/C/CHN/RQ/2-3), which should be read in conjunction with the replies to the list of issues in relation to the report of Hong Kong, China (CRPD/C/CHN-HKG/RQ/2-3).



A. Purpose and general obligations (arts. 1–4)

Replies to paragraph 1 (a), (b), (c) and (d) of the list of issues CRPD/C/CHN-MAC/Q/2-3

1. The Government of the Macao Special Administrative Region (MSAR) is aware of the concept of disability in the Convention on the Rights of Persons with Disabilities (Convention) and understands that “disability” does not refer to the specific physical or mental impairments of an individual but social impairments (attitudinal and environmental barriers hindering the exercise of his/her inherent rights) which hinder his/her participation in society on the same basis with others (interaction with the society). Consequently, the MSAR Government has been making efforts to integrate the barrier-free concept into the legal system while considering the rights and needs of persons with disabilities in all social aspects, devoted in building a barrier-free social environment.

2. In terms of legislation, aside from the main laws and regulations mentioned in the combined 2nd and 3rd reports (reports), it is worth mentioning the following laws and regulations, especially those adopted or amended after the submission of the reports:

(i) Law 4/2010 on the Social Security System was amended by Law 6/2018, which entered into force on 1 October 2018, repealing one of the application requirements for the Disability Pension under Article 37(1)(2) of Law 4/2010: the disability must occur after a person is qualified as a beneficiary of the Social Security Fund. This amendment makes the Disability Pension generally applicable to all persons with disabilities, thereby establishing the “temporary disability allowance” as a long-term measure. At present, the amount of the Disability Pension is MOP3,740 per month (Order of the Chief Executive 212/2019);

(ii) Considering the living expenses and healthcare needs of persons with disabilities, Law 9/2011 on the Regime of Disability Allowance and Free Healthcare Services establishes a system for Disability Allowance and free healthcare services for persons with disabilities (please see paragraphs 9, 38, 114, 133 and 134 of the reports for details). Currently, the General Disability Allowance and Special Disability Allowance have been respectively increased to MOP9,000 and MOP18,000 per year (Order of the Chief Executive 101/2019);

(iii) To ensure that the right to judicial remedies is not to be prejudiced due to insufficient economic means, Law 13/2012 on the Legal Aid System establishes a legal aid system. To avoid the subsidies received by persons with disabilities to be considered as their income, Article 9(3) of that Law establishes that the Disability Allowance and Disability Pension, which is one of the social security benefits, are not to be considered as income in the calculation of income limits for legal aid. For details of the Law, please see paragraph 59 of the reports;

(iv) To guarantee the basic housing needs of Macao residents including persons with disabilities, the MSAR has in place economic housing for sale to Macao residents. Article 4(1) and Article 24(2) of Law 10/2011 on Economic Housing, as amended by Law 11/2015, provide that priority is given to families with persons with disabilities in the sale of economic housing, that is, the existence of a family member with disabilities constitutes one of the priority conditions in the application for economic housing. Similarly, the same criterion also applies to social housing rental (Article 10(2)(7) of Law 17/2019 on the Legal Regime on Social Housing);

(v) To help persons with disabilities join the workforce, the MSAR Government encourages employers to hire employees with disabilities through tax relief. Law 8/2018 on the Fiscal Benefits for Hiring Persons with Disabilities was adopted in 2018. Its Article 3 provides that employers who hire persons with disabilities may receive a maximum deduction of MOP5,000 in complementary tax or professional tax for each employee;

(vi) In response to the travel needs of persons with disabilities, Article 7(4) of Law 18/2019 on the Light Rapid Transit System provides that operators of the light rapid

system have the obligation to appropriately assign priority seats for persons with disabilities

3. In respect of derogatory terminology, first of all, it has to be pointed out that according to Article 9 of the Basic Law of the Macao Special Administrative Region (Basic Law), the official languages of the MSAR are Chinese and Portuguese. Its Article 25 also provides for the principle of equality. At the level of ordinary law, the principle of equality (Article 5), the principle of impartiality (Article 7) and the principle of good faith (Article 8) of the Administrative Procedure Code are principles that the MSAR Government has to follow in its policy, acting in justice, equality and good faith to all persons. Therefore, regarding terminology in legislation or policies, the MSAR Government has always been paying attention to avoid derogatory terminology. For example, in Portuguese, persons with disabilities may be translated as “*peçoas portadoras de deficiência*” or “*os deficientes*”, the former being similar to “persons with disabilities” while the latter to “the disabled” in English. Considering that the former is more in line with the Convention and the terminology suggested by the Committee regarding persons with disabilities, “*peçoas portadoras de deficiência*” was used instead of “*os deficientes*” in the Portuguese text of Law 8/2018, adopted in recent years. It is worth stressing that the terminology “*殘疾人士*” in Chinese is not derogatory.

4. On the other hand, while amending existing laws, the MSAR Government is also concerned to improve existing legal terminology. For instance, the repealed Decree-law 58/93/M (the former social security system) provided that persons with disabilities might apply for a government subsidy which was named “*殘廢金*” (pension for the disabled). In the new system established by Law 4/2010 on the Social Security System, the derogatory terminology “*殘廢金*” (pension for the disabled) was already amended to read as “*殘疾金*” (disability pension).

Replies to paragraph 1 (b) of the list of issues

5. The MSAR Government, with reference to the International Classification of Functioning, Disability and Health (ICF) of the World Health Organisation, formulated Administrative Regulation 3/2011 on the Assessment System of the Type and Degree of Disability, Registration and Issuance of the Disability Card in 2011, under which applicants will be assessed and if their degrees of disability fulfil the statutory assessment criteria, they will be issued the Disability Assessment Registration Card. The System aims at providing disability classification assessment for persons with disabilities in Macao, emphasising on the autonomy of individuals, assisting individuals in participating more extensively in society by the use of interventions aimed at enhancing their abilities, and taking into consideration the environmental and personal factors that might hamper their participation, in order to create more favourable conditions to support their rehabilitation and integration into the society.

6. The Social Welfare Bureau (SWB) is devoted to promote the ICF and has been organising ICF trainings several times for residents, professional assessors, persons with disabilities, organisations of persons of disabilities and rehabilitation institutions, *etc.*, to allow the public to learn about the ICF interactive model of disability and understand that disability is the result of the interaction between an individual’s body structures, functions and their daily activities, social participation and environmental factors. This helps fight the negative stereotypes of persons with disabilities and prejudice that they are social burdens, protecting their social participation and ensuring their enjoyment of equal rights as those without disabilities.

Replies to paragraph 1 (c) of the list of issues

7. The values and principles of the Ten-Year Rehabilitation Programme Plan 2016-2025 (Rehabilitation Programme Plan) are based on the 8 general principles of the Convention and its text expressly indicates : “supporting persons with disabilities to achieve their personal goals and society’s development goals, consolidate the notion that persons with disabilities constitute a force for promoting social development and are, at the same time, beneficiaries of development, and recognise the precious contributions of persons with disabilities to the

well-being, progress and diversification of the society in general. It is deemed necessary to guarantee access for persons with disabilities to a barrier-free environment and to ensure their participation in all aspects of development, in addition to adequately taking into account the needs of all persons with disabilities in Macao's development agenda". The above Programme Plan is devoted to make the design of mainstream services including education, employment, housing, social services, environment construction, transit and travel, access to information, culture and sports more in line with the needs of persons with disabilities, especially the different needs in face of rehabilitation and social participation, providing them with necessary training and support to assist them to realise their potential and increase their capability to live independently in the community, facilitating their equal enjoyment of opportunities and rights and contributing their strength to the society. Specific measures adopted for those purposes will be elaborated in the replies to Paragraphs 5(b), 6, 9, 18, 22, 24 and 25.

Replies to paragraph 2 of the list of issues

8. In order to ensure the contents of the reports to be more substantial and comprehensive, the MSAR Government had drawn up the outline of the reports in the drafting process and conducted a month-long public consultation in 2018, inviting residents, associations and civil society organisations to provide opinions, information or suggestions on different topics regarding the implementation of the Convention in the MSAR. For details, please see: <https://www.gov.mo/pt/noticias/168865/>.

9. In the public consultation, the MSAR Government received opinions from several organisations of persons with disabilities regarding the contents of the reports, from which the MSAR Government understood the views of persons with disabilities on its work. Overall, organisations of persons with disabilities recognised the large amount of work promoted by the MSAR Government and provided constructive suggestions for the optimisation of the work.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

Replies to paragraph 3 (a) of the list of issues

10. The MSAR Government has been committed to ensure that persons with disabilities can exercise their rights, enjoy equality and non-discrimination. It has to be stressed that the principle of equality under Article 25 of the Basic Law has 2 meanings in practical terms, including "having the same treatment in the same situation" and "having different treatments in different situations". For persons with disabilities, to ensure the exercise of their rights, the MSAR Government establishes different treatments, in different situations, in order to guarantee that they receive *de facto* equal treatment. As always, in particular, after the application of the Convention, the MSAR has been providing more support and assistance to persons with disabilities by adopting laws and regulations, to facilitate their living in the community and to ensure the realisation of their rights. Please see paragraph 8 of the reports and the reply to paragraph 1(a) for relevant laws and regulations.

11. In the MSAR legal system, capacity refers to the ability of a person to acquire independently and exercise his/her rights or assume his/her obligations. According to the Civil Code, an incapacitated person may include 3 kinds of persons: minors, interdicted persons or inabilitated persons. Persons with disabilities may not necessarily be incapacitated persons. There is no necessary relationship between the two. Persons with disabilities (psychic anomaly, deafness, dumbness or blindness) may be declared as interdicted or inabilitated according to the corresponding severity level only when they do not have the capacity to govern their own affairs and property (Articles 111, 112, 122 and 135 of the Civil Code). Under this circumstance, the former ones are treated as minors and are subject to the guardianship regime (Articles 113 and 123 of the Civil Code) while the latter ones are assisted by curators (Article 136 of the Civil Code). The law stipulates that guardians or curators must act in the interests of persons with disabilities, showing that both systems are

designed to protect the rights and interests of persons with disabilities (in particular in the situation of incapacitation), instead of excluding them from exercising their rights or imposing additional obligations on them.

Replies to paragraph 3 (b) of the list of issues

12. In discrimination cases against persons with disabilities, if, according to specific situation, discrimination involves the crimes against honour provided in the Macao Criminal Code (Articles 174 to 178), the perpetrator has to assume the corresponding criminal liability. Meanwhile, the victim may also submit his/her request for civil compensation in the criminal proceedings to the Examining Magistracy as a supplementary civil action (Article 60 of the Criminal Procedure Code). To further protect the victim, Article 74 of the Criminal Procedure Code also provides that even if the victim does not request for civil compensation in the criminal proceedings, the judge, as long as the legal requirements are fulfilled, should also *ex officio* decide an amount as compensation for the damages caused.

13. However, if discrimination does not involve the criminal offence mentioned in the previous paragraph or if the victim only has the intention of requesting for civil compensation, he/she may initiate independent civil proceedings in court and request for compensation for the damages caused by discrimination pursuant to the provisions regarding personality rights (Articles 67 and 73), civil liability (Article 477) and compensation obligation (Articles 556 to 566) of the Civil Code.

14. In the area of public administration, Article 5 of the Administrative Procedure Code provides that the Public Administration has to treat individuals equally and if the Public Administration contravenes the principle of equality and causes harm to persons with disabilities, those persons may initiate proceedings in court and request the Public Administration for redress (Decree-law 28/91/M). According to Law 10/2000 on the Legal Framework of the Commission against Corruption, as amended, the Commission against Corruption has the duty to handle administrative complaints to protect human rights. In face of discrimination or unequal treatment by public departments, persons with disabilities may also lodge administrative complaints to the Commission against Corruption which may issue recommendations to the Public Administration to correct unfair acts.

15. Moreover, residents (including persons with disabilities) may also lodge their petitions to the Legislative Assembly to safeguard human rights (Law 5/94/M on the Exercise of the Right of Petition and Article 144 *et seq.* of Resolution 1/1999 of the Legislative Assembly on the Rules of Procedure of the Legislative Assembly of the Macao Special Administrative Region, as amended).

Replies to paragraph 3 (c) of the list of issues

16. Various laws of the MSAR protect older persons (including those with disabilities), such as: Article 11 of Law 6/94/M on the Legal Framework on Family Policy provides that “the Administration, in collaboration with associations related to the interests of families and institutions of social solidarity, promotes a policy aimed at the full social and family integration of older persons and persons with disabilities and the guarantee of their economic security”; Decree-law 33/99/M expressly guarantees the rights of persons with disabilities, including older persons with disabilities; Law 12/2018 on the Rights and Interests of Older Persons, *etc.*. Among them, Article 6(3) and (4) of Law 12/2018 establishes respectively that “anyone who violates the rights and interests of older persons may incur civil or criminal liability, under the legal terms” and “in case of violation or threat of violation of the rights or interests of older persons, they may ask the competent authority to provide support, within the scope of their functions”.

17. In fact, the MSAR Government has been proactively promoting the disability mainstreaming policy in recent years. As mentioned in the reply to paragraph 1(c), the coordination mechanism established under the Rehabilitation Programme Plan is devoted to make the design of mainstream services of different areas in social life to be more in line with the needs of persons with disabilities, including older persons with disabilities.

Women with disabilities (art.6)

Replies to paragraph 4 of the list of issues

18. The Commission for Women and Children Affairs (CWCA) created under Administrative Regulation 27/2016 is composed of representatives of public departments, civic organisations and members of the community, aiming at assisting the MSAR Government in the formulation and promotion of policies concerning women and children (including women and children with disabilities) and at monitoring the implementation of the policies. According to Article 13 of the Administrative Regulation, the SWB is responsible for providing the CWCA with technical, administrative and financial support.

19. The CWCA promotes its work mainly in collaboration with different departments of the MSAR Government. In August 2018, the “Cross-departmental Working Group on Macao Women’s Development Goals” was created to follow up the objectives and measures under the “Macao Women’s Developmental Objectives”. The working group is coordinated by the director of the SWB, who is also the vice-chairman of the CWCA, and consists of representatives from 12 public departments, and the director and deputy director (representatives from NGOs) of the “Task Force of Follow-ups on Macao Women’s Development Goals”. The 12 departments include the SWB, Public Administration and Civil Service Bureau, Legal Affairs Bureau, Macao Economic Bureau, Financial Services Bureau, Statistics and Census Service, Labour Affairs Bureau (LAB), Public Security Police Force, Health Bureau, Education and Youth Affairs Bureau (EYAB), Sports Bureau and Higher Education Bureau. Since the CWCA mainly cooperates with various policy-making departments to carry out specific projects, the budget for promoting related work is included in the budgets of the above-mentioned departments.

20. To promote gender equality and women’s development, the CWCA launched a 7-year plan of the “Macao Women’s Development Goals” in 2019 (2019 to 2025), setting goals and feasibility strategies to continuously assist women’s development, involving 8 areas (gender mainstreaming, women and participation in decision-making, education and training, healthcare, social welfare, safety and law, economics, media and culture), along with 21 policy goals and 79 short-term, mid-term and long-term policy measures related to women’s rights. Among them, the 11th goal of the “Macao Women’s Development Goals” is to “strengthen social support for women with disabilities”, including to “strengthen fertility medical services and counselling services for women with disabilities” and “continuously optimise various support services for women with disabilities to enable them to live independently and integrate into the community”.

21. In the “Macao Women’s Development Goals”, there are 36 short-term measures (2019 to 2021). 22 projects were launched in 2019, including 124 action plans. In 2020, emphasis is placed on advocating and promoting “gender mainstreaming”. A gender mainstreaming checklist is also being produced for public departments, for them to give more consideration to the different needs of gender groups and possible positive or negative impacts on women (including women with disabilities) when formulating and designing legislation, policies, construction works and services.

Replies to paragraph 5 (a) of the list of issues

22. The CWCA includes 15 representatives from NGOs in the fields of women, children and young persons, education, culture, employment, medical care and social services. Among them, there are members affiliated to NGOs that offer diversified rehabilitation support services and nursing care services for persons with disabilities (including women and children). These NGOs provide comments and suggestions to the MSAR Government through their participation in the CWCA. Moreover, the CWCA have been following up the implementation of the “Macao Women’s Development Goals”, mentioned in the reply to paragraph 4.

Replies to paragraph 5 (b) of the list of issues

23. Article 38 of the Basic Law does not only provide that persons with disabilities are to be taken care of but also that women and minors are to be protected. Please see the replies to

paragraphs 1(a) and (c) for legislation and policies/action plans concerning different areas of life of persons with disabilities.

24. In the fight against crimes, in relation to sexual offences, Law 8/2017, which amended the Criminal Code, strengthens the protection for women and children at the criminal law level. For details, please see paragraphs 29 and 30 of the reports. Moreover, if the victim is a minor, an incapacitated person, a mentally incapacitated person, or a particularly vulnerable person due to illness or physical or mental disability, penalties will be aggravated correspondingly according to Articles 164, 170 and 171 of the Criminal Code. Similarly, aggravation also applies to the crimes of trafficking in persons (Article 153-A) and kidnapping (Article 154).

25. As mentioned in paragraphs 68 to 70 of the reports, to strengthen the prevention of domestic violence (including domestic violence against women and persons with disabilities), Law 2/2016 on Preventing and Combating Domestic Violence criminalises domestic violence as a public crime, establishes a framework regarding public entities' intervention and provides corresponding assistance and relief measures.

26. The MSAR Government is concerned with the risks and marginalisation faced by women and children (including women and children with disabilities) in different areas of life. As stated in the replies to paragraphs 4 and 5(a), the CWCA launched the "Macao Women's Development Goals" in 2019. In the area of "Women and Social Welfare", the CWCA promotes multiple public departments to develop relevant policies and measures, such as strengthening social security and community support for single-parent families, continuously improving childcare service network, and optimising all aspects of support services for women with disabilities, in order that disadvantaged women and children (including women and children with disabilities) may receive appropriate care.

Replies to paragraph 5 (c) of the list of issues

27. The MSAR Government established the "Macao Women's Database" (<https://www.womendb.ias.gov.mo>) in 2015, which has collected about 120 women's rights-related materials from various departments of the MSAR Government and the CWCA, including information of applicants for the Disability Assessment Registration Card issued by the SWB (2015 to 2019), with disaggregated data by gender, types of disabilities and levels of disabilities. In addition, the MSAR Government also entrusted academic institutions to conduct survey, respectively in 2014 and 2018, to understand the living conditions and service needs of persons with disabilities, including women with disabilities, for reference in the formulation of relevant policies.

Children with disabilities (art. 7)

Replies to paragraph 6 (a) of the list of issues

28. Article 8 of Law 6/94/M establishes that "children with disabilities, physically or mentally, are given special assistance, in order to offer them conditions suitable for their personal development." And Article 11 of the same Law stipulates that the Public Administration, in collaboration with NGOs, should assist persons with disabilities for their social and family integration and to guarantee their economic security. In addition, Article 12 of Law 9/2006 on the Legal Framework on the Non-higher Education System and Decree-law 33/96/M on the Special Educational Regime also protect the right of children with disabilities to receive education and to get appropriate support, thus assisting them to integrate into society, to realise their potential, to make up for their insufficiencies and to participate in employment.

29. As mentioned in paragraph 20 of the reports, with Order of the Chief Executive 394/2016 on the Creation of a Cross-departmental Steering Task Force of the Ten-Year Rehabilitation Programme Plan, a Cross-departmental Steering Task Force was created to organise, coordinate and promote the realisation of the Rehabilitation Programme Plan.

30. In order to specifically implement the above legal guarantees and Programme Plan, all government departments and institutions involved have assigned sufficient manpower and

financial budget for the work. Among others, the SWB (Rehabilitation Service Division and Family Service Division), EYAB (Centre of Psycho-pedagogical Support and Special Education) and the Health Bureau play important roles in supporting children with disabilities. As mentioned in the reports, in 2016, the Health Bureau, EYAB and SWB jointly established the Children Comprehensive Evaluation Centre to provide one-stop evaluation and diagnostic services for children with developmental disorders in the MSAR; in 2017, the Health Bureau established the Children Rehabilitation and Treatment Centre to provide speech, occupational and physiotherapy services to children with developmental disorders in the MSAR.

31. It is worth mentioning that in order to more effectively assist infants with mild special needs to adapt to their life in nurseries, the SWB launched a Pilot Project on Social Inclusion in Nurseries in 2018. With a barrier-free nursery environment, staff were trained how to identify and take care of infants with special needs. Additional personnel were equipped for those infants to integrate into mainstream nurseries and achieve personal growth. The SWB also cooperates with civic organisations to organise “Basic Training on Knowing and Assisting Children with Special Learning Needs” for staff of organisations which focus on family and community services, to enhance their knowledge regarding children with disabilities as well as to promote the atmosphere of acceptance and inclusion.

32. In terms of recreation and sports, the MSAR Government has been placing much importance on the right of children with different needs to entertainment. Apart from proactively providing opportunities and increasing barrier-free facilities to facilitate children with disabilities to use public sports facilities and participate in sports, the MSAR Government, in recent years, has been gradually introducing more barrier-free facilities for children in parks and recreational areas with suitable conditions and increasing the number of inclusive recreational facilities in appropriate venues to serve children with different needs and to facilitate the integration of children with disabilities into community life. Moreover, the MSAR Government is devoted to create conditions, including adequate teaching staff, classrooms and auditoriums and ticket discounts, to facilitate children with disabilities to appreciate and participate in cultural and arts activities. For instance, the Macao Chinese Orchestra performs concerts in special education schools (including Caritas School, Kai Chi School and Concordia School for Special Education); valid Disability Assessment Registration Card holders or persons in need may enjoy ticket discounts; organisations of persons with disabilities may reserve guided tour services in advance and be provided with appropriate guided services according to the needs of persons with visual and hearing disabilities.

Replies to paragraph 6 (b) of the list of issues

33. Apart from the information provided above, in order to further assist children with special needs and their families to integrate into mainstream society and receive appropriate services, the SWB subsidised 2 NGOs in 2017 and 2018 respectively to launch the “Sapling Services – Support Plan for Families of Children with Special Needs”, the purpose of which is to provide comprehensive support and care to families with children with special needs, targeting children with special needs and their families, including children with specific learning disorders, intellectual impairment (with an I.Q. of 70 or below), autism/Asperger syndrome (or collectively “autism spectrum disorder” in new medical definition), attention deficit hyperactivity disorder (ADHD), physical disabilities, visual impairment, hearing impairment, speech impairment, global development delay, and cerebral palsy. Moreover, in terms of age restrictions, it mainly targets: (1) 0- to 3-year-old children who are waiting for early treatment services and their parents, with referrals mainly to appropriate services by the Rehabilitation Service Division of the SWB; and (2) 0- to 6-year old children who are suspected of having special needs and their parents, with services such as inquiries and counselling, family life education, early identification and referral, parent resource centre, parent support plan, child growth training and other activities.

34. In addition, the Task Force on Children’s Rights and Interests under the CWCA has always been concerned about support services for disadvantaged children. Through regular meetings, the Task Force closely monitors the implementation of the MSAR Government’s child-related measures and makes timely recommendations to the MSAR Government in

response to actual needs. In 2018, the “Children’s Rights Information” section was added to the website of the CWCA, contents of which include the Convention on the Rights of the Child, the welfare and services for children in Macao, the publicity and promotion of Dr. Right & Dr. Child, and the Dr. Right & Dr. Child Park.

Replies to paragraph 7 of the list of issues

35. By holding periodic meetings and having close communication with the Rehabilitation Affairs Committee and those self-help organisations of persons with disabilities, the SWB learns about the points of view and suggestions of persons with disabilities, including children with disabilities, regarding issues involving them. As mentioned in paragraph 39 of the reports, a working group composing of members from related government departments, rehabilitation service organisations and individuals with disabilities was formed under the Rehabilitation Affairs Committee, with the purpose of defining strategies and promotional campaigns concerning the Convention, targeting two major groups: children and juveniles; and teaching staff.

36. And in order to allow children with disabilities to understand about the Convention, apart from adding accessible services such as voice code, sign language interpretation and subtitles into various printed materials and media promotion, the full text of the Convention and related promotional materials have also been uploaded on the Rehabilitation Service Information Website of the MSAR and the Macao Rehabilitation Services Mobile App for children with disabilities to be able to access the contents of the Convention through the internet or with their mobile phones. Furthermore, the SWB has kept on conducting various kinds of promotional campaigns by cooperating with different parties such as the Legal Affairs Bureau, the EYAB, the Municipal Affairs Bureau, rehabilitation service institutions and education institutions. Activities include publishing comic book relating to the Convention, drama road shows, promotional board exhibitions in schools with interactive games, mobile phone photo-taking competition, short story writing competition on social inclusion, colouring competition for children, composition competition for students, and song writing contest.

37. Meanwhile, the Legal Affairs Bureau has assigned staff to organise law dissemination seminars for children with disabilities in special education schools for them to have access to different legal information, including topics such as “equality and non-discrimination”, “protection of physical integrity”, “respect for privacy” and “freedom of expression and opportunities for information access”, *etc.*. Q&A sections are included in these seminars in which children with disabilities may express their opinions and views regarding relevant topics.

38. Moreover, the CWCA’s website has “Opinion Collection” and “Contact Us” sections, acting as channels for individuals to express their views. The website has accessibility features so that persons with disabilities may obtain information and express opinions.

Awareness-raising (art. 8)

Replies to paragraph 8 of the list of issues

39. The MSAR Government establishes the basic academic attainment for infant education, primary education, junior secondary education and senior secondary education of the local education system and expressly establishes the contents of courses relating to the respect for others and non-discrimination of persons with disabilities. Schools should ensure that students reach the basic academic attainment of their respective levels (Orders of the Secretary for Social Affairs and Culture 118/2015, 19/2016, 56/2017 and 55/2017).

40. In higher education, the MSAR Government supports, through the Higher Education Fund, higher education institutions to provide relevant trainings to teachers and other staff, to increase their knowledge about students with special educational needs. Through periodic collection of data on inclusive students in different levels of secondary schools, and data on students with disabilities in higher education institutions and relevant support measures, the MSAR Government understands the overall situation and timely shares relevant information

with higher education institutions using a communication platform, and thus, strengthens the publicity and promotion of the Convention.

41. In addition, as stated in the reply to paragraph 7, the SWB, together with the EYAB, rehabilitation service organisations and education institutions, continuously organises diversified activities to enhance the knowledge of children, juveniles and teaching staff regarding the rights of persons with disabilities. In fact, the SWB entrusted an academic institution to conduct research to understand residents' understanding of the Convention and the change in their attitude towards persons with disabilities, in order to assess the effectiveness of the promotional work, serving as a reference for the formulation of future promotional strategies.

42. In the meanwhile, the Legal Affairs Bureau promotes the Convention through different channels, including newspapers, TV, radio, internet media and also organises law dissemination seminars for students of different levels of secondary school every year, with different topics. Among them, in the topic "the Basic Law", legal information on "equality and non-discrimination" and "respect for differences" is conveyed to students; and in the topic "prevention of sexual offences by juveniles", legal information on provisions regarding the protection of persons with disabilities is brought up. In order to further promote the rights of persons with disabilities, the Legal Affairs Bureau, since 2018, has been organising special topic seminars on the "rights and protection of persons with disabilities" for organisations with special attention to persons with disabilities. There were 5 seminars organised until now, in which sign language interpretation was provided, with around 250 participants, targeting those with physical disabilities, hearing and visual disabilities and their families. Contents included the Convention, the Basic Law and provisions in the laws of the MSAR that protect persons with disabilities (such as the interdiction regime, and transit and travel rules), mechanisms handling discrimination against those with disabilities and various measures adopted by the Public Administration to assist persons with disabilities.

43. In the area of specific training for school teaching staff and student counsellors, the Legal Affairs Bureau and the SWB organise the "Workshop relating to Teaching Materials about the Convention" every year, not only introducing the Convention and the provisions in the MSAR laws which implement the provisions of the Convention, but also inviting foreign experts to give in-depth explanation to enhance the knowledge and skills of relevant personnel regarding the protection of persons with disabilities at the theoretical and practical levels.

Accessibility (art. 9)

Replies to paragraph 9 (a) of the list of issues

44. The MSAR Government formulated the Barrier-free Universal Design Building Guidelines in 2017. During the formulation process, the MSAR Government reached a consensus with the stakeholders that the Barrier-free Universal Design Building Guidelines would first be implemented by government departments to cumulate experience and, at the same time, allow private facilities and industries to become familiar with the norms of the Barrier-free Universal Design Building Guidelines and their application. According to the agenda of the Rehabilitation Programme Plan, the execution experience will be summarised and reviewed from 2021 to 2025. After that, the MSAR Government will explore ways to make the Barrier-free Universal Design Building Guidelines apply to all the building design and construction in the MSAR through the revision of legislation, drafting of new legislation or others. The MSAR Government continuously promotes the Barrier-free Universal Design Building Guidelines to different government departments, architecture and engineering industry and, at the same time, welcomes and encourages public departments, private facilities and industries to comply with the Barrier-free Universal Design Building Guidelines in their building design and construction by awarding presentation and inviting them to join the cooperation charter.

45. In the future, the MSAR Government will continue to proactively follow up and coordinate the implementation of various barrier-free works, especially on examining and following up the development of barrier-free environments after listening to the comments

of the Rehabilitation Affairs Committee and the Working Group on Barrier-Free Affairs (including representatives of persons with different kinds of disabilities).

Replies to paragraph 9 (b) of the list of issues

46. With the introduction of the Barrier-free Universal Design Building Guidelines in 2018, all new public works and government subsidised projects have to comply with the Guidelines. As regards economic housing and social housing, apart from having to follow the Guidelines, their design and construction also have to comply with the regulations for barrier-free facilities of public space in buildings included in the Regulations for Design and Construction of Public Housing formulated by the Housing Bureau. Since the ownership of the existing social housing belongs to the MSAR Government, the MSAR Government may carry out improvement works for the public space and residential units of the above-mentioned houses according to the actual situation, in order to add and enhance barrier-free facilities.

47. For private housing, the MSAR Government promotes and encourages private building developers to design and construct in accordance with the Barrier-free Universal Design Building Guidelines.

Replies to paragraph 9 (c) of the list of issues

48. The current legal norms governing public procurement mainly include Decree-law 122/84/M establishing the regime of expenses with works and acquisition of goods and services, Decree-law 63/85/M regulating the process for the acquisition of goods and services, Decree-law 74/99/M approving the legal regime for public works contracts, Order 39/GM/96 defining the coordination mechanisms for the activities of the Administration in the field of information technology, Order 52/GM/88 establishing the procedures to be followed regarding the acquisition of real estate by the Territory's Administration. Since the above legal norms have been implemented for many years, the MSAR Government is currently carrying out the revision process of the procurement legal system. One of the proposed amendments is to provide special treatment to enterprises employing persons with disabilities in public procurement, in order to promote inclusive growth and sustainable development of the MSAR.

Replies to paragraph 9 (d) of the list of issues

49. In terms of accessible information and communications technology, the incentives promoted by the MSAR Government include: (1) the promotion of sign language interpretation and subtitles for TV commercials produced by operators; (2) When organising free mobile application software training courses, the addition of accessible design and application skills of mobile applications and websites to promote the launch of more websites and applications suitable for persons with disabilities; (3) the provision of free website accessibility training courses to the public to promote the construction of accessible webpages by private institutions.

50. Moreover, to ensure that persons with disabilities can receive accessible information and use telecommunications, the SWB, the Science and Technology Development Fund and University of Macau work together to explore the possibility of developing local accessible softwares: voice code software, Cantonese instant word recording software, word-braille switch software, road navigation system for visually impaired persons, Cantonese and sign language (comics) and text interchange software.

Right to life (art. 10)

Replies to paragraph 10 of the list of issues

51. As mentioned in paragraph 54 of the reports, Article 135 of the Criminal Code stipulates the penalty for abandonment of persons with disabilities. In recent years, the police have been actively implementing the policies of community policing to convey the message of the prevention of and fight against crime to the civil society through various channels.

Meanwhile, the police also produce and organise targeted promotional materials and campaigns to respond to the latest crime trends at different times so as to practically carry out different law enforcement tasks.

52. According to the information provided by the Office of the Secretary for Security, between 2018 and 2019, there was 1 case of abandonment in 2019, involving 1 child with physical disabilities, the father of which was consequently prosecuted for the crime of exposure or abandonment.

53. Moreover, according to the information of the Office of the President of the Court of Final Appeal, there were respectively 1 and 2 exposure or abandonment cases judged in 2018 and 2019. The defendants were all found guilty. The cases did not involve the abandonment of the victims due to physical disabilities or illness.

54. In fact, the SWB, the Health Bureau, the EYAB and related social service institutions all provide assistance to families with children with disabilities, especially by holding various kinds of training in order to enhance parents' understanding of children with disabilities as well as their skill of child care, in order that they can take better care of their children. Moreover, the SWB also provides sufficient resources to rehabilitation institutions for them to provide day care services and trainings, short-term shelter, temporary nursing and family resources services to relieve the pressure of parents.

Situations of risk and humanitarian emergencies (art. 11)

Replies to paragraph 11 of the list of issues

55. In response to critical situations and humanitarian emergency, all residents (including persons with disabilities) may be treated and hospitalised in public hospitals (Hospital Centre S. Januário) under the MSAR Government to receive equal medical services, including during the outbreak of the novel coronavirus pneumonia pandemic and will not be treated differently due to disability.

56. During the period fighting against the novel coronavirus pneumonia pandemic, the MSAR Government regularly holds press conferences every day to release information about the pandemic. The press conferences also have real-time sign language interpreters to allow hearing impaired persons to obtain relevant information simultaneously. Various rehabilitation service institutions will also assist in disseminating relevant information on pandemic prevention to persons with disabilities in an appropriate manner and provide necessary support. It is worth pointing out that, during the outbreak, the home assistance service teams continue to maintain their services and provide support services such as meal delivery, home cleaning and home care for those in need.

57. In addition, in response to the development of the novel coronavirus pneumonia pandemic, while patients who have made specialist outpatient appointments may go to the Hospital Centre S. Januário for consultations as scheduled according to their own needs, doctors will also conduct consultations and prescribe medicines by telephone for patients who have made such appointments. Patients may go to contracted pharmacies or their respective health centre with the SMS and their ID documents to obtain their medicines, thereby reducing crowding and ensuring residents' safety. In terms of economic assistance, the MSAR Government does not only continue to maintain various cash benefits but also issues electronic consumer cards, increases healthcare vouchers, provides relief measures such as water and electricity fee waivers, and distributes two more monthly subsidy to beneficiary families, to assist those families to cope with economic difficulties.

Equal recognition before the law (art. 12)

Replies to paragraph 12 (a) of the list of issues

58. As mentioned in the reply to paragraph 3(a), in the MSAR legal system, capacity refers to the ability of a person to acquire independently and exercise his/her rights or assume his/her obligations; persons with disabilities may not necessarily be incapacitated persons.

Persons with disabilities (psychic anomaly, deafness, dumbness or blindness) may be declared as interdicted or inabilitated according to their disability severity levels only when they do not have the capacity to govern their own affairs and property and their guardians or curators may act legally on their behalf in their interests.

59. The regimes of interdiction and inabilitation stipulated in the Civil Code correspond respectively to substitute decision-making practices and supported decision-making models. Both the regimes of interdiction and inabilitation may be applied with requests to the court, which, depending on the disability severity, will declare a person as interdicted or inabilitated, and appoint a guardian or curator, so that the guardian may make legal acts on behalf of the interdicted person (but those declared as being interdicted due to dumbness or deafness or blindness may still enter into marriage, affiliation and make a will) or the curator may assist the inabilitated person to dispose his/her property or perform acts listed in the judgment, within what is permitted by law or with the consent of the court (Articles 122 to 123, 128, 135 to 137, 1479(b), 1705(1), 1744 and 2026(b) of the Civil Code).

60. The law stipulates that guardians or curators must act in the interests of the interdicted or inabilitated persons. The simultaneous existence of the two regimes allows the adoption of appropriate measures according to the disability severity of the interested party, better protecting the rights and interests of persons with disabilities.

Replies to paragraph 12 (b) of the list of issues

61. For a person who has chronic psychic anomaly, deafness, dumbness, or blindness, but his/her disability is not severe enough to be declared as an interdicted person, he/she may be declared as an inabilitated person and be assisted by a curator in making property disposition or performing specific acts listed in a judgment (Articles 135 to 137 of the Civil Code). In this case, if necessary, the inabilitated person may be provided with an appropriate interpreter to understand that he/she has been declared as inabilitated and the contents of the judgment (Articles 91 and 856(2) of the Civil Procedure Code). It has to be emphasised again that curators act in the interests of the inabilitated persons.

Replies to paragraph 13 of the list of issues

62. As indicated in the reply to paragraph 12(a), the capacity of persons declared as interdicted or inabilitated will be compensated respectively through the guardianship and curatorship regimes. Once the grounds for interdiction or inabilitation cease to exist, the persons concerned may request the court to terminate the interdiction or inabilitation, in order to end the guardianship or curatorship and fully reinstate their capacity (Articles 134 and 139 of the Civil Code). According to the information provided by the Office of the President of the Court of Final Appeal, between 2018 and 2019, there was no case involving the termination of interdiction or inabilitation.

Access to justice (art. 13)

Replies to paragraph 14 (a) of the list of issues

63. In terms of the right to access to justice, Article 36 of the Basic Law and Article 6 of Law 9/1999 on the Legal Framework of the Organic Structure of the Judiciary guarantee the right of Macao residents, including persons with disabilities, to access to justice. The MSAR Government has always attached great importance to the right of persons with disabilities to obtain information and provided them with information through easy-to-understand leaflets with examples, websites, telephone consultation, law articles, and participation in TV programmes (Q&A TV programmes). Likewise, the police have gradually added disabled-friendly elements to their routine operations. For instance, the police have gradually added voice broadcast function to their publicity work or application platforms to receive and convey promotional messages as well as sign language interpretation and subtitles, aiming at providing appropriate assistance to persons with disabilities.

64. Concerning the application for legal aid, under normal circumstances, the applicant makes a self declaration statement on his/her own with the staff who handles his/her

application. However, if the applicant is a blind or deaf/dumb person, at his/her request, he/she can be accompanied by a person he/she trusts to make the self declaration statement, in order to provide assistance in the process, such as reading text or making sign language interpretation, ensuring their smooth access to information.

65. Regarding proceedings, as mentioned in paragraph 60 of the reports, to ensure the participation of persons with disabilities in proceedings or police investigation, appropriate assistive devices (e.g. wheelchairs, crutches and ambulance) or expert assistance are made available. In addition, the court also gives priority to direct personal contact when summoning the persons (such as at the location of the persons with disabilities) (Article 180(2) of the Civil Procedure Code). Whenever necessary, adequate interpreters will be provided to assist persons with sensory disabilities. Sign language interpretation was provided 1 and 2 times respectively in 2018 and 2019, involving MOP1,275 and MOP1,480. Furthermore, the court may allow for procedural acts to take place outside the court or for the use of telecommunication means instead of appearance in court (Articles 91, 482, 528, 540 and 542 of the Civil Procedure Code and Articles 53 (1)(d) and 83 of the Criminal Procedure Code).

Replies to paragraph 14 (b) of the list of issues

66. The Basic Law, the Legal Framework of the Organic Structure of the Judiciary and Law 21/88/M on the Access to the Law and to the Courts provide that all Macao residents shall be equal before the law and shall be free from discrimination, irrespective of their gender and guarantee that the right of Macao residents, including women with disabilities, to access to legal information, legal counselling, legal aid and justice.

67. For persons with insufficient economic means, Law 13/2012 guarantees that no persons meeting the legal requirements, including persons with disabilities, are prevented, due to insufficient economic means, from defending their rights and interests through judicial proceedings. Legal aid is available, regardless of gender or disability, including exemption from advance payment and costs relating to court proceedings, appointment of lawyers and payment of lawyers. Legal aid is granted taking into account of the economic situation of the applicants. Other factors, such as the gender of the applicants and whether they are with disabilities, are not taken into consideration.

68. With regard to law enforcement and investigation, the police strictly enforce the law, and when necessary, invite the social workers of the SWB or civic organisations to participate in order to ensure that the legal rights of persons with disabilities are not violated. If the victim is a female, a female police officer will be arranged for interrogation in order to take care of their psychological feelings.

Replies to paragraph 14 (c) of the list of issues

69. Considering that the Committee's general comments and recommendations often involve affairs of different areas, in order to enable the relevant competent departments to be aware of the Committee's general comments and recommendations and take necessary follow-up actions, so that the MSAR Government may report their implementation to the Committee in the next periodic report, the Committee's general comments and recommendations will be transmitted to relevant departments, apart from the judiciary.

Liberty and security of the person (art. 14)

Replies to paragraph 15 (a) of the list of issues

70. Decree-law 31/99/M on the Mental Health Regime governs the compulsory hospitalisation of persons with mental disorders. It has to be reiterated here that the compulsory hospitalisation of persons with severe mental illnesses is based solely on the protection of their legal interests or health, or the necessity of preventing others' legal interests from being harmed. Therefore, compulsory hospitalisation for persons with severe mental illnesses may only be imposed in the following special circumstances: (a) the state of the mental disorders endangers their own or others' legal interests, of relevant value, of a personal or patrimonial nature, and the persons refuse to undergo medical treatment; (b) the

persons do not have the necessary discernment to assess the meaning and scope of consent and the absence of treatment will seriously deteriorates their health (Article 8(a) and (b)).

71. It is worth pointing out that Articles 15 to 17 respectively provide for the replacement of compulsory hospitalisation, the termination of compulsory hospitalisation, and the review of the situation of those on which compulsory hospitalisation is imposed. When the situation of persons with severe mental illnesses allows the replacement with compulsory consultation or treatment, or when the premises for hospitalisation no longer exist, or when there are reasonable grounds for the termination of the hospitalisation, the relevant hospital or court has to cancel the compulsory hospitalisation of the persons.

Replies to paragraph 15 (b) of the list of issues

72. Under the MSAR legal system, there is no legal provision to impose forced institutionalisation and forced treatment on persons with disabilities on the basis of actual or perceived impairment.

73. As for persons with disabilities on the basis of actual or perceived mental capacity, as mentioned in the reply to paragraph 15(a), if the persons concerned are persons with mental disorders as prescribed in Decree-law 31/99/M and the severity of their disorders reaches the conditions specified in Article 8(a) and (b) of the Decree-law, compulsory hospitalisation may be imposed on the persons with severe mental illness only upon confirmation by the court. Before the confirmation of the court, persons with mental disorders or their entrusted or appointed defenders may provide evidence and submit requests to take measures deemed necessary to prevent forced institutionalisation and forced treatment without the court's assessment and confirmation. In addition, the decisions to adopt or maintain compulsory hospitalisation may also be appealed against.

Replies to paragraph 15 (c) of the list of issues

74. Article 17 of Decree-law 31/99/M stipulates that the court must review the situation of the persons who have been hospitalised for 2 months. Persons with disabilities who are hospitalised may also apply to the court at any time to review whether there is still a reasonable ground for hospitalisation. If it is confirmed that there is no more reasonable ground for hospitalisation, the court should make a decision to terminate the hospitalisation (Article 16) or, when appropriate, replace hospitalisation with mandatory outpatient treatment (Article 15). The relevant judicial procedures are urgent and may be appealed against (Articles 22 and 23). Data on admission to and discharge from mental health hospitals by court orders in the last 5 years (2015 to 2019) can be found below.

Number of persons admitted to and discharged from mental health hospitals by court orders

<i>Year</i>	<i>Admission</i>	<i>Discharge</i>
2015	18	15
2016	15	14
2017	29	26
2018	27	29
2019	22	24

Source: Office of the President of the Court of Final Appeal.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

Replies to paragraph 16 (a) of the list of issues

75. Law 2/2004 on the Prevention, Control and Treatment of Contagious Diseases stipulates the compulsory seclusion of persons infected with contagious diseases, with the aim to effectively prevent, control and treat contagious diseases, and to ensure public health by implementing the principle combining prevention first and appropriate treatment. When

applying compulsory seclusion measures, the principles of appropriateness, proportionality and necessity stipulated in Article 4 of the Law must be complied with. Furthermore, the decision to impose compulsory seclusion on a person must be submitted to the Lower Court for confirmation within 72 hours of the decision, and the person subject to seclusion may also appeal to the Court of Second Instance against the confirmation made by the Lower Court (Article 15(4) and (5)).

76. As mentioned in the replies to paragraphs 15(a) and (c), Decree-law 31/99/M governs the compulsory hospitalisation of persons with mental disorders. The guiding principle of the Decree-law is to respect the dignity and personal rights of persons with mental disorders. The compulsory hospitalisation of persons with severe mental illnesses is based solely on the protection of their legal interests or health, or the necessity of preventing others' legal interests from being harmed, aiming at the rehabilitation of persons with mental disorders and their reintegration into the society. Moreover, the court must review the decision for compulsory hospitalisation on its own initiative or in replies to a request in accordance with law; and the decision to adopt or maintain compulsory hospitalisation may be appealed against (Articles 17 and 22 of Decree-law 31/99/M).

77. It is worth stressing that the laws of the MSAR do not allow the adoption of any compulsory medical measures other than those mentioned above.

Replies to paragraph 16 (b) of the list of issues

78. In the MSAR legal system, Article 71(2) of the Civil Code stipulates that no one, including persons with disabilities, may be subjected, without his/her consent, to medical or scientific interventions or experiments that may affect his/her physical and psychic integrity.

79. In terms of experimental research, the Health Bureau, in addition to complying with the above norm, also strictly abides by the international code of medical ethics regarding human clinical trials. Every participant is required to have capabilities, and the researchers first explain the contents, purposes and methods, *etc.* of the research so that participants may decide whether to sign an informed consent form after understanding the research contents.

80. In terms of treatment, in addition to the general situations mentioned in the first paragraph, when the treatment involves psychosurgical intervention on persons with mental disabilities, according to Article 4(2) and (3) of Decree-law 31/99/M, the written consent of the persons with mental disorders and the favourable written opinions of two psychiatrists appointed by the Mental Health Commission must be obtained. In addition, if the persons with mental disorders are minors under the age of 14 or lack the capability to assess the meaning and scope of the required consent, their legal representatives may give the corresponding consent in accordance with law.

Freedom from exploitation, violence and abuse (art. 16)

Replies to paragraph 17 (a) of the list of issues

81. To prevent all forms of violence, including gender-based violence against women and girls with disabilities and violence against children with disabilities, the MSAR adopted Law 2/2016 in 2016, making domestic violence a criminal offence (please refer to paragraphs 68 and 69 of the reports for details). To coordinate with the implementation of the above-mentioned Law, the EYAB developed the "Notification Procedure for Suspected Domestic Violence Cases (Schools)" to enable schools to report and implement related work in accordance with the procedures therein. Moreover, the MSAR promulgated Law 8/2017 in 2017, adding the crime of sexual harassment to protect the sexual autonomy of individuals (including women and children with disabilities) and to reduce the occurrence of sexual harassment. Please see paragraph 29 of the reports for details.

82. Since 2016, the SWB, by cooperating with different public departments and civic organisations, has been organising trainings, briefings, seminars, workshops, relating to combating domestic violence, targeting different groups (including social workers, police officers, medical personnel, educators, judicial staff, and staff from different public and private entities), covering law, social work, psychology and so on. Meanwhile, the SWB has

actively carried out various community awareness work and disseminated information on the prevention and fight against domestic violence in the community, through radio, TV, websites, newspapers, bus advertisements, lamppost flags, posters, leaflets and large banners.

83. In addition, the police maintain close cooperation with the Macau Association of Support for the Disabled, with a communication mechanism in place to exchange information on community security. Meanwhile, the police also host seminars for members of the said Association from time to time to promote crime prevention, explaining common *modus operandi*, knowledge on crime prevention, *etc.*, familiarising them with the proper way of handling when confronted with crimes, enhancing their vigilance and ability to protect themselves and prevent them from being victimised.

Replies to paragraph 17 (b) of the list of issues

84. For persons with disabilities who were subjected to violence, various departments of the MSAR Government, through cooperation with civic organisations, provide them appropriate support and assistance according to their specific individual situation (such as age, gender and disability). In case victims face housing, living or financial difficulties as a result of such cases, the police will take the initiative to contact the SWB in order to provide them with urgent assistance.

Replies to paragraph 17 (c) of the list of issues

85. To facilitate those with hearing impairments and speech impairments seeking for assistance, the Public Security Police Force launched a 24-hour emergency SMS help service in 2015. Moreover, in addition to basic barrier-free facilities and sign language interpretation services, the Public Security Police Force set up 5 reception desk induction loop systems in the frontline police areas to enable police officers to better communicate with persons with hearing impairments.

86. In addition, with regard to domestic violence, 3 24-hour domestic violence helplines were set up: police notification helpline, victim support helpline, and social service agency notification helpline. The SWB is responsible for coordinating the prevention of domestic violence, identifying dangerous situations and implementing general protective measures. For those purposes, the SWB adopted a series of preventive, protective, punitive and remedial measures to combat domestic violence. For details, please see paragraph 73 of the reports.

87. Once the SWB is informed or discovers that a person (including persons with disabilities) is being violently treated, it will convene meetings with different units such as hospitals, police, schools, rehabilitation institutions to identify the case type and the service needs and provide a safety plan, including: report to the police or the Procuratorate; emergency placement; free medical treatment; legal consultation; application to the court for protective measures so as to prohibit the abuser from contacting the victim; counselling services; change of schools; assistance in employment and financial assistance.

88. As for non-higher educational institutions, in the event of serious violence, the EYAB will recommend and assist parents to report to the police, to make referrals, or the complainant will directly report their opinions to the competent departments. If parents or students are found to have negative emotions during the process, the EYAB will appoint counsellors to provide them with psychological counselling. The EYAB will simultaneously inform student counsellors to pay more attention to students with disabilities who have been subjected to violence, and provide them with psychological support to help them overcome the trauma caused by the event.

89. In conclusion, if persons with disabilities are violently treated, regardless in the family or other places, and if the specific circumstances of the offences violate the criminal norms of the MSAR and are punishable, the perpetrator will bear the corresponding criminal liability. In the meanwhile, as mentioned in the reply to paragraph 3 (b), the victim may also request for civil compensation according to law (Articles 60 and 74 of the Criminal Procedure Code and Articles 67, 71, 477 and 556 to 566 of the Civil Code). In addition, in the proceedings process, the judiciary will provide persons with disabilities with appropriate assistive devices and interpreters to facilitate and ensure the exercise of their rights.

Replies to paragraph 17 (d) of the list of issues

90. To enhance law enforcement capabilities, all police officers receive specific on-the-job trainings, covering areas such as human rights, police ethics, code of conduct, law, judicial issues and police culture. Some of them also involve the rights of persons with disabilities. Programmes organised between 2018 and 2019 are found in the following table.

Overseas trainings

<i>Year</i>	<i>Course/Seminar</i>	<i>Location/Organiser</i>	<i>Number of participants</i>
2018	Course on Video-taped Interviews with Children and Mentally incapacitated Witnesses	Hong Kong, China	2
2018	INTERPOL Specialist Victim Identification Training - Crimes against Children	Ottawa, Canada	2
2018	INTERPOL Task Force in Child Sexual Exploitation / Victim Identification Training	Singapore	1
2018	36th Meeting of the INTERPOL Specialists Group on Crimes against Children (ISGCAC)	Singapore	2
2019	“DevOps #5 - Technical Working Group Focused on Online Crimes against Children” Workshop	Reading, UK	2

Source: Office of the Secretary for Security.

Local trainings

<i>Year</i>	<i>Course/Seminar</i>	<i>Location/Entity</i>	<i>Number of participants</i>
2018	Basic Training Course on Child Protection (2nd Session) (Domestic Violence)	SWB	19
2018	Basic Training Course on Child Protection (Domestic Violence)	SWB	18
2019	Thematic Lecture on “Handling Cases of Domestic Violence”	Judiciary Police School	73
2019	Professional Course on “Handling Cases of Domestic Violence”	Judiciary Police School	23
2019	Thematic Lecture on “What do I take to Protect You – Sexual Assault against Children”	Judiciary Police School	53
2019	Thematic Lecture on “Introduction of Anti-domestic Violence Law of the People’s Republic of China and Multi-agency Cooperative Intervention Model”	Judiciary Police School	54
2019	Thematic Lecture on “Domestic Violence is Inexcusable”	Judiciary Police School	53
2019	Thematic Lecture on “Basic Strategies on the Prevention of Domestic Violence of the Mainland Police”	Judiciary Police School	51
2019	Knowing and assisting persons with disabilities	Macau Productivity and Technology Transfer Centre	4
2019	Knowing and assisting persons with disabilities	Macau Productivity and Technology Transfer Centre	4

Source: Office of the Secretary for Security.

Living independently and being included in the community (art. 19)

Replies to paragraph 18 (a) of the list of issues

91. As mentioned in paragraphs 16 to 21 and 84 of the reports and the reply to paragraph 1 (c), the MSAR Government has always been following the strategic policy of “Community-oriented, Participation and Social Inclusion” and introduced in 2016 the community support action plans of the Rehabilitation Programme Plan. The MSAR Government, by working closely with civic organisations, builds up a community-based rehabilitation service system. The community support action plans of the Rehabilitation Programme Plan provide training and support to persons with disabilities in order to assist them in developing their potentials and to strengthen their capability of independent living, so that they may continue to live in the community, fully participate and be included in the community. The plans also enhance the capability of the caretakers, thus relieving their work burden and help improve the quality of life of both persons with disabilities and their caretakers.

92. In fact, among the Disability Assessment Registration Card holders, only 5% are living in rehabilitation homes. They are mainly those that are of relatively severe disability and cannot be taken care of appropriately by their own family members. By subsidising daytime training centres of civic organisations, as well as vocational rehabilitation centres, early intervention facilities and rehaus/escort services, the MSAR Government aims to equip persons with disabilities with the capability and condition to live independently and be included in the community. At the same time, the MSAR Government provides them with economic security by a number of cash subsidy schemes. With continuous public education and barrier-free environment construction, the MSAR Government supports persons with disabilities to live in the community.

Replies to paragraph 18 (b) of the list of issues

93. The SWB has been actively encouraging social facilities with accommodation services to provide more home-like and humanised services to persons with disabilities. In the meantime, a number of newly opened rehabilitation homes are located in the community, so that persons with disabilities may have the chance to interact with other members of the community without being far from the community. And as the decoration of the rehabilitation homes are more home-like, persons with disabilities can have the feeling of being at home. For the services, rehabilitation homes care more about the differences in the personal needs of their residents and provide them with more individualised support, including in meals or living arrangements, and will give them the chance of making choices. Some rehabilitation homes allow their residents to take up some household chores in order to train their independent living capabilities and make them assume some daily responsibilities. Apart from all these, some rehabilitation homes will bring their residents out periodically. For example, some will bring their residents to supermarket for shopping and let them choose those products that they like or need in their daily living, while some will arrange their residents to participate in different kinds of community activities, so as to encourage them to integrate into the community.

94. On the other hand, the MSAR Government has increased quotas for various kinds of community support service and short-term stay and has optimised home care and support services for persons with disabilities, thus enhancing the capability of rehabilitation facilities to provide support to families with members with disabilities. In addition, resources are allocated to help improve the household environment of persons with disabilities, and explore the feasibility of bringing in guide dogs. Through a series of measures, it is aimed to deinstitutionalise persons with disabilities who have such conditions and capabilities.

Replies to paragraph 18 (c) of the list of issues

95. As mentioned in the reports, since 2011, MSAR permanent residents who have been assessed as persons with disabilities and hold the Disability Assessment Registration Card according to Administrative Regulation 3/2011 and Law 9/2011 are entitled to free healthcare services in public medical institutions. In addition, according to the “Policies on Cultural Differences, Language Differences and Disability Policies of the Macao Community Health

Centres”, health centre staff under the Health Bureau provide assistance to patients with special needs. Moreover, for persons with disabilities who have difficulty in going out for medical treatment, the Health Bureau subsidises the clinics of civic associations to organise outreach home care teams to provide care services directly to patients. For persons with disabilities using specialist services, the Health Bureau subsidises the Red Cross to provide transportation services.

96. In addition, persons with disabilities are provided with various types of economic assistance to ensure their living conditions, and the amount of related allowances has continued to increase in recent years as the social environment changes. For instance, the Disability Pension provided by the social security system for persons with disabilities who are unable to work has increased by more than 1.1 times from 2009 to 2019, reaching MOP3,740 per month currently (Order of the Chief Executive 212/2019).

97. Concerning support in housing, as mentioned in the reply to paragraph 1(a), families with members with disabilities applying for economic housing have priority for allocation in their respective family categories (Article 24 (2) of Law 10/2011). Similarly, the existence of a member with disabilities in the family is one of the considered scoring elements in the application for social housing (Article 10 (2)(7) of Law 17/2019).

98. In order to facilitate the daily transit and travel of persons with disabilities, the MSAR Government subsidises persons with disabilities that have economic difficulties to purchase assistive tools and mobile phones and provides funding for them to use public buses free of charge. In addition, barrier-free taxis as well as reserved parking spaces in public parking facilities and streets are also provided for their convenience.

99. The MSAR Government also assists persons with disabilities in their rehabilitation and their capability of independent living through daytime rehabilitation training centres, and at the same time, provides them with outreach services, home support services and home training.

100. Moreover, the MSAR Government has been enhancing barrier-free environment construction in the community. In order to create a more livable environment for persons with disabilities, in terms of public roads, between 2017 and 2020, the MSAR Government added 13,432 tactile tiles in different areas, adjusted the height of 512 sloping curbs, and replaced 1,712.8 meters of curbs, involving a total of 1,481 streets.

Replies to paragraph 18 (d) of the list of issues

101. Since the launch of the Barrier-free Universal Design Building Guidelines in 2018, new public works and subsidised projects of various departments of the MSAR Government have been designed and constructed in accordance with the barrier-free universal design specifications stipulated in the Barrier-free Universal Design Building Guidelines. At the same time, all public departments also have the conditions to review and improve their existing public reception areas and facilities to meet the requirements of barrier-free universal design.

102. In 2018 and 2019, the MSAR Government awarded 28 government departments and 79 companies responsible for government-subsidised projects, which carried out 8,323 items of barrier-free construction works in accordance with the Barrier-free Universal Design Building Guidelines.

103. In fact, all departments of the MSAR Government has been devoting their efforts in optimising their barrier-free construction according to their area of responsibility. For example, the SWB, as the main body responsible for supporting the welfare of persons with disabilities, completed a review project of its 20 service points according to the Barrier-free Universal Design Building Guidelines, and set up an agenda for gradually optimising the physical environment and assistive devices of those service points. For the first two years after the entry into force of the Barrier-free Universal Design Building Guidelines, it improved those works related to safety and simple changes, such as installing facilities for persons with hearing disabilities and fire alarms. The remaining optimisation works will be gradually completed in the next round. At the same time, the SWB also started reviewing the barrier-free conditions of social service facilities, and will assist them to improve their

barrier-free facilities in stages, such as entrances and exits, pathways, toilets and bathrooms. There are currently 17 risk aversion centres and 4 meeting points/emergency evacuation stops, most of which have the basic conditions for accessibility.

104. In 2019, the SWB organised the “Accessibility Testing Training”, with the purpose of improving the knowledge, skill and confidence of persons with disabilities in examining barrier-free environment, so that they can better participate in the review of barrier-free environments from users’ point of view, helping the respective design and improving the barrier-free environment.

105. As stated in the reply to paragraph 9(b), the design and construction of both economic housing and social housing follow the Barrier-free Universal Design Building Guidelines and the Regulations for Design and Construction of Public Housing. At the same time, as mentioned in the reply to paragraph 1(a), persons with disabilities and their families have priority in purchasing economic houses or leasing social houses. Eligible applicants with disabilities may purchase or lease corresponding economic or social houses at a value below the market value.

Freedom of expression and opinion, and access to information (art. 21)

Replies to paragraph 19 (a) of the list of issues

106. To enhance the uniformity and operability of websites of different public departments so that residents (including persons with disabilities) may have better access to government information and services, the MSAR Government, in 2014, announced the Guidelines for Standards of the Government Department Websites to all public departments, which included some accessibility requirements such as the structural consistency of webpages, inclusion of images, audio, and video contents, and resizable texts, *etc.*, facilitating the access to government information and services by persons with disabilities. Currently, the MSAR Government is enhancing websites of public departments to comply with the “Web Content Accessibility Guidelines” established by the World Wide Web Consortium (W3C).

Replies to paragraph 19 (b) of the list of issues

107. As mentioned in paragraph 92 of the reports, the MSAR Government has already formulated policies, stating that meetings and activities (such as those organised by the Rehabilitation Affairs Committee) and other public activities in which persons with disabilities participate require barrier-free information configurations such as sign language interpretation, instant word recording, and assistive tools for hearing impaired persons, the voice code documents and induction loop system.

108. Moreover, the SWB, as the main entity providing services to persons with disabilities, introduces subtitles and sign language interpretation in all its promotional videos, so that persons with hearing impairment may get information. Voice code is added to all its printed materials and official letters for persons with visual impairment to read the relevant content by using mobile apps. Currently, the SWB is adding braille on all the signage to assist persons with visual impairments. To facilitate persons with hearing impairment to use various kinds of public services, the external service points of a number of government departments are now equipped with tablets and Wi-Fi network, so that persons with hearing impairment may now use public facilities when assisted with distant sign language interpretation services.

109. In recent years, the SWB has also been promoting sign language. For instance, it cooperates with the Public Administration and Civil Service Bureau to offer basic sign language training for frontline staff working in public departments, to organise sign language training programmes for staff of bus companies and telecommunication companies, and to cooperate with civic organisations to carry out on-the-job training activities for current sign language interpreters.

Replies to paragraph 19 (c) of the list of issues

110. In recent years, the MSAR Government has allocated resources to support rehabilitation institutions in hiring sign language interpreters. The number of subsidised sign

language interpreters has been increased from 4 in 2010 to 16 at present. In recent years, many publicity videos and films, as well as public activities and meetings of government departments have provided sign language interpretation. Sign language interpretation is also available on major TV news programmes produced by local TV station every night. Thus persons with hearing impairment may now receive the most updated news information. Apart from the above, the SWB, in recent years, has also been very active in promoting sign language interpretation service through videos to enable persons with hearing impairment to obtain distant sign language interpretation services by means of information equipment.

Respect for privacy (art. 22)

Replies to paragraph 20 of the list of issues

111. As mentioned in paragraph 97 of the reports, Articles 28 to 44 of Law 8/2005, Personal Data Protection Law, provide a protective mechanism, the regulations of which enable anyone to adopt administrative or judicial channels as stipulated by the Law, in order to ensure that the legal provisions and regulating provisions in the aspect of personal data protection are observed, without obstructing the right of filing a complaint to a public authority, including situations of administrative infringements and criminal offences. When the failure to fulfil the obligations as stipulated by the Personal Data Protection Law constitutes an administrative infringement, the offender may be liable to a fine; whereas when the failure to fulfil the obligations of the aforementioned Law constitutes a criminal offence, the perpetrator may be punishable by imprisonment or a fine.

112. Moreover, an act of invasion of privacy may constitute a criminal offence provided in Articles 184 to 193 of the Criminal Code and the perpetrator will have to assume the corresponding criminal liability while the victim may file a request for civil compensation (please see the reply to paragraph 3(b)).

113. With regard to habeas corpus, the two situations in which habeas corpus is applicable, as stipulated by the laws of the MSAR, are illegal detention and illegal imprisonment, which are respectively provided in Articles 204 and 206 of the current Criminal Procedural Code. However, there is no stipulation regarding recourse to habeas corpus in case of arbitrary or unlawful interference with the privacy of persons. Between 2018 and 2019, the police did not record any application for habeas corpus by persons with disabilities due to invasion of privacy.

Respect for home and the family (art. 23)

Replies to paragraph 21 (a) of the list of issues

114. The Hospital Centre S. Januário has set up a specialist outpatient department to provide sexual and reproductive health services for patients (including persons with disabilities). In order to facilitate persons with disabilities to make medical appointments, the Health Bureau not only has the general accessible facilities described in the reply to paragraph 23(a), but also has a special counter for persons with disabilities to assist them to obtain the services they need. In addition, for persons with disabilities to apply or receive different kinds of services (such as adoption and foster care services) smoothly, the SWB has prepared portable belt type table coil and distant sign language interpretation service (Cantonese) to facilitate communication with persons with disabilities.

Replies to paragraph 21 (b) of the list of issues

115. It must be emphasised that in the MSAR, disability does not constitute a reason for the separation of children from their parents, nor does this situation exist. However, for those children and juveniles (including those with disabilities) who lack appropriate care due to family problems, the SWB arranges them to live in residential homes for children and juveniles according to their needs. Meanwhile, the staff of the SWB and related residential homes assist them to keep connecting with their parents and to facilitate their communications through various kinds of projects and programmes. Apart from this, they

will also actively motivate parents to carry out their responsibilities (such as to keep in touch with the children periodically and to assume the daily living expenses of their children). In case it is discovered that parents fail to carry out their duties, the staff of the SWB will propose to related judicial authorities in time for appropriate intervention and follow-up measures.

116. In case one of the parents or both parents of a child living in a residential home are persons with disabilities, the SWB will contact relevant rehabilitation institutions to provide them with appropriate community support, to offer feasible rehabilitation and family support to the parents with disabilities. By doing this, it is aimed that both parents may perform the best function of parenting within what is possible, thus safeguarding the growth and development of their child.

Education (art. 24)

Replies to paragraph 22 (a) of the list of issues

117. As stated in paragraph 106 of the reports and the reply to paragraph 6(a), in accordance with Decree-law 33/96/M and Article 12 of Law 9/2006, the MSAR Government has always adopted inclusive education as the main direction for the implementation of special education. Through mainstream schools, priority is given to implementing special education in an inclusive manner. The relevant courses, teaching materials, teaching and assessment methods also match the characteristics of each student to develop their potential and help them integrate into society.

118. Meanwhile, the MSAR Government, through the “Inclusive Education Subsidy” under the “School Planning Project” of the Education Development Fund, supports schools to meet the needs of students with special educational needs, purchase assistive equipment and learning aids, alter and add facilities to build a barrier-free campus environment and subsidises schools to organise inclusive campus promotional activities. In addition, the MSAR Government, through the “School Operation Guide”, supports the enrolment of inclusive students in mainstream schools from the following aspects:

(i) On the basis of free education, additional funding is given to private schools implementing inclusive education, so that schools may have additional resources, teachers and auxiliary personnel to provide inclusive students with appropriate teaching and assistance (for more details, please refer to http://www.dsej.gov.mo/~webdsej/www/grp_sch/schguide/2019/SchGuide2019_03_03.pdf?v=22 (Chinese only)) ;

(ii) Through subsidised organisations, itinerant support instructors are sent to schools implementing inclusive education to provide support for teachers, follow up on the learning situation of inclusive students, and provide teachers with suggestions on teaching strategies, evaluation, adjustment and barrier-free environments (for details, please refer to http://www.dsej.gov.mo/~webdsej/www/grp_sch/schguide/2019/SchGuide2019_03_03.pdf?v=22 (Chinese only)) ;

(iii) Through subsidised organisations, additional in-school student counsellors are assigned to schools implementing inclusive education to provide the required support and assistance for inclusive students and their parents in terms of psychological or behavioural or emotional issues, *etc.*.

119. The MSAR Government continues to implement and optimise the above measures to create conditions for schools to implement inclusive education and, at the same time, promotes and supports the enrolment of inclusive students in mainstream schools and their study and growth through the collaboration with different professionals. In fact, the number of schools implementing inclusive education continues to increase. As of the 2019/2020 School Year, there were 43 public and private schools with inclusive education; 8 schools with classes for special education and 2 schools with small classes for special education.

Replies to paragraph 22 (b) of the list of issues

120. Pursuant to Articles 1(1) and 2(2) of Decree-law 42/99/M, compulsory education is implemented for children and juveniles aged between 5 and 15, and as much as possible, conditions should be created for students in need of special education to ensure the compliance with compulsory education. Therefore, under the premise of inclusive education as the main direction for the MSAR Government to provide educational services to students with special educational needs, Decree-law 33/96/M stipulates that individualised teaching plans should be developed for students with special educational needs in order to set corresponding learning goals, auxiliary measures and adapt their learning content through individualised teaching plans.

121. To this end, the MSAR Government provides educational placement assessment and placement assistance services, and makes recommendations to schools through the “School Operation Guide” regarding teaching methods, homework adjustment, flexible and diversified assessment and barrier-free learning environments, *etc.* Schools may refer to the relevant recommendations to provide corresponding assistance to inclusive students in order that students may have adequate opportunity to fully express their abilities. At the same time, the MSAR Government subsidises schools in order to build a barrier-free campus environment and, through the Student Welfare Fund, also subsidises students with special educational needs to purchase personal aids (such as hearing aids and wheelchairs, *etc.*) to assist students in accessible learning. In fact, compared with the previous school year, there was an increase in the number of inclusive students in all educational levels in the 2019/2020 School Year. For details, please see the following table.

Number of inclusive students by educational level

School Year	Educational Level	M	% of male students in that educational level			% of female students in that educational level	
			Formal education	Formal education and recurrent education	F	Formal education	Formal education and recurrent education
2018/2019	Infant	161	1.7%	1.7%	45	0.5%	0.5%
	Primary	674	4.0%	4.0%	212	1.4%	1.4%
	Secondary	270	2.0%	1.9%	118	0.9%	0.9%
2019/2020	Infant	195	1.9%	1.9%	68	0.7%	0.7%
	Primary	786	4.4%	4.4%	274	1.7%	1.7%
	Secondary	335	2.5%	2.3%	137	1.1%	1.0%

Source: EYAB.

122. To encourage accessible communication, the MSAR Government actively promotes the development of sign language and organises sign language training activities for children in need, teaching staff, school counsellors, parents, *etc.* and also subsidises professional organisations to provide sign language training activities to enhance teaching staff’s understanding of students with hearing and visual impairments and the respective teaching skills. The MSAR Government also organises workshops concerning the teaching of students with hearing and visual impairments, braille workshops, and orientation walking instructor training courses for teaching and counselling staff according to their needs.

Replies to paragraph 22 (c) of the list of issues

123. To promote access to higher education for students with special educational needs, the MSAR Government introduced the Joint Admission Examination for Macao Four Higher Education Institutions in 2017 (including University of Macau, Macao Polytechnic Institute, Macao Institute for Tourism Studies and Macau University of Science and Technology) and established regular special examination arrangements for students with disabilities in order to provide convenience to students with special needs. There were 4 special examination arrangements in the admission examination for the 2019/2020 School Year.

124. In achieving accessible learning, the MSAR Government, through the Higher Education Fund, supports higher education institutions to continuously improve and optimise barrier-free learning environments and related teaching equipment. Moreover, higher education institutions also provide convenient arrangements to students with disabilities concerning attending classes, finishing homework and participating in examinations, such as providing them with learning aid, priority in using campus services, individualised counselling services, student volunteers to assist with learning, *etc.*.

Health (art. 25)

Replies to paragraph 23 (a) of the list of issues

125. As mentioned in the reply to paragraph 18(c), Disability Assessment Registration Card holders are entitled to free healthcare services in public medical institutions, including sexual and reproductive healthcare services (Article 13(1) of Law 9/2011).

126. To ensure that healthcare facilities are accessible, all establishments under the Health Bureau have accessibility facilities from the entrance to the consultation or healthcare areas, including barrier-free toilets, tactile braille facilities, hearing aids, barrier-free counters, automatic door facilities, barrier-free entrances and barrier-free elevators, *etc.*, and are optimised in accordance with the Barrier-free Universal Design Building Guidelines in order to further cater for the different needs of persons with disabilities and facilitate their passage.

Replies to paragraph 23 (b) of the list of issues

127. In the training of medical and health professionals, the Health Bureau sent staff to participate in the “Training for Access Managers and Coordinators” organised by the SWB in August 2018 to enable the relevant personnel to recognise the different needs of persons with disabilities in different environments, thereby providing services to persons with disabilities more effectively and promoting their rights and interests.

Habilitation and rehabilitation (art. 26)

Replies to paragraph 24 of the list of issues

128. It has to be hereby stressed again that the MSAR Government has been following the strategic policy of “Community-oriented, Participation and Social Inclusion”. The MSAR Government, by working closely with civic organisations, builds up a community-based rehabilitation service system and introduced in 2016 the Rehabilitation Programme Plan. For details, please refer to paragraphs 16 to 21, 84 to 85 and 118 of the reports, and the replies to paragraphs 1(c) and 18(a).

129. The Comprehensive Assessment Centre of Rehabilitation under the SWB has been providing persons with disabilities with interdisciplinary disability assessment in order to provide appropriate service configuration recommendations and hiring relevant professionals, such as social workers, nurses, physical therapists, occupational therapists, speech therapists and counselling psychologists to provide diversified rehabilitation treatment and training to persons with disabilities in order to enhance their capability of independent living.

130. The SWB also works closely with the Health Bureau and civic organisations to develop various kinds of rehabilitation facilities for persons with disabilities in the community, including supported hostels, early education and training centres, short-term nurseries, day care training centres, vocational rehabilitation and employment assistance centres, community support services, non-emergency medical escort services, rehaus services, in order to provide persons with different types of disabilities and different needs and their families with comprehensive rehabilitation services and support.

Work and employment (art. 27)

Replies to paragraph 25 (a) of the list of issues

131. The Task Force for Capacity Development under the LAB of the MSAR Government is mainly responsible for providing free-of-charge job-seekers registration and job referral services to persons with disabilities. Between 2018 and 2019, there were a total of 143 job-seekers with disabilities who registered in the LAB for the first time, including 94 males and 49 females. Female job-seekers accounted for 34.27% of the total job-seekers with disabilities. Meanwhile, a total of 93 successful referrals were made by the LAB, including 63 referrals for male job-seekers and 30 for females. Females accounted for 32.26% of the total successful referrals.

132. On the other hand, through vocational rehabilitation institutions for persons with disabilities, the SWB provides vocational training and employment support services to persons with intellectual disabilities, mental disabilities and physical disabilities. For example, as of December 2019, there were 503 service quotas for vocational rehabilitation facilities, with 452 service users in total. Among them, there were 187 women, equivalent to 41% of the service users, occupying about 7% of the female working population (aged between 15 and 65) in the above types of disabilities.

133. The LAB and the SWB has been co-organising the “Award for Outstanding Employee with Disabilities” and the “Award for Employer of Persons with Disabilities” in alternate years since 2003. Between 2018 and 2019, in the “Award for Outstanding Employee with Disabilities”, 161 employees with disabilities (93 males and 68 females) were nominated as outstanding employees by their employers, while in the “Award for Employer of Persons with Disabilities”, the number of nominated enterprises reached 63.

134. It is worth pointing out that the Social Security Fund launched the “Employment Incentive Programme for Disability Pension Beneficiaries” in 2018. Through the establishment of grace measures for the trial work of Disability Pension beneficiaries and the provision of a rapid return mechanism for short-term trial work cases, beneficiaries, who are still unable to integrate formally into the labour market after the trial work but have not exceeded the trial work duration, will continue to receive the Disability Pension. Only when the beneficiary’s trial work duration expires and he or she is considered to be formally integrated into the labour market will the Social Security Fund stop the Disability Pension payment.

Replies to paragraph 25 (b) of the list of issues

135. In order to promote the employment of persons with disabilities, the MSAR Government adopted Law 8/2018 in 2018, encouraging employers to actively employ persons with disabilities with suitable abilities and conditions to work by means of tax incentives. On the other hand, the MSAR Government has been working with rehabilitation institutions and social groups to refer persons with disabilities to the labour market. Meanwhile, various promotional methods, such as posters, promotional videos, online platforms and so forth, have been used to encourage employers to hire persons with disabilities while various employment services, such as career talks and mock interview workshops, have been provided to persons with disabilities, enabling them to get the latest information on the labour market and to improve their interview techniques, so as to increase their chances of being hired.

136. Moreover, as mentioned in paragraph 125 of the reports, since 2013, the LAB has been organising the “Work Experience Activity” for students with disabilities every year, allowing them to understand the actual situations in the workplace and helping them in their transition from schools to open employment in the future. Between 2018 and 2019, a total of 79 students participated in the above activity, including 55 males and 24 females. Most of them were students with intellectual disabilities.

Replies to paragraph 25 (c) of the list of issues

137. In the private sector, as mentioned in paragraph 120 of the reports, the LAB provides job referral services to persons with disabilities and arranges staff to accompany them for interviews. If they are hired successfully, employment follow-up services for at least three months will be provided in order to understand their working conditions after being hired, and employment counselling services will also be provided if necessary, so as to ensure their smooth integration into new jobs and to achieve sustained employment.

138. In the public sector, the MSAR Government has been providing necessary measures for candidates who have special needs participating in civil service recruitment examinations. Article 31 of Administrative Regulation 14/2016 on the Recruitment, Selection and Promotional Training of Workers of Public Services, as amended by Administrative Regulation 23/2017, expressly stipulates that in the selection processes of civil service recruitment, necessary measures must be provided to meet the special needs of candidates with disabilities in order that the selection methods may be implemented on the basis of equality with other candidates. In addition, the promotion of civil servants, in general, depends on the completion of specific training courses. Article 41(3) of the above-mentioned Recruitment, Selection and Promotional Training of Workers of Public Services provides that training courses attended by civil servants with disabilities have to be adjusted by their departments, taking into account of their special needs.

Replies to paragraph 25 (d) of the list of issues

139. In August 2013, the MSAR Government provided interest-free loans to young entrepreneurs, including those with disabilities, with a maximum limit of MOP300,000, through the Young Entrepreneurs Aid Scheme, to relieve their stress at the beginning of entrepreneurship so as to encourage entrepreneurship.

Adequate standard of living and social protection (art. 28)**Replies to paragraph 26 (a) of the list of issues**

140. In the MSAR, all residents, including persons with disabilities, get clean water at a relatively cheap price. In addition, the SWB entrusted a civic organisation to run the Urgent Short Term Food Assistance Project. The purpose of this Project is to provide individual and family emergency short-term food assistance services to low-income groups and those in need, so as to help them overcome their difficulties in life.

Replies to paragraph 26 (b) of the list of issues

141. Concerning the Disability Allowance, to ensure that the beneficiaries may directly receive the allowance, the SWB releases the allowance to them by bank transfer, debiting the amount to the personal account or joint account of the beneficiaries. For incapacitated persons, the allowance will be released to their guardians. According to law, the guardians must spend the allowance on the well-being of the beneficiaries.

Replies to paragraph 26 (c) of the list of issues

142. In terms of social security, it is worth pointing out that Law 6/2018 entered into force on 1 October 2018, repealing one of the application requirements for the Disability Pension under Article 37(1)(2) of Law 4/2010: the disability must occur after a person is qualified as a beneficiary of the Social Security Fund. This amendment makes the Disability Pension generally applicable to all persons with disabilities, thereby establishing the “temporary disability allowance” as a long-term measure.

Participation in political and public life (art. 29)

Replies to paragraph 27 of the list of issues

143. The legal system regulating the election in the MSAR is provided mainly in Law 12/2000 on Electoral Registration, Law 3/2004 on the Election of the Chief Executive and Law 3/2001 on the Electoral Law for the Legislative Assembly of the Macao Special Administrative Region.

144. Generally, in the election of the Legislative Assembly, any natural person reaching the age of 18 and being a permanent resident of the MSAR, who has registered according to Law 12/2000 and has been confirmed in the latest voter registration list before the publication of the election date, is eligible to be a voter and has the right to vote, unless that person has been declared by the court as an interdicted person or is interned in a mental health establishment or has been declared as a person with mental disorder by the Health Board or has been declared to be deprived of political rights (Articles 5(1), 10, 11(1) to (3), 21(3) of Law 12/2000 and Articles 2(1), 3, 4(1) to (3) of Law 3/2001).

145. Similarly, the law stipulates the qualification requirements and restrictions for candidates of members of the Legislative Assembly or the Chief Executive. A person is not eligible if he/she has been declared by the court as an interdicted person or is interned in a mental health establishment or has been declared as a person with mental disorder by the Health Board or has been declared to be deprived of political rights (Articles 10, 11(1) to (3) of Law 12/2000, Articles 35(1) to (6), 36(1) and (4) of Law 3/2004 and Articles 4, 5 and 6(1) to (5) of Law 3/2001).

146. The above shows that persons with intellectual or psychosocial disabilities are not necessarily unqualified to vote or stand for election.

147. Concerning the right to form associations and organisations of persons with disabilities, Article 2(1) of Law 2/99/M which establishes the Regime for the Freedom of Association provides that any person has the right, freely and without any authorisation, to constitute associations, including persons with intellectual or psychosocial disabilities. Nevertheless, it has to be considered that the acts to form associations and organisations may require capacity and legal acts. And persons declared as interdicted or inabilitated by the court are subject respectively to the guardianship and curatorship regimes (Articles 113, 123 and 136 of the Civil Code). Regarding participation in associations, there is no obstacle in the participation of persons with disabilities in associations in the MSAR laws.

148. In public office, as stated in the reply to paragraph 25(c), Article 31(12) of the Recruitment, Selection and Promotional Training of Workers of Public Services expressly stipulates that necessary measures must be provided to meet the special needs of candidates with disabilities in order that the selection methods can be implemented on the basis of equality with other candidates.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

Replies to paragraph 28 (a) of the list of issues

149. As stated in paragraph 142 of the reports and the reply to paragraph 1(b), the MSAR Government adopted the assessment and registration system through the Assessment System on the Type and Degree of Disability, Registration and Issuance of Disability Card, and grasped the demographic profile of the population with disabilities, including information on the type of disability, degree of disability, gender, age, *etc.*, to establish a database on the population with disabilities. This System was developed with reference to the World Health Organisation's ICF. Through interdisciplinary assessments, persons with disabilities who meet the statutory assessment criteria are issued a Disability Assessment Registration Card.

Replies to paragraph 28 (b) of the list of issues

150. The MSAR Government established a database on the population with disabilities through the above-mentioned Assessment System on the Type and Degree of Disability, Registration and Issuance of Disability Card, which serves as an important reference for the formulation of rehabilitation policies. The main statistics of the database are published on the website of the SWB on a quarterly basis, for other public departments, academic institutions and relevant stakeholders to understand the relevant information and formulate services or action plans suitable for the needs of persons with disabilities (please refer to the following link <http://www.ias.gov.mo/pt/swb-services/rehabilitation-service/cartao-de-registo-de-avaliacao-da-deficiencia>).

National implementation and monitoring (art. 33)**Replies to paragraph 29 (a) of the list of issues**

151. In order to further implement the provisions of the Convention, the MSAR Government launched the Rehabilitation Programme Plan in 2016. To effectively implement and timely adjust the above-mentioned Programme Plan, in terms of overall coordination, the MSAR Government established a Cross-departmental Steering Task Force through Order of the Chief Executive 394/2016, which is responsible for organising, coordinating, and evaluating the implementation of relevant Programme Plan and making corresponding recommendations. Depending on the needs of the work, the Cross-departmental Steering Task Force may propose new members to superior authorities, and may invite relevant public departments, private entities, experts and scholars to attend relevant meetings and participate in relevant work.

152. In terms of implementation, the Cross-departmental Task Forces are composed of leaders and/or supervisors appointed by members of the Cross-departmental Steering Task Force and are responsible for coordinating specific work plans and collaborating cross-departmental cooperation projects based on the decisions of the Cross-departmental Steering Task Force. To meet the needs of the work, the Cross-departmental Task Forces may set up special working groups or, through special work meetings, invite relevant public departments, private entities, experts and scholars to participate in relevant meetings, to discuss specific topics and plans, study and formulate specific work proposals, and submit suggestions to the Cross-departmental Steering Task Force for discussion and consideration.

For more detailed information on this issue, please refer to paragraphs 16 to 21 of the reports.

Replies to paragraph 29 (b) of the list of issues

153. The Rehabilitation Affairs Committee is responsible for supervising the implementation of the Rehabilitation Programme Plan, including expressing opinions on the progress of the implementation of the Programme Plan and proposing improvements to meet the needs of the implementation of the Programme Plan. Regarding the relevant opinions and suggestions of the Rehabilitation Affairs Committee, all the constituent departments of the Cross-departmental Steering Task Force must respond and follow up appropriately.

Replies to paragraph 29 (c) of the list of issues

154. As mentioned above, the Rehabilitation Affairs Committee is responsible for supervising the implementation of the Rehabilitation Programme Plan and is composed of representatives of multiple NGOs or organisations of persons with disabilities serving persons with different types of disabilities, including the Macau Association of Support for the Disabled, the Macao Association of Parents of Mentally Handicapped, the Caritas Macau, the Macau Physical Therapists Association and the Macao Deaf Association, *etc.*. In other words, these NGOs monitor the progress of the implementation of the above-mentioned Programme Plan through the Rehabilitation Affairs Committee and provide direct advice to the MSAR Government.