



### What You Need to Know About Macao Laws

In recent years, crimes involving tertiary students have occurred occasionally. Students are at risk of unintentionally committing crimes because they are taken advantage of by others or lack knowledge of laws. To equip students with accurate law information, Student Affairs Office (SAO) has collected some of the laws that youngsters may violate easily.

If committing a crime, apart from penalties, there will also be a criminal record that will seriously affect students’ future, especially in the following aspects:

1. Careers in civil service.
2. Obtaining professional qualifications, such as lawyer, accountant, social worker, psychotherapist, etc.
3. Further education, employment abroad, or immigration.
4. Employment opportunities (employers sometimes require candidates to submit a certificate of criminal records).
5. Continuation of study (non-local students may have their stay permission cancelled when committing crimes).

Therefore, students are strongly advised to have adequate legal knowledge and be law-abiding.

1. Drugs – according to [Law No. 17/2009](#) of the Macao SAR “Prohibition of Illegal Production, Trafficking and Consumption of Narcotic Drugs and Psychotropic Substances” and [Law No. 10/2016](#)

Conduct	Penalty
Illicit consumption of narcotics drugs and psychotropic substances (E.g., consuming ketamine in nightclubs.)	Maximum imprisonment of 1 year
Improper possession of tools or equipment (E.g., possession of drug paraphernalia with intentions to consume or inject narcotic drugs and psychotropic substances.)	Maximum imprisonment of 1 year
Incitement to the illicit use of narcotic drugs and psychotropic substances	Maximum imprisonment of 3 years

Conduct	Penalty
(E.g., inciting friends to consume narcotic drugs and psychotropic substances by telling them that they can forget their worries afterwards.)	
Illicit trafficking of narcotic drugs and psychotropic substances (E.g., selling or distributing narcotic drugs and psychotropic substances free of charge to others in nightclubs.)	Maximum imprisonment of 15 years
Transport, export, and import of narcotic drugs and psychotropic substances (E.g., bringing narcotic drugs and psychotropic substances into Macao from outside)  Simulation case: Sally met K, who claimed to run a business in the manufacturing industry in Guangzhou. Later they developed a romantic relationship. One day, K asked Sally for help to pick up customer samples in Malaysia, so Sally went to Malaysia to meet with K's friend – S, who passed the samples and a backpack to Sally. Arriving at the Macao airport, Sally was stopped by the police for a luggage check. A packet of powder that was examined to contain drugs was discovered in the compartment of the backpack, and Sally was arrested immediately.	Maximum imprisonment of 15 years

2. Computer crime – according to [Law No. 11/2009](#) of the Macao SAR “Computer Crime Combat Law” and [Law No. 4/2020](#)

Conduct	Penalty
Illegitimate access to computer system (E.g., logging in to someone's computer without permission.)	Maximum imprisonment of 2 years
Illegitimate acquisition, use, or provision of computer data (E.g., logging in to your friend's social media account and copying chat records without his or her permission.)	Maximum imprisonment of 2 years

Conduct	Penalty
Computer forgery (E.g., forging electronic signatures.)	Maximum imprisonment of 5 years
Damage to computer data (E.g., deleting or altering data in someone’s computer without permission.)  Simulation case: Tom and his roommate both liked playing video games, but his roommate had a lot of “weapons”, which made Tom envious. Later his roommate kept levelling up in the game for which Tom felt even more jealous. So, he logged in to his roommate’s account and deleted all his roommate’s “weapons” while he was away. When his roommate found out, he called the police, and Tom was arrested on suspicion of committing computer crimes.	Maximum imprisonment of 10 years
Computer fraud (E.g., hacking into someone’s online bank account to steal money.)	Maximum imprisonment of 10 years

3. Body injury – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
Serious offense to physical integrity (E.g., fighting with another person which causes physical harm.)  Simulation case: Ken and Amy were lovers, and they were having a dispute over their breakup. Ken did not want to break up, so he kept intercepting Amy at classrooms and the residential college. Amy could not stand the disturbance, so it led to a confrontation which later became physical. In one of the confrontations, Ken splashed a bottle of sulfuric acid on Amy’s face, resulting in serious damage to her face. Amy called the police and Ken was arrested for wounding.	Maximum imprisonment of 10 years

4. Invasion of personal freedom – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Intimidation (E.g., threatening someone via text messages, to make him or her feel fear or anxiety.)</p> <p>Simulation case: Ken pursued Amy but she rejected. Ken became vengeful and harassed her repeatedly. He texted Amy saying, “I hate you and I want revenge on you. I know where you live, and I want you to pay the price for what you’ve done”. Amy was frightened and called the police, and Ken was arrested on suspicion of intimidation.</p>	Maximum imprisonment of 3 years
<p>Depriving others of their freedom of movement (E.g., unlawful detention of a person)</p>	Maximum imprisonment of 15 years

5. Sex crime – according to [the Criminal Code](#) of the Macao SAR and Law [No. 8/2017](#)

Conduct	Penalty
<p>Sexual harassment (E.g., conducting sexual physical contact without the consent of the other person.)</p> <p>Simulation case: Ken and Amy were classmates. Amy found out that Ken was always following her to class, but Amy did not care at first because Ken always kept a certain distance from her. Soon, Ken started talking to Amy on the pretext that she had a sexy body, and even sat next to her in class, making “unintentional” physical contact from time to time. Amy could not tolerate it anymore and called the police for help.</p> <p>Note: Sexual harassment is not limited to male-on-female behaviour, but also female-on-male or between the same sex.</p>	Maximum imprisonment of 1 year

Conduct	Penalty
Rape (E.g., forcing a person to have sex while he or she is too drunk to resist.)	Maximum imprisonment of 12 years
Child pornography (E.g., sending or reposting pornographic videos of the under-aged through social media.)	Maximum imprisonment of 8 years

6. Infringement of reputation – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Defamation (E.g., publishing false information which damages the reputation of another person; or spreading private information about someone’s personal or family life, even if the information is true.)</p> <p>Simulation case: Ken and Amy were lovers. Ken asked for a breakup, and Amy failed to retain him after several attempts. Amy felt upset, so she posted comments on the social media platform which Ken was using too, bad-mouthing him and leaking private information about his personal and family life. Ken, feeling angry, took Amy to court.</p>	Maximum imprisonment of 6 months
<p>Humiliation (E.g., using foul language to abuse someone; or attacking or making fun of someone using negative adjectives or actions that are embarrassing or uncomfortable on a spiritual or psychological level, etc.)</p> <p>Note: The act may constitute a crime whether it is expressed verbally, in writing, in images, by video recording, or by actions, etc.)</p>	Maximum imprisonment of 3 months
<p>Disclosure and slander (E.g., defaming or insulting someone through the Internet.)</p>	Maximum imprisonment of 2 years

7. Invasion of private life – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Invasion of private life (E.g., revealing contents of someone’s private conversation or telecommunications; spying on or eavesdropping on a person in a private place; or revealing facts about someone’s private life or serious illness.)</p>	<p>Maximum imprisonment of 2 years</p>
<p>Illicit recordings or photographing (E.g., filming others against their will, either forcibly or in private, such as taking photographs of others in public or private places, or using a pinhole camera to secretly film others changing clothes, taking bath, using the toilet, etc.)</p> <p>Simulation case: Peter found that his wallet was missing, and he could not find it after several searches. He suspected that his roommate had taken his wallet, so he installed a video camera in the closet in his dorm to monitor and search for evidence. One day, when his roommate was cleaning up the room, he found the camera and called the police.</p>	<p>Maximum imprisonment of 2 years</p>
<p>Invasion by means of information technology (E.g., keeping someone’s private photos in your own computer.)</p>	<p>Maximum imprisonment of 2 years</p>
<p>Invasion of correspondence or telecommunications (E.g., opening someone’s mail or accessing someone’s email without permission, or preventing a recipient from receiving mail or email in any way, etc.)</p>	<p>Maximum imprisonment of 1 year</p>

8. Infringement of ownership rights – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Improper appropriation of found/discovered objects (E.g., finding a Macau Pass on a bus and keeping it for yourself.)</p>	<p>Maximum imprisonment of 1 year</p>

Conduct	Penalty
<p>Theft (E.g., stealing someone else’s property.)</p> <p>Simulation case: Peter saw that his roommate often put money on his desk in the dorm. One day, because he did not have enough money for living expenses, Peter took his roommate’s MOP2,000 cash from the desk when he was not in the room. When the roommate found that the cash was missing, he called the police, and Peter was arrested for theft.</p>	Maximum imprisonment of 10 years
<p>Theft of vehicles (E.g., using another person’s bicycle or car without authorisation.)</p>	Maximum imprisonment of 2 years
<p>Damage (E.g., damaging someone’s property intentionally.)</p>	Maximum imprisonment of 3 years

9. Trespass to property – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Fraud (E.g., claiming to be able to buy products of a famous brand at a low price, but substituting them with counterfeit products to cheat people out of their money.)</p> <p>Simulation case: Seeing that many tourists came to Macao to buy luxury goods, Matthew started his business as a purchasing agent. To earn more money, he sent counterfeit goods to his customers. Later, some customers went to the counter to check the goods and found that they were counterfeit and called the police. Matthew was arrested for fraud.</p>	Maximum imprisonment of 10 years

10. Forgery – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Forgery of documents (E.g., forgery of academic qualification documents.)</p> <p>Simulation case: After graduation, Tom found a job that he was happy with, but in order to pass the probation period, he had to get the corresponding qualification. Seeing that the deadline of the probation period was approaching, and he had still not got the qualification, Tom forged a certificate. The forgery was soon discovered. Tom not only lost his job but also had to face penalties.</p> <p>Simulation case: In order to ensure that he could successfully apply for a place in the residential college next year, Tom forged a false low-income family proof. Finding it easy to forge documents, Tom forged another medical certificate, claiming that he was suffering from severe insomnia and mental weakness, thinking that not only would he be successful in getting a renewal of his accommodation, but he might also be assigned with a single room. The false documents he had submitted were soon found out and he had to face penalties.</p>	<p>Maximum imprisonment of 3 years</p>

11. Obstruction of traffic safety – according to [the Criminal Code](#) of the Macao SAR and [Law No. 3/2007](#) “Road Traffic Law”

Conduct	Penalty
<p>Driving while drunk or under the influence of narcotic drugs or psychotropic substances (E.g., driving after drinking.)</p>	<p>Maximum imprisonment of 1 year</p>
<p>Dangerous driving of a road vehicle (E.g., driving while drunk or dangerously which may cause danger to the life and property of others.)</p>	<p>Maximum imprisonment of 3 years</p>

Conduct	Penalty
<p>Simulation case:  Peter, who had just got his motorcycle license, wanted to go for road racing for fun, so he drove over the speed limit on the road and drove across the zebra crossing without stopping, posing dangers to the safety of others. Soon he received a fine notice from the police, but Peter ignored it and drove over the speed limit several times in the next two weeks. Peter received another fine notice and had to face penalties.</p>	

12. Obstruction of public order and peace – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Participation in riots  (E.g., participating in group violent activities.)</p>	<p>Maximum imprisonment of 1 year</p>
<p>Blatant instigation to commit a crime  (E.g., abetting or inciting others to commit a crime through the Internet.)</p> <p>Simulation case:  Tom called for others on his social networking platform to take part in the vandalism of public facilities. He not only detailed the route, time, and location but also stated that he had purchased the incendiary materials to carry out the vandalism, etc. Soon, Tom was arrested for allegedly committing blatant instigation to commit a crime and had to face penalties.</p>	<p>Maximum imprisonment of 3 years</p>

13. Bribery – according to [the Criminal Code](#) of the Macao SAR

Conduct	Penalty
<p>Bribery  (E.g., bribing the examiner in a driver’s license test to pass the test.)</p>	<p>Maximum imprisonment of 3 years</p>

Conduct	Penalty
<p>Simulation case: Kenny failed his driver’s license test twice, so he attempted to bribe the examiner to pass the test. The examiner reported the case to the Commission Against Corruption (CCAC) and Kenny had to face penalties.</p>	

14. Smuggling – according to [Law No. 7/2003](#) “Foreign Trade Law” of the Macao SAR

Conduct	Penalty
<p>Conducting activities outside the permitted location (smuggling) (E.g., smuggling cosmetics or electronic products across the border to Mainland China.)</p> <p>Simulation case: Tom studied in Macao and was asked by a relative in Mainland China to buy a well-known brand of skincare products in Macao, with each bottle costing several thousand Patacas. Tom agreed and bought 20 bottles of that product. He brought them with him when he returned to his hometown during the holidays. When he was passing through customs, those products were found and confiscated.</p>	<p>Maximum imprisonment of 1 year</p>

\*The above information is for reference only. Should you have any legal enquiries, please contact the Legal Affairs Bureau (tel: 89872233, email: [89872233@dsaj.gov.mo](mailto:89872233@dsaj.gov.mo)).

\*The official laws of Macao are written in the official languages of the Macao SAR – Chinese and Portuguese. English translation is only for reference.