

# **MACAO SPECIAL ADMINISTRATIVE REGION**

## **Law No. 21/2009**

### **Law for the Employment of Non-resident Workers**

The Legislative Assembly decrees, pursuant to subparagraph 1) of Article 71 of the Basic Law of the Macao Special Administrative Region, that the following shall be enforced as law:

#### **CHAPTER 1**

##### **General provisions**

###### **Article 1**

###### **Object and scope**

1. The present law establishes the general regime for the hiring of non-resident workers for the provision of their services within the Macao Special Administrative Region (Macao SAR).
2. For the purposes of the present law, a “non-resident worker” shall be understood as a person without right of residence in the Macao SAR who is authorised to temporarily provide a professional activity under an employment contract entered into with any one of the employers referred to in Article 5.
3. The provisions of the present law shall not govern work provided within the Macao SAR under a service provision contract or work provided by a worker who is employed by an entity not referred to in Article 5 herein, in particular those who occasionally visit the Macao SAR at the invitation of a local entity to participate in religious, sporting, academic, cultural or artistic events, even if the provision of such activities are remunerated.

###### **Article 2**

###### **General principles**

The hiring of non-resident workers shall be subject to the following principles:

- 1) Complementarity – the hiring of non-resident workers aims to overcome the nonexistence or insufficiency of resident workers able to provide work under conditions of equal cost and efficiency;
- 2) Temporariness – non-resident workers shall be hired on a time-limited basis;

- 3) Non-discrimination – non-resident workers shall be given equal treatment to resident workers, in regards to rights, obligations and working conditions;
- 4) Remuneration equality – the hiring of non-resident workers shall respect the principle of remuneration equality for work of an identical nature or value regardless of whether such is provided by a resident or non-resident worker;
- 5) Priority – resident workers shall have precedence over non-resident workers, both in regards to the hiring, as well as keeping an employment position;
- 6) Sustainability – the hiring of non-resident workers shall not be permitted when it contributes significantly to the reduction of labour rights or directly or indirectly leads to the termination, without just cause, of employment contracts held by resident workers;
- 7) Prior authorisation – the hiring of non-resident workers shall be subject to the issue of a prior authorisation by the government to an employer;
- 8) Specificity – the hiring of non-resident workers shall take into consideration the specific characteristics of each economic sector or professional category, in accordance with the needs of the market, the economic situation, as well as the growth tendencies in a specific sector.

### **Article 3**

#### **Non-resident workers**

Non-resident workers may be hired as:

- 1) Specialized workers, should they hold tertiary level degrees, or if they have highly qualified technical skills or professional experience, and will occupy a post which requires a high degree of specialization;
- 2) Domestic workers;
- 3) Non-specialized workers, when such persons do not meet the requirements specified in subparagraph 1), and will not provide domestic work.

### **Article 4 (\*\*)**

#### **Stay permit**

1. Non-resident workers shall be granted a worker's stay permit, without prejudice to the provisions of the following paragraphs and any legal regime granting residency rights to specialized workers.
2. A worker's stay permit granted to non-residents who intend to be engaged in non-specialized work or domestic work shall depend on their possession of an entry permit for work purposes and their entry into the Macao SAR, except for renewal cases. (\*)

3. When the stay permit referred to in paragraph 1 is revoked or expires, a new permit shall not be issued to the same non-resident within a period of six months, except when that stay permit has ceased due to: (\*)

1) Expiry of the respective term, and a new stay permit is requested by the employer of the non-resident when the expiry takes place; (\*)

2) Expiry of the labour contract; (\*)

3) Revocation of the employment permit granted to the employer; (\*)

4) Termination of the labour relation by mutual agreement between the employer and the worker; (\*)

5) Termination without just cause or unilateral termination of the labour contract by the employer; (\*)

6) Termination of the labour contract with just cause by the worker. (\*)

4. In the situations indicated in subparagraphs 3) to 6) of the preceding paragraph, a new stay permit may be issued to the same non-resident who will carry out, within six months, a new job identical to the occupation authorized under the last employment permit. (\*)

5. The provisions of paragraphs 1 to 3 shall not preclude the applicability of legislation on entry, stay and residence permit, particularly in case of overstay.

(\*) *As amended by Law No. 4/2013.*

(\*\*) *As amended by Law No. 10/2020.*

## **Article 5**

### **Employers**

1. The following persons are authorised to hire non-resident workers:

1) Macao SAR residents;

2) Legal persons with their head-office or an establishment in the Macao SAR;

3) Non-residents with a commercial or industrial establishment in the Macao SAR.

2. The following persons may also be authorised to hire non-resident workers solely for the provision of domestic work:

1) Staff of diplomatic missions from the Central People's Government, as well as those of public companies and public capital companies of the People's Republic of China who hold a special stay permit;

2) Consular representatives and those working in similar positions within the Macao SAR;

3) Specialized workers authorised to work within the Macao SAR.

3. The employment permit to hire a non-resident worker, except domestic workers, shall have as a prerequisite the effective performance of a commercial or industrial activity, or of an activity to be provided within the purview of a liberal profession or, in the case of associations or foundations, the effective performance of the activity comprising the respective purpose thereof.

4. The suspension of the activity referred to in the preceding paragraph for a period greater than two months may be used as a justification to revoke the employment permit for the hiring of non-resident workers.

5. The employment permit for the hiring of a non-resident worker shall be conceded to each employer on an individual basis.

6. Employers permitted to hire non-resident workers shall register in the Social Security Fund and pay the employment fee as provided for in Law No. 4/2010. (\*)

(\*) *As added by Law No. 4/2010.*

## **Article 6**

### **Hiring**

Non-resident workers may be hired directly by an employer or through a licensed employment agency.

## **CHAPTER II**

### **Employment permit**

#### **Section I**

#### **General provisions**

### **Article 7**

#### **Types of authorisation**

1. The employment permit for the hiring of non-resident workers may be conceded through:

- 1) A nominal permit, to hire a specific person; or
- 2) A non-nominal permit, to hire a non-specified person.

2. The employment permit to hire a specialized worker shall always be conceded through a nominal permit.

3. The employment permit to hire a non-specialized or domestic worker shall be conceded through a non-nominal permit, and the employer may freely utilize such permit to choose the respective worker.

4. The concession of an employment permit to hire a non-resident worker shall not exempt any of the parties involved from performing the legal obligations regarding the entry and stay of non-residents in the Macao SAR.

## **Article 8**

### **Criteria for concession of the permit**

The principles indicated in Article 2 herein shall need to be observed and the following factors taken into account for the employment permit to hire a non-resident worker to be conceded:

- 1) The availability of resident workers to occupy the same positions, under equal conditions of cost and efficiency, as well as the procedures which the employer needs to carry out to hire such persons;
- 2) The needs of the labour market and the different sectors of the Macao SAR economy;
- 3) The physical aptitude as well as the suitability of the qualifications, training and professional experience of the worker to be hired;
- 4) The working conditions guaranteed to the worker;
- 5) The employer's financial capacity to ensure the performance of all obligations in relation to the worker.

## **Article 9**

### **Conditions or obligations**

The authorisation may be subject to conditions or obligations which are reasonable and suited to the situation at hand, including but not limited to:

- 1) The creation of a surety to guarantee the performance of obligations arising from the labour relation by the employer, in situations where domestic workers are employed by specialized non-resident workers;
- 2) Periodical medical examinations for the worker;
- 3) The provision of the work at a specific location.

## **Article 10**

### **Duration of the permit**

If an employer is not a permanent resident of the Macao SAR, the period for the authorisation may not exceed:

- 1) The period conceded in the employer's residency permit;
- 2) The person's term of office in the Macao SAR, when such is known, for the situations indicated in subparagraphs 1) and 2) of paragraph 2 of Article 5;

3) The period conceded to the employer within the permit for the provision of specialized work within the Macao SAR, in the situations indicated in subparagraph 3) of paragraph 2 of Article 5.

## **Article 11**

### **Automatic renewal**

1. The employment permit to hire domestic workers may include an automatic renewal clause, which shall be expressly mentioned in the respective administrative act.
2. In the situation provided in the preceding paragraph, the employment permit to hire domestic workers shall be renewed for an equal period, after the initial period ends, unless a shorter period is established in the respective act.
3. The clause referred to in paragraph 1 may be freely revoked up to ninety days prior to the production of the respective effects therein, thereby preventing the automatic renewal of the permit.
4. The nonexistence or revocation of an automatic renewal clause shall not damage the interested party's right to solicit the renewal of the permit, and such request shall be assessed under the general terms.

## **Article 12**

### **Expiry**

1. Without prejudice to other circumstances provided by law, the employment permit for the hiring of non-resident workers shall expire:
  - 1) Within six months from the concession of the employment permit for the hiring of non-resident workers, or the respective renewal, if no stay permit for the worker has been solicited from the competent entity;
  - 2) If, once initiated, the procedures for the concession of a stay permit to a worker, or its respective renewal, are suspended for more than three months due to reasons attributable to the interested party;
  - 3) When a worker hired under such permit is absent from the Macao SAR for a period greater than three consecutive months, except if such worker was hired through a non-nominal permit and his or her replacement has been solicited.
2. A non-nominal permit shall not expire solely due to the termination of the labour relation.

## **Article 13**

### **Revocation in special cases**

1. Without prejudice to other situations provided by law, the employment permit to hire non-resident workers in a specific economic sector may be revoked at any moment, so long as such action is duly justified through plausible reasons of public interest, namely those which result from changes in the economic situation.
2. The employment permit to hire non-resident workers granted to a specific employer may also be revoked if such party directly or indirectly provokes the termination of the labour relation without just cause, or significantly reduces the labour conditions of the resident workers under the employment of such employer.
3. Should a non-nominal employment permit to hire a non-resident worker be partially revoked, the respective employer shall decide which employment contracts are to be consequently terminated.
4. The revocations indicated in paragraphs 1 and 2 shall not be effective until a minimum period of ninety and ten days, respectively, has passed counting from the date on which the interested parties are notified.

## **Article 14**

### **Transfer of workers**

1. A specialized worker may be transferred from his or her original employer to another employer, if he or she so agrees and pending authorisation from the original employer, so long as the activity to be performed by such worker under the new employer is compatible with the respective professional category under which he or she was authorised to work within the Macao SAR and the transfer does not result in a reduction of rights or benefits to such worker.
2. The authorisation indicated in the preceding paragraph shall not be effective until the Public Security Police Force updates the corresponding document authorising the stay of the respective worker.

## **Article 15**

### **Temporary suspension**

1. When justified by plausible economic or social reasons, the acceptance of applications for the hiring of non-resident workers, the concession of new permits or the renewal of previously conceded permits may be temporarily suspended.
2. The suspension referred to in the preceding paragraph may cover only certain professional categories, or economic or industrial activities.
3. The suspension may be ordered for a maximum period of six months, and may be extended.

4. The order on the temporary suspension shall be published in the Official Gazette of the Macao SAR.

## **Article 16**

### **Competence**

Without prejudice to the provisions of paragraph 2 of Article 14, it falls within the purview of the Chief Executive to carry out the acts referred to in the present section, and such powers may be delegated to the Secretariat of the Government responsible for economic matters.

## **Section II**

### **Employment fee**

## **Article 17**

### **Fee**

1. The employer shall be required to pay an employment fee for each non-resident worker effectively hired.
2. The employer may not transfer, in any way whatsoever, the obligation to pay the aforementioned fee to the worker, and, in particular, may not reduce the remuneration of such worker for this purpose.
3. The fees charged shall be used for social security purposes.

## **Article 18**

### **Periodicity**

1. The employment fee shall need to be paid for each month the non-resident worker is authorised to remain in the Macao SAR.
2. The late payment of the fee may be used as a justification to revoke the employment permit.

## **Article 19**

### **Amount**

1. The employment fee amount shall be determined through an order issued by the Chief Executive.
2. The following actions may be carried out, when justified by reasons of economic policy, and in a general and abstract manner:



- 1) The Chief Executive may determine that the employment fee amount differs in accordance with the number of workers employed, the professional category of the worker or the type of activity performed by the worker;
- 2) The payment of the employment fee may be temporarily or permanently waived, depending on the size of the production unit, the number of workers employed, the professional category of the worker or the type of activity performed by the worker.

## **CHAPTER III**

### **Labour relations**

#### **Article 20**

##### **Subsidiary legal regime**

The labour relations entered into with non-resident workers shall be subsidiarily governed by the labour relations law, namely in regards to the rights, obligations and guarantees provided therein.

#### **Article 21**

##### **Prohibition of employment of minors**

The employment of non-resident workers under 18 years of age is prohibited.

#### **Article 22**

##### **Conclusion and effectiveness of the contract**

An employment contract may be entered into with a non-resident worker prior to the granting of an employment permit for such worker or before the worker has been granted a worker's stay permit, and shall only be effective after both permits have been issued.

#### **Article 23**

##### **Form of contract**

1. All employment contracts entered into with a non-resident worker shall be made in writing.
2. The employment contract shall be made in duplicate, and each party shall hold a single copy thereof.
3. The contract must include:
  - 1) The complete identification information of the parties;

- 2) The domicile or head office of the parties;
  - 3) The professional category of the worker, or the duties to be carried out by such person, along with their respective remuneration;
  - 4) The place of work;
  - 5) The normal working schedule and working hours;
  - 6) The date on which the contract will commence producing effects;
  - 7) The date on which the contract was entered into.
4. Should the requisite indicated in subparagraph 6) of the preceding paragraph not be mentioned, the contract shall enter into effect on the date on which the employment permit and worker's stay permit have both been granted.
5. If any of the remaining obligatory requirements have been omitted, the worker may void the contract within one year after its entry into effect.
6. If the contract is not made in writing, it is voidable; however if the worker has already started providing his or her services, the employer may not revoke the contract entered into with the worker, and shall need to compensate the worker for the work which has already been provided, as well as perform any remaining contractual obligations.
7. If there is a discrepancy between the employment conditions included in the contract and those submitted for the purposes of soliciting the employment permit, the one which provides the more favourable conditions to the worker shall be applied.

## **Article 24**

### **Term of the contract**

1. The employment contract entered into with a non-resident worker shall be subject to a definite term and shall never convert into an indefinite contract.
2. The term of the employment contract shall not exceed the period provided within the employment permit.
3. If no written declaration from the parties exists, the employment contract shall cease to be effective at the end of the term stipulated therein, and shall not be automatically renewed.
4. If an employment permit exists, the employment contract may be renewed, for an indefinite period and number of times.
5. The renewal of the contract shall be subject to the verification of the material requisites needed for its signing, as well as those regarding its form, should the mandatory content specified in paragraph 3 of the preceding article be altered.

## **Article 25**

### **Termination of the contract due to revocation of the permit**

1. Workers are entitled to compensation for the loss of employment due to the revocation of the employment permit, to be paid by the employer and calculated in accordance with the terms provided in the labour relations law for situations in which an employment contract is rescinded without just cause, and by initiative of the employer, without prejudice to the provisions specified in the following paragraph.

2. If the revocation was justified by plausible reasons of public interest under the terms of paragraph 1 of Article 13 herein, the indemnity provided in the preceding paragraph shall be paid through public funds.

## **Article 26**

### **Special rights of the worker**

1. Without prejudice to the rights provided by general law, non-resident workers are entitled to suitable lodgings and, upon termination of the labour relation, repatriation.

2. The right to lodging may be guaranteed by the employer, or by the employment agency who or which recruited the respective worker, and may be satisfied in cash.

3. The Chief Executive may, through an order, determine the minimum hygiene and living standards that the lodgings must satisfy, and, should this obligation be satisfied in cash, the corresponding minimum amount.

4. The right to repatriation shall be understood as the right to receive a payment from the employer, corresponding to the cost of transportation to the worker's place of habitual residence, upon cessation of the labour relation.

5. The provisions of the preceding paragraph shall not affect the worker's right to travel to a different location; however, no additional burden shall be imposed upon the employer.

## **Article 27**

### **Means of payment of remuneration**

The remuneration of non-resident workers may only be carried out through a deposit to a current account owned by the respective worker at a banking institution within the Macao SAR.

## **CHAPTER IV**

### **Sanctionatory regime**

#### **Section I**

#### **General provisions**

##### **Article 28**

##### **Performance of omitted obligations**

Whenever a breach results from the omission of an obligation, the application of the respective sanction shall not exempt the transgressor from performing said obligation, if such is still possible.

##### **Article 29**

##### **Liability of legal persons**

1. Legal persons, even if improperly incorporated, along with associations with no legal personality and special committees shall be liable for the infractions indicated in the present law, whenever such are committed by its bodies or representatives on behalf and collective interest thereof.
2. The liability referred to in the preceding paragraph shall be waived if the respective agent acted against the express orders or instructions of whoever has the power to give such.
3. The liability of the entities referred to in paragraph 1 shall not exempt the respective agents from liability.

##### **Article 30**

##### **Liability for payment of fines**

1. If the transgressor is a legal person, the directors, or representatives thereof shall be jointly responsible alongside such entity, whenever deemed liable for the breach.
2. If a fine is applied to an association without legal personality or to a special committee, it shall be paid through the common assets thereof, and, should these prove to be insufficient, through the assets of each of the respective members or associates and each one shall be jointly responsible for its payment.

## **Article 31**

### **Destination of fines**

The proceeds from the payment of fines which were applied due to a breach of the provisions of the present law shall constitute revenue of the Social Security Fund.

## **Section II**

### **Administrative infractions**

## **Article 32**

### **Infractions**

1. An employer shall be fined between \$10,000.00 (ten thousand patacas) to \$20,000.00 (twenty thousand patacas), for each worker against whom the following infractions are committed:

- 1) The employer accepts work from a non-resident worker and does not hold a valid employment permit for such worker;
- 2) The employer, despite holding a nominal employment permit for the hiring of a non-resident worker, hires a different worker from the person indicated in the respective permit;
- 3) The employer, despite holding a non-nominal employment permit for a non-resident worker, hires a non-resident worker who was granted a stay permit to work within the Macao SAR for another employer.

2. An employer shall be fined between \$5,000.00 (five thousand patacas) to \$10,000.00 (ten thousand patacas) for each worker against whom the following infractions are committed:

- 1) The employer, having been authorised to hire a non-resident worker, enters into the labour relation without having drawn up the respective employment contract in writing;
- 2) The employer enters into an employment contract which stipulates worse conditions for the worker than those which were included in the application for the employment permit;
- 3) The employer refuses to repatriate the worker, despite being legally bound to do so;
- 4) The employer remunerates the worker in a different form from that which was provided in Article 27;
- 5) The employer - in any way whatsoever - makes the non-resident worker pay the employment fee specified in Article 17;
- 6) The employer makes the non-resident worker provide his or her work in a location different than that which was expressly authorised, even if the location in question is another establishment owned by the same employer;

7) The employer uses non-resident workers to provide a professional activity which they were not authorised to perform.

3. Any employer or employment agency who denies a worker his or her right to lodging, or does not observe the minimum standards required under the terms of paragraph 3 of Article 26 shall be fined \$5,000.00 (five thousand patacas) to \$10,000.00 (ten thousand patacas), for each worker against whom such infraction is committed.

4. Any employer who, upon obtaining an employment permit, enters into a contract with a non-resident worker which does not contain all the information required under paragraph 3 of Article 23, save for the information indicated in subparagraph 6) therein, shall be fined \$500.00 (five hundred patacas) to \$1,000.00 (one thousand patacas) for each worker against whom such infraction is committed.

5. Without prejudice to other measures which may be applied to the situation at hand, any non-resident who commits any of the following infractions shall be punished with a fine ranging between \$5,000.00 (five thousand patacas) to \$10,000.00 (ten thousand patacas):

1) The non-resident worker provides his or her work within the Macao SAR without being authorised to remain here as a worker;

2) The non-resident worker, despite being authorised to remain in the Macao SAR as a worker, provides his or her work to a different employer than whom he or she was authorised to work for.

### **Article 33**

#### **Accessory sanctions**

1. The following accessory sanctions may be applied to the infractions specified in paragraphs 1 to 3 of the preceding article:

1) The revocation of all or part of the employment permits issued to an employer, along with the suspension of the right to request new employment permits for a period of six months to two years;

2) The suspension of activity of an employment agency for a period ranging between six months to two years.

2. The accessory sanctions should be proportional to the seriousness of the infraction, the fault of the agent and, wherever applicable, to the number of workers who will be negatively affected by the infractions.

### **Article 34**

#### **Competence**

It falls within the purview of the director of the Labour Affairs Bureau to apply the sanctions specified in the present section.

## **Article 35**

### **Procedure**

1. Upon verification of an administrative infraction, the Labour Affairs Bureau shall investigate the case and make an accusation, of which the formal suspect shall be notified.
2. A period of fifteen days shall be given for the formal suspect to defend himself or herself and this information shall be included in the notification of the accusation.
3. The fines shall be paid within a period of fifteen days, counting from the notification of the decision to apply the respective sanction.

## **CHAPTER V**

### **Final and transitory provisions**

## **Article 36**

### **Supervision**

It falls within the purview of the Labour Affairs Bureau to supervise the performance and/or observance of the provisions in the present law, without prejudice to other powers granted to other entities by law.

## **Article 37**

### **Application in time**

1. The provisions of the present law shall be applicable to all employment contracts entered into after its entry into effect.
2. The provisions of the present law shall also be applicable to employment contracts entered into prior to its entry into effect, should they be more favourable to the worker, so long as the non-residents are legally residing in the Macao SAR as workers at that date.
3. The employment fee specified in Article 17 shall need to be paid in regards to non-resident workers who have been granted stay permits after the entry into effect of this law, or if a stay permit is renewed after this date.

## **Article 38**

### **Amendment to the Framework Law for Employment Policy and Labour Rights**

Article 7 of Law No. 4/98/M of July 27, shall henceforth read as follows:

«Article 7

(Measures)

The pursuit of the objectives specified in the preceding article shall require the adoption of measures which aim, in particular, to:

- a) [...]
- b) [...]
- c) [...]
- d) [...]
- e) [...]
- f) [...]
- g) Give priority to resident workers regarding access to jobs;
- h) [...]
- i) [...]
- j) [...]»

## **Article 39**

### **Amendments to the Law for Illegal Immigration and Expulsion**

Article 11 of Law No. 6/2004 shall henceforth read as follows:

«Article 11

Revocation of the stay permit

- 1. [...]
- 1) Working in the Macao Special Administrative Region without being authorised to do so;
- 2) [...]
- 3) [...]
- 2. [...]
- 3. [...]
- 4. [...]»



## **Article 40**

### **Addition to the Law for Illegal Immigration and Expulsion**

Articles 26-A and 26-B have been added to Law No. 6/2004, and shall read as follows:

#### «Article 26-A

##### Accessory sanctions

1. The following accessory sanctions may be applied for the crime specified in Article 16:

- 1) Revocation of all or part of the employment permits for non-resident workers granted to the employer, along with the suspension of the right to apply for new permits for a period ranging between six months to two years;
- 2) The suspension of the right to participate in public tenders for public construction works or for the concession of public services for a period ranging between six months to two years;
- 3) The suspension of the right to any subsidies or benefits granted by a public service for a period ranging between six months to two years.

2. The accessory sanctions provided in the preceding paragraph may be applied individually or cumulatively.

#### Article 26-B

##### Criminal liability of legal persons

1. Legal persons, even if improperly incorporated, associations with no legal personality and special committees shall be liable, under the terms of the present article, for the crime specified in Article 16, whenever such is committed on its behalf, or in its collective interest:

- 1) By its bodies or its representatives;
- 2) By a person under the authority of such bodies or representatives, when the crime committed was made possible due to an intentional breach of the obligations of supervision or control which fall within the purview of such bodies or representatives.

2. The entities specified in the preceding paragraph shall not be criminally liable when the respective transgressor acts against the express orders or instructions of the persons authorised to give such.

3. The liability of the entities referred to in paragraph 1 shall not exclude the individual responsibility of the respective agents.

4. A fine of up to 360 days shall be applicable to the entities specified in paragraph 1 of the present article for the crime specified in Article 16.»

## **Article 41**

### **Amendment to the social security legal regime**

Articles 3 and 4 of Decree-law No. 58/93/M of October 18, shall henceforth read as follows:

#### «Article 3

##### (Beneficiaries)

1. Workers under the employ of another person, including those hired to carry out specific, occasional or seasonal jobs, who are residents of the Macao Special Administrative Region must compulsorily be registered in the Social Security Fund as beneficiaries.

2. [...]

#### Article 4

##### (Contributors)

1. Employers who employ resident workers must compulsorily be registered in the Social Security Fund as contributors.

2. Employers who employ non-resident workers must also compulsorily be registered in the Social Security Fund, for the purpose of paying the employment fee specified in the respective statutory provisions.»

## **Article 42**

### **Complementary regulations**

1. The Chief Executive shall approve the complementary administrative regulations necessary for the execution of the present law, namely in regards to:

1) The administrative procedures necessary to issue the employment permit granted to local employers;

2) The administrative procedures necessary to issue the stay permit granted to non-resident workers;

3) The date and manner in which the employment fee is to be paid, along with the destination of the respective amounts paid.

2. The complementary regulations provided in the preceding paragraph may differ depending on the economic sector, professional category, market needs, economic situation, as well as the growth tendencies within each sector.

3. The Chief Executive shall endow the Labour Affairs Bureau, the Human Resources Office and the Public Security Police Force with the necessary resources to effectively implement and apply the present law and respective complementary regulations.

### **Article 43**

#### **Repealed laws**

The following laws and regulations are hereby repealed:

- 1) Decree-law No. 50/85/M of June 25;
- 2) Paragraph 2 of Article 41 of Decree-law No. 58/93/M of October 18;
- 3) The provisions of Administrative Regulation No. 17/2004, which contradict the present law;
- 4) Order No. 12/GM/88 of February 1;
- 5) Order No. 49/GM/88 of May 16.

### **Article 44**

#### **Entry into effect**

1. The present law shall enter into effect 180 days after its promulgation.
2. Without prejudice to the provisions of the preceding paragraph, subparagraph 2) of the preceding article shall enter into effect together with the complementary regulations which govern the procedures regarding the payment of the employment fee.

Approved on October 9, 2009.

President of the Legislative Assembly, Susana Chou.

Signed on October 15, 2009.

To be published.

Chief Executive, Ho Hau Wah.

**[The English version of this law is provided for reference only. Please note that only the Chinese and Portuguese versions published in the Macao SAR Gazette are official and are the sole authority of this law.]**