

On the Accountability of the Chief Executive to the Central Authorities and the SAR

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Paragraph 2 of Article 45 of the *Basic Law of the Macao Special Administrative Region of the People's Republic of China* (hereinafter as “the Macao Basic Law”) stipulates, “The Chief Executive of the Macao Special Administrative Region shall be accountable to the Central People's Government and the Macao Special Administrative Region in accordance with the provisions of this law.” What does the word “accountable” mean after all? And what is that to be accountable for? In respect of affairs subject to the administration of the Central Authorities, shall the Chief Executive only be accountable to the Central Authorities? In respect of affairs subject to the autonomous administration of the Macao Special Administrative Region (SAR), shall the Chief Executive only be accountable to the SAR? How can the Chief Executive better fulfill the requirement of being simultaneously accountable to the Central Authorities and the Macao SAR?

I. The Legal Basis of the Chief Executive Being Accountable to the Central Government and the Macao SAR

1.1 The legal basis of the Chief Executive being accountable to the Central Government

Firstly, under the unitary state structure in China, the Central Authorities conduct unified management of the entire country. Article 1 of the Macao Basic Law stipulates, “The Macao Special Administrative Region is an inalienable part of the People's Republic of China”, and Article 12 stipulates, “The Macao Special Administrative Region shall be a local administrative region of the People's Republic China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government.” Therefore, the legal status of the Macao SAR is a local administrative region, and the relationship between the Central Government and the Macao SAR is that of being central and local, of leading and being led, of governing and being governed, of supervising and being supervised. As the head of the Macao SAR and the SAR Government, the Chief Executive must be submitted to the jurisdiction and leadership of the Central Government and must accept its supervision.

Secondly, although the Macao SAR enjoys a wide range and high degree of autonomy, including executive, legislative, and independent judicial powers, and that of final adjudication, such a high degree of autonomy is not primitive or inherent but vested by the National People's

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Congress (NPC) through the Macao Basic Law. Article 2 of the Macao Basic Law stipulates, "The National People's Congress authorizes the Macao Special Administrative Region to exercise a high degree of autonomy in accordance with the provisions of this law." However widely and to whatever degree that the Macao SAR enjoys autonomy, the empowered and derivative nature of its powers cannot be changed. Therefore, as the power that the Chief Executive enjoys in accordance with the Macao Basic Law derives from the authorization of the Central Authorities, the Chief Executive must be accountable to the Central Authorities.

Finally, Paragraph 1 of Article 47 of Macao Basic Law stipulates that the Chief Executive shall be appointed by the Central People's Government. For the purpose of this law, the authority of appointment is a substantive power, which can either appoint or not appoint the candidate. Since the Central People's Government enjoys the authority to appoint the Chief Executive, the latter ought to be accountable to the former.

1.2 The legal basis of the Chief Executive being accountable to the Macao SAR

Firstly, Paragraph 1 of Article 45 of the Macao Basic Law stipulates, "the Chief Executive shall be the head of the Macao Special Administrative Region and shall represent the Region." As the head and representative of the Macao SAR, the Chief Executive, in the process of the exercise of power, ought to safeguard the interests of the Macao SAR and be accountable to it.

Secondly, Article 62 of the Macao Basic Law stipulates, "the head of the Government of the Macao Special Administrative Region shall be the Chief Executive of the Region", and Paragraph 1 of Article 50 provides that the Chief Executive shall "lead the government of the Region", and meanwhile Article 65 stipulates that the Government of the Macao SAR must be accountable to the Legislative Council of the SAR. Therefore, as the head of the Macao SAR Government, the Chief Executive and the SAR Government under his or her leadership must be accountable to the Legislative Council of the SAR in regard to the provisions of the Macao Basic Law.

Thirdly, according to Paragraph 1 of Article 47 of the Macao Basic Law, the Chief Executive of the Macao SAR shall be selected by election or through consultations, reflecting that the Macao SAR delegates and trusts the Chief Executive; therefore, the Chief Executive must be accountable to the Macao SAR through exercising the powers and functions vested in the Macao Basic Law.

II. The Specific Requirements of the Chief Executive Being Accountable to the Central Government and the Macao SAR

2.1 Contents of the accountability of the Chief Executive to the Central Government

2.1.1 To be responsible for the implementation of the Macao Basic Law and other laws enforced in the Macao SAR in accordance with the Macao Basic Law

As the constitutional law implemented in the Macao SAR and the legislative basis in the SAR, the importance of implementing the Macao Basic Law in the Macao SAR is self-evident. It is directly related to the implementation of the "One Country, Two Systems" policy in Macao, and related to the national sovereignty, security and development interests and also stability, prosperity and development in Macao. Therefore, being responsible for implementing the Macao Basic Law is one of the most important powers and functions of the Chief Executive and also one of the greatest

responsibilities that the Chief Executive shall bear under the Central Government. The wording “being responsible for implementing” here mainly refers to ensuring the correct implementation of the Macao Basic Law and ensuring that the SAR Government organs, organizations and individual residents adhere to the Macao Basic Law. It specifically includes: the Chief Executive shall adhere to the Macao Basic Law in person and lead the SAR Government to correctly exercise the executive and administrative power; as to whether there is a need for amending the methods for selecting the Chief Executive and forming the Legislative Council specified respectively in Annex I and Annex II of the Macao Basic Law, the Chief Executive shall submit a report to the NPC Standing Committee for decision; the Chief Executive shall supervise the legislation of the Legislative Council, and as to the bills not in compliance with the Macao Basic Law or not in the overall interests of Macao, the Chief Executive may refuse to sign it and return it for reconsideration; if serious differences arise in the SAR on the interpretation of the Macao Basic Law so as to affecting its implementation, the Chief Executive may submit the issue through the Central Government to the NPC Standing Committee for interpretation of the Macao Basic Law, etc.

Apart from the Macao Basic Law, the Chief Executive is also responsible for implementing other laws applicable in the Macao SAR in accordance with the Macao Basic Law, mainly including the laws, decrees, administrative regulations and other normative acts previously in force in Macao as specified in Article 8 of the Macao Basic Law and national laws applicable in the Macao SAR as listed in Annex III of the Macao Basic Law.

2.1.2 To report the budgets and final accounts to the Central Government for the record

After signing budgets passed by the Legislative Council, the Chief Executive shall report the budgets to the Central Government for the record; final accounts for each financial year shall also be submitted by the Chief Executive to the Central Government for the record.

2.1.3 To nominate and report to the Central Government for appointment of principal officials and the Procurator-General of the SAR Government or to recommend to the Central Government the removal of the above-mentioned officials

The Chief Executive shall nominate and report to the Central Government for appointment of the Procurator-General and principal officials including secretaries of departments, commissioner against corruption, director of audit, the leading members of the Police and the Customs and Excise; the Chief Executive may also recommend to the Central Government the removal of the above-mentioned principal officials and the Procurator-General.

2.1.4 To implement the directives issued by the Central Government in respect of the relevant matters provided for in the Macao Basic Law

In order to guarantee the high degree of autonomy enjoyed by the SAR under the “One Country, Two Systems” policy, the Central Government will not issue directives to the Chief Executive on matters within the scope of the SAR’s high degree of autonomy, but will in accordance with provisions of the Macao Basic Law, issue directives on matters administered by the Central Authorities and matters in respect of the relationship between the Central Authorities and the SAR. After the Central Government issues directives, the Chief Executive shall take specific measures to execute them. For example, in the case as specified in Paragraph 3 of Article 18 of the Macao Basic Law that the Macao SAR is in a state of emergency and the Central Government issues an order applying the relevant national laws in the SAR, the Chief Executive shall take specific measures to implement such laws in Macao.

2.1.5 To conduct, on behalf of the Government of the Macao SAR, external affairs and other affairs as authorized by the Central Authorities

As the head of the SAR Government, the Chief Executive may conduct, on behalf of the SAR Government, external affairs and other affairs as authorized by the Central Authorities. If the Macao SAR needs to establish official or semi-official economic and trade missions in foreign countries, the establishment of such missions shall be reported by the Chief Executive to the Central Government for the record; the establishment of foreign consular and other official or semi-official missions in the Macao SAR shall require through the Chief Executive the approval of the Central Government.

2.1.6 To obtain certificates concerning acts of state such as defense and foreign affairs

Whenever questions of fact concerning acts of state such as defense and foreign affairs arise in the adjudication of cases and the instructions of the Central Government are needed, the courts of the Macao SAR shall obtain a certifying document from the Central Government through the Chief Executive.

2.2 Contents of the accountability of the Chief Executive to the Macao SAR

2.2.1 To be accountable, as the head of the Macao SAR and the SAR Government, to Macao residents

As the head of the Macao SAR, the Chief Executive is responsible for the implementation of the Macao Basic Law and shall effectively protect the fundamental rights and freedoms enjoyed by Macao residents as prescribed in the Macao Basic Law. As the head of the SAR Government, the Chief Executive shall lead the SAR Government, rely mainly on principal government officials, members of the Executive Council and all public servants and give full play to the supervisory role of the Commission Against Corruption (Comissariado Contra a Corrupção, CCAC) and the Commission of Audit, in order to ensure the honesty and high efficiency of government operations, to promote the government's administration in accordance with law and science, to create more favorable material and spiritual life conditions for Macao residents, and to guarantee stability, prosperity and development in Macao.

2.2.2 As the head of the Macao SAR Government, the Chief Executive and the SAR Government under his or her leadership shall be accountable to the Legislative Council

The Chief Executive shall lead the SAR Government to implement laws passed by the Legislative Council and already in force, to present regular policy addresses to the Legislative Council and to answer questions raised by the legislators; bills introduced by the SAR Government shall be examined and approved by the Legislative Council; budgets introduced by the SAR Government shall be examined and approved by the Legislative Council; the report on audit introduced by the SAR Government shall be examined by the Legislative Council; government motions on taxation shall be decided by the Legislative Council and debts to be undertaken by the SAR Government shall be approved by the Legislative Council.

2.2.3 To check and coordinate with the Legislative Council to correctly exercise its power to ensure that the Legislative Council's acts of exercising its power are compatible with the provisions of the Macao Basic Law and the overall interests of the SAR

A bill passed by the Legislative Council may take effect only after it is signed and promulgated by the Chief Executive; budgets examined and approved by the Legislative Council shall also be signed and promulgated by the Chief Executive; if the Chief Executive considers a bill

passed by the Legislative Council is not compatible with the overall interests of the SAR, he or she may refuse to sign it and return it to the Legislative Council for reconsideration; under either of the two circumstances specified in Paragraph 1 of Article 52 of the Macao Basic Law, the Chief Executive may dissolve the Legislative Council after consulting the Executive Council and explaining the reason for it to the public; the Chief Executive is entitled to decide, based on the requirement of security or vital public interests of the country and the Macao SAR, whether government officials or other persons in charge of government affairs should testify or give evidence before the Legislative Council or its committees; the Chief Executive is entitled to sit in or designate officials to sit in on the meetings of the Legislative Council to hear opinions or speak on behalf of the SAR Government.

III. Operational Mechanism to Ensure that the Chief Executive is accountable to the Central Government and the Macao SAR

3.1 Mechanisms to ensure that the Chief Executive is accountable to the Central Government

3.1.1 The selection of the Chief Executive

Firstly, in terms of the qualifications for becoming the Chief Executive, the Macao Basic Law stipulates that, as one of the qualifications, he or she must be a Chinese citizen, not a foreign citizen and the Chief Executive shall have no right of abode in any foreign country during his or her term of office. This qualification reflects the sovereignty of China.

Secondly, in terms of the specific system of electing the Chief Executive, the Macao Basic Law specifies an indirect election system whereby a broadly representative Election Committee nominates and elects the candidate for the Chief Executive, which helps to fully respect Macao residents' exercise of their democratic right to vote and meanwhile ensures uniform recognition and acceptance of the Chief Executive by the Central Authorities and Macao residents and ensures governance of Macao by persons with love for the motherland and devotion to Macao.

Finally, the Macao Basic Law stipulates that the Chief Executive elected in accordance with law must accept the appointment by the Central Government before becoming the official Chief Executive to ensure that the Chief Executive is accountable to the Central Government. The appointment has substantive significance.

3.1.2 Oath of office

Taking an oath refers to the legal act whereby public officials in state organs, at the beginning of performing their duties, publicly pledge loyalty to the state and the government.¹ If the oath taker refuses to take an oath, he or she will lose the eligibility of taking office; once sworn, the oath taker must comply with the oath and shall not breach it, as breach of oath is defined as an illegal act and legal responsibilities and consequences will ensue. According to the provisions of the Macao Basic Law, the Chief Executive shall uphold the Macao Basic Law and swear allegiance not only to the Macao SAR of the People's Republic of China (PRC) but also to the PRC. He or she shall not give no allegiance to the PRC because of the implementation of "Two Systems". The inaugural oath of the Chief Executive helps to ensure the Governance of the Macao SAR by persons with love for the motherland and devotion to Macao and ensure that the Chief Executive is accountable to the state and the Central Authorities.

3.1.3 Debriefing

Debriefing generally refers to the activity that officials dispatched to foreign countries or other places come back to report to competent authorities on their duties and work, which reflects that the relationship between those reported to and those who report is that of leading and being led, administering and being administered, supervising and being supervised. In order to guarantee that the Chief Executive is accountable to the Central Government, the former must report regularly to the latter (Premier of the State Council and other major leaders of the state) on his or her work and accept the supervision of the Central Authorities. Debriefing for this purpose should not be merely ceremonial but should have substance. It should also be further normalized and institutionalized, so that the Chief Executive accepts regular and comprehensive assessment and supervision of the Central Authorities.

3.1.4 Removal from office and handling of malfeasance

If the Chief Executive has not fulfilled corresponding obligations in accordance with the provisions of the Macao Basic Law, the Central Government is entitled to remove him or her from office. If the Legislative Council, based on the provision of Article 71 of the Macao Basic Law, passes a motion of impeachment against the Chief Executive who is charged with serious breach of law or dereliction of duty, the Central Government is entitled to decide whether to remove him or her from office or to take other measures.

3.2 Mechanisms to ensure that the Chief Executive is accountable to the Macao SAR

3.2.1 The selection of the Chief Executive

In terms of the qualifications for being the Chief Executive, the Macao Basic Law provides that as one of the qualifications, he or she must be a Chinese citizen who is a permanent Macao resident, and any non-Macao resident, non-permanent Macao resident, or non-Chinese citizen shall not hold the post of the Chief Executive of the Macao SAR, which reflects the principle of "Macao people ruling Macao" and helps to ensure that the Chief Executive is accountable to the Macao SAR.

The Macao Basic Law provides that the Chief Executive shall be selected by election or through consultations held locally by Macao residents, which reflects that Macao residents delegate and trust the Chief Executive and that they can, by virtue of their rights of democratic election, ensure the Chief Executive being accountable to the Macao SAR and local residents.

3.2.2 Oath of office

According to Article 101 of the Macao Basic Law, the Chief Executive, before taking office, must swear allegiance to the Macao SAR of the PRC apart from allegiance to the PRC. This is the bounden duty of the Chief Executive, also in line with the "One Country, Two Systems" policy and the requirement to respect a high degree of autonomy of the Macao SAR.

3.2.3 The Legislative Council is empowered to force the resignation of the Chief Executive

According to Article 54 of the Macao Basic Law, under two circumstances, the Legislative Council is empowered to force the resignation of the Chief Executive. After the Legislative Council is dissolved because the Chief Executive twice refuses to sign a bill passed by it, the newly elected Legislative Council again passes by a two-thirds majority of all the members the original bill in dispute, but he or she still refuses to sign it within 30 days; after the Chief Executive dissolves the

Legislative Council because it refuses to pass a budget or any other bill concerning the overall interests of the Macao SAR, the newly elected Legislative Council still refuses to pass the original bill in dispute. Under either circumstance, the Chief Executive must resign, which to a large extent guarantees that the Chief Executive and the SAR Government under his or her leadership, in the exercise of power and formulation of public policies, must consider the overall interests of the Macao society and listen to the views and appeal of Macao residents, especially the Legislative Council.

3.2.4 Power of impeachment of the Legislative Council

According to Paragraph 7 of Article 71 of the Macao Basic Law, if the Chief Executive is charged with serious breach of law or dereliction of duty, the Legislative Council may conduct an investigation in accordance with law and pass a motion of impeachment against the Chief Executive. Although the Legislative Council cannot dismiss the Chief Executive because it does not accept the SAR Government's policies and can only impeach the Chief Executive charged with serious breach of law or dereliction of duty and report to the Central Government for decision, it still, to a great extent, enhances the capacity of the Legislative Council to check the Chief Executive and can effectively guarantee his or her correct exercise of power and being accountable to the SAR and local residents.

3.2.5 The Legislative Council's power to debate

Paragraph 4 of Article 71 of the Macao Basic Law provides that the Legislative Council is entitled to receive and debate the policy addresses of the Chief Executive. The Legislative Council may discuss and examine the contents of the policy addresses and require relevant government officials to answer questions before the Legislative Council. Once in the first half and once in the second half of each year, the Chief Executive shall answer questions before the Legislative Council, giving briefing on the implementation of policies and on proposed policies and measures and answering questions from members.

Paragraph 5 of Article 71 of the Macao Basic Law provides that the Legislative Council is entitled to debate any issue concerning public interests. Rules of procedure of the Legislative Council provide that the Legislative Council, on the request of its members and the government, may hold a plenary session on issues concerning public interests. After applying for debate on issues concerning public interests, it is the plenary session that decides whether to debate.

The debate held by the Legislative Council on the policy addresses of the Chief Executive and on issues concerning public interests is conducive to scientific and transparent government policy-making and helps to safeguard public interests of the society.

3.2.6 The right of members of the Legislative Council to raise questions

Article 76 of the Macao Basic Law stipulates, "members of the Legislative Council shall have the right to raise questions about the government work in accordance with legal procedures". The Chief Executive and other government officials must take questions raised by members seriously instead of perfunctorily, and enhance the level and quality of answering the questions.

3.2.7 The right of the Legislative Council to hold hearings

In order to ensure the supervision of the Legislative Council to the SAR Government, the Legislative Council is entitled to exercise investigative power in respect of government acts of social concern and involving significant public interests. According to Paragraph 8 of Article 71 of the Macao Basic Law, as required when exercising the relevant powers and functions, the Legislative Council is entitled to summon persons concerned to testify or give evidence, and the

persons summoned shall not refuse.

IV. How can the Chief Executive do Better in Being Accountable to the Central Authorities and the Macao SAR

In order to do better in being accountable to the Central Government and the Macao SAR, the Chief Executive may take measures from the following aspects:

4.1 To uphold the coherence of interests between the Central Authorities and the SAR

Firstly, the fundamental interests of the Central Authorities and the SAR are coherent, that is to achieve national sovereignty, security and development interests and prosperity and stability of the SAR. Although social systems implemented in the Mainland and Macao are different, they belong to the same country and both peoples are a part of the Chinese nation; and the two social systems lead to the same fundamental interest, which is to achieve the great rejuvenation of the Chinese nation. As Wu Bangguo said at a conference marking the 20th anniversary of the promulgation of the Basic Law of the Macao SAR: "It is in the fundamental interests of both Macao compatriots and the nation to keep long-term prosperity and stability in Macao; and it is in the fundamental interests of both the nation and Macao compatriots to safeguard national sovereignty, security and development interests."²

Besides, according to Article 45 of the Macao Basic Law, the Chief Executive shall be simultaneously accountable to the Central Government and the Macao SAR. Therefore, in the exercise of power when dealing with matters administered by the Central Authorities or matters concerning the relationship between the Central Authorities and the SAR or matters within the autonomy of the SAR, the Chief Executive must take into consideration the interests of both the Central Authorities and the SAR. When dealing with matters involving the relationship between the Central Authorities and the SAR, the Chief Executive must respect and uphold the Central Authorities' leadership and power to make decisions and effectively protect the SAR's right to participate. When dealing with matters within the autonomy of the SAR, the Chief Executive shall fully respect and uphold a high degree of autonomy of the SAR meanwhile without total disregard of the interests of the Central Authorities and shall consciously accept the supervision of the Central Authorities.

This is different from the case before the reunification when the Portuguese Governor of Macao was solely accountable to the central Portuguese authorities. Before the reunification, the Portuguese Governor of Macao was directly assigned to Macao by the central Portuguese authorities and appointed by the Portuguese president, and hence, his or her powers were granted by the president.³ Although the selection of the Portuguese Governor of Macao required prior consultations with Macao residents (through the Legislative Council and representative bodies in the fundamental interests of the society), the result of such consultations was not binding to the appointment of the Governor by the Portuguese president and the recognition and acceptance of the Governor came entirely from the appointment by the Portuguese president. Therefore in theory, in law, the Governor only needed to be accountable to the Portuguese president instead of Macao and Macao residents. While after the reunification, the Chief Executive is not directly assigned to

Macao by the Central Government but selected through two stages: The Chief Executive is selected by election or through consultations held in the SAR and then appointed by the Central Government. The selection of the Chief Executive is the result of the active exercise of the democratic right to vote by Macao residents combined with the prudent exercise of the power of appointment by the Central Government, and the Chief Executive needs to be simultaneously accountable to the Central Government and the Macao SAR; therefore, in the exercise of power, the Chief Executive shall consciously and uniformly safeguard the interests of both the Central Authorities and the SAR.

4.2 To strictly adhere to the Macao Basic Law and correctly exercise his or her powers

In order to ensure that the Chief Executive is accountable to the Central Government, the Macao Basic Law establishes the executive-led political structure in the SAR, specifying the Chief Executive's dual identity and legal status of being the head of both the SAR and the SAR government and giving him or her many real powers compatible with his or her high profile and legal status. For the Chief Executive to be accountable to the Central Government, it is important to hold and correctly exercise the powers conferred by the Macao Basic Law. The Chief Executive cannot "cripple" himself by transferring powers originally belonging to him or her to other organs of power or having such powers eroded by other organs of power. That will actually distort the executive-led political structure specified in the Basic Law, damage the ability of the Chief Executive to uphold the "One Country, Two Systems" policy and to implement the Macao Basic Law, and reduce his or her commitment to the Central Government.

On the other hand, the Chief Executive cannot arbitrarily expand his or her authority, and even under the executive-led political structure, the Chief Executive and the SAR Government under his or her leadership must also accept the constraint and supervision by other organs of power of the SAR. The executive-led political structure does not require the Legislative Council to blindly pander to the SAR Government's decisions, making the Legislative Council reduced to the SAR Government's "rubber stamp". The arbitrary expansion of power by the Chief Executive may result in the situation of executive dominance and administrative bullying susceptible to corruption and hence influence the relationship among the executive, legislative and judicial branches of the SAR. That is not in line with the requirement that the Chief Executive should be accountable to the Macao SAR, and easily lead to social criticism that the Central Authorities support the Chief Executive's violation of the SAR's high degree of autonomy, which is neither conducive to the development of the relationship between the Central Authorities and the SAR nor a sign of being responsible to the Central Government.

4.3 To protect and cooperate in the correct exercise of power by the Central Authorities and the SAR

In order to guarantee the effective implementation of the "One Country, Two Systems" policy in Macao and effective jurisdiction and governance of the Central Authorities over the Macao SAR, the Macao Basic Law specifies the powers enjoyed by the Central Authorities under the "One Country, Two Systems" policy. The Central Authorities not only enjoy sovereignty but also hold governance over the SAR and their powers are not limited to the usually-emphasized areas of defense and foreign affairs, further including: To appoint the Chief Executive and principal officials;

to examine and return laws formulated by the SAR; to determine the application of some national laws in the SAR; to finally decide on the methods for the selection of the Chief Executive and for the formulation of the Legislative Council and their amendments; to decide that the SAR is in a state of emergency; to interpret the Macao Basic Law; to amend the Macao Basic Law, etc. The Chief Executive must support and cooperate in the acts of the Central Authorities to exercise the powers specified in the Macao Basic Law.

The Chief Executive shall not ignore the powers and stance of the Central Authorities due to the fear of arousing the criticism of "actively inviting the Central Authorities to intervene in the affairs of the SAR and violate its high degree of autonomy and hence personally ruining the 'One Country, Two Systems' policy". In fact, as long as the Central Authorities correctly exercise its powers within the scope of powers specified in the Macao Basic Law, the Chief Executive should righteously protect the act of the Central Authorities to exercise its powers; as long as such an act is favorable to the SAR and its residents, pragmatic residents of the SAR certainly can accept and welcome it and even be grateful for it.

On the other hand, apart from respecting and upholding the powers that the Central Authorities hold over the SAR and support the act of the Central Authorities to exercise such powers, the Chief Executive must also respect and maintain a high degree of autonomy of the SAR. Although the high degree of autonomy enjoyed by the SAR is vested by the Central Authorities through Macao Basic Law, it will be guaranteed by the Macao Basic Law as long as the "One Country, Two Systems" policy does not change and there is no amendment to the Macao Basic Law. The Central Authorities must also strictly adhere to the Macao Basic Law and correctly exercise its powers in accordance with the provisions of the Macao Basic Law, without violating the high degree of autonomy enjoyed by the SAR.

V. Conclusion

The Macao SAR is a local administrative region of China, and the Macao Basic Law in the first place is a law about the relationship between the Central Authorities and the Macao SAR, which is the primary or at least one of the most important relations concerning the existence and development of the Macao SAR. Many scholars define the political structure of the Macao SAR as "the Chief Executive System" or "the Chief Executive Responsibility System", indicating the important role of the Chief Executive in the entire political structure and the governance of the SAR. It is of great significance for the proper handling of the relationship between the Central Authorities and the SAR to deal properly with the relationship between the Central Authorities and the Chief Executive, and to give full play to the intermediary role of the Chief Executive in the former relationship. Meanwhile, within the Macao SAR, the executive power with the Chief Executive at the core plays a dominant part in its relationship with the legislative and judicial powers. Only when the Chief Executive and the SAR Government under his or her leadership correctly exercise their powers in accordance with the provisions of the Macao Basic Law and effectively implement their responsibilities and obligations toward the SAR, will the relationship among the executive, legislative and judicial branches of the SAR be smoother, will the executive-led political structure of the SAR operate effectively, and will the interests of the SAR and its residents be earnestly protected.

Therefore, the correct understanding and effective implementation of the provision that the Chief Executive shall be accountable to the Central Government and the Macao SAR play an important part in the correct implementation of the Basic Law and in the construction and improvement of the SAR system. We must remember that it is the starting points and objectives that the harmony and unity of China as “One Country” and the common development of “Two Systems” should be ensured; that national sovereignty, security and development interests should be safeguarded and the stability, and prosperity and development in the SAR should be promoted, which are also a sign that the “One Country, Two Systems” policy is successfully practiced and the Basic Law is fully implemented. Therefore, from this perspective, the Chief Executive shall be accountable to both the Central Government and the Macao SAR, precisely reflecting the fundamental requirements of the “One Country, Two Systems” policy and the Macao Basic Law.

Notes:

- ¹ Xiao Weiyun (Ed.) (2005). *On the Chief Executive System of the Macao Special Administrative Region*. Macao: Macao University of Science and Technology. Pp 58.
- ² Author (2013). Wu Bangguo: Adhere to One Country and Respect for Two Systems. In *Macao Daily*. 22nd February 2013. A6
- ³ See Article 7 of the *Estatuto Orgânico de Macao* (Organic Statute of Macao).