



澳門大學
UNIVERSIDADE DE MACAU
UNIVERSITY OF MACAU

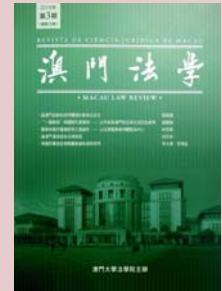
法學院新聞簡報 (雙月刊)

FACULDADE DE DIREITO BOLETIM BI-MESTRAL
FACULTY OF LAW BI-MONTHLY NEWSLETTER
ISSUE 22 (SEPTEMBER / OCTOBER 2015)

RESEARCH ACTIVITIES

Institute for Advanced Legal Studies (IALS)

Published Macau Law Review No.14 and No. 29



Centre for Law Studies (CLS)

Boletim da Faculdade de Direito (Bulletin of the Faculty of Law)

Concerning the Portuguese version, CLS has published Bulletins n° 32 and 35 in August and September 2015



Prof. ZHAO GUO QIANG

The Theory And Practice Of Contemporary Criminal Law, Proceeding of the seventh Symposium of Criminal Law of Mainland China, Taiwan, Hong Kong and Macau, has been published officially in October 2015, Professor Zhao Guoqiang from our faculty participate in as an Editor-in-Chief.

There are one professor and five students' thesis are included in this book.

- Criminal Legislatious Analysis Of Domestic Violence, by professor Zhao Guo-qiang
- Domestic Violence Is Not Necessary To Be An Independent Charge In Macau, by Zhou Feifei.
- Research On Victim's Rights Of Action Cause By Traffic Accident In Macau, From The Perspective Of Crimes To Be Handled Upon Complaint, by Liu Sijia.
- Prevention And Punishment Of The Credit Card Crime of Fraud, by Li Qiaofen.
- If The Crimes Derived By Gambling Is Criminal Offense Or Administrative Offense, From The Perspective Of Legislation In Macau, by Pan Xingchen.



Prof. LI ZHE

A General Introduction of Macau - Criminal Procedure Law written by Assistant Professor Li Zhe has been joint-published by Macau Foundation and Social Sciences Academic Press in 2015.

There are altogether seven chapters in the book, including Macau Criminal Procedure Law overview, principles, parties and other participants in criminal procedure, procedural objects, procedural acts, evidence, and criminal compulsory measures. The book will help the audience better understand the criminal procedure law in Macau by tracing the history and reform of certain systems and regulations, comparing the jurisprudence theories and legislative practices of Macau SAR and other civil law countries and regions, together with the introduction and comment on experts' opinions and judicial judgements in Macau.

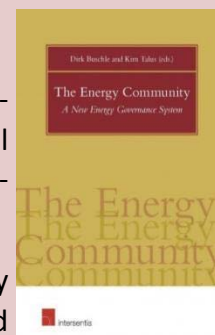


Prof. ALEXANDR SVETLICINII

- "The Assessment of the Effect on Trade by the National Competition Authorities of the "New" Member States: Another Legal Partition of the Internal Market?" (2015) 52(5) Common Market Law Review, 1247-1276, ISSN 0165-0750 (co-authored with Marco Botta and Maciej Bernatt)

- "Competition Law Enforcement in the Contracting Parties of the Energy Community: Current Challenges and Future Perspectives" in Dirk Buschle and Kim Talus (eds.), *The Energy Community: A New Energy Governance System* (Intersentia, 2015) ISBN 9781780683027 "Country Chapter: Moldova" in Euan Burrows and Mark Clarke (eds.), *International Comparative Legal Guide to: Competition Litigation 2016* (Global Legal Group, 2015), ISBN 9781910083635

- (Publication Review) "Public and Private Enforcement of Competition Law in Europe: Legal and Economic Perspectives" (2015) 8(2) *Global Competition Litigation Review*, 86-87, ISSN 1756-6002



Prof. PAULA RUTE PEREIRA GARCEZ NUNES CORREIA

"Personality Rights and New Technologies: the Protection of Privacy Administrative Region Residents of the Macao Special (MSAR)," in *Legal Magazine of the University of Santiago*, Year 2, paragraph 2 Jan / Dec 2014 Cape Verde (pages 441- 457).

Prof. VERA LÚCIA CARAPETO RAPOSO

"Fundamental Rights: The New Generations in Iberians Constitutions", *International Journal of Human Rights and Constitutional Studies*, 3(3), 2015, pp. 228-241



ACADAMIC ACTIVITIES

Centre for Law Studies (CLS)

Eighth International Conference on-“The Legal Reforms of Macau in Global Context” – Law and Sexuality

Date: 29-30 October 2015 / Time: 09:00 – 18:00

Venue: E4-G062 Lecture Hall

a)Speaker: Vera Lúcia Raposo

Sex, Morality and Gender: A Diabolic Trilogy?

b)Speaker: Leong Cheng Hang

Legal foundation of same-sex union

c)Speaker: Luís Pessanha

The issue of sexuality in the special relations of administrative law

d)Speaker: Miguel Ângelo Loureiro Manero de LEMOS

Are the international criminal courts inventing sex related crimes?

ORGANIZATION:

-Center For Law Studies, Faculty Of Law, University Of Macau

-Rui Cunha Foundation

- Legal Affairs Bureau (DSAJ)



ACADAMIC ACTIVITIES

Professors in our faculty participate in the eighth Symposium of Criminal Law of Mainland China, Taiwan, Hong Kong and Macau

From October 24 to 25, the eighth Symposium of Criminal Law of Mainland China, Taiwan, Hong Kong and Macau was held in Nanchang, Jiangxi. Professor Zhao Guoqiang from our faculty (also as the honorary president of Association of Study of Criminal Law of Macau), Assistant Dean and Associate Professor Teng Pio lau (also as the president of Association of Study of Criminal Law of Macau), Assistant Professor Li Zhe (also as the vice president of Association of Study of Criminal Law of Macau) and PhD students Zou Feifei and Liu Sijia participate in this symposium.

This symposium is hosted by School of Criminal Science of Beijing Normal University, Association of Study of Criminal Law of Macau, Association of Justice and Attorney of Macau, School of Law of Fu Jen Catholic University and Faculty of Law of Hong Kong University. And this symposium has been held eight times by now. The Symposium is undertaken jointly by Faculty of Law of Nanchang University and Department of Research of Jiangxi Higher People's Court with the theme of 'Prevention and Countermeasures against Organized Crimes'.

Professor Zhao Guoqiang presents the paper named 'Completion of legislation of <Organized Crime Act> in Macau', Prof. Teng Pio lau presents the paper named 'Discussion of relative legislation and implementation on the concepts of common crime, criminal organization and organized crime in Macau'. Prof. Li Zhe presents the paper named 'Discussion of unified definition of terrorism in China in the premise of *One Country, Two Policy*'. Other Scholars, such as PhD students Zou Feifei and Liu Sijia also present papers.



Opening ceremony



Opening speech by Prof. Teng Pio lau, as the Assistant Dean of Faculty of Law, and the honorary president of Association of Study of Criminal Law of Macau.



Speech by Professor Zhao Guoqiang, as the Professor in Faculty of Law of University of Macau, and the honorary president of Association of Study of Criminal Law of Macau.



Comment by Prof. Li Zhe, as the Assistant Professor in Faculty of Law of University of Macau, and the vice president of Association of Study of Criminal Law of Macau.

ACADAMIC ACTIVITIES

Prof. ALEXANDR SVETLICINII

- 1-4 October 2015, Annual Congress of the International League of Competition Law in Stockholm (Sweden), paper submitted: "Abuse of a Dominant Position and Globalization: Moldova"



- 23-24 October 2015, 4th Polish Law & Economics Conference organized by the Polish Association of Law & Economics at the Warsaw School of Economics in Warsaw (Poland), paper presented: "Umbrella Pricing" in the EU competition law and US antitrust law: Another transatlantic divergence?"

- 17 September 2015, International Conference "Laws of Public Interests in Relation with Economic Growth in Asian Countries" organized by the Asia Legal Information Network in Seoul (South Korea), paper presented: "Building Regional Competition Policy in Asia-Pacific: Lessons from the European Competition Network"

Senior Instructor, LEONG CHENG HANG

- Legislation and Application of Law on Medical Malpractice, Published in the form of lectures, 2015 First East Asia Summit of Medicine Management, at Nanjing, China, from 23/10/2015-24/10/2015, Nanjing University of Chinese Medicine.
- Region Report of Macao about Product Liability, in English, Second World Tort Law Conference, at Vienna, Austria, from 16/09/2015-20/09/2015, Research Center for Civil and Commercial Jurisprudence of Renmin University of China, European Centre of Tort and Insurance Law (ECTIL), Institute for European Tort Law (ETL), Austria.
- The Folk and the Legal about Gambling Debt, in Chinese, Twelfth Forum of Judges and scholars' Dialogue, at Liaoyuan, Jilin, from 15/08/2015-16/08/2015, Research Center for Civil and Commercial Jurisprudence of Renmin University of China, People's Court Publishing Company, Intermediate People's Court of Liaoyuan city.



ACADAMIC ACTIVITIES

Prof. FERNANDO DIAS SIMÕES

Conferences delivered:

'The Role of Consumer Protection in Meeting the Sustainable Development Goals', Conference 'Sustainable Development and International Law: Current Issues and Future Challenges', 19 October 2015, Chinese University of Hong Kong, Hong Kong.

Oral Defense(MIB, MLE, MSL)

- 1 September › Prof. Xu Jinglin, Professor, Shanghai University
- 1 September › Prof. Chen Jianfu, Professor, La Trobe University
- 1 September › Prof. Zou Pingxue, Professor, Shenzhen University
- 8 September › Prof. Zhu Shihai, Associate Professor, Macau University of Science and Technology
- 8 September › Prof. Yi Zaichen, Associate Professor, Macau University of Science and Technology
- 14 September › Prof. Mu Yaping, Professor, Sun Yat-sen University
- 15 September › Prof. Xie Huan, Associate Professor, Nanjin University
- 5 October › Prof. Yu Haiyong, Professor, Sun Yat-Sen University
- 5 October › Prof. Zhang Xianchu, Professor, The University of Hong Kong
- 6 October › Prof. Julien Chaisse, Associate Professor, The Chinese University of Hong Kong
- 13 October › Prof. Tang Wenping, Associate Professor, Jinan University
- 20 October › Prof. Fu Hualing, Professor, The University of Hong Kong
- 28 October › Prof. Xi Chao, Professor, The University of Hong Kong
- 29 October › Prof. Shen Yunqiao, Associate Professor, Macau University of Science and Technology

COMMUNITY SERVICE

Prof. Fernando Dias Simões:

Interviews: Consumer rights opaque, "Macau Business", Special Digital Era, September 2015, pp. 84-85.

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研究活動

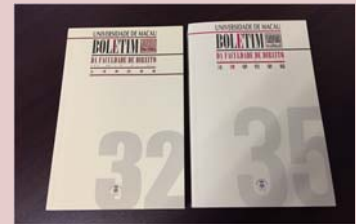
高級法律研究所

出版<<澳門法學>> 第十四期和總第二十九期。



法律研究中心

《法律學院學報》第三十二及三十五期。



趙國強教授

“第七屆兩岸四地刑事法論壇”之論文集《當代刑法的理論與實踐》正式出版

由我院趙國強教授參與主編的“第七屆兩岸四地刑事法論壇”之論文集《當代刑法的理論與實踐》已於2015年10月正式出版。

該書收錄了我院師生參會文章共五篇。五篇論文分別是：

趙國強教授《家暴行為的刑事立法解析》

鄒菲菲《澳門家庭暴力防治無須確立獨立罪名》

劉思佳《澳門地區交通事故中被害人訴權研究——以“親告罪”案件之訴訟效益為視角》

李巧芬《信用卡詐騙犯罪的懲治與預防》

潘星丞(已畢業)《賭博(博彩)犯罪：刑事犯還是行政犯？——澳門立法的啟示及借鑒》。



李哲教授

李哲助理教授所著的《澳門刑事訴訟法總論》，經已由澳門基金會與社會科學文獻出版社于 2015 年聯合出版。全書分七章，分別評析了澳門刑事訴訟法的概述、原則、訴訟主體及其他訴訟參與人、訴訟標的、訴訟行為、證據及強制措施等方面的內容。論述過程中，作者追溯有關制度和概念的源流及變革，透過對比澳門與其他大陸法系國家和地區的法學理論與立法實踐，輔以專家學者的觀點和澳門法院的具體判例，充實該書，更有助讀者充分認識澳門的刑事訴訟制度。



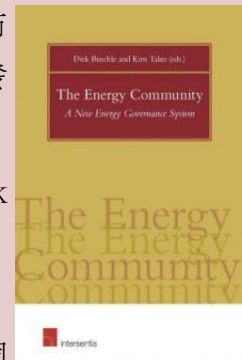
ALEXANDR SVETLICINI 教授

《對競爭監管機構的“新成員”影響的評價：另一個法律領域的內部市場？》，與 Marco Botta 和 MaciejBernatt 合作，於《共同市場法律評論》發表，1247-1276,ISSN0165-0750

《競爭執法締約雙方的能源共同體:當前的挑戰和未來的觀點》由 Dirk Buschle 和 Kim Talus (主編)《能源共同體:一個新的能源管理系統》(Intersentia 出版社, 2015 年)

"Country Chapter: Moldova"由 Euan Burrows 和 Mark Clarke 主編,《2016 年國際比較法律指南:競爭訴訟》(GLG 出版社, 2015 年), ISBN 9781910083635

《競爭法的實施在歐洲——以法律和經濟為視角》於《全球競爭法訴訟評論》發表, 2015 年 8 月, 86-87 頁 (ISSN 1756-6002)。



PAULA RUTE PEREIRA GARCEZ NUNES CORREIA 教授

《人格權利和新技术：對於澳門公民隱私權利的保護》發表于《聖地亞哥大學法律雜誌》2014 年 12 月/2015 年 1 月(441 - 457 頁)。

VERA LÚCIA CARAPETO RAPOSO 教授

《新一代伊比利亞人憲法基本權利》,發表於《國際人權和憲法研究雜誌》,2015 年,228 - 241 頁。



學術活動

法律研究中心

第八屆“全球化背景下之澳門法律改革”國際研討會-法律與性 2015年10月29至30日，09：00至18:00於E4-G062演講廳舉辦。我院演講者有 Vera Lúcia Raposo 教授 Miguel Ângelo Lemos 教授，Leong ChengHang 教授，Luís Pessanha 教授。

主辦方有：澳門大學法學院法律研究中心，官樂怡基金，會法務局。

a) Vera Lúcia Raposo 教授

Sex, Morality and Gender: A Diabolic Trilogy?

b) Leong Cheng Hang 教授

Legal foundation of same-sex union

c) Luís Pessanha 教授

The issue of sexuality in the special relations of administrative law

d) Miguel Ângelo Loureiro Manero De LEMOS 教授

Are the international criminal courts inventing sex related crimes?



學術活動

法學院教師參加“第八屆兩岸四地刑事法論壇”

2015年10月24日至25日，第八屆“兩岸四地刑事法論壇”在江西南昌舉行。我院趙國強教授（澳門刑事法研究會名譽會長）、助理院長邱庭彪副教授（澳門刑事法研究會會長）、李哲助理教授（澳門刑事法研究會副會長）以及博士生鄒菲菲、劉思佳參加了本屆論壇。

“兩岸四地刑事法論壇”的主辦單位是北京師範大學刑事科學院、澳門刑事法研究會、澳門檢察律政學會、臺灣輔仁大學法律學院和香港大學法律學院，至今已舉辦了八屆，本屆論壇由南昌大學法學院和江西省高級人民法院研究室承辦，議題是“有組織犯罪的防治對策”。

我院趙國強教授提交的論文是“澳門《有組織犯罪法》之立法完善”，邱庭彪副教授提交的論文是“論共同犯罪、犯罪組織、有組織犯罪三個概念在澳門立法與適用情況”，李哲助理教授提交的論文是“‘一國兩制’背景下中國訂立統一恐怖主義定義之探討”，博士生鄒菲菲、劉思佳也提交了論文。

在論壇開幕式上，邱庭彪副教授作為澳門代表致辭，趙國強教授主持了第四單元的專題發言，李哲助理教授為第三單元的評論人。



第八屆“兩岸四地刑事法論壇”開幕



澳門刑事法研究會會長、澳門大學法學院助理院長邱庭彪副教授致開幕詞



澳門刑事法研究會名譽會長、澳門大學法學院趙國強教授發言



澳門刑事法研究會副會長、澳門大學法學院李哲助理教授對代表發言進行評論

學術活動

ALEXANDR SVETLICINI 教授

2015年9月17日的國際會議，“亞洲國家的法律及公共利益與經濟增長關係”在韓國首爾舉辦的“亞洲法律資訊網路”，發表論文“構建亞太地區競爭政策:歐洲競爭網路”。



10月1日至4日，在斯德哥爾摩（瑞典首都）舉辦的競爭法的國際聯盟年度會議，發表論文“濫用優勢地位和全球化:莫爾達瓦”

10月23日至24日，由波蘭華沙法律和經濟學協會經濟學院在華沙(波蘭)舉辦的波蘭的法律和經濟會議，發表論文“‘傘定價’在歐盟競爭法和美國反托拉斯法:另一個跨大西洋的散度?”

高級導師梁靜姮

《澳門特別行政區醫療事故立法及其適用》，以講座形式發表於2015年10月24日，在南京中醫藥大學舉行的“2015首屆東亞醫藥管理高峰論壇”；

《論澳門產品責任》，以圓桌會議討論形式，發表於2015年9月16-20日在奧地利維也納舉行的“第二屆世界侵權法大會”；

《賭債的法定性與民間性》，發表於2015年8月15-16日在中國吉林遼源舉行的“第十二屆‘法官與學者’對話論壇”；



學術活動

FERNANDO DIAS SIMÕES 教授

發表論文《保護消費者與實現可持續發展目標》於在香港中文大學舉辦的會議“可持續發展和國際法:當前問題和未來的挑戰”,2015年10月19日。

來訪教授，答辯（國際商法、歐盟法、中文法）

- 9月1日，徐靜琳，教授，上海大學
- 9月1日，陳建福，教授，拉籌伯大學
- 9月1日，鄒平學，教授，深圳大學
- 9月8日，朱世海，副教授，澳門科技大學
- 9月8日，易在成，副教授，澳門科技大學
- 9月14日，慕亞平，教授，中山大學
- 9月15日，解互，副教授，南京大學
- 10月5日，于海湧，教授，中山大學
- 10月5日，張憲初，教授，香港大學
- 10月6日，Julien Chaisse 教授，香港中文大學
- 10月13日，湯文平，副教授，暨南大學
- 10月20日，傅華伶，教授，香港大學
- 10月28日，習超，教授，香港中文大學

社會服務

Fernando Dias Simões 教授

採訪：消費者權益不透明,《澳門商業》,特殊的數字時代,2015年9月,第84-85頁。

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