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LEGAL WISE | LAND LAW: SEE THE RIGHT, DO THE RIGHT

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Macau remains awash with the polemic of the expiry of land concessions. There are at least 81 concessionaires that were not able to develop their lands for reasons caused by the Government, but the law makes no provision for their cases.

To try to break these supposed legal shackles, a local legislator, Mr. Tong lo Cheng, together with a grassroots movement of endorsers (which, in the interest of full disclosure, includes myself) recently sought to introduce an interpretative law clarifying that the deadlines for development and concession (where they are the same) should be considered as suspended and extended for the duration of events preventing the development of the land which are not imputable to the concessionaire.

This proposal has been rejected by Mr Ho lat Seng, who has refused to submit the proposed interpretative law to the Legislative Assembly's vote, on the basis that Mr. Tong's proposal in effect amends the law and does not simply interpret it and that changing laws is a prerogative of the Government. In doing so, he has placed the ball squarely in the Chief Executive's court.



José Leitão

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Tong Io Cheng

I for one heartily endorse support Mr Tong's proposal because, throughout this entire "storm" that has been tearing at the credibility of Macau as an investment destination and in fact at the very concepts of rule of law that exist in Macau, it is the only acknowledgment of two fundamental truths: The effects of enforcing this provision of the Land Law are creating serious injustices and that something has to be done to solve them.

I sincerely hope that Mr Ho Iat Seng's decision and the demagoguery of some lawmakers who have been quick to attack efforts to interpret the law will not pull stakeholder attention towards the accessory and away from the essential: It is not important how the Land Law is revisited. The aim is, and must be, applying it in a fair and equitable manner, which has not been the case.

Mr Tong's initiative should be applauded, as should any initiatives that attempt clarity and forward movement in times and places of misdirection and stalemate. It is a call to action, an alarm in the corridors of power, urging something to be done, and to be done quickly, by anyone. Apparently, it will now be up to the Chief Executive to help correct this injustice. One can only hope that when faced with this momentous decision, the Chief Executive does not choose to do the worst: nothing. **José Leitão**

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