

LEGAL ALERT

LEGAL SYSTEM FOR TALENT RECRUITMENT

On May 18, 2023, the Macau Legislative Assembly passed the new Law no. 7/2023 (*“Legal System for Talent Recruitment”*) (the **“Law”**) aiming to introduce talents of key local industries to the Macau SAR. According to the Five-Year Development Plan of the Macau SAR (5-year Plan), the four main industries that the government wishes to promote are big health, financial services, high technology, and culture and sports industries (the **“Four Key New Industries”**), alongside with those that already have some development like the gaming sector, the exhibitions and conventions, and tourism. The purpose of this talent programme is to recruit talents from foreign regions and encourage Macau talents who are residing outside of Macau to return so as to help developing the Four Key New Industries and to train local talents. The Law will take effect as of July 1, 2023.

The Talent Recruitment System consists of three specific programmes, as below:

- I) High-end Talents Programme;
- II) Outstanding Talents Programme;
and
- III) Advanced Professionals Programme.

High-end Talents Programme:

Targeted at individuals with globally recognized achievements, or significant contributions in specific fields, this programme aims at importing talents who are Awardees of outstanding achievements recognition (e.g. Nobel Prize, Olympics medals, etc.); experts and scholars at

national level; or individuals who have made significant contributions to certain industry.

Outstanding Talents Programme:

“Outstanding Talents” refer to individuals with professional experience and skills, and outstanding performance in their professions or industries, who are able to promote the development of important industries in Macau, in particular, those that can facilitate the economic diversification of the Macau SAR, namely, *leaders who spearhead start-up stage of the Four Key new Industries*.

Advanced Professionals Programme:

This Programme targets individuals with professional experience and skills, who can support the development of key industries in response to the economic and social development of the Macau SAR, or those that are in shortage of human resources in local market. They include, for example,

- Technical/managerial talents that are in short supply at start-up stage of the Four Key New Industries.
- Talent needed by society and in short supply.

Among the 3 programmes, only Advanced Professionals Programme has the prerequisite of employment relationship with Macau employers, whereas candidates of other two programmes do not need to be employed in Macau prior to the application.

Application should be made through the exclusive E-application Platform for Talent Recruitment which will be launched soon. In terms of the application process flow once an

application is submitted, a preliminary case review will be conducted by the Public Security Police Force, followed by a preliminary assessment by the Talents Development Committee. Subsequently, the Talents Recruitment Evaluation Committee will perform the final review before the Chief Executive issues the final decision.

Successful applicants under this Talent Recruitment will be authorized to reside in Macau under Macau SAR Non-Permanent Resident Identity Card to be issued by the Identification Services Bureau with the same validity period as the residence authorization. This authorization extends to the applicants' family dependents, such as spouse or *de facto* partner and their children aged below 18.

The Law also provides for certain tax incentives to successful applicants, or the companies where they hold more than 50% direct shares. These incentives include exemption of stamp duty and urban housing tax upon purchase of properties for business use; exemption of complementary tax and reduction of professional tax.

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