

**Law about Permanent Resident and Right of Abode in the Macao Special
Administrative Region
Law No. 8/1999**

The Legislative Assembly enacts, in terms of Article 71(1) of the Basic Law of the Macao Special Administrative Region, to value as law, the following:

Article 1

(Permanent residents)

1. Permanent residents of the Macao Special Administrative Region (hereafter referred as Macao SAR) are:
 - a) A Chinese citizen born in Macao before or after the establishment of the Macao SAR if his father or mother resided legally or had the right of abode in Macao at the time of the birth of the person.
 - b) A Chinese citizen who has ordinarily resided in Macao for a continuous period of not less than 7 years before or after the establishment of the Macao SAR.
 - c) A person of Chinese nationality born outside Macao to a parent who is a permanent resident of the Macao SAR in the category a) or b) if the parent satisfied the requirements in a) or b) at the time of the birth of the person.
 - d) A person, of Chinese descent and Portuguese descent, who was born in Macao before or after the establishment of the Macao SAR and has taken Macao as his place of permanent residence, if his father or mother resided legally or had the right of abode in Macao at the time of the birth of the person.
 - e) A person, of Chinese descent and Portuguese descent, who has ordinarily resided in Macao for a continuous period of not less than 7 years and has taken Macao as his place of permanent residence, before or after the establishment of the Macao SAR.
 - f) A person of Chinese nationality or of nationality not yet chosen, born outside Macao to a parent who is a permanent resident of the Macao SAR in the category d) or e) if the parent satisfied the requirements in d) or e) at the time of the birth of the person.
 - g) A Portuguese who was born in Macao before or after the establishment of the Macao and has taken Macao as his place of permanent residence, if his father or mother resided legally or had the right of abode in Macao at the time of the birth of the person.
 - h) A Portuguese who has ordinarily resided in Macao for a continuous period of not

less than 7 years and has taken Macao as his place of permanent residence, before or after the establishment of the Macao SAR.

- i) Other person who has ordinarily resided in Macao for a continuous period of not less than 7 years and has taken Macao as his place of permanent residence before or after the establishment of the Macao SAR.
 - j) A person under 18 years of age born in Macao to a parent who is a permanent resident of the Macao SAR in the category i) if the parent satisfied the requirements in i) at the time of the birth of the person.
2. The birth in Macao is proved by the Birth Certificate issued by the competent registration office.

Article 2

(Right of abode)

1. A permanent resident enjoys the right of abode in Macao SAR. The right of abode includes the following rights:
 - a) To enter and leave Macao SAR freely;
 - b) Not to have imposed upon him any condition of stay in Macao, and any condition of stay that is imposed shall have no effect;
 - c) Not to be expelled.
2. The Macao SAR permanent resident specified in Article 1(1i) and Article 1(1j) will lose the right of abode if she/he has not ordinarily resided in Macao SAR for a continuous period of not less than 36 months.
3. The above-specified resident who lost the right of abode reserves the following rights:
 - a) To enter and leave Macao SAR freely;
 - b) Not to have imposed upon him any condition of stay in Macao, and any condition of stay that is imposed shall have no effect.

Article 3

(Non-permanent resident)

The non-permanent resident of Macao SAR is the person who is permitted to reside in Macao but not falls within the category in Article 1.

Article 4

(Ordinarily residing)

1. Ordinarily residing specified in this law refers to legally residing in Macao, and take Macao as the place of permanent residence, except that specified in the second paragraph.
2. A person under the following situation is not ordinarily residing in Macao:
 - a) enter Macao illegally;
 - b) stay in Macao illegally;
 - c) stay in Macao as a refugee;
 - d) stay in Macao as a non-local worker;
 - e) as a non-locally employed member of a consular post;
 - f) after the commencement of this law, during the period of imprisonment or detention pursuant to the definitive sentence of the court, except the detained is sentenced to be not guilty.
 - g) Other situations specified by legal documents.
3. For the effect of the permanent residence status referred in Article 1(1b), 1(1e), 1(1h) and 1(1i) and for the loss of the right of abode referred in Article 2(2), a person does not cease to be ordinarily resident in Macao if she/he is temporarily absent from Macao.
4. The circumstances of the person and the absence are relevant in determining whether a person has ceased to be ordinarily resident in Macao. The circumstances may include:
 - a) the reason, duration and frequency of any absence from Macao;
 - b) whether she/he has habitual residence in Macao;
 - c) employment by a company of Macao
 - d) the whereabouts of the principal members of his family, especially the spouse and minor children.
5. Ordinarily residing in Macao for a “continuous period of 7 years” specified in Article 1(1h) and 1 (1i) refers to the continuous period of 7 years immediately before the application for becoming the permanent resident of Macao SAR.

Article 5

(Presumption)

1. It is presumed that the holders of valid Macao Resident Identity Card, Macao SAR Permanent Resident Identity Card, and Macao SAR Resident Identity Card ordinarily reside in Macao.

2. In case of existing doubts about whether the person ordinarily resides in Macao, the Director of the Identification Department can proceed to investigation according to Article 4(4).

Article 6

(Relations between parent and children)

For the effects of this law, the relations between parent and children are recognized:

- a) between the mother and the children, in or out of the marriage;
- b) between the father and the children born in the marriage or, if born out of the marriage, between the father and the children with proving documents of the recognition of the paternity issued by the competent authority.

Article 7

(Confirmation of the permanent resident status)

1. The permanent resident status of Macao SAR is confirmed by one of the following valid documents:
 - a) Macao SAR Permanent Resident Identity Card;
 - b) Macao SAR Passport;
 - c) Certificate of entitlement to the right of abode issued by the Identification Department;
 - d) Certificate of the permanent resident status issued by the Identification Department, in terms of Article 9.
2. Except specified in contrary, a person who falls in the categories of Article 1(1b), 1(1c), 1(1f), not holding Macao Resident Identity Card or Macao SAR identity documents and being resident of the other regions of China other than Hong Kong SAR and Taiwan, in order to enter Macao SAR for the purpose of fixing residence, should possess valid document issued by the competent authorities of the Central People's Government for fixing residence in Macao. She/he does not need to obtain the certificate of entitlement to the right of abode.
3. Except the persons referred in the previous paragraph, the other persons that fall in the categories of Article 1(1b), 1(1c), 1(1e) or 1(1f), not holding Macao Resident Identity Card or Macao SAR identity documents, should request the certificate of entitlement to the right of abode.
4. The rules to issue the certificate of entitlement tot the right of abode are defined by administrative regulation.

Article 8

(Recognition of the place of permanent residence)

1. To request the permanent resident status, a person who falls in categories of Article 1(1d) to Article 1(1i) should sign one declaration in which she/he declares that she/he has taken Macao as his place of permanent residence.
2. A person who falls in categories of Article 1(1g), 1(1h), 1(1i) at the time of signing the declaration specified in the above paragraph, should state his/her personal circumstances for the reference by the Identification Department when examining the application:
 - a) whether she/he had habitual residence in Macao;
 - b) whether the principal members of his family, especially the spouse and minor children, ordinarily reside in Macao;
 - c) whether she/he has a profession or stable income;
 - d) whether she/he has paid tax according to law.
3. If the Identification Department has doubts on the declarations made by the persons of categories of Article 1(1d), 1(1e), 1(1f) according to paragraph 1, can request to submit the documents specified in the previous paragraph.

Article 9

(Transitional provisions)

1. The valid Macao Resident Identity Card held by Macao residents before the establishment of the Macao SAR remains valid after 20 December 2000, until they obtain new identity card.
2. The Chinese residents of Macao who satisfies one of the following conditions and hold the Macao Resident Identity Card issued before 20 December 1999 are Macao SAR permanent residents:
 - a) the Macao Resident Identity Card states that the place of birth is Macao;
 - b) the Macao Resident Identity Card has been issued for 7 years counted from the date of first issue;
 - c) holding Permanent Residence Permit issued by the Immigration Service of the Macao Police Department.
3. A person who falls in the categories of Article 1(1d), 1(1e), 1(1f), if holding the Macao Resident Identity Card issued before 20 December 1999 and satisfy one of the conditions specified in the above paragraph, is presumed to be a Macao SAR permanent

resident.

4. A person who falls in the categories of Article 1(1g), 1(1h), and satisfies one of the conditions specified in Article 9(2) is presumed to take Macau as his place of permanent residence.
5. A person who falls in categories of Article 1(1i), if satisfying one of the conditions specified in Article 9(2), should declare that she/he has taken Macao as his place of permanent residence by referring to Article 8(1), 8(2), so as to become the permanent resident of Macao SAR.
6. Before being issued a new Macao SAR Permanent Resident Identity Card, the Macao Resident Identity Card possessed by a resident who has the Macao SAR permanent resident status has the equivalent effect as the Macao SAR Permanent Resident Identity Card.
7. Before being issued a new Macao SAR Permanent Resident Identity Card, a holder of the Macao Resident Identity Card can apply for a Certificate of permanent resident in case she/he is able to prove the necessity.
8. The Certificate of permanent resident specified in the above paragraph will lose effect automatically after the holder is issued the Macao SAR Permanent Resident Identity Card, or after the termination of the process to issue the Macao SAR Permanent Resident Identity Card.

Article 10

(Enforcement)

This law shall come into force from 20 December 1999.

Passed on 20 December 1999

The President of the Legislative Assembly

Signed on 20 December 1999.

Ordered to be promulgated.

The Chief Executive