

第 11/2018 號行政長官公告

中華人民共和國政府和澳大利亞政府透過修改一九九九年九月八日在堪培拉簽訂的《中華人民共和國和澳大利亞領事協定》第十八條和第二十一條使其適用於澳門特別行政區，分別於二零一五年十一月十二日和二零一六年五月九日以換文方式達成協議（協議換文）；

上指協議換文同時修改了透過第52/2011號行政長官公告刊登於二零一一年九月二十八日第三十九期《澳門特別行政區公報》第二組的一九九九年九月八日在堪培拉簽訂的《中華人民共和國政府和澳大利亞政府關於澳大利亞繼續在中華人民共和國澳門特別行政區執行領事職務的協定》的第二條；

另外，澳大利亞政府和中華人民共和國政府分別於二零一七年十月四日和二零一七年十月三十一日相互通知對方已完成使協議換文生效的國內法律程序；

上指協議換文於二零一七年十一月三十日生效。根據內文的規定，《中華人民共和國和澳大利亞領事協定》適用於澳門特別行政區，經協議換文修改且已公佈的《中華人民共和國政府和澳大利亞政府關於澳大利亞繼續在中華人民共和國澳門特別行政區執行領事職務的協定》繼續有效。

基於此，按照中央人民政府的命令，行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈：

——分別於二零一五年十一月十二日和二零一六年五月九日以換文方式就《中華人民共和國和澳大利亞領事協定》適用於澳門特別行政區和協定的修改，以及對《中華人民共和國政府和澳大利亞政府關於澳大利亞繼續在中華人民共和國澳門特別行政區執行領事職務的協定》的修改達成協議的中華人民共和國照會中文正式文本及葡文譯本，以及澳大利亞照會的英文正式文本及葡文譯本；

——一九九九年九月八日在堪培拉簽訂的《中華人民共和國和澳大利亞領事協定》的中文及英文正式文本。

二零一八年三月二日發佈。

行政長官 崔世安

Aviso do Chefe do Executivo n.º 11/2018

Considerando que o Governo da República Popular da China e o Governo da Austrália concluíram por troca de Notas, datadas respectivamente de 12 de Novembro de 2015 e de 9 de Maio de 2016, um Acordo que torna o *Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*, concluído em Camberra, em 8 de Setembro de 1999, aplicável na Região Administrativa Especial de Macau, através de emendas efectuadas aos seus artigos 18.º e 21.º (Acordo por troca de Notas);

Considerando que o referido Acordo por troca de Notas emenda igualmente o artigo 2.º do *Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício das funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*, concluído em Camberra, em 8 de Setembro de 1999, e publicado no *Boletim Oficial da Região Administrativa Especial de Macau* n.º 39, II Série, de 28 de Setembro de 2011, através do Aviso do Chefe do Executivo n.º 52/2011;

Considerando igualmente que o Governo da Austrália e o Governo da República Popular da China por troca de Notas, datadas respectivamente de 4 de Outubro de 2017 e 31 de Outubro de 2017, efectuaram a notificação recíproca de que se encontram cumpridos os respectivos procedimentos legais internos para a entrada em vigor do Acordo por troca de Notas;

Mais considerando que, em 30 de Novembro de 2017, data da entrada em vigor do *supra* referido Acordo por troca de Notas, e que por virtude do nele disposto, o *Acordo sobre Relações Consulares entre a República Popular da China e a Austrália* se tornou aplicável na Região Administrativa Especial de Macau, mantendo-se igualmente em vigor o *Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício das funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*, tal como emendado pelo Acordo por troca de Notas ora publicado.

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), por ordem do Governo Popular Central,

— o Acordo que torna o *Acordo sobre Relações Consulares entre a República Popular da China e a Austrália* aplicável à Região Administrativa Especial de Macau, e que introduz emendas a este mesmo Acordo, assim como ao *Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício das funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*, concluído por troca de Notas, datadas respectivamente de 12 de Novembro de 2015 e 9 de Maio de 2016, a primeira no seu texto autêntico em língua chinesa, acompanhada da tradução para a língua portuguesa, e a segunda no seu texto autêntico em língua inglesa, acompanhada da tradução para a língua portuguesa; e

— o *Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*, concluído em Camberra, em 8 de Setembro de 1999, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 2 de Março de 2018.

O Chefe do Executivo, *Chu Sai On*.

中華人民共和國二零一五年十一月十二日照會

No.149/2015

“……

中華人民共和國駐澳大利亞聯邦大使館向澳大利亞外交貿易部致意，謹收到澳大利亞外交貿易部二〇一四年七月一日第 N14/12 號照會，並代表中華人民共和國政府確認，中華人民共和國政府和澳大利亞政府（以下稱“雙方”）就《中華人民共和國和澳大利亞領事協定》和《中華人民共和國政府和澳大利亞政府關於澳大利亞繼續在中華人民共和國澳門特別行政區執行領事職務的協定》有關問題達成協議如下：

一、兩國於一九九九年九月八日在堪培拉簽訂的《中華人民共和國和澳大利亞領事協定》適用於中華人民共和國澳門特別行政區。

二、關於《中華人民共和國和澳大利亞領事協定》，雙方同意：

（一）第十八條“派遣國航空器”修改為“本條約關於派遣國船舶的規定，同樣適用於派遣國航空器。但任何此種適用不得違反派遣國和接受國之間現行有效的雙邊或雙方均參加的多邊國際協定的規定，以及中華人民共和國香港特別行政區和中華人民共和國澳門特別行政區與澳大利亞簽訂的民用航空運輸協定的規定。”

（二）第二十一條“協定在香港特別行政區的適用”，條款名稱修改為“本協定的適用範圍”，內容修改為“本協定也適用於中華人民共和國香港特別行政區和中華人民共和國澳門特別行政區”。

三、兩國政府一九九九年九月八日在堪培拉簽訂的《中華人民共和國政府和澳大利亞政府關於澳大利亞繼續在中華人民共和國澳門特別行政區執行領事職務的協定》繼續有效。該協定第二條修改為“中華人民共和國政府根據一九六三年四月二十四日《維也納領事關係公約》《中華人民共和國和澳大利亞領事協定》以及中華人民共和國有關法律和規定，為澳大利亞總領事館執行領事職務提供必要的協助和便利。”

上述內容，如蒙澳大利亞外交貿易部代表澳大利亞政府覆照確認，本照會和澳大利亞外交貿易部的覆照即構成中華人民共和國政府和澳大利亞政府之間的協議。雙方應通過外交渠道相互照會通知已完成協議生效所需的國內法律程序，本協議自後一份照會覆照之日起第三十一日生效。

順致最崇高的敬意。

……”

Nota da República Popular da China, de 12 de Novembro de 2015

N.º 149/2015

« (...)

A Embaixada da República Popular da China na Comunidade da Austrália apresenta os seus cumprimentos ao Departamento dos Negócios Estrangeiros e do Comércio da Austrália e tem a honra de acusar a recepção da Nota n.º N14/12 do Departamento dos Negócios Estrangeiros e do Comércio da Austrália, datada de 1 de Julho de 2014 e, em nome do Governo da República Popular da China, tem a honra de confirmar relativamente ao «*Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*» e ao «*Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício de funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*» que o Governo da República Popular da China e o Governo da Austrália (adiante designados por «as Partes») chegaram ao seguinte acordo:

1. O «*Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*», feito em Camberra, em 8 de Setembro de 1999, é aplicável à Região Administrativa Especial de Macau da República Popular da China.
2. No que diz respeito ao «*Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*», as Partes concordam:
 - 1) Numa nova redacção do artigo 18.º - onde se refere a «Aeronave do Estado que envia»: «As disposições do presente Acordo relativas aos navios do Estado que envia devem aplicar-se às aeronaves do Estado que envia desde que tal aplicação não contrarie as disposições de acordos bilaterais em vigor entre o Estado que envia e o Estado receptor ou de acordos multilaterais nos quais ambos os Estados são signatários, bem como as disposições de quaisquer acordos de serviço aéreo assinados entre as Regiões Administrativas Especiais de Hong Kong e de Macau da República Popular da China e a Austrália.»
 - 2) Numa alteração da epígrafe do artigo 21.º - «Aplicação do Acordo à Região Administrativa Especial de Hong Kong» que passa a ter a seguinte redacção: «Âmbito de Aplicação do Acordo», cujo teor é alterado para o seguinte: «O

presente Acordo deve aplicar-se igualmente à Região Administrativa Especial de Hong Kong da República Popular da China e à Região Administrativa Especial de Macau da República Popular da China».

3. O «*Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício de funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*», feito em Camberra, em 8 de Setembro de 1999, continua a vigorar. A redacção do artigo 2.º deste Acordo é alterada como se segue «O Governo da República Popular da China deve, em conformidade com a «*Convenção de Viena sobre Relações Consulares*» de 24 de Abril de 1963, com o «*Acordo sobre Relações Consulares entre a República Popular da China e a Austrália*» e com as leis e regulamentos pertinentes da República Popular da China, conceder a assistência e as facilidades necessárias ao Consulado-Geral da Austrália no exercício das funções consulares.»

Após confirmação do conteúdo supra exposto na Nota de resposta do Departamento dos Negócios Estrangeiros e do Comércio da Austrália em nome do Governo da Austrália, a presente Nota e a Nota de resposta do Departamento dos Negócios Estrangeiros e do Comércio da Austrália constituem um Acordo entre o Governo da República Popular da China e o Governo da Austrália. As Partes devem notificar reciprocamente, por troca de Notas, pela via diplomática, de que foram cumpridos os respectivos procedimentos legais internos para a entrada em vigor do Acordo. O presente Acordo entra em vigor trinta e um dias após a data em que tiver sido recebida a última Nota.

A Embaixada da República Popular da China aproveita esta oportunidade para renovar ao Departamento dos Negócios Estrangeiros e do Comércio da Austrália os protestos da sua mais elevada consideração.

(...)»

Note of Australia, dated 9 May 2016

N° 16/039

«The Department of Foreign Affairs and Trade presents its compliments to the Embassy of the People's Republic of China and has the honour to refer to the Note dated 12 November 2015 concerning amendments to the *Agreement on Consular Relations between Australia and the People's Republic of China* and the *Agreement between the Government of Australia and the Government of the People's Republic of China concerning the Continuation of Consular Functions by Australia in the Macau Special Administrative Region of the People's Republic of China*. The Department of Foreign Affairs and Trade confirms on behalf of the Government of Australia that the Government of Australia and the Government of the People's Republic of China have reached agreement on the following matters:

1. The Agreement on Consular Relations between Australia and the People's Republic of China, done at Canberra on 8 September 1999, shall apply to Macau Special Administrative Region of the People's Republic of China.

2. With regard to the *Agreement on Consular Relations between Australia and the People's Republic of China*, the two parties agree:

(1) Article 18 referred to as “Aircraft of the sending State” is revised as follows:

“The provisions of this Agreement concerning vessels of the sending State shall apply to aircraft of the sending State provided that such application does not contravene the provisions of bilateral agreements in force between the sending State and the receiving State or multilateral agreements to which both States are signatories, as well as the provisions of any air service agreements signed between the Hong Kong and Macau Special Administrative Regions of the People's Republic of China and Australia.”

(2) For Article 21 referred to as “Application of the Agreement to the Hong Kong Special Administrative Region”, the title of the Article changed to “Scope of Application of the Agreement”, and the content of the Article is revised as follows: “This Agreement shall apply as well to the Hong Kong Special Administrative Region of the People's Republic of China and the Macau Special Administrative Region of the People's Republic of China.”

3. The *Agreement between the Government of Australia and the Government of*

the People's Republic of China concerning the Continuation of Consular Functions by Australia in the Macau Special Administrative Region of the People's Republic of China, done at Canberra on 8 September 1999, continues to be in force. Article 2 of the Agreement is revised as follows: “The Government of the People's Republic of China shall, in accordance with the *Vienna Convention on Consular Relations* done on 24 April 1963, the *Agreement on Consular Relations between Australia and the People's Republic of China* and the relevant laws and regulations of the People's Republic of China, accord necessary assistance and facilitation to the Consulate-General of Australia in the exercise of consular functions.”

The Department of Foreign Affairs and Trade confirms on behalf of the Government of Australia that this Note and Note Number 149/2015 from the Embassy of the People's Republic of China shall constitute an agreement between the Government of Australia and the Government of the People's Republic of China. The two parties shall inform each other through diplomatic channels by notes when the necessary domestic legislative procedures for this Agreement to enter into force have been completed, and the Agreement shall enter into force on the thirty first day from the date the last notification is sent.

The Department of Foreign Affairs and Trade avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

(...))»

Nota da Austrália, de 9 de Maio de 2016

N.º 16/039

«O Departamento dos Negócios Estrangeiros e do Comércio apresenta os seus cumprimentos à Embaixada da República Popular da China e tem a honra de referir a Nota datada de 12 de Novembro de 2015 relativa às emendas ao *Acordo sobre Relações Consulares entre a Austrália e a República Popular da China* e ao *Acordo entre o Governo da Austrália e o Governo da República Popular da China relativo à continuação do exercício de funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*. O Departamento dos Negócios Estrangeiros e do Comércio confirma em nome do Governo da Austrália que o Governo da Austrália e o Governo da República Popular da China chegaram a acordo nas seguintes matérias:

1. O *Acordo sobre Relações Consulares entre a Austrália e a República Popular da China*, feito em Camberra, em 8 de Setembro de 1999, aplica-se à Região Administrativa Especial de Macau da República Popular da China.

2. No que se refere ao *Acordo sobre Relações Consulares entre a Austrália e a República Popular da China*, as duas Partes acordam:

- (1) O artigo 18.º designado por «Aeronave do Estado que envia» é revisto como se segue: «As disposições do presente Acordo relativas aos navios do Estado que envia devem aplicar-se às aeronaves do Estado que envia desde que tal aplicação não contrarie as disposições de acordos bilaterais em vigor entre o Estado que envia e o Estado receptor ou de acordos multilaterais nos quais ambos os Estados são signatários, bem como as disposições de quaisquer acordos de serviço aéreo assinados entre as Regiões Administrativas Especiais de Hong Kong e de Macau da República Popular da China e a Austrália.»
- (2) Para o artigo 21.º, designado por «Aplicação do Acordo à Região Administrativa Especial de Hong Kong», a epígrafe do artigo é alterada para «Âmbito de Aplicação do Acordo», e o conteúdo do artigo é revisto como se segue: «O presente Acordo deve aplicar-se igualmente à Região Administrativa Especial de Hong Kong da República Popular da China e à Região Administrativa Especial de Macau da República Popular da China.»

3. O *Acordo entre o Governo da República Popular da China e o Governo da Austrália relativo à continuação do exercício de funções consulares por parte da Austrália na Região Administrativa Especial de Macau da República Popular da China*, feito em Camberra, em 8 de Setembro de 1999, continua em vigor. O artigo 2.º do Acordo é revisto como se segue: «O Governo da República Popular da China deve, em conformidade com a *Convenção de Viena sobre Relações Consulares* de 24 de Abril de 1963, com o *Acordo sobre Relações Consulares entre a Austrália e a República Popular da China* e com as leis e regulamentos pertinentes da República Popular da China, conceder a assistência e as facilidades necessárias ao Consulado-Geral da Austrália no exercício das funções consulares.»

O Departamento dos Negócios Estrangeiros e do Comércio confirma em nome do Governo da Austrália que a presente Nota e a Nota n.º 149/2015 da Embaixada da República Popular da China constituem um acordo entre o Governo da Austrália e o Governo da República Popular da China. As duas Partes devem comunicar entre si, por troca de Notas, através dos canais diplomáticos, a conclusão dos procedimentos legais internos exigidos para a entrada em vigor do presente Acordo, e o Acordo entra em vigor no trigésimo primeiro dia a contar da data de envio da última Nota.

O Departamento dos Negócios Estrangeiros e do Comércio aproveita esta oportunidade para reiterar à Embaixada da República Popular da China os protestos da sua mais elevada consideração.

(...)»

中華人民共和國和澳大利亞領事協定

中華人民共和國和澳大利亞，

為進一步發展兩國的領事關係，以利於保護兩國國家和兩國國民的權利和利益，促進兩國間的友好合作關係，

決定締結本領事協定，並議定下列各條：

第一條

定義

就本協定而言，下列用語的含義是：

（一）“派遣國國民”指具有派遣國國籍的自然人，適用時，也指派遣國的法人；

（二）“派遣國船舶”指按照派遣國法律懸掛派遣國國旗的船舶，不包括軍用船舶；

（三）“派遣國航空器”指在派遣國登記並標有其登記標誌的航空器，不包括軍用航空器；

（四）“領事官員”指派任此職承辦領事職務的任何人員，包括領館館長在內。

第二條

通知接受國任命、到達和離境

應將下列事項儘快書面通知接受國外交部或該部指定的適當機關：

（一）領館成員的姓名、職銜和他們的到達、最後離境或職務終止的日期，以及他們在領館任職期間職務上的任何變更；

（二）與領館成員構成同一戶口的家庭成員的姓名、國籍和他們的到達和最後離境的日期，以及適當時，某人成為或不再是家庭成員的事實；

（三）私人服務人員的姓名、國籍、職務及其到達和最後離境的日期，以及適當時，終止此服務的日期；

（四）僱用及解僱居住在接受國的人員為領館成員或享有特權與豁免的私人服務員。

第三條

為領館工作提供便利

一、接受國應為領館執行職務提供充分的便利。

二、接受國對領館成員應給予應有的尊重，並採取適當措施保證領館成員順利地執行職務。

第四條

領館館舍和住宅的獲得

一、在接受國法律規章允許的範圍內，派遣國或其代表有權：

(一) 購置、租用或以其他方式獲得用作領館館舍和領館成員住宅的建築物或部分建築物及其附屬的土地，但身為接受國國民或永久居民的領館成員的住宅除外；

(二) 在已獲得的土地上建造或修繕建築物。

二、接受國應為派遣國獲得領館館舍提供協助，必要時，亦應協助派遣國為其領館成員獲得適當的住宅。

三、派遣國或其代表在行使本條第一款規定的權利時，應遵守接受國有關土地、建築和城市規劃的法律規章。

第五條

一般領事職務

領事職務包括：

(一) 在國際法允許的範圍內保護派遣國及其國民的權利和利益；

(二) 增進派遣國和接受國之間的經濟、貿易、科技、文化和教育關係，並在其他方面促進兩國之間的友好合作關係；

(三) 用一切合法手段調查接受國的經濟、貿易、科技、文化和教育等方面的情況，並向派遣國政府報告；

(四) 執行派遣國責成領館辦理而不為接受國法律規章所禁止或不為接受國所反對，或派遣國與接受國之間現行有效的國際協定所規定的其他職務。

第六條

國籍和民事登記

一、有關國籍和民事登記的領事職務包括：

- (一) 接受有關國籍問題的申請；
- (二) 登記派遣國國民；
- (三) 登記派遣國國民的出生和死亡；
- (四) 辦理派遣國國民間的結婚手續並發給相應的證書。

二、本條第一款的規定不免除當事人遵守接受國法律規章的義務。

第七條

頒發護照和簽證

一、有關頒發護照和簽證的領事職務包括：

- (一) 向派遣國國民頒發護照和其他旅行證件，以及加註或吊銷上述護照或證件；
- (二) 向前往或途經派遣國的人員頒發簽證，以及加註或吊銷上述簽證。

二、如接受國當局獲得派遣國當局所發護照或其他旅行證件，除純粹為臨時目的而保留者外，應立即退還給派遣國當局。

第八條

公證和認證

一、有關公證認證的領事職務包括：

（一）應任何國籍的個人要求，為其出具在派遣國使用的各種文書；

（二）應派遣國國民的要求，為其出具在派遣國境外使用的各種文書；

（三）把文書譯成派遣國或接受國的官方文字，並證明譯本與原文相符；

（四）執行派遣國授權而不為接受國所反對的其他公證職務；

（五）認證派遣國或接受國有關當局所頒發的文書上的簽字和印章。

二、領館出具、證明或認證的文書如在接受國使用，只要它們符合接受國法律規章，應與接受國主管當局出具、證明或認證的文書具有同等效力。

三、在與接受國法律規章不相抵觸的前提下，領事官員有權接受和臨時保管派遣國國民的證件和文書。

第九條

轉送司法和司法外文書

領事職務包括按照兩國間現行國際協定或無此種國際協定時，按照符合接受國法律規章的任何其他方式，轉送司法文書和司法外文書。

第十條

領事保護和協助

一、雙方同意給予自稱同時具有中華人民共和國和澳大利亞國籍的人在兩國間旅行以便利，但這並不意味着中華人民共和國承認雙重國籍。上述人員的出境手續和證件按照其通常居住國的法律辦理。入境手續和證件應按照前往國的法律辦理。

二、如果司法和行政程序妨礙派遣國國民在其簽證和證件有效期內離開接受國，該國民不應失去派遣國領事的會見和保護權。應准許該國民離開接受國，除接受國法律規定的出境證件外，無需取得接受國其他證件。

三、凡持有派遣國有效旅行證件進入接受國的派遣國國民，於簽證或合法免簽證入境賦予其該身份的有效期限內，將被接受國有關當局視為派遣國國民，以保證其得到派遣國領事的會見和保護。

第十一條

與派遣國國民通訊及聯繫

一、為便利執行與派遣國國民有關的領事職務：

（一）領事官員可自由地與派遣國國民通訊及會見。派遣國國民亦可同樣自由地與派遣國領事官員通訊及會見；

（二）領事官員有權了解派遣國國民在接受國的居留和工作情況，並在任何時候向他們提供必要的協助；

（三）領事官員有權請求接受國主管當局查尋派遣國國民的下落，接受國主管當局應以一切合理方法提供有關情況；

（四）領事官員有權按照接受國法律規章，接受和臨時保管派遣國國民的錢款和貴重物品；

(五) 遇有領區內派遣國國民被逮捕、監禁、羈押候審或被以其他方式拘留時，除非該國民明示請求不通知派遣國領館，接受國主管當局應於三日內通知領館。該當局應通知領館該國民被逮捕、監禁、羈押候審或以其他方式被拘留的原因。被逮捕、監禁、羈押或拘留的人員致領館的信件亦應由上述當局不遲延地予以轉交。上述當局應將本項規定的權利不遲延地告知被拘留的有關派遣國國民；

(六) 遇有派遣國國民在接受國受審判或其他法律訴訟，有關當局將向領館提供對該國民提出指控的情況，並應允許領事官員旁聽審判或其他法律訴訟；

(七) 遇有派遣國國民受審判或其他法律訴訟，當需要時，接受國主管當局將為其安排適當的翻譯；

(八) 領事官員有權探視被監禁、羈押或拘留的派遣國國民，與之交談或通訊，並為其代聘法律代表。他們有權探視在其領區內依判決而受監禁、羈押或拘留的派遣國國民並與其交談或通訊。接受國主管當局應確保領事官員按照本條第一款第(五)項所規定的首次通知逮捕或拘留後二日內探視被拘留的派遣國國民，此後的探視不得少於每月一次。但如被監禁、羈押或拘留的國民明示反對為其採取行動時，領事官員應避免採取此種行動。

二、本條第一款所規定的權利和義務的實施應遵守接受國的法律規章，但此項法律規章務須使本條所規定的權利的目的得以充分實現。

三、遇派遣國國民因不在當地或由於其他原因不能及時保護自己的權利和利益時，領事官員可根據接受國的法律規章為保護該國民的權利和利益採取臨時性措施，在接受國法院或其他主管當局前代表該國民或

為其安排適當的代理人，直至該國民指定了自已的代理人或本人能自行保護其權利和利益時為止。

第十二條

死亡通知

接受國主管當局獲悉派遣國國民在接受國死亡時，該主管當局有責任不遲延地通知死亡發生地領區的領館，並應領館請求提供死亡證書或其他證明死亡的文件副本。

第十三條

有關遺產的職務

一、接受國有關地方當局獲悉死亡的派遣國國民在接受國遺有財產，但在接受國無繼承人和遺囑執行人時，接受國主管當局應儘速通知領館。

二、當接受國主管當局清點和封存本條第一款所述遺產時，領事官員有權到場。

三、如派遣國某國民作為遺產繼承人或受遺贈人有權繼承或受領一位任何國籍的死者在接受國的遺產或遺贈，且接受國主管當局獲悉該國民不在接受國境內，接受國主管當局應將其了解到的任何有關該國民繼承或受領遺產或遺贈的情況通知領館。

四、遇有派遣國國民有權或聲稱有權繼承在接受國境內的某項遺產，但本人或其代理人均不能在遺產繼承程序中到場時，領事官員或其代表可在接受國法院或其他主管當局前代表該國民。

五、領事官員有權代為接受非永久居住在接受國的派遣國國民在接受國應得的遺產或遺贈，並將該遺產或遺贈轉交給該國民。

六、遇非永久居住在接受國的派遣國國民在接受國境內臨時逗留時或過境時死亡，而其在接受國又無親屬或代理人時，領事官員有權立即臨時保管該國民隨身攜帶的所有文件、錢款和個人物品，以便轉交給該國民的遺產繼承人，遺囑執行人或其他授權接受這些物品的人。

七、領事官員在執行本條第四、五、六款所規定的職務時，應遵守接受國的法律規章。

第十四條

監護和託管

一、領區內包括未成年人在內的無行為能力或限制行為能力的派遣國國民需要指定監護人或託管人時，接受國主管當局應通知領館。

二、領事官員有權在接受國法律規章允許的範圍內保護包括未成年人在內的無行為能力或限制行為能力的派遣國國民的權利和利益，必要時，可為他們推薦或指定監護人或託管人，並監督他們的監護或託管活動。

第十五條

協助派遣國船舶

一、領事官員有權對在接受國內水或領海的派遣國船舶及其船長和船員提供協助，並有權：

(一) 在船舶獲准同岸上自由往來後登訪船舶，詢問船長或船員，聽取有關船舶、貨物及航行的報告；

(二) 在不妨害接受國當局權力的前提下，調查船舶航行期間所發生的任何事件；

(三) 在派遣國法律規章許可的範圍內，解決船長與船員之間的爭端，包括有關工資和勞務合同的爭端；

(四) 接受船長和船員的訪問，並在必要時為其安排就醫或返回本國；

(五) 接受、查驗、出具、簽署或認證與船舶有關的文書；

(六) 辦理派遣國主管當局委託的其他與船舶有關的事務。

二、船長與船員可同領事官員聯繫。在不違反接受國有關港口和外國人管理的法律規章的前提下，船長與船員可前往領館。

第十六條

對派遣國船舶實行強制措施時的保護

一、接受國法院或其他主管當局如欲對派遣國船舶或在派遣國船舶上採取強制性措施或進行正式調查時，必須事先通知領館，以便在採取行動時領事官員或其代表能到場。如情況緊急，不能事先通知，接受國主管當局應在採取上述行動後立即通知領館，並應領事官員的請求迅速提供所採取行動的全部情況。

二、本條第一款的規定也適用於接受國主管當局在岸上對船長或船員所採取的同樣行動。

三、本條第一、二款的規定不適用於接受國主管當局進行的有關海關、港口管理、檢疫或邊防檢查等事項的例行檢查，也不適用於接受國主管當局為保障海上航行安全或防止水域污染所採取的措施。

四、除非應船長或領事官員的請求或徵得其同意，接受國主管當局在接受國的安寧、安全及公共秩序未受破壞的情況下，不得干涉派遣國船舶上的內部事務。

第十七條

協助失事的派遣國船舶

一、遇有派遣國船舶在接受國領海或內水毀損或擱淺時，接受國主管當局應不遲延地通知最接近出事地點的領館，並通知為搶救船上人員、船舶、貨物及其他財產所採取的措施。

二、領事官員有權在接受國法律規章允許的範圍內採取措施向失事的派遣國船舶、船員和旅客提供協助，並可為此請求接受國當局給予協助。

三、如果失事的派遣國船舶或屬於該船的物品或所載的貨物處於接受國海岸附近或被運進接受國港口，而船長、船舶所有人、船舶公司代理人或有關保險公司代理人均不在場或無法採取措施保存或處理時，接受國主管當局應儘速通知領館。領事官員可代表船舶所有人採取適當的措施。

四、如失事的派遣國船舶及其貨物和用品不在接受國境內出售或交付使用，接受國不應徵收關稅或其他類似費用。

第十八條

派遣國航空器

本條約關於派遣國船舶的規定，同樣適用於派遣國航空器。但任何此種適用不得違反派遣國和接受國之間現行有效的雙邊或雙方均參加的多邊國際協定的規定，以及中華人民共和國香港特別行政區與澳大利亞簽訂的民用航空運輸協定的規定。

第十九條

領事規費和手續費

一、領館可根據派遣國法律規章在接受國境內收取派遣國法律規章所規定的領事規費和手續費。

二、本條第一款所述規費和手續費的收入款項及此項規費或手續費的收據，應免除接受國的一切捐稅。

三、接受國應准許領館將本條第一款所述規費和手續費的收入匯回派遣國。

第二十條

與其他國際協定的關係

一、雙方明示同意本協定根據一九六三年四月二十四日訂於維也納的《維也納領事關係公約》第七十三條第二款訂立。本協定的目的為確認並引申對雙方有效的《維也納領事關係公約》的規定。

二、雙方確認一九六三年四月二十四日訂於維也納的《維也納領事關係公約》的規定，並同意本協定未明確規定的事項，按《維也納領事關係公約》處理。

三、除另有規定外，本協定中的用語與一九六三年四月二十四日訂於維也納的《維也納領事關係公約》中的用語含義相同。

第二十一條

協定在香港特別行政區的適用

本協定也適用於中華人民共和國香港特別行政區。

第二十二條

磋商

雙方同意每年至少進行一次磋商，回顧領事關係包括任何雙方關心的問題。雙方可隨時就需要提出的個別領事事務尋求磋商。

第二十三條

生效及有效期

本協定自雙方互換照會通知已完成各自國內法律規定的協定生效手續之日起第三十一天生效，除非締約一方在六個月前書面通知另一方終止本協定，則本協定繼續有效。

本協定於一九九九年九月八日在堪培拉簽訂，一式兩份，每份都用中文和英文寫成，兩種文本同等作準。

中華人民共和國

代表

楊潔篪

(簽字)

澳大利亞

代表

亞歷山大·唐納

(簽字)

**AGREEMENT ON CONSULAR RELATIONS
BETWEEN
THE PEOPLE’S REPUBLIC OF CHINA AND
AUSTRALIA**

THE PEOPLE’S REPUBLIC OF CHINA AND AUSTRALIA,

DESIRING to develop further their consular relations in order to facilitate the protection of the rights and interests of their nations and nationals, and desiring to promote friendly relations and cooperation between the two countries,

HAVE DECIDED to conclude the present Consular Agreement and have agreed as follows:

**Article 1
Definitions**

For the purposes of this Agreement the following expressions shall have the meanings given to them below:

(a) “national of the sending State” means any natural person having the nationality of the sending State, and, when applicable, also any juridical person of the sending State;

(b) “vessel of the sending State” means any vessel sailing under the flag of the sending State pursuant to its law, excluding military vessels;

(c) “aircraft of the sending State” means any aircraft registered in the sending State and bearing that State’s registration marks, excluding military aircraft; and

(d) “consular officer” means any person including the head of a consular post entrusted in that capacity with the exercise of consular functions.

Article 2

Notification to the receiving State of appointments, arrivals and departures

The ministry for foreign affairs of the receiving State or the appropriate authority designated by that ministry shall be notified in writing as soon as possible of:

(a) the full name and rank of a member of a consular post, the date of his or her arrival and final departure or the termination of his or her functions, as well as any change of his or her status in the course of his or her service with the consular post;

(b) the full name, nationality and date of arrival and final departure of a person belonging to the family of a member of a consular post forming part of his or her household and, where appropriate, the fact that a person becomes or ceases to be such a member of the family;

(c) the full name, nationality, function and the date of the arrival and final departure of members of the private staff and, where appropriate, the termination of their service as such; and

(d) the engagement and discharge of persons resident in the receiving State as members of a consular post or as members of the private staff entitled to privileges and immunities.

Article 3

Facilities for the work of the consular post

1. The receiving State shall accord full facilities for the performance of the functions of the consular post.

2. The receiving State shall treat members of a consular post with due respect and take appropriate measures to ensure the smooth performance of functions by such members.

Article 4

Acquisition of consular premises and residences

1. To the extent permitted by the laws and regulations of the receiving State, the sending State or its representative shall have the right to:

(a) purchase, lease or acquire in any other way a building or a part of a building and the land ancillary thereto for use as the consular premises and the residences of the members of the consular post, excluding the residences of those members who are nationals or permanent residents of the receiving State; and

(b) to construct or improve buildings on the land acquired.

2. The receiving State shall facilitate the sending State in acquiring consular premises and, when necessary, in acquiring appropriate residences for members of the consular post.

3. In the exercise of the rights provided for in paragraph 1 of this Article, the sending State or its representative shall comply with the laws and regulations of the receiving State concerning land, construction and city planning.

Article 5

General consular functions

Consular functions include:

(a) protecting and securing the rights and interests of the sending State and those of its nationals within the limits permitted by international law;

(b) furthering the development of economic, trade, scientific and technological, cultural and educational relations between the sending State and the receiving State, and otherwise promoting their friendly relations and cooperation;

(c) ascertaining by all lawful means, conditions of the receiving State in the economic, trade, scientific, technological, cultural, educational and other fields and reporting thereon to the Government of the sending State; and

(d) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.

Article 6

Applications pertaining to nationality and civil registration

1. Consular functions pertaining to nationality and civil registration include:

(a) accepting applications relating to citizenship;

(b) registering nationals of the sending State;

(c) registering the births and deaths of the nationals of the sending State; and

(d) handling the procedures for the marriage between the nationals of the sending State and issuing appropriate documentation.

2. The provisions of paragraph 1 of this Article shall not exempt the persons concerned from the obligation to observe the laws and regulations of the receiving State.

Article 7

Issue of passports and visas

1. Consular functions pertaining to the issue of passports and visas include:

(a) issuing passports and other travel documents to the nationals of the sending State, and endorsing or invalidating the said passports or documents; and

(b) issuing visas to persons who are to travel to or through the sending State, and endorsing or invalidating the said visas.

2. The passports and other travel documents issued by the authorities of the sending State coming into the possession of the authorities of the receiving State, other than those held for purely temporary purposes, shall be returned promptly to the authorities of the sending State.

Article 8

Notarisation and authentication

1. Consular functions pertaining to notarisation and authentication include:

(a) drawing up documents of a person of any nationality for use in the sending State upon the request of that person;

(b) drawing up documents of a national of the sending State for use outside the sending State upon the request of that national;

(c) translating documents into the official language of the sending State or of the receiving State and certifying that the translation is in conformity with the original;

(d) carrying out other notarial functions which are authorized by the sending State, and to which no objection is taken by the receiving State; and

(e) authenticating signatures and seals on documents issued by the authorities concerned of the sending State or of the receiving State.

2. When used in the receiving State, the documents drawn up, certified or authenticated by the consular post in accordance with the laws and regulations of the

receiving State shall have the same validity and effect as the documents drawn up, certified or authenticated by the competent authorities of the receiving State.

3. A consular officer shall be entitled to receive or take into temporary custody the certificates and documents of a national of the sending State provided that this is not incompatible with the laws and regulations of the receiving State.

Article 9

Transmission of judicial and extra-judicial documents

Consular functions include transmission of judicial and extra-judicial documents in accordance with international agreements in force between both Parties or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State.

Article 10

Consular protection and assistance

1. The Parties agree to facilitate travel between the two States of a person who may have a claim simultaneously to the nationality of the People's Republic of China and Australia. However, this does not imply that the People's Republic of China recognizes dual nationality. Exit formalities and documentation of that person shall be handled in accordance with the law of the State in which the person customarily resides. Entry formalities and documentation shall be handled in accordance with the law of the State of destination.

2. If judicial or administrative proceedings prevent a national of the sending State from leaving the receiving State within the period of validity of his or her visa and documentation, that national shall not lose his or her right to consular access and protection by the sending State. That national shall be permitted to leave the receiving State without having to obtain additional documentation from the receiving State other than exit documentation as required under the law of the receiving State.

3. A national of the sending State entering the receiving State with valid travel documents of the sending State shall, during the period for which his or her status has been accorded on a limited basis by visa or lawful visa-free entry, be considered as a national of the sending State by the appropriate authorities of the receiving State with a view to ensuring consular access and protection by the sending State.

Article 11

Communication and contact with nationals of the sending State

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

(b) consular officers shall be entitled to ascertain conditions in life and work of a national of the sending State in the receiving State and provide him or her with necessary assistance at all times;

(c) consular officers shall be entitled to request the competent authorities of the receiving State to ascertain the whereabouts of a national of the sending State, and the competent authorities of the receiving State shall do everything reasonable in the circumstances to provide the relevant information;

(d) consular officers shall be entitled to receive and take into temporary custody money or valuables of a national of the sending State in accordance with the laws and regulations of the receiving State;

(e) the competent authorities of the receiving State shall within three days inform the consular post of the sending State if, within its consular district, a national of the sending State is arrested or committed to prison or to custody pending trial or is detained in any other manner, unless that person expressly requests that the consular post of the sending State should not be informed. The authorities of the receiving State shall inform the consular post of the reasons for which a national has been arrested or committed to prison or to custody pending trial or detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the detained person concerned without delay of his or her rights under this sub-paragraph;

(f) in the case of a trial or other legal proceeding against a national of the sending State in the receiving State, the appropriate authorities shall make available to the consular post information on the charges against that national. A consular officer

shall be permitted to attend the trial or other legal proceedings;

(g) in the case of a trial or other legal proceedings against a national of the sending State, the appropriate authorities of the receiving State shall make available adequate interpretation to that national when necessary; and

(h) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him or her, and to arrange for his or her legal representation. They shall also have the right to visit, to converse and correspond with any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement. Access to detained nationals of the sending State shall be guaranteed by the competent authorities of the receiving State to a consular officer of the sending State within two days of initial notification of arrest or detention as specified in paragraph 1(e) of this Article, and at least once a month thereafter. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he or she expressly opposes such action.

2. The rights and obligations referred to in paragraph 1 of this Article shall be exercised in conformity with the laws and regulations of the receiving State, provided however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this Article are intended.

3. Where nationals of the sending State are unable, at the proper time, to assume the defence of their rights and interests because of absence or any other reason, consular officers may, in accordance with the laws and regulations of the receiving State, for the purpose of obtaining provisional measures for the preservation of the rights and interests of such nationals, represent or arrange appropriate representation for the nationals of the sending State before the tribunals or other competent authorities of the receiving State until such nationals appoint their own representation or they themselves are able to defend their own rights and interests.

Article 12

Information in cases of deaths

If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty, in the case of the death of a national of the sending State, to inform without delay the consular post in whose

district the death occurred and provide upon the request of the consular post a death certificate or a copy of other documents certifying the death.

Article 13

Functions concerning estate

1. Whenever the appropriate local authorities of the receiving State learn that a deceased national of the sending State has left an estate in the receiving State and there is no heir or testamentary executor in the receiving State, the competent authorities of the receiving State shall promptly inform the consular post.

2. A consular officer shall be entitled to be present when an estate as referred to in paragraph 1 of this Article is being inventoried and sealed by the competent authorities of the receiving State.

3. If a national of the sending State as an heir or legatee is entitled to inherit or receive an estate or bequeathed gift of a deceased of any nationality in the receiving State and if the competent authorities of the receiving State become aware such a person is not in the territory of the receiving State, the competent authorities of the receiving State shall inform the consular post of any information which may come to their attention concerning such inheritance or reception of estate or bequeathed gift by the said person.

4. In case a national of the sending State has or claims to have a right to inherit an estate in the receiving State but neither he or she nor his or her representative is able to be present at the inheritance proceedings, a consular officer or his or her representative may represent the national before the court or other competent authorities of the receiving State.

5. A consular officer shall be entitled, on behalf of a national of the sending State who is not a permanent resident in the receiving State, to receive for transmission to that national any estate or bequeathed gift in the receiving State, which is due to that national.

6. If a national of the sending State who is not a permanent resident in the receiving State dies during a temporary stay in or transit through the receiving State, and if there is no relative or representative of his or hers in the receiving State, a consular officer shall be entitled to immediately take into provisional custody all the documents, money and personal effects which were with the deceased national for

transmission to his or her heir, testamentary executor or other persons authorized to receive the assets.

7. A consular officer shall comply with the laws and regulations of the receiving State in performing his or her functions as referred to in paragraphs 4, 5 and 6 of this Article.

Article 14

Guardianship and trusteeship

1. The competent authorities of the receiving State shall notify the consular post when a guardian or trustee is required for a national, including an underaged national, of the sending State in the consular district who has no capacity or limited capacity to act on his or her own behalf.

2. A consular officer shall be entitled to protect, to the extent permitted by the laws and regulations of the receiving State, the rights and interests of a national, including an underaged national, of the sending State who has no capacity or limited capacity to act on his or her own behalf, and when necessary, to recommend or designate a guardian or trustee to the person concerned and supervise the activities pertaining to guardianship or trusteeship.

Article 15

Assistance to vessels of the sending state

1. A consular officer shall be entitled to render assistance, to vessels of the sending State which are in the inland or territorial waters of the receiving State, and to their master and crew members, and also:

(a) to board a vessel when free access to shore has been granted to the vessel, question the master and any member of the crew and receive reports on the vessel, its cargo and voyage;

(b) without prejudice to the powers of the authorities of the receiving State, to investigate any incident which occurred during the voyage;

(c) to settle disputes between master and crew, including disputes about wages and service contracts insofar as this may be authorised by the laws and regulations of the sending State;

(d) to receive visits from the master or any member of the crew, and, when necessary, make arrangements for his or her medical treatment or return home;

(e) to receive, examine, draw up, sign or authenticate documents with regard to a vessel; and

(f) to handle other matters relating to a vessel, which are entrusted by the competent authorities of the sending State.

2. The master and any member of the crew may contact a consular officer. They may go to the consular post on the premise of no contravention of the laws and regulations of the receiving State concerning the administration of ports and aliens.

Article 16

Protection in case of compulsory actions against a vessel of the sending State

1. In case the courts or other competent authorities of the receiving State intend to take compulsory actions, or start an official investigation with regard to a vessel or aboard a vessel of the sending State, those authorities shall notify the consular post in advance so as to enable a consular officer or his or her representative to be present when actions are taken. If the urgency of the matter prevents prior notification, the competent authorities of the receiving State shall notify the consular post immediately after the actions have been taken and promptly provide him or her with full particulars of the said actions, upon the request of a consular officer.

2. The provisions of paragraph 1 of this Article shall apply to similar actions taken on shore by the competent authorities of the receiving State against the master of a vessel or any member of the crew.

3. The provisions of paragraphs 1 and 2 of this Article shall not apply to any routine inspection carried out by the competent authorities of the receiving State in relation to customs, administration of ports, quarantine or border check, nor to measures taken by such authorities to ensure navigation safety on sea or the prevention of pollution of waters.

4. Except upon the request or with the consent of the master of a vessel of the sending State or of a consular officer, the competent authorities of the receiving State shall not interfere in the internal affairs of the vessel, when the peace, security and public order of the receiving State are not violated.

Article 17

Assistance to wrecked vessels of the sending State

1. If a vessel of the sending State, is wrecked or runs aground in the territorial sea or internal waters of the receiving State, the competent authorities of the receiving State shall inform without delay the consular post nearest to the scene of the occurrence of the measures taken for rescuing the persons aboard, the vessel and its cargo and other properties.

2. A consular officer shall be entitled to take measures, to the extent permitted by the laws and regulations of the receiving State, to render assistance to any wrecked vessel of the sending State and its crew and passengers and to request assistance from the authorities of the receiving State in this connection.

3. If a wrecked vessel of the sending State or its articles or cargo is found near the coast of, or is brought into a port of the receiving State and neither the master nor the owner of the vessel, nor any agent of the vessel's company or its insurance company is present or is in a position to take measures for their preservation or disposal, the competent authorities of the receiving State shall inform the consular post as promptly as possible. A consular officer may take appropriate measures on behalf of the owner of the vessel.

4. A wrecked vessel of the sending State and its cargo and articles shall not be subjected to customs duties or other similar charges by the receiving State provided they are not delivered for sale or for use in the receiving State.

Article 18

Aircraft of the sending State

The provisions of this Agreement concerning vessels of the sending State shall apply to aircraft of the sending State provided that such application does not contravene the provisions of bilateral agreements in force between the sending State and the receiving State or multilateral agreements to which both States are signatories, as well as the provisions of any air service agreement signed between the Hong Kong Special Administrative Region of the People's Republic of China and Australia.

Article 19

Consular fees and charges

1. The consular post may levy in the territory of the receiving State the fees and charges provided by the laws and regulations of the sending State for consular acts.
2. The sums collected in the form of the fees and charges referred to in paragraph 1 of this Article, and the receipts for such fees and charges, shall be exempt from all dues and taxes in the receiving State.
3. The receiving State shall permit a consular post to remit to the sending State the income from the fees and charges referred to in paragraph 1 of this Article.

Article 20

Relations with other international Agreements

1. The Parties expressly agree and acknowledge that this Agreement is made in accordance with Article 73(2) of the Convention on Consular Relations done at Vienna, 24 April 1963 and that the purpose of this Agreement is to confirm and amplify the provisions of the Vienna Convention on Consular Relations which remains in force as between them.
2. The Parties affirm the provisions of the Vienna Convention on Consular Relations done at Vienna, 24 April 1963, and agree that matters not explicitly raised in this Agreement shall be dealt with in accordance with that Convention.
3. Expressions in this Agreement shall, unless otherwise specified, have the same meaning as those given to them in the Vienna Convention on Consular Relations done at Vienna, 24 April 1963.

Article 21

Application of the Agreement to the Hong Kong Special Administrative Region

This Agreement shall apply as well to the Hong Kong Special Administrative Region of the People's Republic of China.

Article 22

Consultations

The Parties agree to meet for consultations not less than once each year to review the consular relationship, including any issues of concern to either Party. Either Party may also seek consultations on individual consular matters as required from time to time during any one year.

Article 23

Entry into force and duration

This Agreement shall take effect on the thirty-first day after an exchange of notes by which the two Parties notify each other of the completion of the procedures required by their national laws for giving effect to this Agreement, and shall remain in effect until termination by either Party on six (6) months notice in writing to the other Party.

DONE in duplicate at Canberra on the eighth day of September, 1999, in the Chinese and English languages, both texts being equally authentic.

FOR THE PEOPLE'S REPUBLIC OF
CHINA:

FOR AUSTRALIA:

第 12/2018 號行政長官公告

Aviso do Chefe do Executivo n.º 12/2018

鑑於中央人民政府命令在澳門特別行政區執行聯合國安全理事會有關阿富汗局勢的第1267 (1999) 號、第1333 (2000) 號、第1390 (2002) 號和第1452 (2002) 號決議及關於恐怖主義行為對國際和平與安全造成威脅的第1373 (2001) 號、第1526 (2004) 號、第1617 (2005) 號、第1735 (2006) 號、第1989 (2011) 號、第2083 (2012) 號、第2161 (2014) 號、第2170 (2014) 號、第2178 (2014) 號、第2199 (2015) 號、第2253 (2015) 號和第2368 (2017) 號決議；

聯合國安全理事會1267/1989/2253伊黎伊斯蘭國(達伊沙)和基地組織制裁委員會(下稱“委員會”)定期更新了依照安全理事會第1267/1989/2253號決議擬定並維持的名單(“伊黎伊斯蘭國(達伊沙)和基地組織制裁名單”);

中央人民政府命令在澳門特別行政區公佈二零一七年十二月二十九日生成的伊黎伊斯蘭國(達伊沙)和基地組織制裁名單, 包含委員會至二零一七年十二月二十六日作出的更新;

Considerando que o Governo Popular Central ordenou a aplicação na Região Administrativa Especial de Macau (RAEM) das Resoluções do Conselho de Segurança das Nações Unidas n.ºs 1267 (1999), 1333 (2000), 1390 (2002) e 1452 (2002), relativas à situação no Afeganistão, e n.ºs 1373 (2001), 1526 (2004), 1617 (2005), 1735 (2006), 1989 (2011), 2083 (2012), 2161 (2014), 2170 (2014), 2178 (2014), 2199 (2015), 2253 (2015) e 2368 (2017), relativas às ameaças à paz e segurança internacionais causadas por actos terroristas;

Considerando igualmente que o Comité de Sanções do Conselho de Segurança das Nações Unidas 1267/1989/2253 contra o ISIL (Daesh) e Al-Qaida, adiante designado por «Comité», tem vindo a proceder regularmente a actualizações da Lista estabelecida e mantida nos termos das Resoluções do Conselho de Segurança n.ºs 1267/1989/2253 («Lista de Sanções contra o ISIL (Daesh) e Al-Qaida»);

Considerando ainda que o Governo Popular Central ordenou a publicação na RAEM da Lista de Sanções contra o ISIL (Daesh) e Al-Qaida tal como produzida em 29 de Dezembro de 2017, a qual inclui as actualizações efectuadas pelo Comité até 26 de Dezembro de 2017;