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主管：国务院港澳事务办公室

主办：全国港澳研究会

ABSTRACTS

Pilot Programs on Law-based Governance in Shenzhen—A Perspective of GBA Cooperation

..... *Wang Chunye* (3)

Abstract: Shenzhen, as the pilot demonstration zone for socialism with Chinese characteristics, is where a large number of comprehensive reforms are piloted. To better carry out these reforms, higher-level law-based governance is required. Currently, the pilot policies of Shenzhen lack adequate legal support as the powers of local legislatures are limited, which also undermines the city's role as a pacesetter in developing the Guangdong-Hong Kong-Macao Greater Bay Area. Thus, more authorizations shall be issued to Shenzhen to enact laws on its own through a realistic, innovative method that allows for list-based, bulk authorization. The new method will avoid ambiguity and ensure efficiency, satisfying the city's demands in advancing law-based governance.

Keywords: Pilot Demonstration Zone; Law-based Regional Governance; List-based, Bulk Authorization for Legislation

Macao's Gaming Law: Revision and Impacts

..... *Wang Changbin* (15)

Abstract: In 2022, the Macao SAR government carried out a thorough revision of its gaming law to prepare for the re-granting of casino concessions and address long-standing problems in Macao's gaming sector. The revised law places caps on the number and duration of contracts granted, explains the legitimacy of third-party VIP rooms and satellite casinos, requires the sector to further safeguard national security, and establishes a sound punishment system. As the law has come into effect, Macao's gaming sector will undergo profound changes in terms of structure and operation. Third-party VIP rooms, which used to contribute half of the sector's revenue, now shall only charge commission fees as its source of income. Meanwhile, satellite casinos can only continue to operate within lawful limits. Concessionaries must focus on serving the mass market, attracting overseas tourists, and developing non-gaming segments. Government policies are required to support concessionaries in maintaining competitiveness and achieving transformation.

Keywords: Gaming Law; Re-granting of Concession; VIP Room; Satellite Casino; Gaming Promotor

On the Trade Logistics Industry in Hong Kong—A Perspective of Global Value Chain

..... *Zhong Yun, Hong Kaibang* (28)

Abstract: To measure the global importance, relevance and influence of an industry in a region, it is critical to examine its participation in global value chains. Based on the indicators of global value chains, the article analyzes the position and partnerships of Hong Kong's trade and logistics industries along the global value chain between 1995 and 2018. From a macro perspective, Hong Kong has

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experienced a wave-like upward trend on global value chains and moved away from the West to seek upstream/downstream partners in the Chinese mainland and the ASEAN region, as a result of higher-level production collaboration with the mainland, unfolding opening up of the mainland, and local industrial transformation. In terms of the trade logistics segments, Hong Kong participates in global value chains by importing intermediate goods (except for the wholesale and retail segments). The six segments all have stronger competitiveness (except for the waterborne segment) and a higher position on global value chains than those of Singapore.

Abstract: Hong Kong; Global Value Chain; Trade Logistics; Status Evolution; International Competitiveness

Supply and Governance of Public Housing in Macao: From Public-Private Partnership to Government Leadership

..... *Lou Shenghua, Zhu Zehua* (41)

Abstract: The building of public houses in Macao used to rely on public-private partnerships. Today, it is led by the government, who implements a five-tier system to ensure adequate housing for all. However, public housing in Macao features insufficiency in quantity and quality; meanwhile, the five-tier system lacks mobility along the housing ladder from Home-Ownership-Scheme housing to “sandwich” class housing for middle-income families, and to private-sector housing. Macao shall revise its policy accordingly to improve the governance of housing, supporting housing from multiple sources, including public-private partnerships, so as to secure a multi-target, multi-tier housing system where everyone lives in an affordable and comfortable home.

Keywords: Supply of Public Housing; Public-Private Partnership; Government Leadership; Housing Governance; Macao

Diversified Resolution Mechanism for International Commercial Disputes Along the Belt and Road: A Pilot Program in Guangdong-Hong Kong-Macao Greater Bay Area

..... *Ke Jingjia* (51)

Abstract: Countries along the Belt and Road are increasingly active in cross-border investment, trade, finance, and engineering projects. The traditional judicial approach has thus become insufficient to resolve their diverse commercial disputes, which often involve a wide variety of parties, national / regional legal norms, and business practices. Against the backdrop, the top-level design and theoretical outcomes of China’s diversified international commercial dispute resolution (DICDR) mechanism are being translated into international commercial courts and “one-stop” DICDR platforms engaging arbitration and resolution institutions in this regard. However, the mechanism is facing such challenges as inadequate functioning of the court, unclarified access policies for overseas arbitrators, and differentiation between the resolution of domestic and foreign-related commercial disputes. The *Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area* and the *Guiding Opinions of Further Expanding the Opening-up of the People’s Court Service Guarantee* identify that efforts

should be made to enhance judicial exchange and coordination in the Guangdong-Hong Kong-Macao Greater Bay Area with the aim of building a shared diversified dispute resolution mechanism and to work with the Hong Kong SAR in establishing an international legal service center as well as an ICDR center in the Greater Bay Area. This indicates that it is required to leverage the benefits of the judicial cooperation between the two SARs and the Chinese mainland, learn from international cases on ICDR, and carry out a pilot program in the Area, so as to overcome existing structural barriers to a better ICDR mechanism. Relevant measures suggested by the article for the Greater Bay Area include: improving rules for international commercial courts, innovating the access policies for international commercial arbitrators, examining the commercial reservation and ad hoc arbitration rules, drawing on the latest international commercial arbitration cases, boosting the cross-border commercial dispute resolution mechanism and the ICDR center, and aligning with international standards. These will contribute to China's credibility and effectiveness in leading commercial dispute resolution along the Belt and Road.

Keywords: The Belt and Road Initiative; Guangdong-Hong Kong-Macao Greater Bay Area; International Commercial Dispute Resolution; Diversified Dispute Resolution

Solution to Inter-regional Conflicts of Public Health Laws in Guangdong-Hong Kong-Macao Greater Bay Area

..... *Feng Zehua* (66)

Abstract: Under the model of “One Country, Two Systems,” Guangdong, Hong Kong, and Macao each apply a different legal system, including that for public health. This has led to inconsistency in health governance in the Greater Bay Area that brings out the inter-regional conflicts of public health laws, reducing the effect on the joint fight against the COVID-19 pandemic. Embracing a cooperative rule of law approach, the three regions seek to introduce soft laws to establish common legal safeguards for public health that ensure a rational resource allocation. However, as legally non-binding instruments, these soft laws fail to build a strong synergy. The article thus provides a solution to the inter-regional conflicts of public health laws in the Greater Bay Area. Firstly, the legislative philosophy shall shift from responsive legislation to prevention and response; Secondly, more public health laws shall offer detailed provisions rather than establish a mere framework; Thirdly, the coordinated legislation system shall be improved by incorporating basic standards, inter-regional administrative agreements, and regional model laws.

Keywords: Guangdong-Hong Kong-Macao Greater Bay Area; Public Health; Inter-regional Conflicts of Laws; Overall Jurisdiction

Infrastructure Connectivity in Guangdong-Hong Kong-Macao Greater Bay Area: Underlying Logic and Advancement Strategies

..... *Chen Pengqin, Mao Yanhua* (80)

Abstract: Infrastructure connectivity underpins the economic integration in the Guangdong-Hong Kong-Macao Greater Bay Area. As such, it is essential to review the history of connectivity and chart its

future course, so as to step up the integrated development of the Area. The article reveals the underlying logic of infrastructure connectivity in the Greater Bay Area from such perspectives as the flow of productive factors, regional coordination, resource allocation, and developments of the “One Country, Two Systems” philosophy. It also reviews the connectivity history spanning mutual aid, regional coordination, Greater Bay Area-wide coordination, and joint governance. The article notes that in the Greater Bay Area, a transport network supporting the “one-hour living circle” has initially taken shape; more measures are taken to ensure energy security, flood control, and water allocation; and digitalization is speeding up. However, despite the developments of transport, energy, water, and IT infrastructures, the Area faces challenges in the coordination and connectivity regarding, among others, cross-regional policy, market, administration, and data, which have led to low synergies and high costs in some cases. Accordingly, the article provides strategies to advance infrastructure connectivity in the Greater Bay Area, including improving planning and governance, building sound coordination mechanisms, developing digital infrastructure, and giving full play to the leading role of Guangzhou and Shenzhen.

Keywords: Guangdong-Hong Kong-Macao Greater Bay Area; Infrastructure; Connectivity; Cross-boundary Governance

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