

### 3. PUBLICATIONS OF JORGE GODINHO

#### 3.1.1 Theses and books

1. *Direito do jogo*, vol. I, Fundação Rui Cunha, Macau, 2016 (350 pages).
2. *Macau business law and legal system*, LexisNexis, Hong Kong, 2007 (207 pages).
3. *Patrimonial strategies of crime control. An enquiry into the general evolution and human rights implications of international and European criminal law initiatives regarding the financing of terrorism, money laundering, confiscation, asset freezing, and associated detection mechanisms*, European University Institute, 2006 — unpublished PhD thesis.
4. *Do crime de «branqueamento» de capitais. Introdução e tipicidade* [The crime of money laundering. Introduction and elements of crime], Almedina, Coimbra, 2001 (278 pages; ISBN 9724014541; LLM thesis).

#### 3.1.2 Edited books

1. *Studies in Macau civil, commercial, constitutional and criminal law*, LexisNexis, Hong Kong, 2010.

#### 3.1.3 Articles and book chapters

1. '[German language title yet to be determined]', in Ihno Gebhardt (ed.), *Glücksspiel: Ökonomie, Recht, Sucht*, second edition, Berlin, de Gruyter, 2017 (forthcoming).
2. 'Uma soberania, dois sistemas sociais, três tradições jurídicas: o sistema jurídico de Macau e a família romano-germânica', in Leonel Alves, Tong Io Cheng e Paulo Cardinal, *Terceiras Jornadas de direito e cidadania da Assembleia Legislativa da RAEM. Sentido e importância do direito comparado no âmbito do princípio 'um país, dois sistemas'*, Assembleia Legislativa, Macau, 2016, pp. 101 ss.
3. 'Do Fantan ao Baccarat: a evolução dos jogos de fortuna ou azar em Macau' [From Fantan to Baccarat: the evolution of games of chance in Macau], in Fernanda Frazão, Jorge Nuno Silva e Lídia Fernandes (orgs.), *Jogos em perspectiva: de Lisboa a Macau*, Apenas Livros, Lisboa, 2014, pp. ; also in *Legisiuris de Macau em*

- Revista*, issue 6, 2015, pp. 11 ff. (bilingual Portuguese/Chinese publication).
4. 'A abertura de casinos no Japão: um desafio para Macau?' [The opening of casinos in Japan: a challenge to Macau?], in *Legisiuris de Macau em Revista*, year 2, issue 4, 2014, pp. 29 ff. (bilingual Portuguese/Chinese publication).
  5. 'Casino gaming in Macau: evolution, regulation and challenges', in *UNLV Gaming Law Journal*, vol. 5(1), 2014, pp. 1 ff.
  6. 'Electoral reform and political representation in Macau', in Eilo W. Y. Yu and Ming K. Chan (eds.), *China's Macao Transformed: Challenge and Development in the 21st Century*, City University of Hong Kong Press, 2014, 43 ff.
  7. Jorge Godinho and Paulo Cardinal, 'Macau's Court of Final Appeal', in Simon Young e Yash Ghai (eds.), *Hong Kong's Court of Final Appeal: the Development of the Law in China's Hong Kong*, Cambridge University Press, 2014, pp. 608 ff.
  8. 'As proibições de entrada nos casinos' [the prohibitions of entry into casinos], in *Legisiuris de Macau em Revista*, year 1, issue 2, November 2013, pp. 11 ff.
  9. 'A nova lei do tabaco' [the new anti-smoking law], in *Legisiuris de Macau em Revista*, issue 1, April 2013, pp. 148 ff.
  10. 'A prevenção do branqueamento de capitais nos casinos em Macau', in *Legisiuris de Macau em Revista*, issue 1, April 2013, pp. 15 ff.
  11. 'A History of Games of Chance in Macau: Part 2 — The Foundation of the Macau Gaming Industry', in *Gaming Law Review and Economics*, vol. 17(2), March 2013, pp. 107 ff.
  12. 'The prevention of money laundering in Macau casinos' in *Gaming Law Review and Economics*, vol. 17(4), May 2013, pp. 262 ff.
  13. 'Para uma reforma do tipo de crime de branqueamento de capitais', forthcoming in *Estudos em Homenagem ao Prof. Doutor Peter Hunerfeld*, Coimbra, 2013.
  14. 'A History of Games of Chance in Macau: Part 1 — Introduction', in *Gaming Law Review and Economics*, vol. 16(10), October 2012, pp. 552 ff.
  15. 'One sovereignty, two social systems, three legal traditions. The high degree of autonomy of the Hong Kong and Macau Special Administrative Regions of the People's Republic of China' / 'Une souveraineté, deux systèmes sociaux, trois traditions juridiques: Le degré élevé d'autonomie de Macao et de Hong-Kong, Régions Administratives Spéciales de la République Populaire de Chine', in Jean-Yves Faberon, Viviane Fayaud and Jean-Marc Regnault (orgs.), *Destins des collectivités politiques d'Océanie. Peuples*,

- populations, nations, États, territoires, pays, patries, communautés, frontières*, vol. I, *Théories et pratiques*, Aix-Marseille, Presses Universitaires d'Aix-Marseille, 2011, pp. 309 ff.
16. 'Should credit agreements between casinos and patrons be subject to prior Government approval? A note on Wynn Resorts (Macau) S.A. v. Mong Henry', *Gaming Law Review and Economics*, September 2010, vol. 14(7), 541 ff.
  17. 'Crédito para jogo em casino', in *Boletim da Faculdade de Direito da Universidade de Macau*, ano XII, no. 25, 2008, pp. 91 ff.
  18. 'Underage gambling in Macau: is it necessary to modify the law?' [Menores em casinos: é necessário alterar a lei?], in *Revista de Direito Público*, ano II, no. 4, Jul-Dez 2010, pp. 127 ff, and in *Boletim da Faculdade de Direito da Universidade de Macau*, no. 29, 2010, pp. 61 ff.
  19. 'Sobre a punibilidade do autor de um crime pelo branqueamento das vantagens dele resultantes' ['On the punishability of the perpetrator of a crime for the laundering of the respective proceeds'], in Manuel da Costa Andrade, Maria João Antunes e Susana Aires de Sousa (orgs.), *Estudos em Homenagem ao Prof. Doutor Jorge de Figueiredo Dias*, vol. III, Coimbra Editora, Coimbra, 2010, pp. 363-399. Also published in *Revista da Ordem dos Advogados*, 2011(I).
  20. 'When worlds collide: enforcing UN SC asset freezes in the EU legal order', *European Law Journal*, volume 16, issue 1, January 2010, pp. 67 ff.
  21. 'Financial strategies of crime control in the Macau SAR', in Jorge Godinho (ed.), *Studies in Macau civil, commercial, constitutional and criminal law*, LexisNexis, Hong Kong, 2010, pp. 259 ff.
  22. 'Estratégias patrimoniais de combate à criminalidade: o estado actual na Região Administrativa Especial de Macau' [Financial strategies of crime control: the current status in the Macau SAR], in Leonel Alves e Paulo Cardinal (coords.), *Primeiras Jornadas de Direito e Cidadania da Assembleia Legislativa de Macau*, Coimbra Editora, Coimbra, 2009, pp. 139-177.
  23. 'Branqueamento de capitais e crime principal: concurso efectivo ou aparente?' [Money laundering and predicate crimes: should there be accumulation of offences?], in *Formação Jurídica e Judiciária - Colectânea*, Tomo VI, Centro de Formação Jurídica e Judiciária, Macau, 2009 (pub. 2011), pp. 341-362.
  24. 'Civil confiscation of proceeds of crime: a view from Macau', in Simon Young (ed.), *Civil forfeiture of criminal property: Legal measures for targeting the proceeds of crime*, Cheltenham, UK: Edward Elgar, 2009, pp. 321-334.

25. 'Do crime de riqueza injustificada' [The crime of illicit enrichment], in *Boletim da Faculdade de Direito da Universidade de Macau*, no. 24, ano XI, 2007, pp. 17-49; also available at SSRN: <http://ssrn.com/abstract=1097243>).
26. 'The regulation of gaming and betting contracts in the 1999 Macau Civil Code', in *Gaming Law Review and Economics*, vol. 11, no. 3, 2007, 572 ff.
27. 'Credit for gaming in Macau', in *Gaming Law Review and Economics*, vol. 10, no. 4, 2006, 363 ff.
28. 'Brandos costumes? O confisco penal com base na inversão do ónus da prova (Lei n.º 5/2002, de 11 de Janeiro, artigos 1.º e 7.º a 12.º)' [Benign customs? Criminal confiscation on the basis of a reversal of the burden of proof], in *Liber Discipulorum para Jorge de Figueiredo Dias*, Coimbra Editora, Coimbra, 2003, pp. 1315 ff.
29. 'The surrender agreements between the US and the ICTY and ICTR: A critical view', in *Journal of International Criminal Justice*, vol. 1, no. 2, 2003, pp. 502 ff.
30. 'Sanctions against States versus the enforcement of criminal law against individuals: a note on UN Security Council Resolutions freezing the assets of alleged terrorists', in *Boletim da Faculdade de Direito da Universidade de Macau*, year VII, issue 15, 2003, pp. 145 ff.
31. 'Recursos admitidos na jurisdição cível de Macau e seu campo de aplicação', in *Revista Jurídica de Macau*, 1/1998, pp. 97 ff.
32. 'Algumas considerações sobre a tutela penal da privacidade', in *Boletim da Faculdade de Direito da Universidade de Macau*, 4/1997, pp. 139 ff.
33. 'A Lei Básica e o Direito Penal', in *Administração. Revista da Administração Pública de Macau*, no. 19/20, April 1993, pp. 153-169.

### 3.1.4 Shorter pieces

1. 'Gaming promoters in Macau. What changes lie ahead?', in *Asian Gaming Lawyer*, May 2016, p. 8 f.
2. 'A radical smoke ban for Macau casinos?', in *Asian Gaming Lawyer*, September 2015, p. 10 f.
3. 'Gaming in Macau: what reforms are needed?', in *Asian Gaming Lawyer*, May 2015, p. 6 f.
4. 'G2E Asia 2015: a bipolar conference', in *Asia Gambling Brief*, May 2015 (available at <http://agbrief.com/author/jorge-godinho>).
5. 'Gaming Congress 2015 round up', in *Asia Gambling Brief*, March 2015 (available at <http://agbrief.com/author/jorge-godinho>).

6. 'An Overview of the History of Games of Chance', in Nuno Mendonça and Christopher Cottrell (eds.), *10 Years of Gaming Success*, Plural Media, Macau, 2013, pp. 37 ff.
7. 'The Ao Man Long corruption and money laundering case in Macau', in *Freedom from Fear* [magazine published by the United Nations Interregional Crime and Justice Research Institute – UNICRI, Turin, Italy], 2009 (available at [www.freedomfromfearmagazine.org](http://www.freedomfromfearmagazine.org)).
8. 'Comments', in Jorge Oliveira and Paulo Cardinal (eds.), *One Country, Two Systems, Three Legal Orders. Perspectives of Evolution*, Springer-Verlag, Berlin/Heidelberg, 2009, pp. 207 ff.
9. 'Moving Fast to Regulate the Macau Dragon', in *Casino and Gaming International*, 2006, issue 3 (July/August).
10. 'Comments' [to a panel of the International Conference in Legal Education and Foreign Trade Law in the context of China Relation with Portuguese Speaking Countries, held in Macau, October 2006], in *Cadernos de Ciência Jurídica (法學論叢)*, issue 4, 2007, pp. 241 ff.
11. 'Sistematização da principal legislação vigente em Macau nos domínios financeiro, bancário e segurador', in *Revista Jurídica de Macau*, 1/1996, pp. 225 ff.
12. 'Legítima Defesa', in *O Direito*, (pub. in Macau), no. 7, year III, January 1993, pp. 4 ff.

### 3.1.5 Translations of legislation and other texts

1. *Macau Commercial Code 1999* (1268 articles + introductory law): Portuguese to English (full translation), Imprensa Oficial de Macau, Macau, November 2003 (first reprint February 2004; second reprint June 2007) (available at [www.amazon.com](http://www.amazon.com), January 2012, updated with the amendments of 2009).
2. *Macau Civil Code 1999*: Portuguese to English. Ongoing translation, available at [www.ssrn.com](http://www.ssrn.com), last updated 27 April 2015.
3. *The Macau Penal Code and Other Penal Laws in English Unofficial Translation*: Portuguese to English. Ongoing translation. Available at SSRN (<http://ssrn.com/abstract=2235536>), last updated 26 April 2015.
4. Law 5/2012 (Amendment to the regime of copyright and related rights)
5. Administrative Regulation no. 17/2004, of June 14 (prohibition of unlawful employment)
6. Decree-Law 48/98/M, of November 3 (travel agents and tour guides)
7. Decree-Law 47/98/M, of October 26 (administrative licensing)

8. Decree-Law 16/96/M, of April 1 (regulation of hotels and similar activities)
9. Portaria 83/96/M, of Abril 1 (technical requirements for hotels and similar activities)
10. Dispatch 12/GM/88, of February 1 (recruitment of specialized workers from outside Macau).
11. Dispatch 49/GM/88, of May 16 (recruitment of workers from outside Macau)
12. Law 4/98/M, of July 27 (employment policy and rights of employees)
13. Síntese do documento de consulta para a revisão do Código Comercial [consultation document for the amendment of the Commercial Code] (translation from Portuguese to English)
14. Giovanni Caso, *La Convenzione ONU contro il crimine organizzato transnazionale* (translation from Italian to Portuguese)
15. Giovanni Caso, *La responsabilità penale delle persone giuridiche* (translation from Italian to Portuguese)
16. Giovanni Caso, *Età dell'imputabilità penale (o criminale)* (translation from Italian to Portuguese)
17. Giovanni Caso, *L'esperienza italiana nella lotta al crimine organizzato* (translation from Italian to Portuguese)

### **3.1.6 Work in progress**

1. Direito do jogo [*Macau gaming law*], second volume (first volume published in 2016)
2. *History of games of chance in Macau (part 3)*
3. *The future of gaming concessions in Macau.*

### **3.1.7 Book reviews**

1. *Lutte contre le terrorisme et droits fondamentaux*, édité par Emmanuelle Bribosia et Anne Weyembergh, Institut d'Études Européennes, Nemesis/Bruylant, Bruxelles, 2002, 305 pp., in *Cahiers de Droit Européen*, 2003, no. 1-2, pp. 208 ff.
2. *Vers un espace judiciaire pénal européen / Towards a European Judicial Criminal Area*, edited by Gilles de Kerchove and Anne Weyembergh, Editions de l'Université de Bruxelles, 2000, xiii+373 pp., in *21 Yearbook of European Law*, 2001-2002, pp. 577 ff.

### **3.1.8 Publications in newspapers and magazines**

### **3.1.8.1 Articles published in the *Macau Business* monthly magazine:**

1. Navigating the seas of Macau law (December 2004)
2. No capital, no company (March 2005)
3. Perform your contractual obligations, or else... (April 2005)
4. The enforcement of gaming debts in Macau (May 2005)
5. Conveyancing in Macau (June 2005)
6. What next for anti-money laundering regulation? (July 2005)
7. Anti-money laundering regulation in Macau: the state of play (August 2005)
8. The new regulation of credit for gaming (September 2005)
9. The only way is forward (October 2005)
10. How much choice of law does Macau allow? (November 2005)
11. Wanted: clear laws (December 2005)
12. Are lawyers launderers? (January 2006)
13. The condominium wars (February 2006)
14. Gaming concessions unplugged (March 2006)
15. Beware the fine print (April 2006)
16. Does it take two to have company? (May 2006)
17. The criminal liability of collective persons (June 2006)
18. Full faith and credit (July 2006)
19. Las Vegas, Macau (August 2006)
20. Online gaming: to play or not to play? (December 2006)
21. New era in anti-money-laundering regulation (February 2007)
22. The 16-year old gambler (March 2007)
23. No end in sight to BDA saga (April 2007)
24. The revision of the Commercial Code (May 2007)
25. Three years of Macau law (June 2007)
26. New year, new laws (September 2007)
27. The APG report on Macau (October 2007)
28. Time to end the myth of the obscure legal system (November 2007)
29. The Ao Man Long case (December 2007)
30. Troubled waters (January 2008)
31. Have traffic ticket, cannot own or drive cars? (February 2008)
32. White collar criminals beware (April 2008)
33. Terrorism, anti-terrorism, and the law (May 2008)
34. Macau gaming law: what next? (June 2008)
35. Law and business in Macau: it is time to step up a few gears (August 2008)
36. Effective financial regulation and supervision benefits all (November 2008)
37. State secrets vs press freedom (December 2008)
38. Justice in crisis (January 2009)
39. Keeping Macau special (February 2009)
40. The mountain and the sea (March 2009)
41. Wanted: imagination, tolerance and vision (April 2009)
42. Corruption in the private sector (May 2009)

### **3.1.8.2 Articles published in the *Ponto Final* daily:**

1. Sobre a «corrida» ao Delta Ásia (20 September 2005)
2. Sobre a reforma das leis relativas ao branqueamento de capitais (part 1) (31 October 2005)
3. Sobre a reforma das leis relativas ao branqueamento de capitais (part 2) (16 January 2006)
4. Sobre o papel dos advogados na prevenção e detecção do «branqueamento» de capitais (26 November 2006)
5. Ao Man Long poderá recorrer do acórdão final? (17 December 2007)
6. Sobre o presente e o futuro da formação jurídica (30 November 2010)
7. As minorias não podem jogar para ganhar: comunidades e representação política (24 March 2011)
8. Alterações à lei do jogo (parte 1). Os funcionários públicos não podem entrar em casinos. Porquê? (4 Nov 2011)
9. Apostas desportivas. Quo vadis? (20 Jun 2012)
10. Ferreira do Amaral : o fundador da moderna indústria do jogo (23 Aug 2012)
11. Para quando um museu do jogo? (22 March 2013)
12. Jogo: as reformas necessárias (15 June 2015)
13. Como escolher uma Universidade (19 June 2015)

#### **3.1.8.3 Articles published in the *HojeMacau* daily:**

1. A crise da justiça (20 December 2008)
2. Sobre a corrupção no sector privado (parte 1) (30 March 2009)
3. Sobre a corrupção no sector privado (parte 2) (31 March 2009)
4. Sobre o “enriquecimento ilícito” em Portugal (30 April 2009)
5. Sector do jogo: que evolução? (12 de Junho de 2009)
6. Democratização gradual: como e quando? (25 de Setembro de 2009)
7. Casinos em Taiwan? (16 de Outubro de 2009)
8. O caso Pedro Chiang (30 de Outubro de 2009)
9. O terreno da Galaxy (20 de Novembro de 2009)
10. Para uma reforma do crime de branqueamento de capitais (primeira parte) (9 December 2010)
11. Para uma reforma do crime de branqueamento de capitais (segunda parte) (16 December 2010)
12. Para uma reforma do crime de branqueamento de capitais (terceira parte) (30 December 2010)
13. Para uma reforma do crime de branqueamento de capitais (quarta parte) (6 January 2011)

#### **3.1.8.4 Articles published in the *South China Morning Post* daily newspaper:**

1. Article 23 security bill needs rethink (21 November 2008, page C 6)

#### **3.1.8.5 Articles in the *Macau Closer* monthly magazine:**



1. Underage gambling and the law (March 2007)

### **3.1.9. Social Science Research Network papers**

- URL: <http://ssrn.com/author=71317>
- Number of abstracts and/or full text documents: 34
- Total downloads of all papers: 8,458
- Author rank: 2,927 out of 302,312 authors (top 1%), last updated 25 February 2016