

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Macao

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I. Ages for legal purposes

Age of simple majority

The legal age of civil majority is 18 years.

Age of consent for sexual activity

The legal age of consent for sexual activity is 16 years.

Age of consent for marriage

The legal age of consent for marriage is 18 years, unless consent from parents or guardians. (1487 of the Civil Code)

The marriage of an underage will less than 18 years and older than 16 years is possible subject to the consent of progenitors who hold parental custody, or the guardian.

The Court has the power to replace such consent as referred to in the previous subsection if there are strong grounds that would justify the celebration of the marriage providing that the underage is mature enough, physically and mentally.

II. Rape

Section 157 of the Penal Code - Rape

For the purpose of section 157 a man commits rape if:

1a) He procures a woman by violence or serious threats, or has sexual intercourse after making her being unconscious or forces her into a situation whereby she is unable to offer resistance, or

1b) use the same methods to compel a woman to have sexual intercourse with another person.

Punishment: imprisonment for 3 to 12 years.

2) The same punishment is applicable to a person who, under the above

circumstances, has anal sex with that person or compels to have it with another person.

III. Other forms of child sex abuse

Section 166 - Sexual abuse with children aged 14 or under

1) It is an offence for a person to commit a major sexual act with a 14 years old child or younger, or procure the commission of such act with that or any other person.

Punishment: Imprisonment for 1 to 8 years.

2) The same punishment is applicable to a person who commits a major sexual act before a 14 years old child, and with whom such a person is directly related.

3) It is an offence for a person to have sexual intercourse or anal sex with a 14 years old child.

Punishment: Imprisonment for 3 to 10 years.

Section 167 - Sexual abuse with student or dependant

A person that commits an act referred to in subsection 1), 2) or 3) of the above section 166 shall be punished with imprisonment for 1 to 8 years if such an act is committed with:

- a. a child aged between 14 and 16 years old, and whom such a person has been trusted with education and assistance
- b. a child aged between 14 and 18 years old, and whom such a person has been trusted with education and assistance, and if such a person had taken advantage of the entrusted duties or the position held.

A person that commits an act specified in subsection 4) of the section 166 with a child referred to in the previous subsection of this section and under the conditions therein specified shall be punished with the imprisonment for up to 1 year.

A person that commits or lead to commit the acts specified in the previous subsection, with intent to accrue profits, shall be punished with imprisonment for up to 3 years.

Section 168

A person that has sexual intercourse with a child aged between 14 and 16 years old, and take advantage of the child's lack of experience, shall be punished with imprisonment fro up to 4 years.

The same punishment applies to a person that has anal sex with a child aged between 14 and 16 years old, and under the same circumstances as specified in the previous subsection.

Section 169 - Sexual intercourse with children

A person that has sexual intercourse with a child aged between 14 and 16 years old, and take advantage of the child's lack of experience, or lead the child to commit such an act with any other person, shall be punished with imprisonment for up to 3 years.

IV. Child prostitution

Section 170 - Child pimping

It an offence for a person to encourage, promote or provide assistance to the practice of child prostitution or for a child to practice relevant sexual acts. If the offender makes use of violence or serious threats, devious or fraudulent schemes, and acts with the view to live on the earnings of prostitution or with the intention to make profits, or has taken advantage from the mental disability of the victim, or if the victim is under 14 years of age, shall be punishment with imprisonment for 2 to 10 years.

Section 171 - Aggravated circumstances

The punishments provided by the above referred section 157 and section 166 to 170 shall be increase by 1/3 between the minimum and the maximum penalties if the victim is an offender's

- a. ancestor, descendant, adopter, adopted, relative or second degree of kindred or if the victim is
- b. hierarchically and economically under the offender and that the offender has taken advantage of such a situation to commit the offence.

The punishments provided by the above referred section 157 and section 166 to 170 shall be increase by 1/3 between the minimum and the maximum penalties if the offender is a carrier of sexually transmissible diseases.

The punishments provided under the above referred section 157 and section 166 to 169 shall be increased by 1/2 between the minimum and maximum penalties, if the behaviours specified in these section result in pregnancy, aggravated affront to the physical integrity, acquired immunodeficiency syndrome, suicide or death of the victim.

The punishment provided under the above referred section 157 shall be increased by 1/3 between the minimum and maximum penalties if the victim is under the age of 14 years old.

To determine the applicable punishment, when the conduct of the offender involve

the concurrent commitment of any of the offences as specified in the above referred subsection, only the offence with the strongest aggravated circumstances is taken into consideration, while the other or others shall be considered to decide on the sentence.

V. Child pornography

Section 166

4) It is an offence for a person to commit an act of sexual exposure before a 14 years old child or impress it upon a 14 years old child by means of obscene conversation or written materials, shows or pornographic materials or make use of the child to take photographs, make movies or pornographic recordings.