



CHAPTER V
OMBUDSMAN

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Through intensive promotions carried out by the CCAC in 2004, more and more residents understood the functions of ombudsman and the channels of consultation. As a result, there was a dramatic increase in the number of complaints and consultation, in ombudsman field, accounting for 42.6% and 85.9% respectively.

Reviewing the cases in both categories, most of them still involved the legal system governing public services, civil affairs and legal consultation. During the handling process, while the CCAC did its best to explain the relevant laws, regulations and administrative operations to the public, great efforts were made to strengthen communications and contacts among various departments so that well-founded complaints, cases of administrative illegality or malpractice detected by the CCAC or situations calling for improvement could be solved promptly.

Constrained by the current conditions, while the institutional examinations were not yet in their full swing to respond to the increasing complaints and requests for consultation, the operational examinations for the existing projects and follow up on the completed ones continued on right track in cooperation with the departments concerned.

Since the *Guidelines for the Procurement and Acquisition of Public Goods and Services* published in 2003, in response to a widespread demand, the CCAC provided various consultations for different departments concerning relevant regulations and principles, and sent representatives to the Public Administration and Civil Service Bureau to hold a “workshop for procurement and acquisition of public goods and services”. This demonstrates the enhanced understanding of duties and responsibilities of the government departments and public servants in procuring goods and services.

In 2004, based on the report of “conflict of interest” as well as incorporated experiences of dealing with individual cases in the past, the CCAC produced *Guide-*

lines on Professional Ethics and Conduct of Civil Servants and Recommendations on the Formulation of Code of Conduct for Public Services and Institutions to further strengthen the integrity awareness of Macao's public servants and protect the government's reputation.

In addition, the CCAC went on various training courses for the investigators of ombudsman and paid attention to building close links with other anti-corruption bodies outside the territory. Through exchanged visits and participation in various seminars on ombudsmanship, the investigators gained a better idea of what ombudsmen elsewhere deal with.

5.1 Investigations

5.1.1 Interventions

In 2004, the CCAC recorded a total of 311 cases of administrative complaints, including 94 cases brought forward from 2003 and excluding 40 overlapping cases. In total, there were 365 cases handled, an increase of 109 cases over the previous year, accounting for 42.6%. In response to these complaints and reports, the CCAC examined the cases and replied with different interventions in accordance with the law. For cases of administrative illegality, frauds or malpractice detected by various ways, the CCAC followed up closely as long as they met the criteria.

Among 311 administrative complaints recorded in 2004, the majority involved the legal system governing public services, civic and municipal affairs and unlawful constructions.

Table 9
Classification of cases of administrative complaints in 2004

Problems involved	Numbers
Relating to the legal system governing public services (conduct of personnel, recruitment and appointments of personnel, rights & interests, avoidance of conflict of interest and discipline)	91
Civil affairs	48
Illegal construction & projects	31
Medical and health matters	15
Traffic offences	14
Disputes between employers and employees	12
Flaws in law enforcement	9
Education	6
Irregularity in administrative procedures	68
Matters outside the competence of the CCAC (private sector or lawsuits)	17
Total	311

Of the 365 cases handled, 282 cases concluded and filed with 83 cases left for 2005 to follow up. Details of the concluded and filed cases are as follows:

- 45 cases were settled properly by way of unofficial interventions in the form of telephone contacts, mails, written explanations, meetings or discussions, on issues of correcting illegal decisions, improving department management, operational routines and providing clarified information to the public etc.;
- There were 2 cases in which mistakes or flaws were corrected through recommendations, and problems were settled in accordance with the law;
- There were 6 cases in which, though involving no administrative illegality, the departments concerned were prompted to accept suggestions to improve their administrative operations and management;
- There were 4 cases in which the root-cause of the problem lies in the flaws of the existing legal system, thus suggestions were prompted for amendments;

- There were 168 cases in which no signs or traces of administrative illegality or malpractice were found;
- There were 40 cases, which could not be followed up due to insufficient information provided;
- There were 10 cases found to be outside of the competence of the CCAC after closer examinations; and
- There were 7 cases in which it was found unnecessary for the CCAC to continue to intervene due to the specific circumstances of their subsequent development.

In other words, of the 282 concluded cases, 57 were intervened by the CCAC, accounting for 20.2%, which were mainly in the areas of the improvement of administration in accordance with the law, administrative operation, and in the promotion of streamlining the legal system. The issues involved were as follows:

Table 10
Classification of intervened cases of administrative complaints in 2004

Matters		Numbers
Public functions	Staff rights and interests	8
	Management	6
	Discipline	3
	Recruitment and promotion	2
Delegacy of public administration (expenditure and signing contracts)		1
Law enforcement		14
Information providing		13
Dispute between employers and employees		3
Public prints		2
Execution of judicial decisions		1
Formulation and revision of legislations		4
Total		57

Cases involved departments or offices of the following:

Secretariat for Administration and Justice	14
Secretariat for Economy and Finance	8
Secretariat for Security	13
Secretariat for Social Affairs and Culture	7
Secretariat for Transport and Public Works	14
Shared with several departments	1

It is worth mentioning that there were 168 cases that could hardly be deemed as administrative illegality or malpractice, accounting for 46%. The reasons for these complaints to be lodged in the first place were mainly ascribed to lack of transparency of decision-making process by the competent departments/offices, which had misled the public. However, after the residents were provided with legal consultation by the CCAC, their doubts normally disappeared. This shows that explaining causes of an administrative operation is as important to the public as whether an operation has been carried out in accordance with the law.

In addition, during the handling process, the CCAC also found that there were many cases being baseless or ignored due to insufficient legal basis according to the existing legal system, which had hindered the normal functions of the public administrative operation and the streamlining of the current legal system.

Once these flaws of the system cost the government greatly in terms of making efficient decisions, it was necessary for the CCAC to come up with initiatives – apart from providing the government departments with legal-based problem-solving schemes, proposals were made to the government departments on issues concerning the public, such as the flaws of the existing laws and regulations, the inconsistency of the rule of law caused by different explanations of the different government departments, law amendments, as well as issues that had severely downgraded the government's reputation.

I. Legal System Governing Public Services

The number of complaints concerning the legal system governing public services has long been very high, which mainly concentrated on the fairness of employment, promotion and disciplines. Meanwhile, different interpretations of laws in various departments have resulted in inconsistent application of the law and impairment of rights and interests. To this end, the CCAC has cooperated with competent departments such as the Public Administration and Civil Service Bureau, Finance Services Bureau, Commission of Audit and so on, in analyzing the flaws of the current system, exchanging views, reaching agreements, and providing alternative plans in terms of amendment as well as exchanging views on different kinds of law enforcement so as to reach a common ground. Consequently, guidelines will be made and delivered to the competent departments.

II. Road Code and its Regulations

Issues like enforcement of law, vehicle inspection, license issuing, renewal, replacement, termination and cancellation and so on are most likely to cause conflicts and concerns between the officials and the public. The CCAC organized meetings with competent departments on problems discovered from individual cases and proposed several suggestions based on wide consultations for law amendments.

III. Laws and Regulations Governing the Procedures of Urban Construction and the Administrative System of Condominiums

The public has long been discontent with unlawful constructions and delayed response to public complaints that are closely related to people's livelihood and have remained for many years. Confronted with this problem, the CCAC paid close attention to the revision of Laws and Regulations Governing the Procedures of Urban Construction and the Administrative System of Condominiums, especially the supervisory power for construction, timing, applicability and preventive force of the punishing procedure. The CCAC also made suggestions to the administrative authority that during the transitional

period of the law and regulation amendments, the residents should be reminded through various channels of not to alter their properties at their wills. In the meantime, different problems should be prioritized and handled promptly in order to avoid any misunderstandings.

IV. General Regulations for Public Areas

Regarding issues concerning civil affairs, there were a lot of complaints about the evaluation process related to occupying public places, expending business premises unlawfully and damaging environment. Some were caused by outdated regulations; others had something to do with gathering evidence and law enforcement. Based on the published *General Regulations for Public Areas*, the CCAC analyzed the problems that were raised either from flaws in the regulations or the procedure of current law enforcement, and proposed timely suggestions to the authority for improvement.

In short, regarding the received complaints, the CCAC took the pragmatic approach to resolve the problems of administrative illegality and flaws in cooperation with other departments, as well as widely collected public opinions on how to improve the functions of public services, to standardize law enforcement and to perfect the current laws and regulations in a way that the nature of ombudsman as a watchdog for law enforcement in public services can be truly manifested, and its legal functions for supervising administrative management in accordance with the law will also be further developed.

5.1.2 Help and consultation

In 2004, the CCAC continued to provide the public with help and consultation so that citizens would not lodge unnecessary complaints out of ignorance or misunderstanding of the administrative operations and procedures and of the relevant laws. As the branch office became operational and the increased public awareness of the ombudsman, the CCAC has handled a total of 645 appeals for help and consultation, which means 347 cases more than in 2003, an increase of 85.9%.

Table 11

Classification of matters appealing for help and consultation in administrative complaints in 2004

Matters	Numbers
Legal system governing public services (recruitment, staff rights and interests, discipline, and declaration of incomes and properties)	127
Legislative consultations	92
Civil affairs	43
Acquisition of public services	38
Traffic offences	30
Disputes between employers and employees	28
Illegal constructions	22
Medical and health matters	13
Education	12
Economic and public housing	11
Complaint handling	11
Tax affairs	10
Flaws in law enforcement	9
Others	67
Outside the competence of the CCAC (private sector and lawsuits)	132
Total	645

5.1.3 Internal working guidelines

Summarizing the working experience in the past, the CCAC has further improved the guidelines on processing administrative complaints. Meanwhile, more clarified regulations were formulated on handling complaints, requests for consultations, drafting reports, preliminary investigations, analysis and synthesis and so on.

5.2 Researches and Examinations

5.2.1 Researches and examinations on the systems

From the compiled complaints and reports, the CCAC found that there were quite a few flaws in *The Procedure of Monitoring and Punishing Administrative Frauds* (administrative illegality) and variations in the implementation of different departments. It is generally believed that this is related to oversimplified *General Regulations of the Acts of Administrative Illegality and its Procedures*. The delayed process of prosecuting and punishing administrative fraud has compromised its deterring power and let the public down. It is inconceivable that a criminal offence (even a minor one which is more severe than an administrative fraud) is prosecuted and punished in a period of time even shorter than an administrative fraud. The phenomenon required rewriting the law and regulations governing the system and procedures for administrative illegality. Toward this end, the CCAC launched a research on “Some Questions Concerning the Prosecution of Administrative Illegality and the Procedure of Executing the Penalty”.

During the research, the authority concerned promulgated the two administrative regulations, *General Regulations for Public Areas* and *Regulations to Prohibit Illegal Work* stipulating the fundamental issues of complaints and reports. The CCAC has to analyze different separate regulations governing the prosecution and punishment procedure promulgated by the authorities, that are extensively involved in different contents of regulations, produced by different departments at different times, constituting an enormous complexity which requires an on-going examination process.

5.2.2 Researches and examinations on operations

In 2004, the CCAC had reached agreement with the Civic and Municipal Affairs Bureau on inspecting “Food & Beverages Venues and Leakage from Air-conditioners”. Consolidating the continued projects in cooperation with the Examination Office of the Environment and Licensing Department since the fall of last year, the CCAC carried out a two-stage examination concerning the work of Drivers’ Licensing Office as well as followed up the implementations of previous projects with the Health Bureau and the Macao Trade and Investment Promotion Institute.

I The Civic and Municipal Affairs Bureau

(A) Agreement had been reached on the improvement measures of “Food & Beverages Venues and Leakage from Air-conditioners” with the Examination Office of the Environment and Licensing Department. The main contents were given below:

1. Facilities and equipments: augmenting fire-fighting and computing facilities, improving the storage conditions for spare parts and detained goods, and ensuring safety conditions for documents and files (already applied).

2. Computer supporting system: establishing a supporting information system for internal personnel management and inspection task management (in the process of gradual application); improving a computerized data base for complaints and periodically offering an analysis report (already applied).

3. Personnel recruitment, rotation, overtime and training: investigating the recruitment and working systems of the inspectors (already applied), establishing a regular rotation system (in the process of gradual application), establishing a rotation system for the inspectors of departments appertain to the Civic and Municipal Affairs Bureau (to be applied), accelerating the speed of over-time confirmation and processing (already applied), and strengthening the training for the inspectors on legal knowledge, law enforcement skills and public duties (already applied).

4. Mechanism for lodging complaints: establishing an internal operational and inspecting system, including handling procedure, defenders' appeals, and notices of results (already applied).

5. Inspecting and testifying in food and beverage areas:

5.1 Reviewing the active inspecting strategy (in the process of gradual application);

5.2 Improving distributing methods for complaints (already applied) and recordings of site-inspection (already applied) ;

5.3 Increasing personnel for the hearing of witnesses (alternative measures have already been taken); shortening the period for suspects to attend the hearing of witnesses; looking into solutions where suspects could attend the hearing of witnesses within the legal time and get the final report in time (to be followed up); examining the period of notification after registered mail has been sent to suspects to streamline the procedure (already applied).

6. Inspection, hearing of witnesses and punishment for air-conditioning leakage:

6.1 Setting up a regular site-inspection scheme (will be applied); strengthening pre-inspection preparation (already applied); improving the distributing methods for complaints (already applied); ensuring confidentiality of data (in the process of gradual application);

6.2 Searching for more efficient methods for follow-up and re-examination (already applied);

6.3 Improving the written descriptions, the ways and procedures of filling out forms (already applied); delivering live-notes to competent departments at a flexible time (to be followed up); increasing personnel of executing hearing procedure (will be applied).

7. Goods detaining and remanding: formalizing register forms for detained goods; standardizing goods detaining procedure, including the procedures of detainment, examination, recording, confirmation, diminishment and remand (already applied).

8. Application of the current law: analyzing possible legal issues when inspecting and monitoring food and beverage areas and the problem of air-conditioning leakage as references for the enforcement and amendment of the laws (in the process of gradual application).

9. Guidelines for working regulations:

9.1 Improving the working guidelines for field staff and clarifying the actual working procedure for chief personnel to check inspectors' work regularly (already applied);

9.2 Formulating working guidelines for site-inspection of food and beverage areas and leakage of air-conditioners (will be applied);

9.3 Taking effective measures to solve the transport problem for inspectors to carry out their fieldwork (already applied).

10. External Communications and Contacts:

10.1 Strengthening communications with the food and beverage industry, intensifying public education and collecting views and suggestions from enterprises (already applied);

10.2 Promoting education on the leakage of air-conditioners as well as strengthening the ties with congregations of building companies and owners (already applied);

10.3 Establishing a contact mechanism with Macau Government Tourist Office to further monitoring food and beverage areas (in the process of gradual application);

10.4 Establishing a computerized connection with the Real Estate Registry, Finance Services Bureau to raise the efficiency of gathering data of relevant places and registered properties (already applied).

11. Internal communications and contacts: before completing the computerized inspection task management system, measures were taken to ensure the effective communication among personnel at all levels (in the process of gradual application).

(B) The operation of issuing various drivers' licenses by the Drivers' License Office.

1. Public relations and information providing: improvement of information on indicators; appropriate identification of reception staff; raised transparency of standard for foreign currency payment; unified application procedures of various channels; improvement of safety conditions for processing personal data; advancement of the recording system for enquiries and complaints.

2. Driving test:

2.1 Perfecting the computerized drawing system for driving learners test; clarifying the definition of “force majeure” stipulated in *Regulations for Advancing and Postponing the Driving Examination*;

2.2 Reviewing the teaching hours required for driving theories and skills as stipulated by the regulations;

2.3 Unifying the guidelines for examinees who failed to show their identity documents before the test; formulating driving theory and practice testing guidelines of various vehicles, including the testing procedure, identity documents required, testing regulations and publication of the results.

3. Foreign driving license converting to Macao driving license: solving the risk problem of postage when a driver license office in Macao sends a foreign driving license to overseas for checking; solving the problem of costs when an applicant needs to re-evaluate his or her driving materials in a driver license office in Macao due to overdue renewal.

4. Special driving license: considering initial application and renewals of the mainland Chinese, their track records of driving offences have to be checked; comprehensive reviewing of problems derived from issuing “special driving license” and “specially permitted driving license” in accordance with the law; regulating the system of issuing driving license by law.

5. Formulating written working guidelines and staff manuals for all fields.

(C) Procedures concerning the process of issuing the license of driving schools, directors, coaches and taxi drivers within competence of the Drivers' License Office:

1. Strengthening Safety Measures for Document and File Management.

2. Driving School License:

2.1 Adopting appropriate measures to ensure the correct and complete information offered on the homepage;

2.2 Checking the utility of the place planned to be a driving school through a proved property registration or through a computerized network connected with Legal Affairs Bureau to get accurate information;

2.3 Taking measures to implement the regulation of "the position of an acting director" stipulated by the law and to add a perspective column in the "application form for driving school license";

2.4 Improving the "application form for driving school license"; implementing the regulations requiring applicants to submit their school records in the form of statistics; ensuring that the parking place of the coach's vehicle and the fees for every item were written down in the "application form for driving school license"; reviewing their fees when the law is amended.

2.5 Resolving the contradictions in the wording concerning whether an operational right of a driving school is transferable as is stipulated by *Road Code and its Regulations* and *Driving School and Teaching Regulations* when the law is amended;

2.6 Formulating supervising guidelines for driving schools applying for license and a sample of "driving school internal regulations" as reference for other schools to follow.

3. Site-inspection of Driving School:

3.1 Formulating the guidelines for site-inspection of driving school, improving the “Recording form of site-inspection of driving school”; deleting regulations stipulating the practice of pre-reporting to the industry; ensuring the data of schools being inspected are carried out;

3.2 Ensuring the data of driving schools and coaches being filed are complete, especially those of complaints and outcomes;

3.3 Establishing a computerized data base for driving schools and coaches within a short-term; in the long run, setting up a computerized network managing system for driving schools, to comprehensively record all data including licenses issued, site-inspections and personnel irregularities;

3.4 Exploring the possibility of establishing a joined supervising mechanism with the Land, Public Works and Transport Bureau, Fire Services Bureau and Labour Affairs Bureau;

3.5 Compiling operating driving school pamphlets including laws and regulations that license holders, directors, and coaches should observe, and the punishment for illegal acts; strengthening the monitoring power for driving schools, directors and coaches, and reviewing the necessity and feasibility of current laws.

4. Driving Coach Training Courses:

4.1 Attempting to establish an office within the Civic and Municipal Affairs Bureau, exclusively censoring academic qualifications issued by non-official education institutions;

4.2 Recruiting applicants in an order of precedence as stipulated in *Driving School and Teaching Regulations* with school recommendations as merely a reference.

5. Driving Learning and Testing Centre:

5.1 Improving the form of “Drivers’ learning and testing inspection record”;

formulating the working guidelines for inspecting “Driving learning and testing centre”, especially the criteria for “temporary leave” of the coaches;

5.2 Studying the possibility of replacing the current site-inspection carried out by the inspectors with a rotating system and to be practiced after office hours;

5.3 Considering altering the current monitoring system for entering and using premises of “Driving learning and testing centre”, which had been undertaken by the security guard of the private security company; in the future, it should be written in the contract regarding working requirements, regulations and the accountabilities for breaching the contract.

6. Professional License of Taxi Driver:

6.1 Unifying the protection measures for examinees’ personal data to be published on the examination name list; establishing a computerized data base so that various questions can be chosen randomly by computer for each examination;

6.2 Strengthening the communication between the License Office and the Transportation Office, in order to monitor metres more effectively;

6.3 By way of law amending, taxi drivers with a regular offence record may be required to attend “behavior improving classes”; studying the possibility of creating a retraining mechanism.

II.Cooperation with the Health Bureau

The CCAC continued to work on the research projects of operational inspection with the Department of Pharmaceutical Affairs of the Health Bureau launched in 2001, and staff attendance records, schedule of duties, overtime and shift subsidies, internal regulations and personnel rules, and mechanisms and procedures for receiving the public completed by February 2003.

(A)Department of Pharmaceutical Affairs

Measures for improvement carried out previously were followed up in 2004:

1. Issues concerning the 300-metre limitation of a pharmacy and the requirement of a technical assistant: it is certain that the distance requirement will be abolished when the regulation is revised, and when business hours is more than eight, an extra pharmacist or a technical assistant shall be employed;

2. Qualifications and rules for “negotiated remedy” pharmacy: a rough draft has been completed and is now in the process of collecting different views and suggestions.

(B) The Health Bureau’s staff attendance records, schedule of duties, overtime and shift subsidies, internal regulations and personal rules, and mechanisms and procedures for receiving the public:

The improvements implemented in 2004 are as follows:

1. Overall

1.1 Computerized attendance recording system: the facility has been purchased and it will be put into operation in early 2005;

1.2 The handling mechanisms for payment in foreign currencies and the application for patients’ medical records have been formulated;

1.3 The staff training will be intensified especially by way of hospital management training, and a mechanism for promoting remedies by the suppliers has been formulated.

2. Department of Human Resources

2.1 The format of issuing a “doctor’s certificate” has been published on the homepage of the Health Bureau and is currently in a stage of trial;

2.2 A rotation system for personnel handling prescriptions has been established.

3. Emergency and specialist consultations of the Hospital Centre S. Januario

3.1 The problems relating to the classification of public servants existing in the current system of public functions have been reported to the competent authorities;

3.2 Internal regulations are being formulated incorporating the Law of Medical Incidents;

3.3 The task of computer programming nurses' rosters in the emergency wards has been outsourced, and a computerized security system has been installed in the emergency wards. In the meantime, some unspecified doctors from different health centres have been transferred to station permanently for emergency services so as to establish a specialized emergency medical team.

4 Health centres and the subsidiary units (Blood Donation Centre and Disease Prevention Control Centre)

4.1 Measures have been taken to ensure pregnant women get prenatal examination with their first visiting appointment in Taipa Health Centre;

4.2 Computerized "rotating timetable for outpatient services in health centres" has been developed, and guidelines for pharmacy operations and pharmacist manuals are also being revised;

4.3 Description for issuing ophthalmic certificate for drivers wearing contact lenses by doctors in health centres has been accomplished.

III. Cooperation with the Macao Trade and Investment Promotion Institute (TIPI)

As the Investment Residency and Legal Office moved to the new building, its functions as an examining and approving body for investment residency have also been improved. Last year, regarding the framework and main contents of the drafted "Application for Temporary Residency Guide", the CCAC provided the following suggestions:

1. Matters concerning acceptance of applications and rejection of applications due to absence of main documentations;
2. Matters concerning the time limits for applicants with temporary residency to inform TIPI when their circumstances of investment have changed;
3. Matters concerning the renewal of applications, such as legal conditions, lodging terms, eligibility of family members and so on.

5.2.3 Revision of the Regulations Governing the Researches and Examinations on Operations.

Based on the previous working experience, in 2004 the CCAC continuously carried out the annual examination and revision to the *Regulations Governing the Researches and Examinations on Operations*, aiming at improving its contents, fieldwork techniques, report writing and so on, so as to make the examinations on operations more effective.

5.3 Guidelines Formulated and Seminars/Workshops Held

In 2004, the CCAC continuously distributed and promoted the *Guidelines for the Procurement and Acquisition of Public Goods and Services*, reminding the government departments and public servants of the issues concerning the principles of procurement and acquisition of public goods and services, and points for attention at its different stages, obligations of suppliers, dealing with conflict of interest, mechanism of avoidance, legal responsibilities and the obligations for complaints and reports and so on. Some government departments and public servants also reported the problems they had encountered to the CCAC, to improve their procurement and acquisition of public goods and services through the enquiring mechanism provided by the CCAC. Some other departments, such as Public Administration and Civil Service Bureau also requested the CCAC to organize seminars on public procurement and acquisition in conformity with the legal system. There were 8 seminars/workshops of this kind held throughout the year.

In 2003, the CCAC completed the *Examination and Research on the Question of the Conflict of Interest that Public Servants of Macao Need to Avoid in their Performance of Public Functions and Duties*, and analyzed the regulations stipulating the selflessness, enthusiasm and confidentiality of public servants and the avoidance of activities that may involve conflict of interest with their duties. As a result, the CCAC has prompted the government some suggestions as references for the law amendments. Concerning the main regulations codifying the conducts of public servants, there were the legal system governing public services, and the relevant stipulations in the *Code of Administrative Procedure* and in the *Penal Code*. Despite all of these, the CCAC was aware that quite a few departments and public servants have not yet taken notice of these; they were unwilling to follow the rules, taking the risk of breaching the law, resulting in damaging the government's public trust and reputation. Therefore, the CCAC believes that even under the current conditions where the relevant regulations concerning the public functions remained unrevised, it is still imperative for the public bodies to stipulate internal regulations while publicizing the existing laws so as to promote the culture of integrity. Towards this end, through synthesizing current legal requirements for the integrity of public servants and the problems discovered during case investigation, the CCAC has compiled *Guidelines on the Professional Ethics and Conduct of Civil Servants* and *Recommendations on the Formulation of Code of Conduct for Public Services and Institutions*, reminding the public servants of the conflict of interest and the dealing methods. Of these two guidelines, the former aims mainly at clarifying the contents and the spirit of the relevant legal acts governing the discretion in conduct of the public servants; the latter targets mainly the chiefs of the government bodies, explaining the formulating procedures of the regulations and the proceeded implementations so as to make it a reference for formulating or supplementing the relevant internal guidelines.

In addition, in 2004 the CCAC intensified the promotion for the functions of the ombudsman through various channels, including co-organizing seminars with the civil societies on the topic of "protecting your rights and lodging your complaints". There were 15 seminars of this kind held throughout the year.

5.4 Training and Exchanges

In order to constantly improve the services of ombudsman, the CCAC has always paid close attention to the ombudsman's training. In 2004, the CCAC sent its investigators of the Ombudsman Bureau to receive a short training course at Chinese People's Public Security University in Beijing, also to attend a course on financial investigation co-organized by Macao Monetary Authority and Drug Investigation Group of Hong Kong Police Force. In addition, there were intensive training courses held annually so as to raise team-spirit and the personal qualities of being an ombudsman.

Externally, in 2004 the Federal Ombudsman of Belgium, Mr. Herman Wuyts, and former President of the International Ombudsman Institute and former Chief Ombudsman of New Zealand, Sir Brian Elwood, visited the CCAC and introduced the ombudsman system in Belgium and their personal experience in carrying out the ombudsman mission. Also, the CCAC had some exchanges with the Ministry of Supervision of the PRC, Zhuhai Procuratorate, and some of other anti-corruption bodies on the mainland. In addition, representatives of the CCAC attended the 8th Asia Ombudsman Association Conference in Seoul, Korea and the 8th International Ombudsman Institute Conference in Quebec, Canada. Consequently, the CCAC has been very well informed by these activities on situations of anti-corruption and ombudsman both nationally and internationally.