

Optimization of Judicial Review System in Non-Prosecution for Corporate Compliance

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Abstract. As the reform of corporate compliance progresses, the system of non-prosecution for corporate compliance grants prosecutors significant discretionary power, making it inevitable for courts to participate in corporate compliance. Issues arising from corporate compliance reform, such as insufficient time for compliance rectification hearings, inadequate third-party supervision, judicial discretion abuse, and lack of unified standards for compliance effectiveness assessment, should be addressed. This can be achieved by establishing unified standards for compliance effectiveness, improving the transparency of public hearings, emphasizing the construction of a diversified institutional framework for multi-party participation in corporate compliance, enhancing coordination and constraints among public security organs, procuratorates, courts, administrative agencies, and third-party organizations, and improving the judicial review of corporate compliance to optimize the judicial scrutiny of the non-prosecution system for corporate compliance.

Keywords: Non-prosecution for compliance; Compliance effectiveness; Third-party supervision; Judicial authorities.

1. Introduction

In 2020, the Supreme People's Procuratorate launched a pilot project for corporate compliance reform. Starting with 6 grassroots procuratorates, it expanded to 27 municipal procuratorates and 165 grassroots procuratorates across 10 provinces as pilot institutions.[1] By the end of 2022, prosecutorial authorities nationwide had handled 5,150 cases related to corporate compliance, including 3,577 cases under the third-party supervision and evaluation mechanism. They made non-prosecution decisions on compliance rectification for 1,498 enterprises and 3,051 individuals in accordance with the law. As corporate compliance reform continues to advance, the reform of non-prosecution for corporate compliance has become a topic of common concern in both theoretical and practical circles. Corporate compliance reform is not solely the responsibility of procuratorial authorities; active participation from judicial organs is also necessary. As Zhang Jun, President of the Supreme People's Court, pointed out, "Reforming criminal cases involving enterprises' compliance is not solely the responsibility of procuratorial authorities; courts must also participate and play a role." [2] Therefore, research on optimizing the judicial review system for non-prosecution of corporate compliance is of great theoretical and practical significance.

Enterprises are crucial forces driving China's economic and social development and achieving its unique modernization. Safeguarding enterprises' lawful and compliant operations and promoting their healthy and sustainable development are where the significant value of China's distinctive corporate compliance system reform lies. Through optimizing the judicial system for non-prosecution of corporate compliance, establishing related supporting measures, clarifying the responsibilities and authorities of each agency, strengthening coordination among them, improving the procedures for corporate compliance, and effectively guiding enterprises to actively engage in effective compliance, we can promote the comprehensive and normalized social governance effects of the compliance system as a whole.

2. The Role Positioning of Courts in the Non-Prosecution System for Corporate Compliance

Before making a decision of non-prosecution concerning compliance issues involving enterprises, courts may invite representatives from courts, chambers of commerce, and other relevant bodies to participate in hearings to review the decisions of the prosecution authorities. Court participation helps enhance procedural fairness, provides a prosecutorial perspective, encourages breaking away from traditional models, aligns more closely with the actual circumstances of enterprises, strengthens comprehensive understanding of compliance rectification, and ultimately leads to scientifically rational decisions of non-prosecution.

During the trial phase, courts conduct further scrutiny of non-prosecution decisions made by the prosecution authorities. For enterprises that have not completed compliance rectification during the prosecution review stage, courts examine whether they meet the rectification conditions and verify the effectiveness of rectification through third-party evaluation agencies. For enterprises that have completed rectification but have not met standards, courts consider factors such as the voluntariness and authenticity of the rectification efforts, reasons for not meeting standards, and make corresponding decisions after comprehensive evaluation. If an enterprise continues to improve based on previous rectification efforts, the court decides whether to continue rectification and may adopt lenient measures based on the rectification progress. However, if an enterprise is not suitable for compliance rectification or lacks the potential for effective compliance rectification, the court may make a judgment based on the current compliance achievements of the enterprise.[3]

Furthermore, courts play an active role in restricting the expansion of prosecutorial powers. As reforms regarding non-prosecution for compliance by enterprises progress, courts are granted greater discretion. If external oversight issues cannot be resolved, it undoubtedly affects judicial fairness and seriously impacts the smooth implementation of reforms related to non-prosecution for compliance by enterprises. In response to this, scholars have proposed “a repositioning of the role of prosecutorial authorities within China’s governance system.”[4]

Regarding how to establish relevant systems to constrain prosecutorial discretion, scholars have suggested that prosecutions should adhere to the principle of legality. If the prosecutorial authority finds that an enterprise has not complied or met regulatory requirements, the case should be submitted to the court for trial. The court would then decide guilt and sentencing according to legal provisions.[5] Therefore, it is necessary for cases that the prosecutorial authority deems suitable for non-prosecution for compliance to be transferred to the court for secondary written review. The court should evaluate the legitimacy of the prosecutorial authority’s decision of non-prosecution based on case materials, while hearing opinions from parties such as the defendants, defense counsel or representatives, and public security organs, to avoid scenarios where prosecutorial authorities do not prosecute enterprises that do not meet compliance conditions and hold accountable enterprises that should have undergone compliance rectification.

Comparison between people’s courts and procuratorial authorities in non-prosecution for compliance by enterprises reveals that the courts play a role that is more authoritative, comprehensive, and effective. Their authority is underscored by the provisions of the Constitution and the Criminal Procedure Law, where prosecutorial authority pertains to procedural review and decision-making, a procedural power, while adjudicative authority, such as the power to convict and impose sentences, involves decisive judgment, which only courts possess. The fundamental requirement of judicial centrism stipulates that no determinations of guilt, innocence, severity of punishment, and the like can be made without the adjudication of the people’s courts in any case.

The comprehensiveness of the court’s role is evident in several aspects: during the prosecutorial phase, compliance rectification is limited to non-prosecution or lenient sentencing recommendations. In contrast, during the court phase, compliance rectification extends beyond exoneration from penalties or mitigation of punishment; it includes both conviction and sentencing, as well as judicial supervision over prosecutorial authority. Courts distinguish between crimes committed by natural

persons and corporate entities, issuing different sentencing recommendations based on the differing nature of the criminal subjects.

Substantive law constitutes the content of procedural law, and procedural law takes the form of substantive law. Procedural justice should not replace substantive justice, nor should substantive justice replace procedural justice. Favorable outcomes for defendants resulting from non-prosecution for compliance should not negate substantive judgments. The system for non-prosecution for compliance by enterprises may provide opportunities for collusion between prosecutorial authorities, implicated enterprises, and third-party organizations. Lack of external oversight and review by courts could undermine the integrity of the system for non-prosecution for compliance by enterprises.

Effectiveness is demonstrated in that prosecutorial authorities base their decisions on whether to prosecute enterprises on compliance criteria alone, offering limited help in preventing repeat offenses by enterprises or enhancing compliance awareness among those yet to commit crimes. There is a risk of compliance rectification becoming merely formalistic. In contrast, during the court phase of compliance rectification, a clear compliance probation period is established. The courts rigorously assess the attitudes and repentance of defendants during this period as a basis for deciding whether to prosecute or not after the probation period ends, thereby avoiding superficial and formal approaches in enterprise compliance development.

3. Issues Existing in the Judicial Review System of Non-Prosecution for Corporate Compliance

3.1 Insufficient Time for Compliance Rectification Review

Article 208 of the Criminal Procedure Law of China stipulates the time limit for the trial of public prosecution cases, with a general maximum trial period of 6 months. In practice, to address issues with trial periods, the common approach often chosen is to suspend the trial. Some scholars further propose the option of the prosecution withdrawing the case to establish an inspection period, arguing that this method reflects the leading role of the prosecution in compliance inspections of involved enterprises and also aligns with international criminal justice standards.[6]

Currently, the time limit for procuratorial review and prosecution in China is 1 month, with an extension of 15 days allowed for major and complex cases. In some regions, bail pending trial measures cannot exceed 1 year. Such local practices play a certain role in reasonably setting compliance inspection periods, particularly suitable for compliance rectification by small and medium-sized enterprises. However, for large enterprises with complex structures and diverse operations, a longer period may be necessary. External compliance regimes primarily target large enterprises, including multinational corporations, thus setting inspection periods far exceeding 1 year, averaging over 2 years and up to 5 years. China's high compliance approval rate is directly related to short compliance inspection periods and "formal compliance." This necessitates that compliance inspection periods should not be too short, ideally no less than one year.[7] Some scholars propose that courts can initiate enterprise compliance inspections autonomously, without needing to set inspection periods through the withdrawal of prosecution. Courts have the authority to autonomously determine inspection periods. 错误!未定义书签。

3.2 Insufficient Perfection of Third-Party Supervision

The third-party organization, namely the Third-Party Supervisory Assessment Organization, is formed by the Management Committee of the Third-Party Supervisory Assessment Mechanism. Based on the nature of the case and the type of enterprise, professionals are randomly selected from a directory to form this organization. It is responsible for inspecting and supervising enterprises during the compliance pilot period, examining, assessing, and evaluating the completion of compliance plans of involved enterprises, and drafting written compliance inspection reports.[7] The third-party organization operates independently from both the procuratorial authorities and the

involved enterprises. Procuratorial authorities should maintain an appropriate distance from the third-party organization to ensure its independence and objectivity. However, due to the temporary nature of third-party organizations and the diverse backgrounds of their members, it is challenging to uniformly supervise them to ensure their focus on compliance. Additionally, once the third-party organization completes its compliance tasks, it dissolves, posing a challenge for judicial authorities to supervise and review subsequent compliance plan executions by enterprises.

Furthermore, there is a risk of abuse of power by third-party organizations tasked with implementing compliance reforms for involved enterprises. Currently, China lacks specific legal regulations to address misconduct such as abuse of rights or failure to exercise rights by these third-party organizations. There is also the possibility of collusion between third-party organizations and involved enterprises or bribery of procuratorial authorities during the enterprise compliance process. This situation could lead procuratorial authorities to lower compliance review standards and decide not to prosecute enterprises that do not meet or fundamentally fail to comply with regulatory requirements, thereby maintaining absolute dominance in this process.

In the future, efforts should focus on enhancing the qualifications of third-party organization personnel, establishing an admission system for these personnel, clearly defining the professional ethics and regulatory measures for third-party personnel involved in compliance non-prosecution decisions. Due to the limitations of inspection periods and staffing issues, procuratorial authorities struggle to effectively supervise enterprise compliance reforms. Once enterprises qualify for non-prosecution on compliance grounds, they may relax subsequent compliance reform efforts, significantly reducing the incentive for compliance reform.

For enterprises, building compliance reform within a short timeframe, lacking specialized knowledge in compliance reform, necessitates hiring professional assistance, which adds to cost concerns. Moreover, practical observations reveal that some enterprises, despite formulating compliance management norms and preventive measures against compliance risks, retain their original management personnel, which hampers the progress and implementation of subsequent compliance reforms. Guidelines and complementary regulations need to be formulated based on judicial practices to guide involved enterprises, third-party organizations, and other institutions in conducting effective compliance reforms. The Supreme People's Court and the Supreme People's Procuratorate could publish typical pilot cases and practices as guiding examples, requiring local judicial authorities to actively promote compliance education and provide case handling guidance for local prosecutors and judges, establishing uniform standards for compliance reform to avoid different outcomes for similar cases. Moreover, disputes may arise between procuratorial authorities and courts regarding the application of laws when handling cases involving enterprises and individuals, necessitating further standardization.

4. Optimizing the Path of Judicial Review System in Non-Prosecution for Corporate Compliance

4.1 Establishing Various Supporting Norms

4.1.1 Establishing Unified Standards for Compliance Effectiveness

In March 2021, Zhangjiagang City, Jiangsu Province, promulgated the "Work Methods for Compliance Effectiveness Review (Trial)" in Article 3, stipulating: "The standards for compliance effectiveness review adopt a diversified differentiation approach. The compliance standards for large enterprises should be close to those of state-owned enterprises, encompassing all elements specified in these Methods for Compliance Effectiveness Review. For small and medium-sized enterprises (SMEs), standards may be appropriately relaxed, but they must include core elements such as compliance plans, preventive systems, identification systems, and response systems." The China Association of Small and Medium Enterprises has similarly drawn a clear distinction between medium-sized enterprises and micro-small enterprises in its publication "Evaluation of Effectiveness

of SME Compliance Management Systems.” This represents a binary model of distinguishing compliance effectiveness standards between large and medium-sized enterprises versus micro-small enterprises.

It is imperative to tailor compliance plan standards more closely to the actual circumstances of enterprises based on factors such as their management models, operational conditions, and scale. These standards should be more personalized, scientifically reasonable, comprehensive, meticulous, and detailed. The construction of compliance plans should be based on the principle of personalization, and correspondingly, the assessment of their effectiveness should involve case-by-case analysis.

When reviewing compliance plan and execution effectiveness standards, the People’s Courts can evaluate whether the involved enterprises meet the conditions for non-prosecution based on: defining the criminal acts and nature of the crime committed by the enterprise; determining the enterprise’s awareness and repentance attitude towards these criminal acts; examining the content of the compliance plan developed by the enterprise; assessing the enterprise’s awareness of compliance risks and the formulation of follow-up compliance supervision measures. During specific review processes, the People’s Courts can analyze whether the enterprise’s compliance measures correspond to the illegal factors and whether they contribute to mitigating the damages caused by criminal activities, thereby preventing legal risks. They can also evaluate whether the compliance plan contributes to assessing the effectiveness of compliance plan execution, enabling visual analysis of compliance plan benefits.

Uniform compliance reform standards provide a benchmark and guidance for case handlers participating in enterprise compliance, reducing confusion among judicial personnel regarding compliance effectiveness assessment standards and mitigating conflicts between procuratorial and judicial authorities in applying legal issues. This approach resolves potential disparities in judgments for similar cases in judicial practice, enhances judicial fairness, sets reasonable expectations for involved enterprises and relevant personnel, and facilitates third-party organizations in guiding enterprises to establish genuine and effective compliance reform standards.

4.1.2 Enhancing the System of Public Hearings

Before prosecuting a compliance case against an enterprise, judicial authorities should convene a compliance hearing involving relevant parties such as the parties involved, legal representatives, defense counsel, members of the People’s Congress, and people’s supervisors. This hearing allows them to gather opinions regarding the enterprise’s compliance efforts and non-prosecution. 错误!未定义书签。

Conducting a compliance hearing enables judicial authorities to comprehensively understand the facts of the case and make an integrated assessment of whether the enterprise meets the conditions for compliance reform. Factors such as the attitude of the enterprise towards compliance reform are considered in making the final judgment. Additionally, it allows for tailored compliance recommendations based on the specific circumstances of different enterprises, thus avoiding a rigid application of uniform standards that could potentially infringe upon the legitimate rights of enterprises.

The use of public hearings also compensates for any deficiencies in the professionalism of judicial personnel. By hearing the compliance reform opinions of various representatives during the hearing, judicial personnel gain a platform to exchange information on different industry practices and operational conditions, aiding them in customizing compliance reform standards for the enterprises involved.

Implementing tiered compliance reform standards not only safeguards the legal rights of enterprises but also enhances the quality and efficiency of case handling. It reduces the workload and pressure on case handlers, addresses the challenges stemming from inconsistent compliance effectiveness assessment standards, cuts down on case-handling costs, conserves judicial resources, fills loopholes in the application of non-prosecution for compliance, and minimizes instances of collusion between involved enterprises or third-party organizations and judicial authorities. This approach also promotes transparency in the compliance non-prosecution procedure, strengthens

public oversight of judicial activities, and improves the quality of handling compliance cases by judges and prosecutors. In practice, the Zhangjiagang City Procuratorate in Jiangsu Province has actively experimented with holding compliance hearings in cases involving suspected fraudulent issuance of value-added tax invoices, gathering extensive feedback from all stakeholders. Similarly, the Tongzhou District Procuratorate in Beijing successfully integrated compliance procedures with prosecutorial hearings in handling a tax evasion case in 2021, achieving positive social and legal outcomes.

4.1.3 Establishing an Effective Compliance Incentive System

Currently, in practice, compliance incentives in China primarily manifest in the criminal field. There are two main types of compliance incentives: first, enterprises can establish comprehensive compliance plans to obtain non-prosecution decisions from procuratorial authorities; second, enterprises that fail or refuse to comply will face sanctions for their illegal activities. Some scholars suggest that Chinese procuratorial authorities can collaborate with other administrative agencies to provide more incentives to compliant enterprises, forming a comprehensive compliance mechanism.

错误!未定义书签。 In practice, some pilot procuratorial authorities, supported by party committees and governments, have collaborated with government departments such as environmental protection bureaus, administrative approval bureaus, and tax bureaus to develop compliance incentive lists. These lists clearly specify preferential policies for enterprises that actively engage in compliance. For minor violations, instead of administrative penalties, the approach involves guidance through warnings and policy directives for the involved enterprises. Providing certain compliance incentives to involved enterprises is more conducive to advancing and implementing compliance non-prosecution reforms than directly imposing sanctions based on their illegal activities. Prosecuting enterprises suspected of illegal activities and subjecting them to legal sanctions, even if it results in minor fines, can deal a severe blow to enterprises, making it difficult for them to operate financially in the short term. Undertaking compliance requires enterprises to allocate resources to hire professionals for compliance reform, which may hinder their active cooperation with judicial authorities in effective compliance reform. Moreover, sanctions against enterprises can adversely affect the legitimate rights of numerous employees, business partners, and shareholders.

Therefore, it is crucial for judicial authorities to actively formulate relevant compliance incentive measures. This necessitates judicial authorities to establish different compliance incentive mechanisms tailored to the specific circumstances of enterprises, such as their nature, business models, and management structures. This approach continuously enhances the initiative and proactivity of involved enterprises in compliance reform. It also encourages enterprises to conduct self-examination and self-correction before facing prosecution, thereby preventing recidivism to some extent.

In conclusion, developing tailored compliance incentive mechanisms and actively promoting self-correction efforts by enterprises before prosecution are pivotal in enhancing compliance reform and preventing future illegal activities.

4.2 Emphasizing the Construction of a Diversified Institutional System for Multi-Party Participation in Corporate Compliance

To establish an orderly market environment, promote the healthy development of enterprises, and continuously strengthen the depth, intensity, and breadth of corporate compliance reforms, the joint participation and collaborative efforts of procuratorial authorities and other agencies are indispensable. The “Guiding Opinions” issued on June 3, 2021, clearly stipulate the establishment of a third-party mechanism steering committee led by procuratorial authorities, together with state-owned asset supervision departments, financial departments, and chambers of commerce, in collaboration with judicial administration, environmental protection, and tax departments, among others. This committee is tasked with guiding and supervising the third-party mechanism.

The effective implementation of compliance systems for implicated enterprises should not solely rely on procuratorial authorities but also require mutual coordination among public security,

prosecution, and judicial authorities to establish a specialized compliance procedure covering the entire legal process. China has established the “Enterprise Compliance Third-Party Supervision and Evaluation Mechanism Management Committee,” involving multiple departments to negotiate and resolve compliance supervision issues concerning enterprises suspected of administrative violations (crimes).[9]

4.3 Emphasizing Coordination among Different Entities, Linkages, and Supervisory Relationships

4.3.1 Strengthening Coordination and Constraint Relationships among Public Security, Procuratorial, and Judicial Organs

To achieve synergy with the public security and courts, procuratorial organs need to conduct necessary compliance reviews during the investigation and examination stages of arrest to adequately prepare for the prosecution phase regarding corporate compliance. Scholars have proposed, based on the “Guiding Opinions,” that public security agencies should initiate corporate compliance checks during the investigation stage. Otherwise, compliance documents such as compliance plans and inspection reports may not be available during the investigation, which are crucial references for the examination and arrest review stages. Therefore, to ensure further improvement in the legal norms of corporate compliance, close collaboration and enhanced supervision during the investigation stage between public security agencies and procuratorial organs are essential. Additionally, procuratorial organs should closely cooperate with the courts to discuss how corporate compliance may serve as a factor for mitigating penalties in criminal sentencing. This collaboration helps ensure mutual agreement on the importance and impact of corporate compliance. Furthermore, it is necessary to enhance the judiciary’s proactivity. Currently, the concept of “proactive judiciary” is gaining attention, emphasizing strengthened coordination with other departments by the courts to protect market entities, balance fairness and efficiency, and achieve unified political, social, and legal effects. In conclusion, judicial review by courts of procuratorial decisions not to prosecute corporate compliance cases helps address concerns about procuratorial discretion being overly extensive when handling such cases. Moreover, judicial review provides effective external supervision of procuratorial discretion.[10]

4.3.2 Strengthening Cooperation between Courts and Administrative Authorities

In China, when a company initially commits an administrative violation, meeting the conditions for non-prosecution based on compliance, the procuratorial organ decides not to prosecute it criminally but the company’s actions may still incur administrative penalties.[11] In practice, after issuing a prosecutorial suggestion to the company, the procuratorial organ typically advises relevant administrative authorities to impose administrative penalties. This practice effectively addresses the linkage between criminal and administrative proceedings.

Therefore, even though the procuratorial organ has decided not to prosecute or pursue further criminal charges against the company, its actions should still be subject to administrative penalties. Generally, the procuratorial organ advises the relevant administrative authorities to impose administrative penalties on the company. After issuing the prosecutorial suggestion, the procuratorial organ monitors the company’s compliance efforts and, based on these efforts, decides whether to recommend reducing the penalties. If the company diligently promotes compliance, the procuratorial organ may recommend reducing the penalties; however, if the company does not actively engage in compliance efforts, the procuratorial organ may suggest severe penalties by the administrative authorities.

When necessary, to urge companies to strengthen compliance, administrative authorities lead the promotion of corporate compliance development. When handling corporate compliance cases, the procuratorial organ not only focuses on past criminal behavior but also emphasizes preventing illegal activities in future operations. After completion of compliance rectification, the procuratorial organ may further suggest to the administrative authorities to continue supervising the company’s

compliance to deepen the effectiveness of corporate compliance rectification.[12] Some scholars also propose integrating administrative compliance with criminal compliance organically to reduce and prevent the recurrence of similar illegal activities.[13]

4.3.3 Establishing Relevant Supporting Measures Concerning Third-party Organizations

Firstly, third-party organizations involved in the process of non-prosecution compliance by enterprises should maintain a relatively independent position. The independence of third-party organizations is a prerequisite to ensuring the objectivity, fairness, and effectiveness of compliance supervision and assessment of enterprises.[14] Third-party organizations should avoid conflicts of interest with the enterprises concerned and the procuratorial organs, and should perform their regulatory duties objectively and impartially. It is important to emphasize the independence of third-party organizations, not to exclude the supervision of procuratorial organs. Procuratorial organs still retain the right to directly supervise third-party organizations and their members.

Secondly, in order to monitor whether enterprises comply with regulations, third-party institutions should establish a system for tracking and revisiting. This helps third-party organizations gain firsthand knowledge of the compliance rectification progress of the enterprises involved, enabling them to provide targeted recommendations for compliance improvement. This approach reduces the time cost of compliance rectification for enterprises, addresses complexities in the application of compliance rectification procedures, and enhances the proactive engagement of enterprises in compliance activities. If problems persist after the formulation of compliance plans by enterprises, third-party institutions can continue to provide guidance during the tracking and revisiting process, gradually guiding enterprises along the correct path of compliance rectification. If enterprises fail to take action, third-party institutions can communicate with relevant government departments to impose administrative penalties on them.

Third-party organizations should develop comprehensive compliance plans to standardize compliance rectification efforts. The “Opinions on Third-Party Mechanisms” stipulates principles for the formulation of compliance plans for enterprises involved, requiring third-party organizations to tailor different compliance rectification plans based on factors such as enterprise scale and business models. Additionally, Article 11 of the “Opinions on Third-Party Mechanisms” provides recommendations for strengthening internal governance structure optimization and personnel management in the involved enterprises, urging enterprises to establish compliance management norms and organizational systems to address gaps in institutional development and regulatory oversight. This enhances the scientific and rational nature of compliance rectification efforts.

To purify the industry atmosphere of third-party organizations, strict requirements are imposed on third-party personnel to perform their duties in accordance with the law. Article 17 of the “Guiding Opinions” prohibits third-party organizations and their members from disclosing state secrets, business secrets, and personal privacy learned during their performance, as well as from using their positions to solicit or accept bribes, or illegally seize property of enterprises or individuals involved. Article 18 empowers enterprises or their personnel to lodge complaints if they suspect third-party organizations or their members of committing crimes, thereby strengthening supervision and management of third-party personnel.

5. Conclusion

To implement the non-prosecution system for corporate compliance, tailored compliance rectification standards are established for different enterprises based on factors such as their nature, operational model, and management structure. This includes refining the public hearing system to enhance the professionalism of judicial organs, improving the quality and efficiency of case handling, and alleviating staff pressure. By establishing effective compliance incentives, the initiative and enthusiasm of implicated enterprises for compliance rectification are continuously enhanced. To address the issue of excessive discretionary power of procuratorial organs, collaboration and checks among different entities are strengthened. Simultaneously, qualifications of third-party personnel are

bolstered through the establishment of an admission system, specifying regulatory measures to enhance supervision over third-party organizations and their personnel.

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