

# *The Scope and Definition of Supervision Objects: Theoretical and Practical Research*

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**Abstract:** This article conducts in-depth research on the scope and definition of supervision objects from both theoretical and practical perspectives. Firstly, the origin and development of the supervisory system, the nature and responsibilities of supervisory agencies, as well as the concept and characteristics of supervisory objects were analyzed. Secondly, the scope and classification of the objects of supervision, as well as the principles and methods for defining them, were discussed. On this basis, the practice of the scope of supervision objects in China was explored, and the provisions of relevant laws and regulations were analyzed, as well as the identification of supervision objects in state-owned holding and joint-stock companies. Finally, in response to the challenges faced in defining the scope of supervision objects, corresponding strategies and suggestions were proposed. The research conclusion of this article indicates that clarifying the scope and definition of supervision objects is helpful for improving the supervision system, enhancing the pertinence and effectiveness of supervision work. In response to the current problems and challenges, it is necessary to further optimize the legal and regulatory system, strengthen the coordination and cooperation between supervisory authorities and relevant departments, and improve the accuracy and scientificity of defining the scope of supervisory objects.

## **1. Introduction**

In recent years, corruption has become increasingly serious on a global scale and has become a common concern for governments and societies around the world. In order to combat corruption, many countries have established sound supervision systems and strengthened the supervision and management of public officials. China also attaches great importance to the issue of corruption, continuously improves the supervision system, and strengthens the supervision of national public officials. In China, the supervisory system has a long history, but the true establishment of supervisory organs was still after the reform and opening up. With the launch of the reform and opening up in 1978, China began to rebuild its supervisory organs and underwent multiple reforms, forming the current supervisory system. In March 2018, the Supervision Law of the People's Republic of China was officially implemented, providing a legal basis for the reform of the national supervision system.

## **2. Theoretical basis of monitoring objects**

### **2.1. Origin and Development of Supervision System**

The supervisory system, as a supervisory mechanism, originated from the ancient state system. In China, the history of the supervisory system can be traced back to the Western Zhou Dynasty in the 7th century BC, when there was a position of "Si Kou" responsible for supervising and managing public officials. With the development of history, the supervisory system has been continuously improved in various dynasties, such as the "Imperial Censorate" in the Tang Dynasty, the "Supervisory Prison" in the Song Dynasty, and the "Imperial Censorate" in the Ming Dynasty, all of which bear supervisory responsibilities. In foreign countries, the supervisory system has also undergone thousands of years of evolution. In the democratic system of ancient Greece, there was a "pottery exile law" to supervise public officials; The supervisory system of ancient Rome supervised the property declaration and behavioral norms of officials to prevent abuse of power. Since modern times, Western countries such as the United States, France, Germany, etc. have established sound supervision systems to effectively supervise public officials.

### **2.2. Nature and Responsibilities of Supervisory Organs**

As the main force of anti-corruption work, the nature and responsibilities of supervisory organs vary in different countries and historical periods. In China, according to the provisions of the Supervision Law of the People's Republic of China, the National Supervisory Commission and its dispatched agencies, as well as local supervisory committees at all levels, are the supervisory organs of the state and exercise their supervisory powers in accordance with the law. The main responsibilities of supervisory organs include: (1) supervising public officials, checking whether they comply with laws and regulations, and fulfilling their duties; (2) To investigate and punish the disciplinary and illegal activities of public officials, including corruption, bribery, abuse of power, and dereliction of duty; (3) Strengthen the leadership of the construction of Party conduct and clean governance and anti-corruption work; (4) Strengthen the publicity and education of the supervised objects, and enhance the awareness of clean governance; (5) To handle cases of official crimes in accordance with the law and maintain national security and social stability.

### **2.3. Concept and characteristics of monitoring objects**

The objects of supervision refer to the units and individuals that the supervisory organs need to supervise, inspect, investigate, and handle in the process of fulfilling their duties. The objects of supervision have the following characteristics: (1) specificity: The objects of supervision are usually units and individuals exercising public power, such as national public officials, employees of enterprises and institutions, etc; (2) Extensiveness: The objects of supervision cover various levels of state organs, enterprises and institutions, with a wide scope; (3) Dynamicity: The monitoring objects can be adjusted according to work needs, and as the anti-corruption struggle deepens, the scope of the monitoring objects will be further expanded; (4) Relevance: There is a power and responsibility relationship between the objects of supervision, which restricts and supervises each other; (5) Legality: The scope and responsibilities of the supervisory object are determined in accordance with the law, with clear legal and regulatory basis.<sup>[1]</sup>

### **3. Scope and Definition of 3 Monitoring Objects**

#### **3.1. Scope and classification of monitoring objects**

The scope and classification of supervision objects are crucial in anti-corruption work, directly related to the pertinence and effectiveness of supervision work. According to the Supervision Law of the People's Republic of China, the objects of supervision mainly include state public officials, including representatives of people's congresses at all levels, members of the Chinese People's Political Consultative Conference, staff of state organs, and staff of public institutions; Employees of enterprises and institutions: including employees of state-owned enterprises, collective enterprises, private enterprises and other enterprises and institutions; Staff of mass organizations: such as grassroots organizations such as village committees and resident committees; Other units and individuals exercising public power, such as personnel in financial institutions, social organizations, intermediary organizations, and other fields. In addition, according to the needs of supervision work, the supervision objects can also be divided into key supervision objects and general supervision objects. The key supervision targets mainly include: public officials in key positions, such as personnel in finance, procurement, project approval, and other fields; Regions and units where corruption has occurred; Public officials involved in national security, livelihood security, and other fields.<sup>[2]</sup>

#### **3.2. Principles and Methods for Defining Supervision Objects**

The principles and methods for defining the objects of supervision are key to ensuring that supervision work is carried out in accordance with the law, norms, and efficiency. In practical work, the definition of supervision objects should follow the legal definition: based on national laws and regulations, clarify the scope and scope of supervision objects; Reasonable division: Based on the tasks and actual needs of supervision work, reasonably divide the key supervision objects and general supervision objects; Dynamic adjustment: adjust the scope of supervision objects in a timely manner according to the situation and work needs of the anti-corruption struggle; Consistency of rights and responsibilities: Ensure clear rights and responsibilities between supervisory objects, which is conducive to the supervisory role of supervisory organs. In terms of specific methods, the following methods can be adopted: (1) Data analysis: by collecting, organizing, and analyzing basic information, job responsibilities, business areas, and other data of public officials, providing a basis for defining the objects of supervision; (2) Risk assessment: Conduct risk assessments on public officials in key areas and positions, identify areas prone to corruption and focus on supervision; (3) Visit and research: go deep into the grassroots, understand the actual situation, and grasp the actual situation of the monitored objects; (4) Collaborative cooperation: Strengthen communication and collaboration with relevant departments, share information, and ensure the accuracy of defining the monitoring objects.<sup>[3]</sup> Through the above principles and methods, it is beneficial to clarify and define the scope of supervision objects, and provide strong support for supervision work.

### **4. Practical Exploration of the Scope of Supervision Objects in China**

#### **4.1. Provisions of the Administrative Supervision Law and the Implementation Regulations of the Administrative Supervision Law**

In China, the scope and definition of the objects of supervision are mainly reflected in the Administrative Supervision Law of the People's Republic of China and its Implementation Regulations. The Administrative Supervision Law is the first law in China that specifically regulates

supervision work, clarifying the nature, responsibilities, and authorities of supervisory organs, and providing a legal basis for supervision work. Article 3 of the Administrative Supervision Law stipulates: "Supervisory organs shall exercise supervision over the following organs and personnel: (1) state administrative organs and their civil servants; (2) organizations and their staff authorized by laws and regulations to manage public affairs; (3) organizations and their staff entrusted by state administrative organs in accordance with the law; (4) leading cadres appointed or recommended by administrative organs in enterprises, institutions, and social organizations;" (5) Other personnel who should be subject to supervision according to law. " The Implementation Regulations of the Administrative Supervision Law further clarify the scope of the objects of supervision and provide a detailed list of various types of public officials, including: civil servants of national administrative organs, staff of public institutions managed in accordance with the civil service system, leading cadres of enterprises and institutions appointed or recommended by administrative organs, and other personnel who should be subject to supervision in accordance with the law. Through the Administrative Supervision Law and its Implementation Regulations, China has clarified the scope of supervision objects, including national administrative organs and their staff, staff of public institutions, and leading cadres of enterprises and institutions. These regulations provide a clear basis for supervisory agencies to carry out supervisory work, which helps to ensure the pertinence and effectiveness of supervisory work. However, with the deepening of the reform of the national supervision system, existing laws and regulations still have certain limitations in defining the scope of supervision objects. The unclear definition of supervision objects in state-owned holding and joint-stock companies has led to certain controversies in actual work. In response to these issues, it is necessary to further clarify the scope of supervision objects in subsequent legislation to ensure the smooth implementation of supervision work.<sup>[4]</sup>

#### **4.2. Identification of Supervisory Objects in State Owned and Participated Companies**

The identification of supervisory objects in state-owned holding and participating companies is of great significance for ensuring the preservation and appreciation of state-owned assets, promoting the construction of party conduct and clean governance, and anti-corruption work. However, in practical work, there are still certain controversies and ambiguities in defining the objects of supervision in this field. According to the Supervision Law of the People's Republic of China, the objects of supervision include "state administrative organs and their civil servants, organizations and their staff authorized by laws and regulations to manage public affairs, organizations and their staff entrusted by state administrative organs in accordance with the law, leading cadres appointed or recommended by administrative organs in enterprises, public institutions, and social organizations, and other personnel who should be subject to supervision in accordance with the law.". In state-owned holding and joint-stock companies, the definition of supervisory objects mainly involves national public officials in the company, including the legal representative, general manager, deputy general manager, and other leading cadres appointed or recommended by administrative authorities; Middle level management personnel in the company: including key positions such as finance, procurement, and human resources; Other employees in the company, such as finance personnel, procurement personnel, sales personnel, etc., especially key positions related to national interests and the preservation and appreciation of state-owned assets. It should be noted that in practice, the definition of supervisory objects in state-owned holding and joint-stock companies may vary due to factors such as company nature, equity structure, and management appointment methods.<sup>[5]</sup> Therefore, in specific operations, supervisory authorities need to accurately define the objects of supervision based on the actual situation, and comprehensively use methods such as data analysis and risk assessment. In state-owned holding and joint-stock companies, the identification of supervisory objects is an important link in

ensuring the preservation and appreciation of state-owned assets, promoting the construction of party conduct and clean governance, and anti-corruption work. Clarifying the scope and definition of the objects of supervision is beneficial for the supervisory organs to better fulfill their responsibilities, safeguard national interests and the security of state-owned assets.

### 4.3. Specific case analysis of monitoring objects

Wang, male, 45 years old, holds a master's degree. In 2010, he joined a state-owned enterprise in a certain province and city as the deputy general manager. He was promoted to general manager in 2015. Wang is responsible for the overall work of the company, directly managing the finance, procurement, human resources and other departments. According to the Supervision Law of the People's Republic of China, Wang, as the general manager of a state-owned enterprise, belongs to the scope of supervision objects. Supervisory authorities should fulfill their supervisory responsibilities, ensure compliance with laws and regulations in their work, safeguard national interests and the security of state-owned assets. During Wang's tenure as the general manager, his company achieved good economic benefits and created abundant state-owned asset returns for the country. However, after Wang resigned, the company discovered some suspected violations during his tenure, such as false reporting of performance and illegal disposal of state-owned assets. These issues have seriously damaged national interests and the security of state-owned assets, and it is necessary to hold Wang accountable in accordance with the law.<sup>[6]</sup>

Has Wang engaged in any violations of laws and regulations during his tenure, such as embezzlement, bribery, abuse of power, and dereliction of duty; Has Wang engaged in any behavior that violates integrity and discipline during his term of office, such as illegally accepting gifts and gifts, violating the spirit of the central eight point regulations, etc; Has Wang engaged in any violations of work discipline during his tenure, such as dereliction of duty, inaction, etc; After leaving office, did Wang engage in any illegal disposal of state-owned assets, such as selling them at a low price or transferring them to his personal name. In practical work, the scope and definition of supervision objects are of great significance for supervision work. Supervisory authorities need to accurately define the objects of supervision based on the actual situation, ensuring the pertinence and effectiveness of supervisory work. At the same time, the definition of supervision objects and supervision work should be carried out in accordance with the law, ensuring fairness and justice, and safeguarding national interests and the security of state-owned assets.

## 5. Challenges and Response Strategies for Defining the Scope of Supervision Objects

### 5.1. Challenges in Defining the Scope of Supervision Objects

The legal and regulatory system is not perfect enough: Although the Supervision Law of the People's Republic of China and related laws and regulations have stipulated the scope of supervision objects, there are still some ambiguities and controversies in the specific operation. Further clarification is needed on the definition of supervisory objects in state-owned holding and joint-stock companies, as well as the identification of supervisory objects in new economic organizations, social organizations, and other fields. Difficulty in dynamically adjusting the scope of supervision objects: With the development of social economy and the transformation of government functions, the scope of supervision objects will also undergo corresponding changes. However, in practical work, supervisory agencies often find it difficult to adjust the scope of supervisory objects in a timely manner, resulting in weak targeting of supervisory work. The cross departmental collaborative cooperation mechanism is not perfect enough: the scope of supervision involves multiple departments, such as finance, auditing, judiciary, etc. In practical work, insufficient collaboration and cooperation



among departments have led to loopholes and duplication in the definition of supervision objects. Insufficient ability to define supervisory objects: Some supervisory agencies lack sufficient professional ability and experience in defining supervisory objects, which makes it difficult to carry out supervisory work in depth.<sup>[7]</sup>

## **5.2. Strategies and suggestions for addressing challenges**

To improve the legal and regulatory system, it is recommended to revise and improve the Supervision Law of the People's Republic of China and related laws and regulations, clarify the scope and scope of supervision objects, especially the identification of supervision objects in areas such as state-owned holding, joint-stock companies, new economic organizations, and social organizations, in order to reduce ambiguity and controversy. Establishing a dynamic adjustment mechanism, it is recommended that supervisory agencies regularly adjust the scope of supervisory objects based on the development of the social economy and the transformation of government functions, to ensure the targeted and effective nature of supervisory work. Strengthen cross departmental collaboration and cooperation. It is recommended that supervisory authorities strengthen communication and cooperation with departments such as finance, auditing, and judiciary, establish cross departmental collaboration mechanisms, and jointly carry out the definition of supervisory objects to ensure the comprehensiveness and accuracy of the work. To enhance the capacity building of supervisory organs, it is recommended that they strengthen their own capacity building, improve the professional ability and experience of supervisory personnel in defining the objects of supervision through training, exchanges, and other means, and ensure the in-depth development of supervisory work. By increasing the publicity and education of the monitored objects, improving the awareness and compliance of public officials with laws and regulations, guiding them to consciously abide by laws and regulations, and reducing the occurrence of corruption. It is recommended that China draw on the experience and practices of foreign countries in defining the scope of supervision objects, strengthen cooperation with international organizations, and jointly explore and solve the difficulties in defining the scope of supervision objects. To address the challenge of defining the scope of supervision objects, it is necessary to start from multiple aspects, adopt comprehensive measures, improve the pertinence and effectiveness of supervision work, and ensure the modernization of the national governance system and governance capacity.

## **6. The Future Development of Defining the Scope of Supervision Objects in China**

### **6.1. Improve the legal and regulatory system**

Revise the Supervision Law of the People's Republic of China and related laws and regulations, clarify the scope and scope of the supervision objects, and reduce ambiguity and controversies. This can be achieved through the interpretation of legal provisions, the formulation of specific implementation rules, and other means. At the same time, it is necessary to further clarify the identification of monitoring objects in areas such as new economic organizations and social organizations, in order to reduce ambiguity and controversy. Develop regulations for the identification of supervisory objects in areas such as state-owned holding, joint-stock companies, new economic organizations, and social organizations, in order to reduce ambiguity and controversy. This can be achieved through the development of specialized regulations, rules, or policy documents. In the process of formulation, it is necessary to fully consider the monitoring needs of different fields and levels to ensure the comprehensiveness and accuracy of monitoring work. Develop supervision regulations for different fields and types of public officials to meet the supervision needs of different fields and levels.<sup>[8]</sup> This can be achieved through the development of specialized regulations, rules,

or policy documents. In the process of formulation, it is necessary to fully consider the characteristics of different fields and levels to ensure the targeted supervision work.

## **6.2. Establish a dynamic adjustment mechanism**

The scope of monitoring objects changes with the development of social economy and the transformation of government functions. Therefore, supervisory authorities need to establish a dynamic adjustment mechanism, timely adjust the scope of supervisory objects, and ensure the pertinence and effectiveness of supervisory work. Regularly evaluate the scope of supervision objects, and adjust the scope of supervision objects in a timely manner based on social and economic development and changes in government functions. This can be achieved by establishing specialized evaluation institutions and developing evaluation methods. During the evaluation process, it is necessary to fully consider the actual situation in various fields to ensure the accuracy and effectiveness of adjustments. Strengthen communication and collaboration with various departments, understand their needs and opinions on the scope of supervision objects, and ensure the comprehensiveness and accuracy of supervision work. This can be achieved by establishing specialized communication and collaboration mechanisms, such as holding regular symposiums and establishing information sharing platforms. By strengthening communication and collaboration with various departments, ensure the comprehensiveness and accuracy of supervision work. Establish an open and transparent mechanism for adjusting the scope of supervision objects, solicit opinions and suggestions from all sectors of society, and improve the democracy and scientificity of supervision work. This can be achieved through the establishment of specialized open and transparent mechanisms, such as channels for soliciting public opinions and conducting hearings. By implementing an open and transparent mechanism, we aim to enhance the democratic and scientific nature of supervision work.<sup>[8]</sup>

## **6.3. Strengthen cross departmental collaboration and cooperation**

Strengthen communication and cooperation between supervisory organs and other departments, establish cross departmental collaborative mechanisms, and jointly carry out the definition of supervisory objects. This can be achieved by establishing specialized cross departmental coordination agencies, such as establishing cross departmental coordination groups. Under the guidance of the cross departmental coordination group, the supervisory authority and other departments jointly carry out the definition of supervisory objects to ensure the comprehensiveness and accuracy of supervisory work. Establish an information sharing mechanism to achieve information sharing among departments and ensure the comprehensiveness and accuracy of the definition of supervision objects. This can be achieved by establishing an information sharing platform, such as setting up a dedicated monitoring information sharing platform.<sup>[9]</sup> Through the information sharing platform, supervisory authorities can timely obtain relevant information from various departments, ensuring the comprehensiveness and accuracy of supervisory work. Strengthen cross departmental training and communication, enhance the professional ability and experience of supervisory personnel in defining the objects of supervision, and ensure the in-depth development of supervisory work. This can be achieved by organizing cross departmental training and communication activities. Through training and communication activities, supervisory personnel can learn from the work experience and methods of other departments, and improve their professional abilities and experience.

## **6.4. Enhancing the Capacity Building of Supervisory Organs**

Strengthen training and communication, enhance the awareness and compliance of supervisory

personnel with laws and regulations, and guide public officials to consciously abide by laws and regulations. This can be achieved through organizing training and exchange activities, such as regularly holding legal and regulatory training courses, and conducting exchange activities. Through training and communication activities, supervisory personnel can improve their professional level and abilities. Introduce and cultivate a group of supervisory talents with professional knowledge and practical experience, and improve the professional level and ability of supervisory organs. This can be achieved by introducing outstanding foreign talents, selecting and cultivating a group of supervisory talents with professional knowledge and practical experience. By introducing and cultivating supervisory talents with professional knowledge and practical experience, we can improve the professional level and ability of supervisory organs. Strengthen the exchange and cooperation between supervisory organs and other countries and regions, draw on advanced experience, and improve the internationalization level of supervisory work. This can be achieved through organizing international cooperation and exchange activities, such as participating in international monitoring organizations, engaging in exchanges and cooperation with other countries and regions, etc. Through international cooperation and exchange activities, supervisory authorities can draw on advanced experiences and practices from other countries and regions to improve the internationalization level of supervisory work.

## 7. Conclusion

The scope and definition of supervision objects are important components of supervision work. This article analyzes the challenges and response strategies of defining the scope of supervision objects through theoretical research and practical exploration, and looks forward to the future development of defining the scope of supervision objects in China. The article believes that improving the legal and regulatory system, establishing dynamic adjustment mechanisms, strengthening cross departmental collaboration, and enhancing the capacity building of supervisory agencies are key measures to improve the accuracy and effectiveness of defining the scope of supervisory objects. At the same time, the scope and definition of the objects of supervision need continuous attention and exploration to adapt to the needs of social development and supervision work, and to achieve modernization of the national governance system and governance capacity.

## References

- [1] Liu Jin. *Research on the Scope of Supervision Objects [D]*. Shanghai University of Finance and Economics, 2022.
- [2] Hu Shaofan. *Research on Defining the Scope of Supervision Objects [D]*. Jiangsu University, 2022.
- [3] Mao Mingchen. *The Scope and Definition of Supervisory Objects under the Original Intention of Legislation: From the Perspective of the Connection between Law and Law*. *Journal of Wenzhou University (Social Sciences Edition)*, 2022, 35 (03): 26-37.
- [4] Qiao Jingwen. *Research on Defining the Scope of State Supervision Objects [D]*. Zhengzhou University, 2022.
- [5] Zhao Zhenzhen. *Definition of the scope of "leaders" in the objects of supervision and accountability [D]*. Southwest University of Political Science and Law, 2022.
- [6] Deng Pingyun. *Research on the Supervision System of the Supervisory Committee over National People's Congress Representatives [D]*. Central South University of Economics and Law, 2021.
- [7] Zhang Yue. *Research on the Supervision Object of the Supervision Committee [D]*. Hebei University, 2021.
- [8] Chen Hui. *Research on the Disposal Power of the Supervisory Committee [D]*. Southeast University, 2020.
- [9] Min Jiangnan. *Research on the objects of supervision by the supervisory committee [D]*. Jiangxi Normal University, 2019.