



FCC

FINANCIAL CRIMES
COMMISSION
MAURITIUS

**GUIDELINES
ON THE PREPARATION AND
IMPLEMENTATION OF
STANDARD OPERATING
PROCEDURES MANUALS
BY
PUBLIC BODIES**

SECTION 1: Preparation and Implementation of Standard Operating Procedures Manuals by Public Bodies

1.1 INTRODUCTION

The Financial Crimes Commission (“*FCC*”), established under the Financial Crimes Commission Act 2023 (“*FCCA*”), is the apex agency in Mauritius responsible to detect, investigate, and prosecute financial crimes. These include corruption, money laundering, fraud, the financing of drug trafficking and any other offence under Sub-Part V of the *FCCA*. The *FCC* is the central agency in Mauritius for asset recovery matters, and, in addition, it has a mandate for the prevention and education on financial crimes.

During the conduct of System Reviews in public bodies, the *FCC* observed that many public bodies lacked documented procedures for areas vulnerable to financial crimes such as procurement, licensing and contract administration. Further, follow-up exercises conducted as part of the System Reviews revealed that around 90% of the recommendations made with regard to the development of documented procedures had not been implemented. This highlights a critical need for improved enforcement and compliance. Additionally, such situation increases the risks of financial crimes and leads to inconsistent service delivery, among others. The *FCC* is issuing the present guidelines on preparation and implementation of Standard Operating Procedures Manuals (SOPM) by public bodies pursuant to Section 6(2) (r) of the *FCCA*. These guidelines are intended to assist public bodies in the preparation, implementation and maintenance of SOPM to promote transparency, accountability and effective governance to mitigate financial crime risks.

The *FCC* emphasizes the critical importance of SOPM in safeguarding financial integrity and maintaining public trust in government institutions. These *FCC* guidelines represent an essential step in our collective effort to combat financial crimes through proactive and system-based prevention measures.

1.2 WHO MUST COMPLY?

The Guidelines are applicable to:

- (i) *Ministries/ Government Departments;*
- (ii) *the Rodrigues Regional Assembly and its Commissions;*
- (iii) *bodies established or set up under any enactment which performs judicial or adjudication functions;*
- (iv) *Commissions or any other bodies established or set up under the Constitution or under any other enactment;*
- (v) *local authorities;*

(vi) *statutory bodies; and*

(vii) *State-owned enterprises/ State-controlled enterprises.*

1.3 IMPORTANCE OF STANDARD OPERATING PROCEDURES MANUALS

Having clear and written procedures in place help ensure that all public officials understand what is expected from them in the performance of their duties. The lack of written procedures grants public officials considerable discretion, which could be used for personal gain. Therefore, having documented procedures helps reduce the risks of financial crimes, prevents deviations from established processes within public bodies, and offers clear reference points and guidance for decision-making.

SOPM serve as the cornerstone for:

<i>Risk Reduction/ Risk Mitigation</i>	Systematic reduction of financial crime vulnerabilities through clearly defined processes/procedures.
<i>Operational Excellence</i>	Standardised processes/procedures ensure consistent, fair and equitable service delivery allowing public officials to perform their duties effectively and efficiently.
<i>Regulatory Compliance</i>	Alignment with national and international standards safeguards against legal infractions and promotes adherence to best practices. Documented procedures, also help to ensure compliance with legal provisions.
<i>Public Trust</i>	Enhanced transparency and accountability mechanisms foster greater public confidence in government operations contributing to a culture of integrity.
<i>Digital Transformation</i>	Ensures modern and accessible documentation system.
<i>Internal Audit Functions</i>	Helps in the identification of compliance gaps and inefficiencies in the execution of documented procedures.
<i>Checks and Balances with Inbuilt Controls</i>	A well-defined framework of checks and balances, supported by segregation of duties and internal controls, prevents the concentration of authority, reduces exposure to financial crimes, and enhances oversight through cross-verification.

It is imperative that all public officials are guided by SOPM in the performance of their duties and daily activities to effectively achieve the organisation’s objectives and mitigate the risks of malpractices.

1.4 WHAT SHOULD PUBLIC BODIES DO?

Public bodies are required to develop and implement comprehensive SOPM for their core and supporting activities. To maximize effectiveness in preventing financial crimes, priority should be given to high-risk operational areas such as, but not limited to:

- Procurement;
- Financial Management including disbursement /payments and reallocation of funds;
- Payment of overtime
- Public vehicle utilisation;
- Grant allocation and distribution;
- Processing and allocation of permit and licence;
- Project management: and
- Contract management, among others.

Implementation Targets

Implementation progress will be measured through the following mandatory targets:

Coverage of Documented Procedures

- **Metric:** Percentage of core and support activities with fully developed, approved, and accessible documented procedures.
- **Targets:**
 - 60% of core functions documented
 - 50% of support functions documented
 - 100% of functions documented by December 2027

by January 2027

Compliance Rate

- **Metric:** Implementation rate of approved documented procedures across relevant departments
- **Target:** 100% compliance with approved documented procedures

Monitoring and Enforcement

Follow-up Assessment: The FCC may conduct follow-up exercises to evaluate compliance across public bodies.

Consequences: Non-compliance may result in legal actions and financial penalties as outlined in Section 1.5 of the present guidelines.

Implementation Support: Detailed guidance on preparing and implementing SOPM is provided in Section II below.

1.5 FAILURE FOR IMPLEMENTATION OF THE GUIDELINES

Failure by any person¹ to adopt and enforce the present guidelines issued by the FCC may lead to legal consequences as provided under section 141(5) of the FCCA which is reproduced as follows:

“... Any person who fails to –

- (a) adopt and enforce a code of conduct or guidelines issued by the Commission; or*
- (b) implement the recommendation following examination and review of the practices and procedures of any public body,*

shall commit an offence and shall, on conviction, be liable to a fine of not less than 50,000 rupees and not exceeding 500,000 rupees.”

¹ It is to be noted that “person” means a natural person or legal person under section 2 of the FCCA. A “legal person”, in turn, is defined under section 2 of the FCCA as any entity, including a private entity, other than a natural person.

Section II: Guidance on Preparation and Implementation of Standard Operating Procedures Manuals by Public Bodies

2.1 KEY PRINCIPLES

SOPM are essential to help build public trust in public bodies and support oversight. Though not exhaustive, documented procedures should be based on the following key principles:

<i>Clarity and Simplicity</i>	SOPM should be written in clear language, avoiding technical jargon and terms, where appropriate together with concise steps.
<i>Consistency</i>	SOPM must be consistent with legal and ethical standards. Procedures must ensure uniformity and clarity in how tasks are performed, and information is recorded. Consistency in procedures ensures improved efficiency, enhanced communication, increased accountability and improved decision-making.
<i>Specificity</i>	SOPM must provide detailed procedures in the performance of tasks, laying emphasis on role and responsibility of every officer involved in the processes.
<i>Completeness</i>	SOPM should cover all essential steps in the performance of tasks.
<i>Transparency</i>	SOPM must be clear, accessible, and easily understood by all relevant stakeholders. Documentation should be reviewed periodically for completeness, clarity and relevance.
<i>Accountability</i>	SOPM must clearly define the role and responsibilities of officers and departments involved at the different stages and processes to ensure that each major step is signed off by responsible officers. Accountability should be established across all levels of the organization.
<i>Practicability</i>	SOPM must reflect how tasks are performed.

2.2 STEPS IN THE PREPARATION AND IMPLEMENTATION OF STANDARD OPERATING PROCEDURES MANUALS

Public bodies must have a proper system in place for determining what procedures or processes need to be documented. In this respect, it is recommended that public bodies streamline and review the processes/procedures before preparing SOPM.

The SOPM should then be drafted by officers knowledgeable with the activity and the organisation's internal structure. These officers should essentially be those who actually perform the work or use the process.

A team or a Committee may also be constituted, especially for multi-tasked processes where the experiences of a number of officers are critical.

Moreover, management of public bodies play a critical role in preparing, implementing and promoting SOPM. It should lead by example and has the responsibility for fostering a culture of integrity within the organisation through adherence to established procedures.

In preparing and implementing SOPM, consideration should be given to the following key elements:

ELEMENTS	DESCRIPTION
<i>Identification of Organisation's Processes and Risk Areas</i>	It is essential to identify and determine the core and, operational processes/ functions of the organisation and supporting activities including areas of high risks requiring documentation.
<i>Engage Stakeholders</i>	Key stakeholders should be identified and engaged in the development of the procedures, as their insights into critical processes and potential vulnerabilities can be utilized to ensure compliance with internal policies and legal requirements.
<i>Introduction and Objectives</i>	The introduction and objectives should be in form of a concise statement outlining the purpose of SOPM for the organisation in relation to a particular activity or identified risk area. They should also define the process as well as clearly describe what the procedures aim to achieve.
<i>Scope</i>	The coverage and applicability of the procedures should be defined in relation to the relevant functions and stakeholders, including employees, departments, and external parties such as customers and contractors.
<i>Legal Framework</i>	Relevant laws, industry or sector-related regulations, international standards, and policies should be referred to in order to ensure that SOPM are well aligned. SOPM should complement the relevant regulatory and compliance requirements.
<i>Key Principles</i>	The SOPM must be guided by the key principles. These principles should articulate the core values and expectations

	that align with the organization’s mission, vision, and legal obligations.
General Considerations and Ethical Standards	<p>The SOPM must outline mechanisms and requirements designed to promote transparency, accountability, and integrity within all processes. These mechanisms should include, but are not limited to, the following key elements:</p> <ul style="list-style-type: none"> • Segregation of Duties: A structured distribution of responsibilities to prevent conflicts of interest and minimize risks of fraud or errors. • Compliance with legal provisions: Adherence to all applicable laws, regulations, standards, and statutory requirements governing the organisation's operations and activities. , • Ethical Standards and Conduct: Standards of behaviour/conduct expected from employees that promotes honesty, fairness, and professionalism in all actions and interactions. • Conflict of Interest Declaration and Management: Processes for disclosing and addressing any situations where personal interests may compromise professional judgment and public interest. • Whistleblowing and Reporting Mechanisms: Clear procedures for reporting suspected act of financial crimes or unethical behaviour, whilst ensuring protection to officers who report wrong doings. • Confidentiality Requirements: Protocols to safeguard sensitive information and maintain privacy throughout all activities.
Roles and Responsibilities	Describing roles and responsibilities of officers and departments is crucial when drafting the procedures. This clarity ensures accountability, reduces confusion, promotes efficiency, and helps to ensure compliance with applicable laws.
Procedural Steps	When drafting the procedures, it is recommended to identify the tasks and provide detailed step-by-step processes.
Existing Documentation	Any current policies, procedures and guidelines related to the subject matter and identify needs or areas that require improvement need to be considered when writing procedures.
Review and Approval	After drafting, the draft procedures need to be circulated and reviewed by responsible officers, a team or Committee to ensure that they are well drafted and comply with the relevant

	laws prior to their approval by Management or the Board for implementation.
<i>Implementation Plan</i>	<p>It is important to plan how the procedures will be disseminated within the organisation for adherence.</p> <p><i>Communication and Training-</i> Training, awareness and sensitisation are important elements to ensure that officers and stakeholders (where relevant) are knowledgeable of the documented procedures and its contents.</p>
<i>Continuous Monitoring and Improvement</i>	<p>Procedures need to be reviewed and updated. These may include the following:</p> <ul style="list-style-type: none"> • Conduct of regular audits to assess compliance with procedures and identify any gaps in implementation. • Gathering feedback from officers and stakeholders about the effectiveness of the procedures. Feedback should be used to adjust and continuously improve the SOPM. • A schedule for the review of the procedures should be set to ensure continued relevance and compliance.
<i>Disciplinary Actions</i>	Non-compliance to SOPM may entail disciplinary actions and in cases where financial crimes are suspected, the matter must be referred to the FCC for investigation.
<i>Adequacy of control</i>	SOPM must ensure that adequate controls are established and maintained, with regular assessments conducted to verify that these controls remain effective in mitigating risks, and ensuring compliance with legal and regulatory requirements.

A template on SOPM for procurement is provided in **Annex 1**.

Annex 1

To support and assist public bodies in drafting their SOPM in the identified core activity or risk areas, the FCC is providing a template for the preparation and implementation of SOPM for procurement.

TEMPLATE FOR SOPM REGARDING PROCUREMENT

ELEMENTS	DESCRIPTION
<i>Objectives</i>	<p>This procurement procedure is designed to ensure that procurement of goods, services, and works are carried out in a transparent, accountable and ethical manner. The procedure aims to:</p> <ul style="list-style-type: none"> • ensure fair competition and transparency in procurement; • achieve value for money; • comply with legal and regulatory requirements; and • promote ethical business practices and sustainability.
<i>Scope</i>	<p>This procedure applies to all procurement activities, including the procurement of goods, services, and works.</p>
<i>Legal Framework</i>	<p>The procurement procedures should be established in accordance with the provisions of the Public Procurement Act (PPA) 2006 and relevant Procurement Regulations and Directives of the Procurement Policy Office (PPO) and their internal procurement policies as applicable.</p>
<i>General Considerations and Ethical Standards</i>	<p>Emphasis should be laid on mechanism to ensure procurement integrity. These include the following:</p> <ul style="list-style-type: none"> • procurement principles; • segregation of duties; • ethical standards and conduct; • disclosure and management of conflict of interests; • whistleblowing mechanism/ reporting channels and • aspects of confidentiality, amongst others.

<p><i>Role and Responsibilities</i></p>	<p>The role and responsibilities of the different departments and officers involved in procurement should be described. These include:</p> <ul style="list-style-type: none"> • Accounting Officer; • Committee of Needs; • Departmental Bid Committee; • Bid Evaluation Committee; • Bid Opening Committee; • Designated officers of the Procurement Unit/Procurement Cadre; • Finance Department; and • End Users.
<p><i>Approving Authority</i></p>	<p>The authority for approval of procurement of goods, services and works based on the procurement amount should be clearly outlined in the procedures.</p>
<p><i>The Choice of Procurement Methods</i></p>	<p>Procurement should be conducted using the most appropriate methods based on the nature, complexity, and value of the goods, services and works in line with the PPA 2006, Procurement Regulations, Procurement Policy Office Directives and the organisational procurement policies. The procurement procedures should provide a succinct description of each procurement method.</p>
<p><i>Procurement Process</i></p>	<p>The procedures should describe how the following processes are conducted:</p> <ul style="list-style-type: none"> • Identification of needs /Preparation and approval of Procurement Plan; • Preparation of bidding documents; • Invitation for bidding and advertisement; • ; • Submission of bids and deadlines; • Opening of bids; • Cancellation of bids; • Bid evaluation process and selection of most responsive bidders; • Procedures for negotiations; • Awards of procurement contracts; • Procedures for negotiations; • Debriefing of unsuccessful bidders; • Delivery and commissioning (For IT equipment);

	<ul style="list-style-type: none"> • Contract implementation and administration; • Processing of effective payment; and • Performance appraisal of suppliers /contractors; among others.
<i>Supplier Registration, Management and Update of Supplier Registers</i>	The procedures should describe how suppliers are registered and how effective management and update of registers of suppliers, contractors, consultants and service providers will be ensured based on pre-defined criteria.
<i>Procurement Monitoring and Reporting</i>	The process for monitoring of procurement activities should be clearly described to ensure compliance with procedures. For instance, periodic procurement reports produced for management review, identifying savings, compliance issues, or supplier/contractor performance concerns.
