

March 2016

To Business Operators in the Private Sector

Integrity and Corruption Prevention Guide on Managing Relationship with Public Servants

It is a common practice or custom for business operators to, out of business courtesy or for maintaining good working relationship, offer gifts and hospitality (known as advantages) to their business contacts, which is generally acceptable provided that the advantages so offered carry no corrupt motive and are permitted by the principal of the recipient. However, under the Prevention of Bribery Ordinance, it is an **offence** for any person to offer any advantage to a public servant in return for any favour, to keep him/her sweetened for possible future favour, or simply while having dealings with the government bureau/ department or public body in which the public servant is employed. From past ICAC cases, we note that some business operators or their employees may not have adequate awareness about the legal restrictions and integrity standard applicable to public servants, thereby exposing themselves to the risk of breaching the law.

To help maintain a high standard of integrity in interactions between business operators / private organisations and public servants, the Corruption Prevention Advisory Service of the ICAC has produced the captioned Guide for reference by operators of private organisations and their employees, which provides:

- (a) an introduction to the legal provisions (e.g. Prevention of Bribery Ordinance) and administrative rules and regulations governing

the interactions between business operators and public servants;

- (b) case studies developed and modified based on past corrupt practices covering different kinds of dealings between private entities and public servants; and
- (c) advice on the good practices in managing relationships with public servants and on measures that may be adopted by business operators and private organisations to ensure their staff follow the expected standard of integrity when dealing with public servants.

The electronic copies of the Guide and a Quick Starter Guide are available for access and download through the following links:

- (i) **English Version:**

http://www.icac.org.hk/filemanager/en/Content_1031/ps.pdf

- (ii) **Chinese Version:**

http://www.icac.org.hk/filemanager/tc/Content_1031/ps.pdf

- (iii) **Quick Starter Guide:**

http://www.icac.org.hk/filemanager/en/Content_1031/quick-ps.pdf

Business operators and their employees who have business dealings or interactions with public servants are advised to study the Guide, and adopt the practices recommended in the Guide where applicable. If a hardcopy of the Guide or Starter Guide (which may be provided in limited quantity subject to stock availability) is required or further corruption prevention advisory service is needed, please complete and return the Corruption Prevention Advisory Service Request Form to us by fax (2522 0505) or by email (cpas@cpd.icac.org.hk) or simply call our hotline (Mon-Fri, 9:00-18:00) at 25 266 363.

Yours sincerely

A handwritten signature in black ink, appearing to read "Joe Lee". The signature is written in a cursive style with a large initial "J" and "L".

(Joe Lee)

Head of Corruption Prevention Advisory Service

Encl.