SAMPLE CODE OF CONDUCT
FOR EMPLOYEES OF PUBLIC BODIES

Corruption Prevention Department
Independent Commission Against Corruption
2014
Foreword

[The Organisation may include a short message from the Chief Executive Officer to emphasise the importance of public sector integrity and remind staff to closely observe.]
Mission

1. [Name of the Public Body]’s (hereafter referred to as the Organisation) roles in serving the community are expressed in our Mission Statement as follows:

[the mission of the Organisation]

2. All staff should be committed to the mission which clearly sets out the Organisation’s aims and the objectives in our particular areas of work.

Core Values

3. The Organisation is fully committed to the following principles in the delivery of services to the public:

   • honesty and integrity;
   
   • objectivity and impartiality;
   
   • accountability for decisions and actions; and
   
   • dedication, professionalism and diligence.

   • [The Organisation may insert other suitable values.]

4. A staff member should uphold the above core values. He\(^1\) should always act in the best interest of the Organisation, place public interest above private interest and ensure that his conduct would not bring the Organisation into disrepute.

5. This Code is applicable to all staff, including full-time, part-time and temporary staff.

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\(^1\) A reference to the masculine gender in this code covers both the feminine and masculine gender.
**Prevention of Bribery Ordinance**

6. *Name of the Public Body* is a public body under the Prevention of Bribery Ordinance (Cap. 201) (“POBO”). All staff are “public servants” for the purpose of the Ordinance.

7. The POBO seeks, among other things, to enforce against any abuse of entrusted power or official position by public servants through the solicitation or acceptance of a bribe or an advantage. Staff should thoroughly understand the legal requirements and the importance of compliance.

8. *Section 4* of the POBO makes it an offence for a public servant to solicit or accept, without lawful authority or reasonable excuse, any advantage *in Hong Kong or elsewhere* as an inducement to or reward for or otherwise on account of his performing or abstaining from performing any act in his capacity as a public servant².

9. “Advantage” is defined in *section 2(1)* of the POBO to mean almost anything which is of value, except entertainment which will be covered under a separate heading below. Common examples of advantages include any gift (both of money and in kind), loan, fee, reward, commission, office, employment, contract, service and favour, etc.

10. Staff should note that one may commit an offence under the POBO irrespective of whether he, or any other person acting on his behalf, directly or indirectly solicits or accepts any advantage, and whether for himself or for any other person.

   [The relevant sections of the POBO pertaining to public bodies are detailed at Appendix 1.]

**Solicitation and Acceptance of Advantages**

11. *Name of the Public Body* prohibits staff from soliciting or accepting any advantage from subordinates and any persons or companies having official dealings with the Organisation (e.g. service recipients, suppliers, contractors), except that they may

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² The person offering the advantage may also commit an offence.
accept, but not solicit, the following advantages when offered on a voluntary basis:

(a) advertising or promotional gifts or souvenirs of a nominal value;

(b) discount or other special offers given by any person or company to them as customers, on terms and conditions equally applicable to other customers in general.

12. If a staff member wishes to accept from any subordinates, persons or companies having official dealings with the Organisation any other advantages not listed in paragraph 11, he should seek the permission from the [approving authority] using Form A (Sample at Appendix 2). In case of doubt, the staff should refer the matter to [insert an appropriate unit/officer] for advice and instruction.

13. Even if the offeror does not have any official dealings with the Organisation, a staff member should decline an offer of an advantage if the acceptance could affect his objectivity in conducting the Organisation’s business, induce him to act against the Organisation’s interest or place him under an improper obligation, or where he believes the offeror has such an intention, or lead to the perception or allegation of impropriety or conflict of interest.

14. Staff should always consider the public perception when accepting an offer of an advantage and ensure that the solicitation or acceptance of any advantages can stand up to public scrutiny and will not bring the Organisation into disrepute.

**Advantages Offered to Staff in Their Official Capacity**

15. An advantage (e.g. gift, souvenir) presented to a staff member by virtue of his official position or on an occasion attended in the staff member’s official capacity is regarded as an advantage to the Organisation (e.g. a souvenir presented by the organiser of a ceremonial occasion to a staff member representing the Organisation to officiate at the ceremony).

16. Staff should as far as possible decline to accept gifts offered/presented to them by virtue of their official position. Where this cannot be done (e.g. owing to protocol reasons or the need to avoid causing offence or embarrassment, such as where a gift is offered/presented to a staff member when attending a social/ceremonial occasion
in his official capacity), he should take it back to the Organisation, report the receipt of the gift or souvenir and seek direction on its disposal using Form A (sample at Appendix 2).

**Sponsorship Offered to Staff in Their Official Capacity**

17. Staff may be offered sponsorship in their official capacity by persons/organisations other than the Organisation itself for official purposes such as attending local/overseas conferences, conventions and product trial activities. Such sponsorship should be regarded as sponsorship offered to the Organisation and referred to the Organisation for consideration of acceptance.

18. The Organisation will consider whether it is appropriate to accept the offer and if the Organisation decides to accept the sponsorship, it will select a suitable Member/staff to attend the sponsored activity on its behalf. In considering whether or not to accept the sponsorship offer, the following general criteria are relevant:

- acceptance of the sponsorship will benefit the Organisation as a whole;
- acceptance of the sponsorship will not bring the Organisation into any disrepute;
- the sponsorship is not excessive in value or frequency;
- acceptance of the sponsorship will not give rise to any express or implied obligation towards the offeror;
- acceptance of the sponsorship will not give rise to any actual or perceived conflict of interest (e.g. the offeror is a supplier/contractor bidding for the Organisation’s contracts); and
- the sponsor will not be given or be perceived to derive an unfair advantage over other persons or organisations.
Acceptance of Entertainment

19. As defined in section 2 of the POBO (Appendix 1), “entertainment” means the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with or provided at the same time as the provision of food or drink.

20. Although entertainment when offered by way of a favour is not an advantage per se and its acceptance is generally not subject to the POBO, a free entertainment may, in certain circumstances, amount to “a discharge of an obligation to pay” which is an advantage under section 2 of the POBO. For example, where a public servant visits a restaurant with which he has official dealings and at the end of the meal the restaurant owner waives the bill, this may amount to an acceptance of an advantage.

21. Staff should not accept lavish, or unreasonably generous or frequent entertainment, or indeed any entertainment which is likely to give rise to any potential or real conflict of interest, put the staff in an obligatory position in the discharge of their duties, compromise their impartiality or judgement, or bring them or the Organisation into disrepute bearing in mind public perception. When offered entertainment, a staff should consider whether the entertainment offered could be regarded as:

- excessive – taking into account its value, substance, frequency and nature;
- inappropriate – taking into account the relationship between the staff member and the offeror (e.g. whether they have any direct official dealings); or
- undesirable – taking into account the character or reputation of the host or known attendees.

[The Organisation may insert additional guidelines on acceptance of entertainment and/or the reporting requirements.]

Offering of Advantages

22. Staff are prohibited from offering advantages to any director or staff of any organisation, for the purpose of influencing such person or organisation in any
dealings, or any public official, whether directly or indirectly through a third party, when conducting the business of the Organisation. It is an offence under the POBO for any person while having dealings with a public body to offer an advantage to the public body’s members and employees.

23. Staff should as far as possible refrain from bestowing gifts/souvenirs to others during the conduct of official activities. Where it is necessary or unavoidable due to operational, protocol or other reasons, the number of gifts/souvenirs to be bestowed should be kept to a minimum and the exchange of gifts/souvenirs should be made from organisation to organisation. Gift/souvenir items should not be lavish or extravagant and standard souvenirs inscribed with the Organisation’s logo are preferred.

Managing Conflict of Interest

24. Managing conflict of interest is important to good governance and maintaining trust in public bodies. Conflict of interest if improperly managed, can give rise to criticism of favouritism, abuse of authority or even allegation of corruption and undermine the integrity of staff, their decisions and eventually the Organisation.

Conflict of Interest

25. A conflict of interest situation arises when the “private interests” of a staff member compete or conflict with the interests of the Organisation or the staff’s official duties. Private interests include financial and other interests of the staff himself, and those of his connections including family and other relations, personal friends, the clubs and societies to which he belongs, and any person to whom he owes a favour or to whom he may be obligated in any way. Use of official position, use of official information, private investment and outside employment are some common areas in which a conflict of interest may arise between a staff member’s official duties and private interests.

Avoidance and Declaration of Conflict of Interest

26. A fundamental integrity requirement is that all staff should avoid situations which may compromise (or be seen to compromise) their personal judgement or integrity at work or lead to conflict of interest.
27. When a situation involving a conflict of interest cannot be avoided, staff should as soon as possible declare all relevant interests which conflict, may conflict or may be seen to conflict with their official duties through the reporting channel to the management using Form B (sample at Appendix 3). In case of doubt, they should consult their supervisors or a designated staff of the Organisation.

28. There are circumstances in which a tie of kinship or friendship, or some other association or loyalty which does not give rise to a financial interest, can influence the judgement of a staff in discharging his official duties, or may reasonably be perceived as having such an influence. As such, a staff member’s duty to avoid or declare a conflict of interest goes beyond the disclosure of interests that are definable in pecuniary terms.

29. Having made a declaration, staff members should in general refrain from taking part in the matters in question unless authorised by their supervisors. The supervisors will then decide on the appropriate course of action to be taken such as to relieve the staff member of his involvement in the task which may give rise to conflict of interest, ask the staff member to divest himself of certain investment, etc. If staff members have doubts concerning the handling of conflict of interest situation, they should consult their supervisors immediately.

*Examples of Conflict of Interest*

30. Some common examples of conflict of interest are described below but they are by no means exhaustive:

- A staff member involved in a procurement process is closely related to or has beneficial interest in a supplier being considered by the Organisation.

- One of the candidates under consideration in a recruitment or promotion exercise is a family member, a relative or a close personal friend of the staff member responsible for the exercise.

- A staff member of the Organisation has financial interest in a company which is a bidder in a tender exercise under consideration by the Organisation.

- A staff member accepts frequent or lavish entertainment from the Organisation’s customers, suppliers or contractors.
- A staff member responsible for processing applications for services provided by the Organisation is considering an application from his family member, relative or personal friend.

- A staff member undertaking part-time work with a contractor whom he is responsible for monitoring.

**Misuse of Official Position**

31. Persons occupying public offices are placed in a position of trust and entrusted with certain powers by the public. Our society expects public officials in such a position to exercise the powers and discretions with integrity and fidelity, and in an incorrupt manner to serve the public interest, and should not subordinate the public interest to private interests.

32. Staff should act impartially and should not use their official position for personal gains nor accord preferential treatment to organisations or persons with whom they have connections. They should not use or permit the use of their official position or title or an authority associated with their public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit to himself or his relations, friends or associates. Nor should they use their official position or title in a manner that could reasonably be construed to imply that the Organisation sanctions or endorses their personal activities or those of another.

**Misconduct in Public Office**

33. The common law offence of “misconduct in public office” (“MIPO”) extends the reach of criminal law beyond bribery into various types of misconduct of public officers when discharging their official duties. A staff member who misconducts himself in relation to his official duties may commit the common law offence of MIPO. The elements constituting the offence of MIPO are as follows:

(a) a public official;

(b) in the course of or in relation to his public office;

(c) wilfully misconducts himself by act or omission (for example, by wilfully neglecting or failing to perform his duty);
(d) without reasonable excuse or justification; and

(e) such misconduct is serious, not trivial, having regard to the responsibilities of the office and the office-holder, the importance of the public objects which they serve and the nature and extent of the departure from those responsibilities.

34. The misconduct must be deliberate rather than accidental in the sense that the official either knows that his conduct is unlawful or wilfully disregards the risk that his conduct is unlawful. Wilful misconduct without reasonable excuse or justification is culpable.

35. The essential feature of the offence is an abuse by the public official of the powers, discretions or duties exercisable by virtue of his official position conferred on him for the public benefit. A public officer may commit MIPO even if his misconduct does not involve any bribery or he does not have any pecuniary gains as a result.

36. Some examples of the past conviction cases are described below:

- A department head of a university misused university funds to hire a domestic helper cum driver and covered up a subordinate's embezzlement.

- A faculty dean of a university failed to declare a conflict of interest arising from his capacity as the dean and as the sole proprietor of a company. He had procured or caused donations totaling HK$3.8 million that were intended for the university to be paid to his private company.

- A chairman of a public body responsible for considering licence applications improperly discussed with the applicants and their agents before convening board meetings and provided classified documents relating the licence applications to a personal friend working for the applicants. He also failed to declare the conflict of interest in respect of his relationship with the liquor licence applicants and their agents when considering their applications.

- A deputy head of a public body dishonestly claimed the cost of return airfares for attending meetings and overseas subsistence allowances to which he was not entitled.
- A doctor in a public hospital had sent out letters advertising the fact that he was leaving to commence private practice. Those letters contained some confidential personal particulars of patients, including those with whom he had not dealt with personally but simply patients under the management of his team.

- A civil servant responsible for the award of service contracts had misused his office by exerting improper influence over the award of contracts to a company which was not qualified for tendering for the contracts and in which his relatives had a financial interest.

- A civil servant responsible for conducting a registration examination assisted a friend in obtaining the registration dishonestly, and provided the latter with classified information relating to the examination.

- [Examples, if any, relating to the Organisation’s work should be inserted.]

**Use of Organisation’s Assets and Resources**

37. Staff in charge of or having access to any assets of the Organisation, including funds, property, information, and intellectual property should use them solely for the purpose of conducting the Organisation’s business. They should make the best use of the Organisation’s assets and resources in terms of money, property, goods or services economically and effectively. Any appropriation of the Organisation’s properties for personal use or personal gain is strictly prohibited and may amount to an offence under the Theft Ordinance (Cap. 210).

**Confidentiality of Information**

38. Staff should not disclose any classified or proprietary information of the Organisation without authorisation or misuse any Organisation’s information (e.g. using the information for personal gain or the benefit of others).

39. Staff who have access to or in control of such information should at all times ensure its security and prevent any abuse, unauthorised disclosure or misuse of the information.

40. Special care should be taken when handling any personal data of both the employees
and customers to ensure compliance with the Personal Data (Privacy) Ordinance (Cap. 486) and the Organisation’s data privacy policy.

41. Staff should continue to observe their duty of confidentiality after they have left the Organisation. They should not use, or take advantage of any classified or proprietary information obtained in the course of their official duties.

**Outside Work**

42. A staff member should avoid any outside activity which may impair the performance of his duties, distract his attention from them or give rise to a conflict of interest. If a full-time staff member wishes to take up concurrent employment/service, either on a regular or ad hoc basis, he should obtain the prior written approval of [insert an appropriate unit/officer in the Organisation]. The approving authority will take into consideration whether the employment/service would pose a conflict of interest with the staff’s duties in the Organisation.

**Post-Service Employment/Activities**

43. Senior staff who have left the Organisation should not take up any employment or provide service to any organisations which may:

- constitute real or potential conflict of interest with their former duties in the Organisation;
- cause negative public perception embarrassing the Organisation and undermining the image of the Organisation; or
- give rise to reasonable apprehension of deferred reward or benefit.

44. Senior staff should observe the Organisation’s rules governing the acceptance of employment after ceasing the Organisation’s service.

[The Organisation should formulate a policy governing the post-service activities of the senior staff, taking into account their right to pursue employment after ceasing the Organisation’s service.]
**Records, Accounts and Other Documents**

45. Staff should ensure, to the best of their knowledge, that any record, receipt, account or other documents they submit to the Organisation, gives a true representation of the events or transactions reported in the documents.

46. Intentional use of documents containing false information to deceive or mislead the Organisation, regardless of whether the staff member may obtain any gain or advantage, may constitute an offence under the POBO (*Appendix 1*).

**Gambling**

47. Staff should not engage in frequent or excessive gambling of any kind, or any games of chance involving high stakes. Staff should not gamble with persons having official dealings with the Organisation or over whom they have enforcement responsibilities. Gambling in the Organisation’s premises is strictly forbidden.

**Loans**

48. Staff should not accept a loan from or through the assistance of, any person or organisation having official dealings with the Organisation. There is, however, no restriction on borrowing from a licensed bank or financial institution.

49. Staff shall be liable to disciplinary action if he uses a subordinate or a junior officer of the same grade or working in the same department as a guarantor for a loan or a hire purchase agreement. He shall also be so liable if he acts as a guarantor for a superior or senior officer of the same grade or working in the same department.

**Indebtedness**

50. Staff should avoid allowing themselves to get into a position where any debts they may have become unmanageable and other financial embarrassment which may bring the Organisation into disrepute.

51. Staff are required to notify [*insert an appropriate unit/office in the Organisation*] if proceedings are taken against them with a view to bankruptcy. Staff who become
insolvent or bankrupt\(^3\), even though no proceedings have been taken against them yet, should also report their case to the Organisation. Staff having financial problems which they may not be able to manage should approach \[\text{insert an appropriate unit/officer in the Organisation}\] for advice and assistance.

52. Where serious pecuniary embarrassment results in impairment of a staff’s work performance, the staff member may be subject to administrative action.

**Supervisory Accountability**

53. All staff who have a responsibility to supervise and direct staff should embrace a two-fold responsibility, namely:

- the satisfactory discharge of his own duties; and

- his duties as a supervisor.

54. A supervisor will be asked to account for acts or omissions by his subordinates, if these acts are serious, repeated or widespread that by reasonable diligence the supervisor should have known of them had he exercised the level of leadership, management and supervision required of his position.

55. As a supervisor, a staff member should:

- provide adequate guidance, advice, counselling and training for staff;

- monitor the conduct and performance of staff to ensure that they meet the standards required;

- be alert to signs of malpractice in the work place (e.g. unauthorised absence from work); and

- take prompt and decisive action to handle misconduct and poor performance.

**Reporting Suspected Irregularities and Criminal Offences**

56. A staff member should report, either directly or through \[\text{insert an appropriate unit/officer in the Organisation}\] as appropriate, all instances of crime or alleged crime discovered in the course of his work to the appropriate law enforcement authority at the first practicable opportunity. He has no discretion in deciding which

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\(^3\) Individual voluntary arrangement (IVA) is an alternative to bankruptcy under the Bankruptcy Ordinance. A staff member taking up an IVA is regarded as insolvent and should report the case to the Organization.
cases of crime or alleged crime to report. He should avoid making any enquires or taking any action that may hinder or frustrate subsequent investigation by the law enforcement authority concerned.

57. Attempting to bribe a public servant is a criminal offence under the POBO. Such attempts should be reported promptly to the ICAC. All such reports should be treated in the strictest confidence.

58. A staff member should also report other irregularities observed during his work to his supervisor or [insert an appropriate unit/officer in the Organisation] as appropriate. All such reports should be treated in the strictest confidence.

Compliance

59. It is the responsibility of every staff member of the Organisation to understand and comply with this Code, whether performing duties of the Organisation in or outside Hong Kong. Managers and supervisors should also ensure that the staff members under their supervision understand well and comply with this Code.

60. Staff should comply with all local laws and regulations when conducting the Organisation’s business, and also those in other jurisdictions, when conducting business there.

61. Any staff member in breach of the Code will be subject to disciplinary action, including termination of appointment. In case of suspected corruption or other criminal offences, a report will be made to the ICAC or the appropriate law enforcement agencies.

Review

62. This Code is subject to review and revision from time to time by the Organisation.

Enquiry

63. Any enquiries, comments or suggestions in relation to this Code may be referred to [insert an appropriate unit/officer in the Organisation].
Extracts from the Prevention of Bribery Ordinance  
(Cap. 201)

Section 4 - Bribery

(1) Any person who, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, offers any advantage to a public servant as an inducement to or reward for or otherwise on account of that public servant’s -

(a) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a public servant;

(b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by that public servant or by any other public servant in his or that other public servant’s capacity as a public servant; or

(c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body,

shall be guilty of an offence.

(2) Any public servant who, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his -

(a) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a public servant;

(b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by himself or by any other public servant in his or that other public servant’s capacity as a public servant; or

(c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body,

shall be guilty of an offence.

(2A) Any person who, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, offers any advantage to the Chief Executive as an inducement to or reward for or otherwise on account of the Chief Executive's-

(a) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as the Chief Executive;
(b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by the Chief Executive in his capacity as the Chief Executive or by any public servant in his capacity as a public servant; or

(c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body,

shall be guilty of an offence.

(2B) If the Chief Executive, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his-

(a) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as the Chief Executive;

(b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by the Chief Executive in his capacity as the Chief Executive or by any public servant in his capacity as a public servant; or

(c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body,

he shall be guilty of an offence.

(3) If a public servant other than a prescribed officer solicits or accepts an advantage with the permission of the public body of which he is an employee being permission which complies with subsection (4), neither he nor the person who offered the advantage shall be guilty of an offence under this section.

(4) For the purposes of subsection (3) permission shall be in writing and -

(a) be given before the advantage is offered, solicited or accepted; or

(b) in any case where an advantage has been offered or accepted without prior permission, be applied for and given as soon as reasonably possible after such offer or acceptance,

and for such permission to be effective for the purposes of subsection (3), the public body shall, before giving such permission, have regard to the circumstances in which it is sought.
Section 8 - Bribery of public servants by persons having dealings with public bodies

(2) Any person who, without lawful authority or reasonable excuse, while having dealings of any kind with any other public body, offers any advantage to any public servant employed by that public body, shall be guilty of an offence.

Section 9 - Corrupt transaction with agents

(1) Any agent who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his –

(a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or

(b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,

shall be guilty of an offence.

(2) Any person who, without lawful authority or reasonable excuse, offers any advantage to any agent as an inducement to or reward for or otherwise on account of the agent’s –

(a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or

(b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,

shall be guilty of an offence.

(3) Any agent who, with intent to deceive his principal, uses any receipt, account or other document -

(a) in respect of which the principal is interested; and

(b) which contains any statement which is false or erroneous or defective in any material particular; and

(c) which to his knowledge is intended to mislead the principal,

shall be guilty of an offence.

(4) If an agent solicits or accepts an advantage with the permission of his principal, being permission which complies with subsection (5), neither he nor the person who offered the advantage shall be guilty of an offence under subsection (1) or (2).

(5) For the purposes of subsection (4) permission shall -

(a) be given before the advantage is offered, solicited or accepted; or
(b) in any case where an advantage has been offered or accepted without prior permission, be applied for and given as soon as reasonably possible after such offer or acceptance,

and for such permission to be effective for the purposes of subsection (4), the principal shall, before giving such permission, have regard to the circumstances in which it is sought.

Section 2 - Definition

Definition of an Advantage

“Advantage” means:

(a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;

(b) any office, employment or contract;

(c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;

(d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;

(e) the exercise or forbearance from the exercise of any right or any power or duty; and

(f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), particulars of which are included in an election return in accordance with that Ordinance.

Definition of Entertainment

The provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.
(Name of the Organisation)
REPORT ON GIFTS RECEIVED

Part A – To be completed by Receiving Staff

To : (Approving Authority)

Description of Offeror :
Name & Title of Offeror :
___________________________________
Company :
___________________________________
Relationship :
___________________________________

Occasion on which the Gift was / is to be Received :
______________________________________________

Description & (Assessed) Value of the Gift :
______________________________________________

Suggested Method of Disposal :
( ) Retain by the Receiving Staff
( ) Retain for Display / as a Souvenir in the Office
( ) Share among the Office
( ) Reserve as Lucky Draw Prize at Staff Function
( ) Donate to a Charitable Organisation
( ) Return to Offeror
( ) Others (please specify) :
__________________________

Remark
______________________________________________

(Name of Receiving Staff)
(Date) (Title/ Department)

Part B – To be completed by Approving Authority

To : (Name of Receiving Staff)

The recommended method of disposal is *approved / not approved. *The gift(s) concerned should be disposed of by way of : ________________________________.

(Name of Approving Authority)
(Date) (Title/ Department)

* Please delete as appropriate
Declaration of Conflict of Interest

Part A – Declaration *(To be completed by Declaring Staff)*

To: *(Approving Authority)*

I would like to report the following existing/potential* conflict of interest situation arising during the discharge of my official duties:

<table>
<thead>
<tr>
<th>Persons/companies with whom/which I have official dealings</th>
</tr>
</thead>
<tbody>
<tr>
<td>My relationship with the persons/companies (e.g. relative)</td>
</tr>
<tr>
<td>Relationship of the persons/companies with our Organisation (e.g. supplier)</td>
</tr>
<tr>
<td>Brief description of my duties which involved the persons/companies (e.g. handling of tender exercise)</td>
</tr>
</tbody>
</table>

__________________________________________
(Name of Declaring Staff)

(Date) (Title / Department)

Part B – Acknowledgement *(To be completed by Approving Authority)*

To: *(Declaring Staff)*

Acknowledgement of Declaration

The information contained in your declaration form of _____ (Date) _____ is noted. It has been decided that:

☐ You should refrain from performing or getting involved in performing the work, as described in Part A, which may give rise to a conflict.

☐ You may continue to handle the work as described in Part A, provided that there is no change in the information declared above.

☐ Others (please specify): __________________________________________

__________________________________________
(Name of Approving Authority)

(Date) (Title / Department)

* Please delete as appropriate