

第二章

CHAPTER 02

一年的回顧

COMMISSIONER'S
REVIEW





香港特別行政區廉政專員

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二零一九年標誌著廉政公署（廉署）成立四十五周年。年內，連串公眾示威和社會事件為政府以至於整個社會帶來巨大挑戰。在這段艱難時刻，廉署繼續堅定不移緊守崗位、不懼不偏大公無私地履行肅貪倡廉使命，全力維護香港的廉潔文化和法治。

The year 2019 marked the 45th year of the establishment of the Independent Commission Against Corruption (ICAC). The year also saw a series of public protests and social events which brought unprecedented challenges to the Government and our society as a whole. In this difficult time, the ICAC remains perseverant to continue its anti-corruption mission without fear or favour and discharge its duties independently and impartially to sustain a culture of integrity and contribute to maintaining strong rule of law in Hong Kong.

廉潔文化植根社會

香港市民都認同廉潔是香港賴以成功的基石。根據廉署的情報及分析，香港的貪污繼續維持在低水平。《二零一九年廉政公署周年民意調查》亦顯示，市民對貪污保持“零容忍”的態度，以0分（完全不可以容忍）至10分（完全可以容忍）的評分方法量度，受訪者對貪污的容忍度只為0.3分，是自二零一零年該調查納入此問題以來的最低得分。絕大部分受訪者（98.1%）表示在過去12個月沒有親身遇過貪污。同樣地，絕大部分受訪者（98.7%）認為保持社會廉潔對香港整體發展重要，反映市民大眾視廉潔社會為香港繁榮發展的必要元素。

A CITY WITH ENTRENCHED PROBITY CULTURE

No Hong Kong people will deny that probity is one of the key pillars of Hong Kong's solid foundation. According to our intelligence and analysis, Hong Kong continues to have a low level of corruption. This is also reflected in the *ICAC Annual Survey 2019* which showed that the public had a zero tolerance of corruption. On a scale of 0 (total intolerance) to 10 (total acceptance), the mean score of tolerance of corruption of the respondents was 0.3, the lowest since the question was asked in 2010. Most of the respondents of the survey, i.e. 98.1%, had not encountered corruption personally in the past 12 months. An overwhelming majority, i.e. 98.7% of the respondents, considered keeping Hong Kong corruption-free is important to the overall development of Hong Kong, demonstrating that the public embraced integrity as essential for keeping the vibrancy of the city.

國際社會繼續認同香港是全球其中一個最廉潔的城市。根據 TRACE International 發布的《二零一九年 TRACE 賄賂風險指數》，香港在全球 200 個經濟體中位列第十低風險的地方，同時為亞洲最低風險的地方。至於透明國際的《二零一九年清廉指數》，香港則在全球 180 個地方中排第 16 位。

為了延續廉潔文化，廉署繼續採取行之有效的雷厲執法、全面防貪及廣泛教育三管齊下策略，致力根除貪污於未然。

Internationally, Hong Kong has continued to be regarded as one of the cleanest cities in the world. Our city was ranked the 10th among 200 economies and the first in Asia in the 2019 TRACE Bribery Risk Matrix as compiled by TRACE International. The *Corruption Perceptions Index 2019* released by Transparency International rated Hong Kong the 16th among 180 places.

To sustain this probity culture, the ICAC has been spending meticulous efforts to bust corruption and nip this scourge in its bud through the persistent use of the time-tested three-pronged strategy of law enforcement, prevention and education.



廉政專員在國際會議上分享廉署的反貪經驗

Commissioner sharing ICAC's anti-corruption experience at an international forum

全方位肅貪倡廉 防患未然

廉署一直保持警惕秉公執法，發揮強而有力的阻嚇作用，令貪污成為高風險罪行。二零一九年，廉署接獲 2 297 宗與選舉無關的貪污投訴，較二零一八年下跌 14%。這些貪污投訴中，涉及私營機構的投訴佔 64%，涉及政府部門和公共機構的投訴則分別佔 28% 和 7%。年內，共 157 人在 90 宗案件中被檢控。就與選舉無關的控罪，以人數及案件宗數計，定罪率分別為 75% 及 79%。

SYNERGISING THE THREE-PRONGED STRATEGY TO KEEP CORRUPTION AT BAY

The ICAC stays vigilant in discharging its enforcement duties, making corruption a high-risk crime with strong deterrent effect. The ICAC received 2 297 non-election related corruption complaints in 2019, representing a decrease of 14% when compared with 2018. Of these complaints, 64% concerned the private sector, 28% were related to government departments and 7% involved public bodies. In the year, 157 persons in 90 cases were prosecuted. The person-based and case-based conviction rates for non-election offences were 75% and 79% respectively.

新一輪公共選舉周期在二零一九年揭開序幕。年內，廉署接獲 623 宗涉嫌違反《選舉（舞弊及非法行為）條例》的投訴，當中 518 宗投訴涉及十一月舉行的區議會選舉。儘管示威衝突和暴力事件帶來了巨大挑戰，廉署仍致力維護區議會選舉的廉潔及公平。廉署協助政府當局檢討選舉法例及更新有關區議會選舉的指引，推出全方位的廉潔選舉教育及宣傳計劃，以及迅速地處理有關選舉的投訴及舞弊行為。區議會選舉現已告一段落，廉署主動與政制及內地事務局聯絡，就選舉程序作出檢討以進一步提供防貪建議及宣傳教育，確保未來公共選舉的廉潔公平。

至於與選舉無關的貪污投訴方面，涉及樓宇管理的貪污投訴在二零一九年繼續呈現下跌趨勢，較二零一八年減少 25%。雖然“樓宇更新大行動 2.0”、“消防安全改善工程資助計劃”及“優化升降機資助計劃”這三個樓宇復修資助計劃經已開展，廉署只接獲零星的相關投訴。儘管如此，廉署對潛在的貪污危機時常保持警惕，定期檢視樓宇管理業的貪污情況，並繼續以全方位策略打擊貪污，包括採取結合調查以作檢控的傳統方式和就適合個案採取及早干預行動的雙管齊下執法策略，為上述三項資助計劃提供防貪建議以優化相關的管理及監控程序，以及為業界持份者提供防貪教育，提升他們對貪污風險的警覺性。

The year 2019 saw the beginning of a new cycle of public elections. The ICAC received 623 complaints related to the Elections (Corrupt and Illegal Conduct) Ordinance, including 518 complaints concerning the District Council Election (DCE) held in November. Despite the enormous challenges brought by the social unrest, the ICAC maintained its unwavering determination to uphold the integrity of the election. The ICAC helped review the draft amendments to the electoral legislation and update the guidelines for the DCE, launched multi-faceted education and publicity programmes to promote clean elections and took swift enforcement actions against electoral corruption and malpractices. The ICAC also proactively reviewed the election processes with the Constitutional and Mainland Affairs Bureau after the DCE and would propose further preventive measures and education efforts to enhance the electoral arrangements for future elections.

Turning to non-election related complaints, the downward trend of the corruption complaints concerning Building Management continued in 2019. Complaints on this sector experienced a 25% decrease when compared with 2018. While three building rehabilitation subsidy schemes, i.e. Operation Building Bright 2.0, Lift Modernisation Subsidy Scheme and Fire Safety Improvement Works Subsidy Scheme, had come into operation, the ICAC received only a few complaints relating to these schemes. Nevertheless, the ICAC had stayed alert to the possible corruption risks by regularly reviewing the corruption scene and continuing its integrated strategy to address the problem. This included deploying the two-pronged enforcement strategy combining the traditional approach of investigation for prosecution with early intervention actions in appropriate cases; providing corruption prevention advice to enhance the procedures and control of the aforementioned subsidy schemes, and offering preventive education to stakeholders to raise their alertness to corruption risks.



廉政公署加強執法行動，打擊各選舉有關的涉嫌貪污及舞弊行為，確保公共選舉廉潔公平公開

The ICAC stepping up enforcement action against suspected corrupt and illegal conduct at various levels of election to ensure open, fair and honest public elections



廉政專員及廉政公署高層人員接待首次到訪廉政公署的透明國際主席Delia Ferreira Rubio女士

Commissioner and senior ICAC officers receiving Ms Delia Ferreira Rubio, Chair of Transparency International, on her first visit to the ICAC

為維護金融市場的廉潔及國際社會對香港金融系統的信心，廉署與業界相關的監管機構保持緊密合作。年內，廉署與證券及期貨事務監察委員會簽訂諒解備忘錄，強化雙方在個案轉介、聯合調查及相互提供調查協助等方面的合作，並使之更制度化。此等合作模式也延伸至保險業，廉署與保險業監管局及12個業界團體攜手推出為期兩年的“誠信創未來”保險業道德推廣計劃，以提高保險從業員的專業道德水平。此外，廉署與香港交易及結算所有限公司合作，協助上市公司建立及檢視防貪管理系統，以及優化披露反貪資訊的做法。廉署亦就香港金融管理局處理虛擬銀行牌照申請的各項程序，提供同步防貪建議。

To uphold market integrity and maintain confidence of the international community in the Hong Kong's financial system, the ICAC adopted a collaborative approach with the regulators concerned in the finance and insurance sector. A Memorandum of Understanding was signed with the Securities and Futures Commission, which covered referral of cases, joint investigations, mutual provision of investigative assistance, etc., to formalise and strengthen our cooperation. This collaborative approach was extended to the insurance industry in which the ICAC joined hands with the Insurance Authority and 12 industry bodies to launch a two-year "Integrity for Success" Ethics Promotion Campaign to enhance practitioners' professional ethics. In the same vein, the ICAC also cooperated with the Hong Kong Exchanges and Clearing Limited and assisted listed companies in establishing and reviewing their anti-bribery management systems, and enhancing the disclosure of anti-corruption information. Furthermore, concurrent corruption prevention input was provided to the Hong Kong Monetary Authority in its procedures for processing virtual banking licence.

與公眾共建廉潔社會

廉署深信要持續打擊貪污並取得成果，必定要獲得社會的全力支持和令公眾就貪污對社會所帶來的禍害保持警覺。因此廉署於年內繼續透過舉辦社區參與、倡廉教育及宣傳活動，鞏固香港的廉潔文化。廉署主要的工作包括透過各政府決策局／部門的誠信主任向各局／部門推廣誠信風氣，為各級政府官員提供恆常的防貪培訓，向不同行業及專業提供度身訂造的商業道德培訓，舉辦廣泛動員的社區倡廉活動，以及大量使用多媒體頻道宣揚反貪信息。

廉署致力為各個學習階段的年輕一代籌辦適切的倡廉教育活動，以培養他們誠信的價值觀。年內，廉署為幼稚園及初小學童製作“智多多”德育動畫教材。一如既往，廉署繼續為中學生舉辦廉政互動劇場及“高中 iTeen 領袖”計劃，又為大專生舉辦個人誠信課程，以及透過“廉政大使”計劃策動大專學生構思並舉辦校內倡廉活動。經甄選的“廉政大使”更可參加廉署的暑期實習計劃，親身體驗廉署的工作。展望將來，廉署正為青年人籌備多項活動，包括為期兩年的“青年製造”多媒體共創計劃，以鼓勵青年人利用社交媒體，向同儕推廣反貪法例，提高他們對反貪法例的認識。我們相信這些活動不但可幫助年輕一代發展其才能，亦可向他們灌輸誠信價值觀，使他們成為反貪路上的接棒者，達至薪火相傳。

ENGAGING THE PUBLIC

The ICAC has long held the belief that the success in fighting against corruption cannot be sustained without the support of the whole community and keeping the public alert to the grave harms corruption will cause to the society. The ICAC thus continued its robust effort to entrench the culture of probity in society through public engagement, education and publicity in the year. A major part of our work included working through a network of Ethics Officers in government bureaux/departments to manage integrity, conducting anti-corruption training for government officers at all levels, providing tailored business ethics training for different trades and professions, organising widespread community engagement activities and using multi-media channels extensively to disseminate anti-corruption message.

The ICAC remains committed to nurturing the younger generation with integrity values through education and involvement programmes for the youth at different learning stages. Animated teaching resources on moral education for kindergarteners and junior primary students featuring the cartoon character *Gee-Dor-Dor* were produced during the year. As in past years, the ICAC staged interactive drama performance and the iTeen Leadership Programme for secondary students, delivered lectures on Personal Ethics Module for tertiary students as well as recruited tertiary students as ICAC Ambassadors to design and organise on-campus integrity promotion activities. Selected ICAC Ambassadors could also join the ICAC's summer internship programme which enables them to gain first-hand working experience in the ICAC. Looking ahead, different initiatives were under preparation for young people including a two-year multi-media "Youth-for-Youth" co-creation project with the aim to further engage young people to promote awareness of the anti-bribery laws to their peers via social media. It is hoped that these activities would not only help develop their talents but also instill the core value of integrity in our younger generation and inspire them to carry the anti-corruption baton into the future.



廉政專員主持具教育意義的《廉政行動2019》電視劇集首映禮

Commissioner officiating at the premiere of the educational television drama series *ICAC Investigators 2019*

四十五周年—— 不忘初心 堅定前行

香港社會同心攜手肅貪倡廉已四十五載，各界均廣泛認同要確保香港持續發展，維護公平公正的環境好讓市民不論年齡、性別、種族及社會背景均可施展抱負，就必須保持香港廉潔。香港反貪的成功經驗引證了公眾的廣泛支持對反貪工作的重要性，亦說明了公眾持續參與反貪活動有助於營造社會對貪污零容忍的態度。適逢廉署成立四十五周年，我們正好藉此加強和市民連繫，進一步鞏固香港的廉潔風尚。

45TH ANNIVERSARY – A TIME TO REKINDLE PUBLIC COMMITMENT AND SUPPORT

After 45 years of community-wide graft-fighting, there is a consensus in the society to keep Hong Kong clean for sustained development and to maintain a level playing field where people of different ages, genders, races and social backgrounds can pursue their aspirations. In fact, the success of Hong Kong in combating corruption exemplified the importance of unfailing public support and constant involvement of citizens in making Hong Kong the way it is in respect of high intolerance of corruption. The 45th Anniversary of the ICAC in 2019 was a timely occasion for us to double our efforts to strengthen connection with the community to further entrench the culture of probity in the society.



廉政專員出席“快閃”咖啡分享活動，紀念廉政公署成立四十五周年

Commissioner participating in a coffee-sharing activity to commemorate the ICAC's 45th Anniversary

廉署在網上和網下廣泛地舉辦一系列全港性“分享誠果”活動，重申廉署打擊貪污的初心不變，爭取社會各界繼續支持肅貪倡廉工作。四十五周年活動由社交平台上的“45天網上倒數”拉開序幕，緊隨其後的是透過舉辦開放日增加廉署透明度及讓公眾親身了解廉署的工作。廉署亦參與香港書展，向社會各界尤其是家長及兒童推廣我們的倡廉教育工作。另外，廉署與本地電視台聯合製作以真實個案改編而成的品牌電視劇集《廉政行動 2019》，寓教於樂提高市民對貪污的警覺。廉署更以“廉署咖啡”這一創意概念推

Deploying an extensive repertoire of online and offline methods, an array of territory-wide activities was organised to rekindle the commitment and support of the community to carry on the anti-corruption fight all sectors alike. A 45-day online countdown to the anniversary day was staged on social media platform to usher in the campaign, followed by an Open Day event to enhance ICAC's transparency and enable the populace to have a better understanding of the work of the ICAC in person. The ICAC also participated in the Hong Kong Book Fair to promote our educational initiatives to the wider community in particular parents and children. Together with a local television station, the ICAC produced another edition of our signature television drama series *ICAC Investigators 2019*. This "edutainment" product, adapted from real ICAC cases, serves to raise public awareness

出全港性“快閃”咖啡分享活動，印有宣傳標語的電車穿梭港島，以及新一輯電視宣傳短片，獲得相當好評。這些以“廉署咖啡”為題的宣傳教育活動令人聯想到廉署的反貪工作，藉此與各個世代的市民回顧過去四十五年的反貪歷程。

against corruption. Using "ICAC coffee" as creative concept, a series of coffee-sharing activities across the territory, tram body publicity campaign, and a corporate Announcement of Public Interest were launched in the year with much positive feedback. By featuring in our activities this ubiquitous drink, which has a unique association with the ICAC, we had been able to commemorate with different generations the anti-corruption journey our city has gone through in the past 45 years.

廉政專員在廉政公署第七屆國際會議上致歡迎辭

Commissioner delivering a welcome remarks at the 7th ICAC Symposium



締結國際及跨境反貪聯繫

貪污至今仍是全球關注的重大議題，不法之徒利用制度漏洞及各地法律和金融制度的差異在各司法管轄區間逃竄以規避刑責，使貪污得益在全球四處流轉。在十二月，我以中國代表團成員身份出席在阿拉伯聯合酋長國舉行的《聯合國反腐敗公約》（《公約》）締約國會議第八屆會議，該會議亦充分關注上述問題。

FOSTERING INTERNATIONAL AND CROSS-BOUNDARY ANTI-CORRUPTION TIES

Corruption remains a global concern as the corrupt will flee from one jurisdiction to another while the illegal proceeds will flow around the globe taking advantages of loopholes and differences in the legal and financial systems. The challenges are well recognised at the Eighth Session of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC) which I attended in December in United Arab Emirates as a member of the Chinese delegation.

廉政專員在廉政公署與國際反貪局聯合會合辦的首個防貪能力建設培訓課程上致歡迎辭

Commissioner delivering a welcome remarks in the joint training programme held by the ICAC and the International Association of Anti-Corruption Authorities



廉政專員召開國際反貪局聯合會培訓委員會會議商議國際防貪培訓策略

Commissioner convening the Training Committee meeting of the International Association of Anti-Corruption Authorities to discuss international training strategy





廉政專員率領廉政公署人員到訪“一帶一路”國家，商討培訓合作

Commissioner and ICAC officers meeting with counterparts in Belt and Road countries to explore training collaboration



廉署擁有四十多年打擊和預防貪污經驗，一直積極與國際反貪組織保持聯絡，義不容辭為本地以及國際社會根除貪污克盡己分。廉署於年內在加強國際及地區反貪網絡方面的工作取得良好進展。在五月，廉署與 World Justice Project 合辦廉政公署第七屆國際會議，為來自 50 多個司法管轄區的 500 多名與會者提供平台，就反貪工作及加強法治分享意見、經驗和最佳做法。會議結束後，廉署與國際反貪局聯合會隨即在港為約 180 名反貪專家舉行首個雙方合辦的反貪能力建設培訓課程。

As an active member of the international anti-corruption community with over four decades' experience in fighting and preventing corruption, it is incumbent upon the ICAC to do our part to stem corruption on both local and international fronts. In the year, the ICAC made good progress in enhancing its international and regional network. In May, the 7th ICAC Symposium jointly organised by the ICAC and the World Justice Project provided a platform for over 500 participants from more than 50 jurisdictions to exchange ideas, experiences and best practices in fighting corruption and enhancing the rule of law. Immediately after the Symposium, an inaugural capacity building training programme jointly organised by the ICAC and the International Association of Anti-Corruption Authorities was hosted for some 180 anti-corruption experts in Hong Kong.

為履行香港在《公約》下協助其他《公約》締約國制訂及落實反貪措施的國際義務，廉署繼續與其他國家的反貪機構合作並提供技術援助，協助有關機構提升反貪能力。廉署至今已跟超過 50 個同為《公約》締約國的“一帶一路”國家建立聯繫。在二零一九年，廉署已為八個國家的 160 名反貪人員舉辦九個度身訂造的反貪能力建設培訓課程。此外，廉署首次在《公約》締約國會議第八屆會議期間，主持其中一個特別環節，向與會者介紹香港行之有效的防貪及公眾教育策略，從而開拓與其他反貪機構在培訓合作方面的新領域。

廉署在過往與內地及澳門反貪機構合作的基礎上，以及在《粵港澳大灣區發展規劃綱要》（《綱要》）的框架下，進一步加強與廣東省及澳門的反貪機構在廉政建設方面的合作。繼《綱要》於二月公布後，我們和廣東省監察委員會和澳門廉政公署的領導於五月舉行三方會議，原則上同意在多方面加強合作，包括打擊跨境貪污罪行、推廣誠信文化、為反貪機構人員舉辦反貪能力建設培訓課程，並定期舉行會議，審視合作進展。

To fulfil our international obligation as designated authority to assist other States Parties in developing and implementing preventive measures under the UNCAC, the ICAC continued to collaborate with and provide technical assistance to anti-corruption agencies of other countries to build up their anti-corruption capacity. So far, the ICAC has engaged with over 50 UNCAC States Parties which are also Belt and Road countries. In 2019, the ICAC provided nine customised capacity building training programmes for eight countries reaching a total of 160 participants. For the first time, the ICAC hosted a special event during the Eighth Session of the Conference of the States Parties to the UNCAC to introduce Hong Kong's time-tested anti-graft strategy and practices thereby opening new fronts of exchange and collaboration with our counterparts.

Riding on past collaboration with anti-corruption authorities in Mainland China and Macao, the ICAC would strengthen cooperation on combating and preventing corruption with the anti-corruption agencies in Guangdong and Macao under the framework of the *Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area*. Following the release of the Plan in February, a tripartite meeting with the heads of the Guangdong Provincial Commission of Supervision and the Commission Against Corruption of Macao was held in May. The three parties agreed in principle to join hands to strengthen efforts in combating cross-boundary corruption, promoting integrity culture, organising capacity building programmes for graft-fighters, and holding regular meetings to review the progress of the collaboration.



廉政專員出席國際培訓活動，分享香港肅貪倡廉經驗

Commissioner sharing ICAC's anti-corruption experience at an international training programme

廉政專員與廣東省監察委員會及澳門廉政公署的領導舉行三方會議，探討在防貪及倡廉教育方面的合作

Commissioner and heads of the Guangdong Provincial Commission of Supervision and the Commission Against Corruption of Macao meeting for tripartite cooperation on corruption prevention and education



未來展望

香港自廉署成立以來，經歷了漫長的反貪道路才取得今天的成果。過去數十年，香港即使面對種種困難和挑戰，每次都能一一克服而變得更堅強。廉署作為肅貪倡廉的獨立機構，一直與香港社會同步成長破浪前行。廉署會繼續奮勇向前，堅定履行反貪使命——致力維護本港公平正義，安定繁榮。

LOOKING FORWARD

Hong Kong has come a long way in fighting corruption since the establishment of the ICAC. Over the past decades, our city has faced many challenges and difficulties but we have come out stronger every time. As an institution that has developed with our city and surmounted different turbulences together, the ICAC would continue to discharge our anti-corruption duties and unwaveringly uphold our mission to help keep Hong Kong fair, just, stable and prosperous.