

Professional Integrity and Corruption Prevention

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Competitive Edge of Hong Kong's Testing and Certification Industry

**High
Professional
Integrity**

**Tested in
Hong Kong**

**Certified in
Hong Kong**

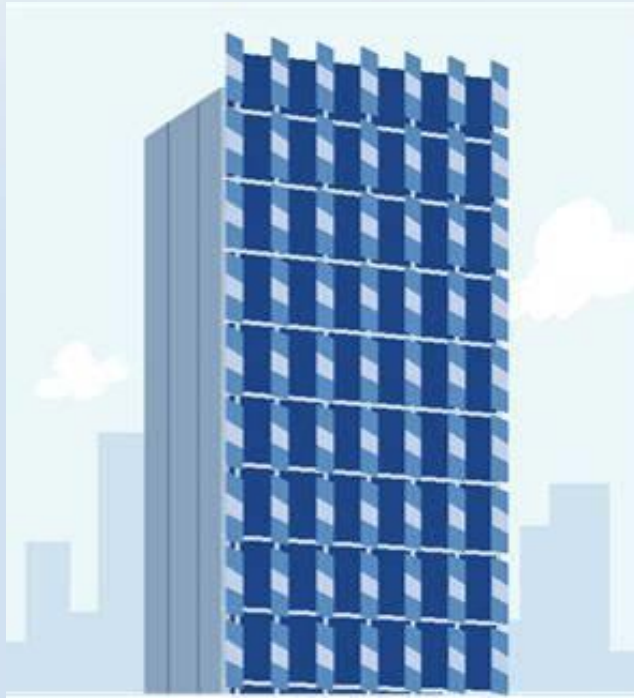
**Good
Corporate
Governance**



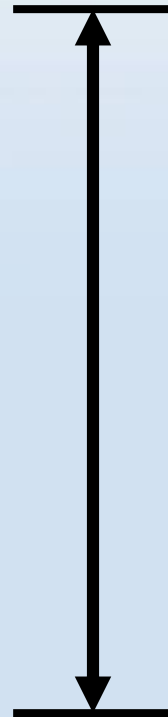
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Professional Integrity



Professional Integrity
(Highest requirement)



Law
(Minimum requirement)

Common Integrity Risks in Testing and Certification Industry

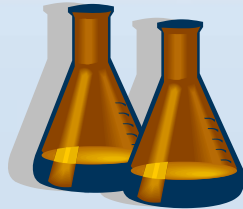
- Fake test reports / results
- Tamper with test samples
- Lax inspection / audit
- Expedite testing / inspection / certification processes
- Handle confidential information
- Entertainment
- Conflict of interest

3 Tests of Professional Integrity

Highest
standard



Sunshine Test



Compliance Test



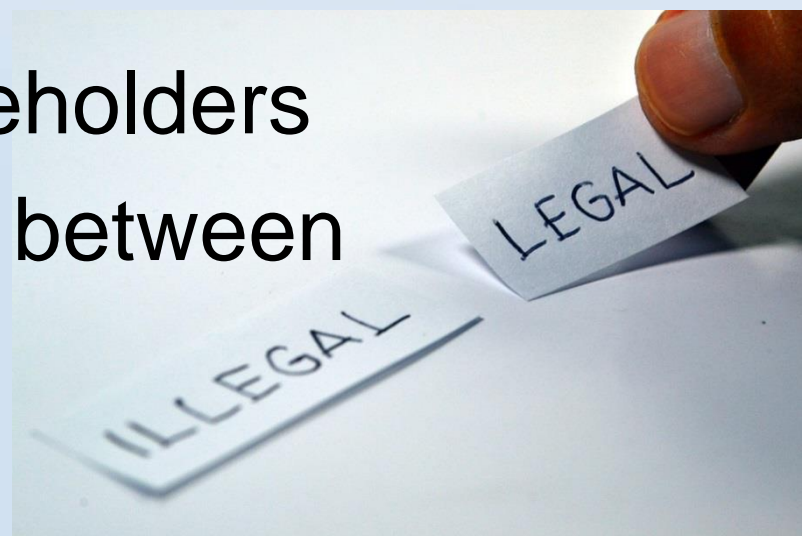
Legal Test

Minimum
Requirement

Legal Control over Corruption

Prevention of Bribery Ordinance

- Ensure fair-play
- Protect interest of stakeholders
- Prevent breach of trust between agent and principal



Prevention of Bribery Ordinance

Section 9 – Corrupt transactions in private sector

Agent (Employee)

Solicits / accepts an Advantage

An Act in relation to
principal's (employer's) business

Without Approval from the principal

Maximum penalty :
a fine of \$500,000 and imprisonment for 7 years

Prevention of Bribery Ordinance

Section 9 – Corrupt transactions in private sector

Both the offeror and acceptor of bribes are guilty of an offence.



廉政公署
ICAC

Prevention of Bribery Ordinance

Sections 11 and 19

No defence to solicit / accept any advantage even if:

- the recipient
 - did not actually have such power or right to do so
 - did not in fact do so
 - had no intention to do so
- such advantage is customary in profession, trade, vocation or calling

Prevention of Bribery Ordinance

Section 9 – Corrupt transactions in private sector

Agent (Employee)

Solicits / accepts an Advantage

An Act in relation to
principal's (employer's) business

Without Approval from the principal

Maximum penalty :
a fine of \$500,000 and imprisonment for 7 years

Advantages



Gift, loan, fee,
reward or
commission



Employment
or contract



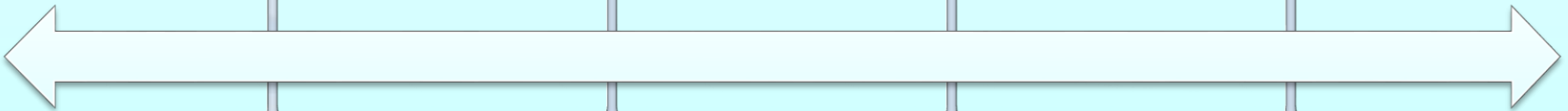
Payment,
release or
discharge of
loan or liability



Service or
favour
(except
entertainment)



Exercise of
any right or
power



Entertainment

- The provision of food or drink for consumption on the occasion
- Any other entertainment provided at the same time



Prevention of Bribery Ordinance

Section 8 – Offering advantage to public servants during official dealings

Any person

while having dealings with
government departments / public bodies

without lawful authority or
reasonable excuse

offers any advantage to public servant

Maximum penalty :
a fine of \$500,000 and imprisonment for 7 years

Prevention of Bribery Ordinance

Section 9(3) – Use of False documents

It is an offence:

- If an agent intends to deceive his principal by using
- False / erroneous / defective accounts / documents / receipts



***Maximum penalty :
a fine of \$500,000 and imprisonment for 7 years***



Compliance Test



Administrative Control over Malpractices

HKAS
Accreditation Criteria

International Standards
**e.g. ISO 17025/ 17020/
17021**

Professional Code of Ethics
e.g. HKTIC, HKICA, HKIE

Company Code of Conduct

Company Code of Conduct

- Acceptance of advantage
- Offer of advantage
- Entertainment
- Conflict of interest
- Confidentiality
- Outside employment

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“Sunshine Test”

**Disclose decisions openly
without misgivings?**



Corruption Prevention Plan: “Corporate Ethics Compass”

Navigating the right course –

Leadership

Walking the talk –

Code of Conduct



*Enhancing staff
competence – ***Training****

*Strengthening ***control systems*** –*

Best Practices

Hong Kong Business Ethics Development Centre (HKBEDC)



Hotline : 2587 9812
Website : www.hkbedc.icac.hk
e-mail : hkbedc@crd.icac.org.hk



Corruption Prevention Services

Codes of conduct

- Setting the ethical standards

System control

- Minimising the corruption risk

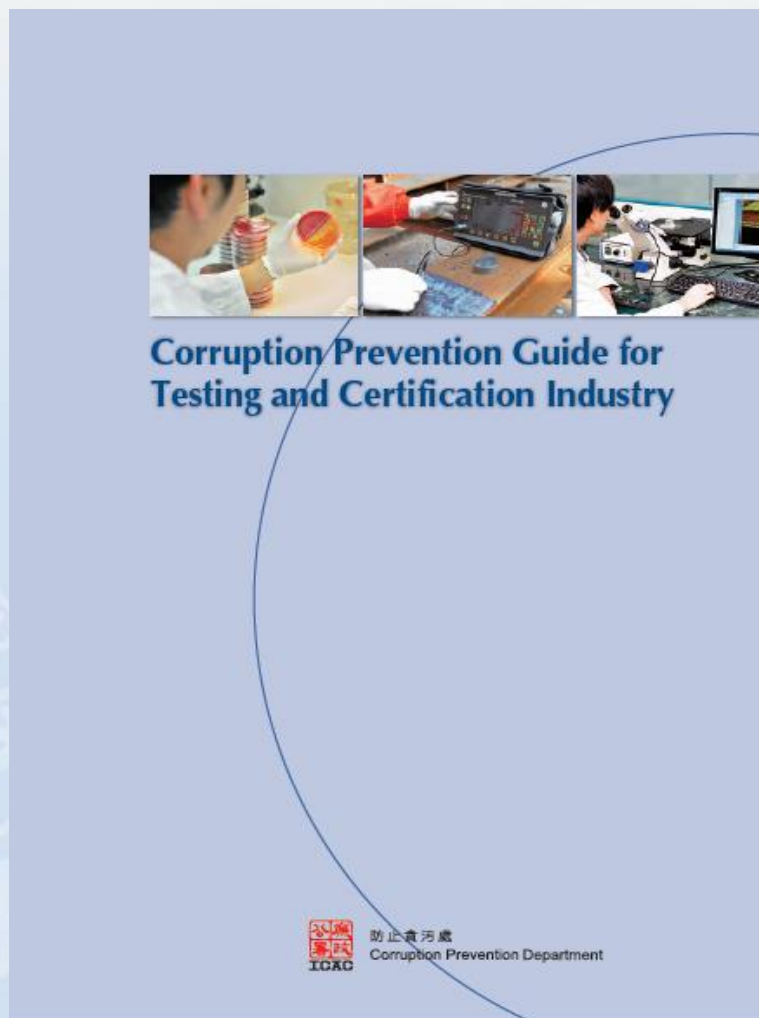
Staff training

- Cultivating an ethical mindset

Practical Guides

- Providing reference materials

Corruption Prevention Guide



www.icac.org.hk/filemanager/en/Content_1031/t_and_c.pdf

HKBEDC Website (www.hkbedc.icac.hk)



Enquiry and Report Corruption



**Report Centre /
7 Regional Offices**



GPO Box 1000



**24-hr Report Hotline
25-266-366**

THANK YOU!

