

TIPS FOR



CATERING INDUSTRY

Integrity - Our Winning Edge

The tourism industry is one of the important pillars of Hong Kong's economy. To maintain the city's competitive edge as an international tourist destination, every practitioner should put customers first and serve them with sincerity. In addition to delivering high-quality services to enhance their travel experience, upholding professional integrity is essential for earning tourists' trust and confidence. This commitment ensures the healthy and sustainable development of the tourism industry and strengthens Hong Kong's position as a world-class premier destination.

To enhance the integrity of practitioners in the catering industry, this pamphlet uses simple and easy-to-understand scenarios to illustrate common corruption and malpractice pitfalls in the industry, anti-corruption laws and practical tips for preventing corruption. It aims to raise awareness of corruption risks and encourage practitioners to uphold integrity in their work, collectively safeguarding the good reputation of Hong Kong's tourism industry.





Food purchase

A restaurant chef accepts illegal rebates from a food supplier for conniving at the substandard food ingredients supplied by the latter. This resulted in numerous customer complaints and eventually a collective food poisoning incident.

★ Smart tips

A restaurant staff who, without the approval of the restaurant, accepts rebates for turning a blind eye to the substandard food ingredients from the supplier, is held liable under the Prevention of Bribery Ordinance (POBO). Staff members must uphold integrity to safeguard the reputation of the restaurant and the interests of customers.

Sales and operations

To conceal the embezzlement of sales proceeds and coupons of the restaurant, an assistant manager offers bribes to the cashier as rewards for the latter's assistance in inputting forged sales records into the cashier system.

★ Smart tips

Employees of restaurants should always exercise prudence and integrity when managing sales records. If an employee abuses his position to accept advantages for providing assistance, he may breach the POBO and be liable for conspiracy to defraud. The offeror would also commit the same offence.



Procurement

A purchasing officer of a catering group is responsible for the procurement of kitchen utensils. To help her spouse's company to secure the relevant contract, she fabricates bogus quotations with inflated bidding prices. As a result, her spouse's company obtains the contract at the lowest price.

★ Smart tips

If a staff member intentionally conceals the conflict of interest and uses false documents to deceive the principal for personal gain, he may contravene the POBO or commit other criminal offences such as fraud, false accounting, etc. Staff members should avoid conflicts of interest as far as possible and make timely declaration in strict adherence to internal guidelines.



Administration

A restaurant branch manager is responsible for preparing the duty roster for employees. One of the subordinates would like to be scheduled off during weekends. Therefore, he offers a watch as a birthday gift to the manager as an inducement for the latter to show favour in preparing the roster.

★ Smart tips

Although the watch is given to the manager on his birthday, it is not a defence for offering bribes. If an employee accepts gifts in relation to his official duties without the restaurant's approval, he may be liable under the POBO. Both the offeror and recipient of a bribe are guilty of an offence.

INTEGRITY QUIZ

- If someone in your company has committed an act of corruption, you will:
 - turn a blind eye
 - gossip with your “buddies” in the company and secretly look for another job
 - report to your supervisor and the ICAC
- You attended a client’s spring gathering on behalf of your company and won a \$5,000 cash coupon in a lucky draw. You will:
 - treat your colleagues to dinner
 - report the cash coupon to your company for disposal
 - keep the cash coupon for yourself
- When asked to lie to the supervisor to cover up for your colleague, who left the office earlier in order to moonlight, you will:
 - hesitate to give a definite answer
 - agree to help
 - turn him down right away
- You are responsible for receiving goods in your daily work. Recently, the supplier often treated you to dinner, and offered samples of goods and concert tickets, you will:
 - accept them happily because treating others and offering gifts are common social practices in the business world
 - handle the entertainment and gifts in accordance with your company’s code of conduct
 - join the feast since entertainment is not counted as an advantage, but reject the other gifts

Scores: 1. A(1) B(2) C(3) 2. A(2) B(3) C(1)
3. A(2) B(1) C(3) 4. A(1) B(3) C(2)

Quiz Results (Add up your scores for the four questions and see the following analysis)

12 marks	Based on the score you attain, you are a prudent and cautious person who is able to adhere to the professional code of conduct, legal requirements and company rules when making decisions. Keep this up and continue to put professional ethics into your daily practice.
9-11 marks	According to your score, you incline to judge from your intuition and your decisions can easily be influenced by others. You are advised to make reference to the relevant Ordinances and company code of conduct before taking any action.
4-8 marks	Your score reflects that you are vulnerable to temptation and will easily fall prey to the persuasion of those behaving unlawfully. You are strongly advised to revisit the related Ordinances and your company’s code of conduct immediately because you tend to focus too much on personal benefits and pay too little attention to the requirements of Ordinances and company rules. Beware not to breach the law inadvertently and clarify with your company or the ICAC if in doubt.

Model Answer: 1-C, 2-B, 3-C, 4-B

WHAT IS BRIBERY?

Section 9 of the Prevention of Bribery Ordinance (POBO)

- Any agent (e.g. employee of a restaurant)
- Without the principal’s approval (e.g. restaurant)
- Solicits or accepts any advantage
- An act in relation to his principal’s affairs or business
- Both the offeror and recipient shall be guilty of the offence



Advantage

Includes, irrespective of the value, any gift, loan, fee, reward, commission, office, contract, service, favour and discharge of loan or liability, but does not include entertainment.



Entertainment

Refers to 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.

Section 9(3) of the Prevention of Bribery Ordinance (POBO)

Any agent who, with intent to deceive his principal, uses false, erroneous or defective receipt, account or other document shall be guilty of an offence.



Penalty

The maximum penalty is a fine of HK\$500,000 and 7 years’ imprisonment.

Tips for being a professional and smart staff -

BE SMART

Be alert to corruption risks

Enquire if in doubt

Say no to temptations

Must declare conflict of interest

Avoid over-socialisation with business associates

Report any suspected corruption

Total compliance with the law and company code of conduct

Adopt zero tolerance! Report corruption!

In Person: ICAC Report Centre (24-hour service); or any Regional Offices

By Phone: 25 266 366 (24-hour hotline)

By Mail: G.P.O. Box 1000, Hong Kong



Regional Offices