

Integrity - Our Winning Edge
CORRUPTION PREVENTION



RETAIL 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 retail 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.





Reserving goods

Knowing the high demand for limited-edition sneakers, the supervisor of the sneaker store wants to take this opportunity to earn extra money. He accepts red packets from a parallel goods trader for disregarding the company's sales guidelines and assisting the latter in reserving the limited-edition sneakers.

★ Smart tips

As a retailer staff, accepting advantages from customers for reserving goods without the permission of the retailer may violate the Prevention of Bribery Ordinance (POBO). It not only ruins one's career but also brings unfairness to other customers and damages the company's reputation.

Staff management

A regional manager of a chain retail store is responsible for overseeing the business operation and staff management of several shops. She abuses her position by accepting gifts and cash from a number of subordinates for arranging their transfers, leaves or promotions.

★ Smart tips

Both supervisors and subordinates should fulfil their respective duties diligently and refrain from offering gifts for flattery or abusing power for personal gain. If an employee misuses the authority to accept advantages, he may violate the POBO, and the offeror of the bribe would also commit an offence.



Handling of discounts

A sales representative employed by an AV equipment company accepts red packets from customers for offering wholesale prices on AV products. In addition, he abuses his position by providing company gifts to customers, even when the specified purchase amount has not been met.

★ Smart tips

Staff should follow company guidelines when selling products and providing company gifts. Failure to do so may lead to misunderstanding or dissatisfaction, negatively affecting the company's reputation. Accepting advantages from customers without the company's approval may violate company policies. If the acceptance of advantage relates to the abuse of position, it may also be an offence under the POBO.



Inventory and financial management

Several employees at a boutique conspire to conceal customers' purchase records and withhold the profits from goods sold at regular prices. They record the sold goods as discounted items during the sales period in order to embezzle the difference in the sales amount.

★ Smart tips

Employees should exercise prudence and integrity in managing all records. It is a criminal offence to intentionally tamper with any records or embezzle money or goods.

INTEGRITY QUIZ

1. If someone in your company has committed an act of corruption, you will:
A. turn a blind eye
B. gossip with your “buddies” in the company and secretly look for another job
C. report to your supervisor and the ICAC
2. 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:
A. treat your colleagues to dinner
B. report the cash coupon to your company for disposal
C. keep the cash coupon for yourself
3. When asked to lie to the supervisor to cover up for your colleague, who left the office earlier in order to moonlight, you will:
A. hesitate to give a definite answer
B. agree to help
C. turn him down right away
4. 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:
A. accept them happily because treating others and offering gifts are common social practices in the business world
B. handle the entertainment and gifts in accordance with your company’s code of conduct
C. 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 retailer)
- Without the principal’s approval (e.g. retailer)
- 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 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

**BE
SMART**

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

誠信旅業
致勝之道

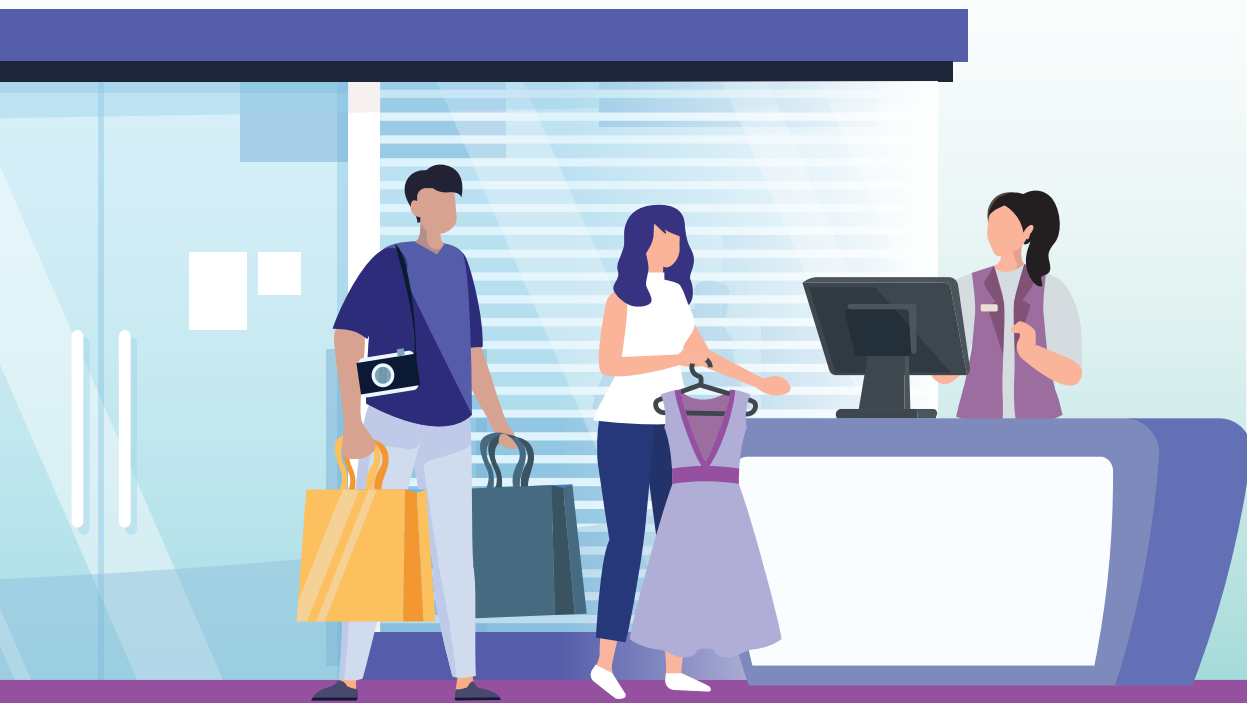


零售業

誠信旅業 致勝之道

旅遊業是香港經濟的重要支柱之一。要維持香港作為國際旅遊城市的競爭優勢，每位從業員都必須做到「以客為先、待客以誠」。除了以誠懇優質的服務提升遊客的旅遊體驗外，秉持誠信操守亦能贏得遊客的信任和信心，這對於推動旅遊業健康及持續發展至為重要，並有助鞏固香港作為世界級首選旅遊目的地的地位。

為了提升零售業從業員的誠信水平，本單張以簡單易明的處境模式，闡釋業內常見的貪污舞弊範疇、防貪法例及防貪貼士，以協助提高從業員對貪污風險的警覺性，在工作中堅守誠信，共同維護香港旅遊業的良好聲譽。





預留貨品

一名球鞋店的店舖主任留意到限量版球鞋有很大的市場需求，他希望從中賺取一點金錢，因此他私下收受水貨客提供的利是，漠視店舖對員工制定的銷售指引，協助水貨客預留限量版球鞋。

✦ 小貼士

作為零售店職員，在未得零售店的許可下，收受顧客提供的利益，為對方預留貨品，可能會觸犯《防止賄賂條例》。這不但令自己前途盡毀，對其他顧客不公平，亦會損害公司的聲譽。

人事管理

一名連鎖零售店區域經理負責店舖的日常營運及員工管理。她濫用職權，收受多名下屬提供的禮物及現金，以安排她們調遷其他分店、放假或晉升。

✦ 小貼士

上司下屬均須各盡其職，切忌送禮奉承或濫權偏私。若職員因收受利益而濫用職權，更會因此觸犯《防止賄賂條例》，行賄者亦同樣犯法。



處理折扣 / 優惠

一名影音用品公司售貨員收受顧客利是，容許對方以批發價購買影音用品；並且在顧客尚未達到指定消費金額的情況下，濫用職權，送出公司贈品。



✦ 小貼士

員工應根據公司指引銷售貨品及送出贈品，否則會引來顧客誤會或不滿，影響店舖聲譽。員工未得公司許可收受顧客的利益，有可能違反公司守則，若涉及濫用職權，更會觸犯《防止賄賂條例》。



官務及財務管理

數名時裝店職員，串謀隱瞞顧客購物記錄，並扣起貨品以正價售出的收入，待減價期間，將已售出的貨品以減價貨品入帳，藉此侵吞其中的差額。

✦ 小貼士

員工必須時刻謹慎，妥善管理店舖現金或貨物。倘若員工蓄意竄改任何記錄或盜取金錢和貨物，均屬刑事罪行。

誠信考考你

1. 如發現公司有人貪污，你會：
A. 視而不見
B. 跟公司中的「老友」竊竊私語，密謀轉工
C. 報告上司及向廉署舉報
2. 你代表公司出席客戶安排的春茗，在抽獎環節中獲現金券五千元，你會：
A. 請同事吃飯
B. 向公司申報現金券以作適當處理
C. 把現金券留為己用
3. 同事因做兼職要早退，請你協助向上司撒謊隱瞞，你會：
A. 支吾以對
B. 拔刀相助
C. 堅決拒絕
4. 你在日常工作中負責驗收貨物。供應商近日經常請你出席飯局，又送你貨辦及演唱會門券，你會：
A. 欣然接受，因在商業社會中，送禮及款待乃正常交際
B. 按公司守則處理供應商所提供的款待及禮物
C. 只應邀出席飯局，因「款待」並非利益，但會婉拒其他禮物

得分: 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)

分析（請加上四條問題得分，然後參考以下分析。）

12分 你的得分顯示，你處事小心謹慎，能按照專業操守、公司和法例的要求作出明智的決定。請繼續努力，堅守原則，將專業道德付諸實行。

9-11分 根據你的分數，你較傾向憑直覺行事，同時易受環境或他人影響你的決定。你在採取任何行動之前，應先參考有關法例和公司守則。

4-8分 你的得分反映你較易受誘惑，亦易被不法之徒利用。你必須重溫有關法例和公司守則的內容，因為你傾向單從個人利益出發，忽略法例和公司守則的規定。千萬不要誤墮法網！如有疑問，應立即向公司或廉署查詢。

圖文參考：1-C, 2-B, 3-C, 4-B

法例 - 何謂貪污？

《防止賄賂條例》第9條

- 任何代理人（如零售商店職員）
- 未得主事人許可（如零售商店）
- 索取或接受任何利益
- 作出或不作出與主事人業務/事務有關的行為
- 行賄受賄同樣犯法



利益

包括任何價值的饋贈、貸款、費用、報酬、佣金、職位、合約、服務、優待及免除借貸或法律責任，但不包括款待。



款待

指供應在當場享用的食物或飲品，以及任何與此項供應有關或同時提供的其他款待。

《防止賄賂條例》第9(3)條

任何代理人使用虛假、錯誤或缺漏不全之收據、帳目或其他文件，蓄意欺騙其主事人，亦屬違法。



刑罰

最高罰款港幣50萬元及監禁7年。

防貪
錦囊



貪污陷阱要提防



遇到問題先諮詢



面對誘惑要say NO



利益衝突須申報



公事應酬要適中



守法循規為上策



待客以誠勿徇私



舉報貪污莫遲疑

挺身而出 舉報貪污

親身： 廉政公署舉報中心 (24小時)；或各分區辦事處
電話： 25 266 366 (24小時熱線)
投函： 香港郵政信箱1000號



分區辦事處地址