

Integrity - Our Winning Edge
CORRUPTION PREVENTION

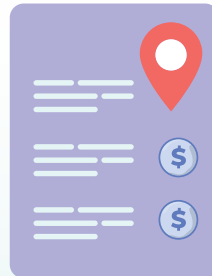
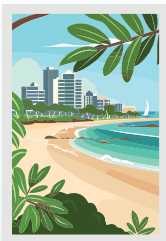
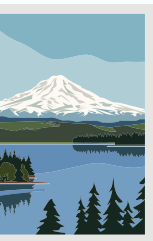
TIPS FOR
**TRAVEL
AGENT**



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 of travel agents, 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.

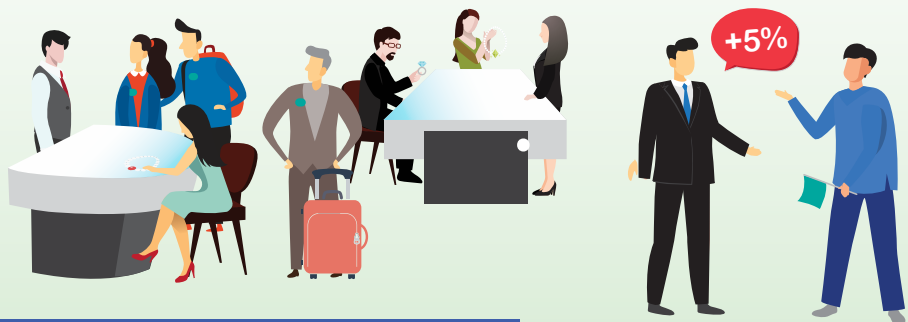


Accepting rebates from shops

In general, travel agents and retail shops have commission agreements based on tourists' purchases. According to the agreement between the travel agent and the jeweler, the jeweler is required to provide the travel agent with a 10% commission on sales revenue from inbound tour groups. However, in order to clear the slow-selling inventory, the jeweler privately offers the tourist guide an additional rebate of 5%, requesting him to proactively promote some high-priced but low-quality jewellery to the tourists.

★ Smart tips

Employees of travel agents who, without the travel agent's approval, privately accept rebates in relation to performing their duties, shall violate the Prevention of Bribery Ordinance (POBO). Employees should comply with the company's policies on the acceptance of advantages in relation to their business.



Recommending for shop registration

A handbag shop owner observes that numerous inbound tour groups frequently visit a nearby watch shop. Recognising tourists as big spenders, the shop owner is interested in tapping into this market. He privately approaches the tourist guide, offering a financial incentive to recommend his shop. The travel agent then applies for shop registration with the Travel Industry Authority to arrange inbound tour groups to patronise the shop.

★ Smart tips

When making recommendations, tour guides should consider factors such as product quality, pricing and services to ensure customer satisfaction and preserve the travel agent's reputation. If any acceptance of advantage is involved, regardless of the recommendation outcome, it would constitute a corruption offence. Besides, travel agents arranging inbound tourists to patronise non-registered shops would violate the "Directives for Licensees".

Staff management

As the Chinese New Year approaches, it is expected that the number of inbound tourists will increase significantly. In order to earn more income during this peak season, a tourist guide offers dried seafood to his supervisor as an inducement for the latter to arrange lucrative tour groups that can earn him more tips.

★ Smart tips

Although the gifts are given during a festive occasion, it is not a defence for offering bribes. If an employee accepts advantages to abuse his official capacity without the travel agent's approval, he would commit an offence under the POBO. Both the offeror and recipient of a bribe are guilty of an offence.



Offering discretionary discounts

During the summer vacation period, there is a high demand from customers for airline tickets, particularly promotional fares. Taking this opportunity, an employee in the ticketing department of a travel agent solicits advantages from customers as a condition for prioritising the sale of discounted tickets to them.

★ Smart tips

Employees of travel agents should handle customer requests impartially. If they accept advantages from a particular customer to provide preferential treatment or even deliberately manipulate computer records of customer bookings, it not only generates complaints from other customers but also violates the POBO.



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 guiding a tour group to a designated shop for shopping. The proprietor of the shop 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 travel agent)
- Without the principal’s approval (e.g. travel agent)
- 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

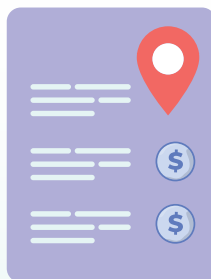
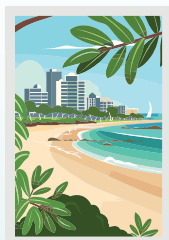
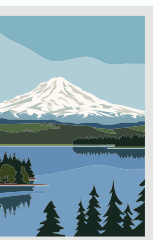


Regional Offices

誠信旅業 致勝之道



旅行代理商



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。

為了提升旅行代理商從業員的誠信水平，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。

收取店鋪的額外回佣

一般而言，旅行代理商和商店都有就遊客購物訂立佣金協議。根據旅行代理商與珠寶店的協議，珠寶店須向旅行代理商提供入境旅遊團銷售收入的10%作為佣金。然而，為了清理滯銷庫存，珠寶店東主私下向該導遊額外提供5%的回佣，要求他積極向團友推介一些高價但品質低劣的珠寶存貨。

✦ 小貼士

旅行代理商職員在未得到旅行代理商的同意下，私下收取與執行職務有關的額外回佣，會觸犯《防止賄賂條例》。職員收受與公事相關的利益時，應遵守公司有關收受利益的政策。



推薦店鋪為註冊商店

一名手袋店東主發現鄰近的鐘錶店常有不少入境旅遊團。東主意識到入境遊客極具消費能力，因此有興趣開拓這個市場。東主私下接觸該導遊，並向她提供金錢利益，誘使對方向所屬的旅行代理商推薦其店鋪。旅行代理商隨後向旅遊業監管局申請該店鋪為註冊商店，並安排入境遊客光顧。

✦ 小貼士

導遊在推薦商店時，應考慮其產品品質、價格和服務等因素，以確保客戶滿意度並維護旅行代理商的聲譽。若涉及非法收受利益，無論推薦結果如何，也屬貪污罪行。此外，旅行代理商安排入境遊客光顧非註冊商店亦會違反《持牌人指令》。

人事管理

新年將至，入境遊客數量預計將大幅增加。為了在旺季賺取更多收入，一名導遊向他的上司贈送海味，以誘使上司編配利潤豐厚的入境旅行團給他，從而賺取更多的小費。

✦ 小貼士

雖然餽贈是在節日期間贈送的，但這並不能作為行賄的辯護理由。若職員未有旅行代理商的許可下接受利益並濫用職權，則會觸犯《防止賄賂條例》。行賄和受賄雙方同樣犯法。



任意提供折扣優惠

暑假期間，顧客對機票尤其是特惠機票的需求殷切。一名旅行代理商票務部職員趁機向顧客索取利益，作為優先向其銷售特惠機票的條件。

✦ 小貼士

旅行代理商職員應公平地處理顧客的要求。若因收受利益而提供優待予個別客戶，甚或蓄意竄改客戶訂票的電腦記錄，不但會引起其他顧客的不滿，更會觸犯《防止賄賂條例》。



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. 你帶團到指定的店舖購物。店舖東主邀請你出席飯局，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. 按公司守則處理店舖東主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。

圖表來源：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（如旅行代理商職員）
- 未得主事人許可（如旅行代理商）
- 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