

# 優質服務 誠信至上

## Quality Services: Integrity First



要維護香港作為國際知名的旅遊勝地及廉潔之都的美譽，旅遊業從業員不但要為旅客提供優質稱心的服務，更要秉持高度誠信的專業操守。廉政公署一直與業界保持緊密聯繫，提供防貪資訊以協助業內人士認清貪污風險和避免墮入貪污陷阱。

節日期間，不少商業機構都會贈送禮物或利是予客戶及生意伙伴，以表謝意。然而，在贈送或接受禮物的過程中，常會出現以下問題：

To uphold Hong Kong's reputation as an internationally renowned tourist destination and a corruption-free city, it is vitally important for tourism industry practitioners not only to provide quality services to visitors but also to adhere to the highest professional and ethical standards. The Independent Commission Against Corruption has long been collaborating with the industry to promote anti-corruption messages to practitioners to help them guard against corruption risks.

Business organisations may offer gifts or red packets to their clients and business partners as a token of gratitude during festive occasions. However, one should take note of the following when doing so:

### 問題 Questions

在節日期間，可否向生意伙伴的僱員送禮或給予「利是」？

Can I offer gifts or red packets to employees of my business partners during festive occasions?

### 注意事項 Points to Note

根據《防止賄賂條例》，禮物及「利是」均屬利益，若這些餽贈與受益人的公事有關，對方必須得到其僱主的許可才可收受。倘若送禮時未能確定收受者是否已獲得合法許可，應先向收受者了解其公司對員工收受客戶餽贈的政策，或將禮物交由該公司的負責人處理。

According to the Prevention of Bribery Ordinance (PBO), gifts or "red packets" are considered as advantages. If the offer is related to the acceptor's business dealing, the acceptor should obtain approval of his employer for the acceptance. If you are uncertain if the acceptor has been given such permission, you could clarify with the acceptor's company on its policy on accepting advantages. Or you may send the gifts directly to the person in charge of the company for appropriate action.

若行規如此，該等餽贈又是否合法？

What if it is a customary practice in the industry to offer gifts to business partners or clients?

任何行規和習慣均不可作為收授雙方免責的辯護藉口。

According to the PBO, customary practice in any profession or trade cannot be a defence for offering or accepting advantages.

如有客戶要求我捐贈禮物或贊助其公司舉行的春茗或聯歡會，應如何處理？

What if a client asks me to donate gifts or sponsor his company's spring reception or party?

可要求對方以公司名義發信正式要求，贊助的禮物亦應直接送予客戶公司而非個別員工，有關禮物亦應以書面方式檢收。

You may ask your client to issue a formal letter of request under the company's name. The sponsorship should be directly sent to the client's company rather than an individual staff member. Written acknowledgement of receipt should also be obtained.

註：以上有關法律內容的解釋，只屬一般和概括性質，如有疑問，讀者應細閱有關法例原文或在有需要時徵詢法律意見。

Note: Descriptions and explanations of the relevant laws above are necessarily general. In case of doubt, readers should refer to the original text of the laws or seek legal advice as and when necessary.

公司應制定清晰的收受利益政策，令員工及業務伙伴了解公司對員工的操守要求，並為員工安排適切的培訓以提升他們對貪污的警覺性及鞏固公司的誠信文化。廉政公署社區關係處轄下的香港商業道德發展中心，為商業機構提供免費的誠信管理顧問服務，包括協助機構制訂和審視紀律守則及為員工安排誠信培訓等。如需要更多相關資訊，請與我們聯絡。

A clear company's policy on acceptance of advantages helps employees and business partners understand the integrity standards expected of staff. And appropriate integrity training can enhance staff's vigilance against corruption and foster an ethical corporate culture. The Hong Kong Business Ethics Development Centre under the Community Relations Department of the ICAC offers free consultancy services on ethical management for business organisations, such as assisting organisations in formulating and reviewing codes of conduct and organising integrity training for staff. You are welcome to contact us for more information.



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