



創業有「誠」!

初創及中小企業  
防貪資料套

**Starting-Up  
Right!**

Anti-Corruption Information Kit  
for Start-ups & SMEs

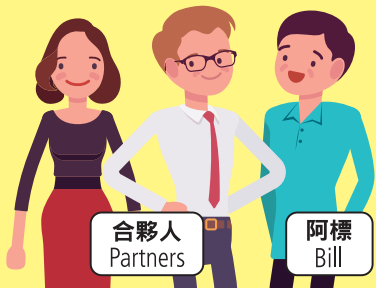


## 未得主事人批准收受回佣

Accepting rebates without principal's permission

阿標與兩位合夥人一同經營初創公司

Bill is one of the three partners of a start-up



“

個別合夥人亦屬於代表公司行事的代理人

A partner is also an **AGENT** who works on behalf of the company

”

阿標經常將供應合約判授給阿成

Bill always awards contracts to Charlie



為表答謝，阿成私下給予阿標回佣  
阿標未得公司許可下接受回佣

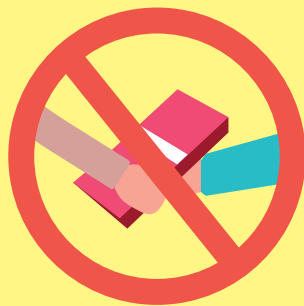
Charlie rewards Bill with rebates, Bill accepts them without obtaining his company's approval.



“

主事人的許可須由收受利益一方的公司，而並非個別合夥人給予  
**PRINCIPAL'S APPROVAL** should be given by the acceptor's company, not by an individual partner

”



阿標與阿成觸犯《防止賄賂條例》第9條  
Both Bill & Charlie violate Section 9 of POBO



## 向公職人員提供利益

Offering advantage to public servant

我想申請牌照。  
I would like to apply  
for a license.



鍾小姐(牌照主任)  
June (Licensing Officer)

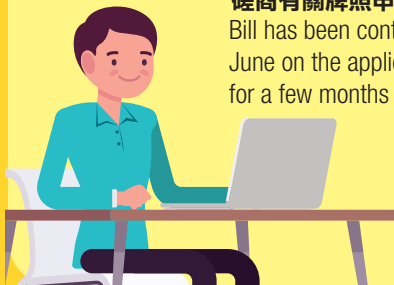
“

公職人員包括政府人員及公共機構僱員

**PUBLIC SERVANT** refers to any civil servant or employee of a public body

”

阿標多月來與鍾小姐磋商有關牌照申請事宜  
Bill has been contacting June on the application for a few months



聖誕節期間...  
During Christmas...

小小心意!  
As a token of thanks!



“

節慶禮品亦屬**利益習慣**不可作為辯護理由

Festive gift is also an **ADVANTAGE CUSTOM** is not a defence

”

“

即使沒有行賄意圖，亦不應向公職人員提供利益

Even without the intention to bribe, do not offer any advantage to public servants

”



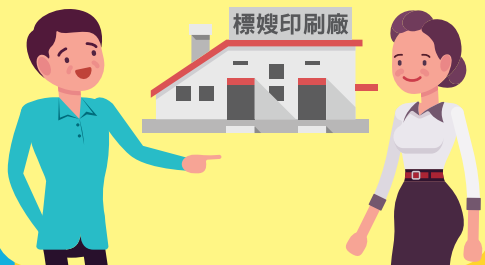
阿標觸犯《防止賄賂條例》第8條  
Bill violates Section 8 of POBO



## 利用虛假文件欺騙主事人 Using false document to deceive principal

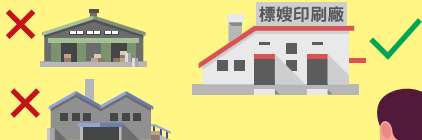
阿標與妻子開設了一間印刷公司

Bill also owns a printing company with his wife.



為使其印刷公司取得初創公司的印刷合約，  
阿標偽造其他公司的報價單

Bill fabricates quotations of other suppliers  
when procuring printing service  
for the start-up



阿標把初創公司的  
印刷合約判授  
予自己的公司

Bill awards printing  
orders to his own  
company



阿標觸犯《防止賄賂條例》第9(3)條

Bill violates Section 9(3) of POBO

“

以虛假文件蓄意欺騙主事人會觸  
犯《防止賄賂條例》

Use of **FALSE DOCUMENT**  
with an intent to deceive the  
principal is an offence under  
the POBO

”

## 為何誠信對企業營運如此重要?

### WHY is integrity important to my business?



防止貪污舞弊行為蠶蝕公司利益

Prevent breaches of law and malpractices from eroding company's interests



吸引投資者、客戶及人才

Attract investors, customers and talents



提升公司形象及競爭力

Enhance company's image and competitiveness

## 何謂貪污?

### WHAT is corruption?



貪污是指有人濫用職權去謀取私利

Corruption occurs when an individual **abuses his official authority for personal gain**



《防止賄賂條例》規管公營及私營機構的貪污行為

The Prevention of Bribery Ordinance (POBO) prohibits corruption in both the **public and private sector**



最高刑罰：罰款50萬及監禁7年

Maximum penalty: **\$500,000 fine & 7 years' imprisonment**



法例原文 *The POBO*

## 如何維持企業誠信?

### HOW to uphold integrity in my business?

提高道德意識

**H**eighten ethical awareness

知法同時守法

**K**now and abide by the laws

制定誠信守則

**B**uild company code of ethics

加強系統監控

**E**nhance system control

切勿行賄受賄

**D**on't offer or accept bribes

絕不容忍貪污

**C**all for zero tolerance against corruption



從何尋求協助?

**WHERE** to seek assistance?

香港商業道德發展中心

為不同企業提供免費的防貪服務

**Hong Kong Business Ethics Development Centre**  
offers FREE corruption prevention services  
for business of all scales

詳情請致電 Call us at **2587 9812**



**挺身而出 舉報貪污 | Report Corruption**

**By Phone / 電話:** 25 266 366 (24小時 hours)

**In Person/ 親身:** 北角渣華道303號廉政公署大樓  
ICAC Building, 303 Java Road, N.P.

**By Mail/ 投函:** 香港郵政信箱1000號  
G.P.O.Box 1000, HK



社區關係處

Community Relations Department



香港商業道德發展中心

Hong Kong Business Ethics Development Centre