

Corruption in construction projects not only puts works quality and public safety at stake, the offeror and recipient of a bribe may also have to pay a heavy price for breaching the law.

The Prevention of Bribery Ordinance (POBO)

Bribery (Section 9)

without employer's approval



solicits or accepts advantages

Any employee who, without the employer's approval, solicits or accepts an advantage (e.g. referral fee, tea money or rebate) when conducting his employer's affairs or business, shall commit an offence. The offeror of the advantage is also guilty of an offence

False document (Section 9(3))

uses false document



to deceive or mislead employer

Any employee, with intent to deceive and mislead his employer, uses any false document (e.g. qualification or works record) shall be guilty of an offence

! Maximum penalty: \$500,000 fine and 7 years' imprisonment

Visit the ICAC website to know more about the POBO

www.icac.org.hk



Say No to Corruption, Report It!

Report to the ICAC immediately if you suspect any corruption:

In Person

24-hour Report Centre

7 Regional Offices



By Phone

25 266 366 (24-hour hotline)



By Mail

G.P.O. Box 1000, Hong Kong



All reports are handled in strict confidence

ICAC provides practical corruption prevention resources for the construction industry.

Scan the QR code for details.

(Information also available in other languages including Bahasa Indonesia / हिन्दी / नेपाली / ਪੰਜਾਬੀ / Tagalog / ไทย / Tiếng Việt / اردو)



CORRUPTION DOESN'T PAY



Say NO to illegal referral fees and rebates

Job referral fee is a must?

Wage rebate is trade practice?

Tea money is no big deal?



Solicit illegal referral fee



- 1 Scaffolder Fred asked his friend employed by a contractor for a job referral. The friend solicited referral fee from Fred in return.



- 2 The site foreman solicited regular rebates from Fred for continuous employment after he was hired.

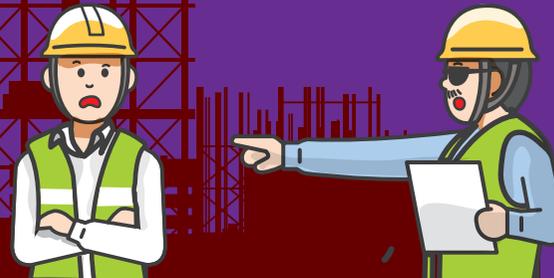


- Although Fred was a victim of frequent wage extortion, he might also commit a corruption offence by offering bribes to others
- To protect his own interest, Fred should decline the requests and report to the ICAC immediately

Falsify qualifications



- 1 Max was a rookie worker with no work experience in plastering. Surprisingly, a site foreman hired him as a semi-skilled worker with higher pay. Max was pleased to accept the offer.



- 2 Soon after Max received his wages, the foreman solicited a \$300 rebate from his daily wage in accordance with the "trade practice".



- "Trade practice" is not a defence for a bribery offence
- The site foreman might breach the POBO by submitting false qualification of Max to deceive extra wages from the employer
- Max might also violate the law for conspiring with the foreman to deceive the employer

Bribe for convenience



- 1 Crane operator Ted was responsible for lifting building materials in the site. One day, a sub-contractor offered to pay "tea money" to Ted for prioritising the lifting of his plumbing materials.



- 2 Thinking it was fine to give a hand to the sub-contractor in exchange for a trivial amount of "tea money", Ted accepted the offer without hesitation.



- Advantage refers to anything that is of value such as gift (in money or in kind), loan, employment and service
- Regardless of amount, the one who solicits, accepts or offers "tea money" may be liable for an offence