

To Business Partners of the Mandatory Provident Fund Schemes Authority

Integrity and Corruption Prevention Guide on Managing Relationship with Public Servants

Under the Prevention of Bribery Ordinance (POBO), the Mandatory Provident Schemes Authority (MPFA) is a public body and all its directors and staff are public servants. It is an offence for any person, without lawful authority or reasonable excuse, to offer any advantage to a public servant in return for the public servant's performing or abstaining from performing any act in his capacity as a public servant. It is also an offence if any person while having dealings with the government department or public body offers any advantage to the public servant employed by that government department/public body. From past ICAC cases, we note that some business operators or their employees may not have adequate awareness about the legal restrictions and integrity standard applicable to public servants, thereby exposing themselves to the risk of breaching the law.

To help maintain a high standard of integrity in interactions between business operators and directors / employees of the MPFA, the Corruption Prevention Advisory Service of the ICAC has produced the captioned Guide for reference by private organisations. It provides:

- (a) an introduction to the legal provisions (e.g. POBO) and administrative rules and regulations governing the interactions between business operators and public servants;
- (b) case studies developed and modified based on past corrupt practices covering different kinds of dealings between private entities and public servants; and
- (c) advice on the good practices in managing relationships with public servants and on measures that may be adopted by business operators and private organisations to ensure their staff follow the expected standard of integrity when dealing with public servants.

The electronic copies of the Guide and a Quick Starter Guide are

available for access and download through the following links:

(i) **The Guide:**

https://cpas.icac.hk/Info/Lib_List?cate_id=3&id=226

(ii) **Quick Starter Guide:**

https://cpas.icac.hk/Info/Lib_List?cate_id=3&id=224

Business operators and their employees who have business dealings or interactions with public servants are advised to study the Guide, and adopt the practices recommended in the Guide where applicable. If hardcopies of the Guide and / or Quick Starter Guide are required (which may be provided in limited quantity subject to stock availability) or further corruption prevention advisory service is needed, please complete and return the attached Corruption Prevention Advisory Service Request Form to us by fax (2522 0505) or by email (cpas@cpd.icac.org.hk), or simply call our hotline at 2526 6363 (Mon - Fri, 9:00 - 18:00, except public holidays). The Service Request Form is also available online at: https://cpas.icac.hk/Form/Service_Form?cate_id=30.

Yours sincerely

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