



# Integrity and Quality Building Maintenance





# Actions for Integrity and Quality Building Maintenance



- Abiding the Law
- Analysing the Corruption Risks
- Adopting ICAC Services



# Action (1)

## Abiding the Law





# Prevention of Bribery Ordinance

## Section 9



- Any agent
- Solicits or accepts advantage
- In relation to the principal's business
- Without principal's permission

**Both the offerors and recipients of advantage  
are guilty of the offence**



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

# Principal? Agent?



<u>Principal</u>	<u>Agent</u>
<ul style="list-style-type: none"><li>■ Owners' corporations (OCs)</li></ul>	<ul style="list-style-type: none"><li>■ Members of management committees (MCs) of OCs</li><li>■ Employees/ managers of OCs</li></ul>
<ul style="list-style-type: none"><li>■ Property management companies, consultants, contractors</li></ul>	<ul style="list-style-type: none"><li>■ Employees of property management companies, consultants, contractors</li></ul>





# Advantage

- Gift, loan, fee, reward or commission
- Employment or contract
- Payment, release or discharge of loan or liability
- Service or favour (**other than entertainment**)
- Exercise or forbearance from the exercise of any right or power









# Prevention of Bribery Ordinance

## Section 9(3)

- Agent
- Use any false, erroneous or defective receipt, account or other document
- With an intent to deceive his principal

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





**Action (2)**

# **Analysing the Corruption Risks**





# Corruption Risks and Preventive Measures for Building Maintenance



1. Appointing project consultants
2. Appointing contractors
3. Tender evaluation
4. Supervising maintenance work
5. Processing of payment





# Corruption Risks and Preventive Measures for Building Maintenance



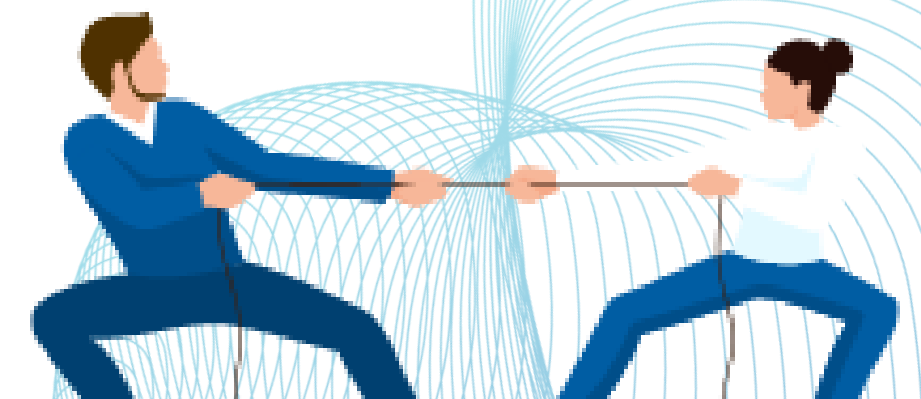
Urban Renewal Authority





# Conflict of Interest

- A conflict of interest situation arises when the personal interests of an MC member or staff compete or conflict with the interests of the OC
- Examples:
  - An MC member takes part in the selection of consultant/contractor, and one of the tenderers is owned by his family member, relative or close personal friend
  - An OC chairman overseeing the maintenance project of his building accepts luxurious and frequent entertainment offered by the contractor
- Conflict of interest, if not handled properly, may be perceived as corruption or abuse of power, even though the related parties have not received any actual advantages





# How to Manage Conflict of Interest

According to the Code of Practice on Procurement of Supplies, Goods and Services, the mechanism to manage conflict of interest includes :

- to avoid
- to declare in writing any actual/  
potential conflict of interest to the MC
- to adopt mitigating measures
- to document the decisions made and  
actions taken







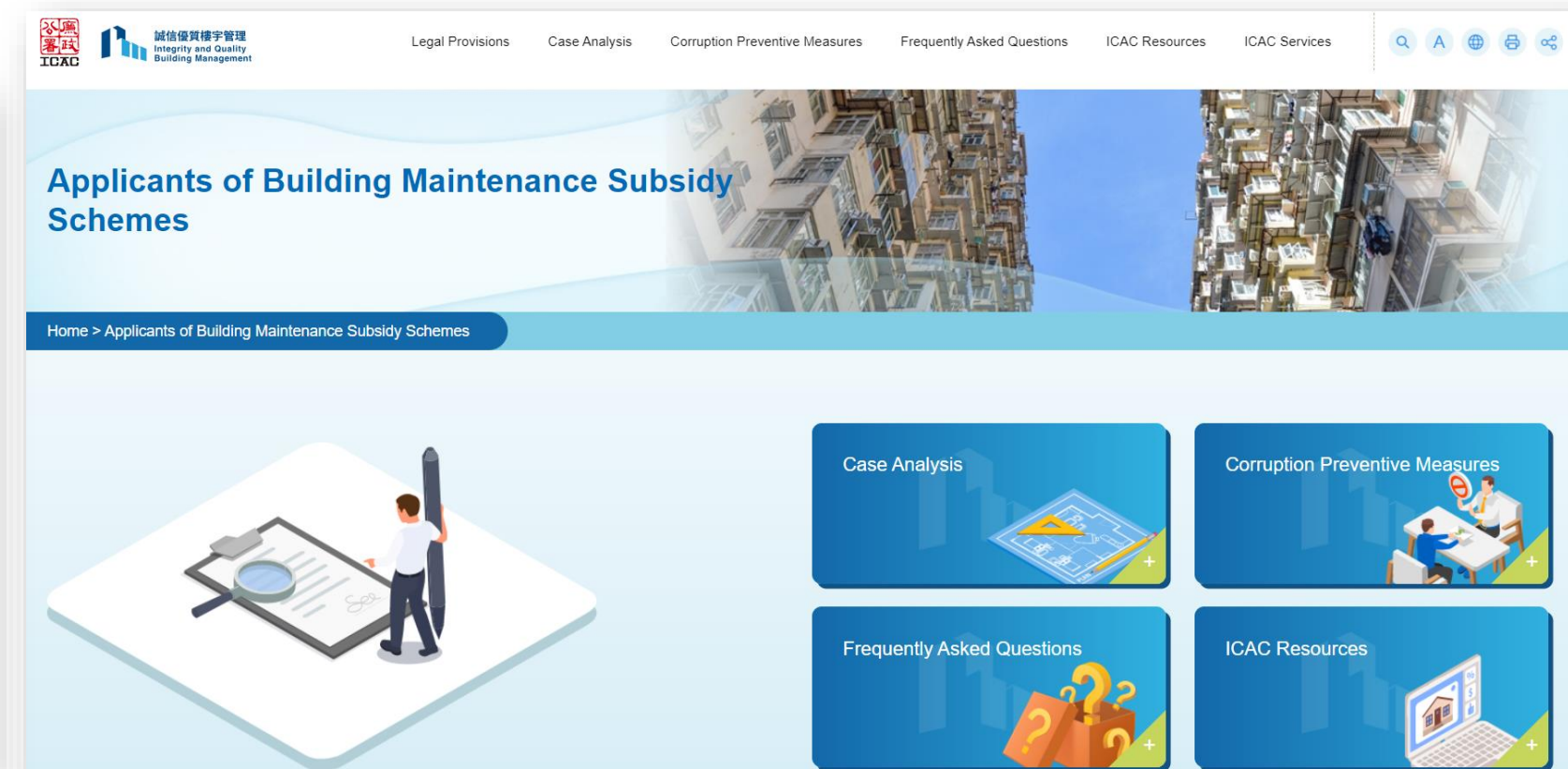
# Action (3)

## Adopting ICAC Services



# ICAC Services

- Arrange integrity talk and visit for individual OCs and assist in formulating code of conduct
- Integrity Building Management Enquiry Hotline : 2929 4555
- Integrity and Quality Building Management Thematic Website : (<https://bm.icac.hk>)
- Corruption Reporting : 25 266 366





# Reporting Corruption

## In Person

ICAC Report Centre/  
7 Regional Offices



**24-hour hotline**

25 266 366

**CONFIDENTIAL**



**By Mail**

G.P.O. Box 1000,  
Hong Kong



Thank You

