



New Zealand
Chamber of Commerce in Hong Kong

Code of Conduct Anti-Bribery and Corruption Policy

Ethical Commitment

1. The New Zealand Chamber of Commerce in Hong Kong (hereafter referred to as “NZCCHK” or “the Organisation”), established in Hong Kong under the Societies Ordinance Cap. 151, regards honesty, integrity and fair play as core values that must be upheld by all members, elected officers and staff of the Organisation (hereafter referred to as “NZCCHK Related Persons”).

This Code of Conduct sets out the basic standard of conduct expected of all NZCCHK Related Persons, as well as the Organisation’s policy on acceptance of advantage and handling of conflict of interest when **representing or acting on behalf of the Organisation or dealing with the Organisation’s activities.**

Prevention of Bribery

2. The Organisation prohibits all forms of bribery and corruption. NZCCHK Related Persons are prohibited from soliciting, accepting or offering any bribe in conducting the Organisation’s business or affairs, whether in Hong Kong or elsewhere.

In conducting the affairs of the Organisation, they must comply with the Prevention of Bribery Ordinance (POBO) of Hong Kong and must not:

- (a) solicit or accept any advantage from others as a reward for or inducement to doing any act or showing favour in relation to the Organisation’s business or affairs, or offer any advantage to an agent of another as a reward for or inducement to doing any act or showing favour in relation to his principal’s business or affairs;
- (b) offer any advantage to any public servant (including Government or public body employee) as a reward for or inducement to his performing any act in his official capacity or his showing any favour or providing any assistance in business dealing with the Government or public body; or
- (c) offer any advantage to any staff of a Government department or public body while they are having business dealings with the latter.

Acceptance of Advantage

3. It is the Organisation’s policy that NZCCHK Related Persons should not solicit or accept any advantage for themselves or others, from any person, or organisation having business dealings with the Organisation or any subordinate, except that they may accept (but not solicit) the following when offered on a voluntary basis:

- (a) advertising or promotional gifts or souvenirs of a nominal value; or
 - (b) gifts given on festive or special occasions, subject to a maximum limit of HK\$2,500 in value; or
 - (c) discounts or other special offers given by any person or organisation to them as customers, on terms and conditions equally applicable to other customers in general.
4. Gifts or souvenirs described in paragraph 3(a) that are presented to NZCCHK Related Persons in official functions are deemed as offers to the Organisation. The NZCCHK Related Persons concerned should report the acceptance to the Organisation and seek direction as to how to handle the gifts or souvenirs from the approving authority (i.e. the executive committee or its nominee).
- If a NZCCHK Related Person wishes to accept any advantage not covered in paragraph 3, he/she should also seek permission from the approving authority.
5. A NZCCHK Related Person should decline an offer of advantage if acceptance could affect his/her objectivity in conducting the Organisation's business or induce him/her to act against the interest of the Organisation, or acceptance will likely lead to perception or allegation of impropriety.
6. If a NZCCHK Related Person has to act on behalf of a client in the course of carrying out the Organisation's business, he/she should also comply with any additional restrictions on acceptance of advantage that may be set by the client (e.g. directors and staff members performing any duties under a government or public body contract will normally be prohibited from accepting advantages in relation to that contract).

Offer of Advantage

7. NZCCHK Related Persons are prohibited from offering advantages to any director, staff member or agent of another organization, for the purpose of influencing such person in any dealing, or any public official, whether directly or indirectly through a third party, when conducting the Organisation's business. Even when an offer of advantage carries no intention of improper influence, it should be ascertained that the intended recipient is permitted by his employer/principal to accept it under the relevant circumstance before the advantage is offered.

Entertainment

8. Although entertainment is an acceptable form of business and social behaviour, a NZCCHK Related Person should avoid accepting lavish or frequent entertainment from persons with whom the Organisation has business dealing (e.g. suppliers or contractors) or from his/her subordinates to avoid placing himself/herself in a position of obligation.

Records, Accounts and Other Documents

9. NZCCHK Related Persons should ensure that all records, receipts, accounts or other documents they submit to the Organisation give a true representation of the facts, events or business transactions as shown in the documents. Intentional use of documents containing

false information to deceive or mislead the Organisation, regardless of whether there is any gain or advantage involved, may constitute an offence under the POBO.

Compliance with Laws of Hong Kong and in Other Jurisdictions

10. Directors or staff must comply with all local laws and regulations when conducting the Organisation's business, and also those in other jurisdictions when conducting business there or where applicable.

Conflict of Interest

11. NZCCHK Related Persons should avoid any conflict of interest situations (i.e. situation where their private interest conflicts with the interest of the Organisation) or the perception of such conflicts. When actual or potential conflict of interest arises, the NZCCHK Related Person should make a declaration to the approving authority.
12. Some common examples of conflict of interest are described below but they are not limited to:
 - (a) A NZCCHK Related Person involved in a procurement exercise is closely related to or has financial interest in the business of a supplier who is being considered for selection by the Organisation.
 - (b) One of the candidates under consideration in a recruitment or promotion exercise is a family member, a relative or a close personal friend of a NZCCHK Related Person involved in the process.
 - (c) A NZCCHK Related Person of the Organisation has financial interest in an organisation whose quotation or tender is under consideration by the Board.
 - (d) A staff member (full-time or part-time) undertaking part-time work with a contractor whom he is responsible for monitoring.

Misuse of Official Position, Organisation Assets and Information

13. NZCCHK Related Persons must not misuse their position in the Organisation to pursue their own private interests, which include both financial and personal interests and those of their family members, relatives or close personal friends.
14. NZCCHK Related Persons in charge of or having access to any Organisation assets, including funds, property, information, and intellectual property, should use them solely for the purpose of conducting the Organisation's business. Unauthorized use, such as misuse for personal interest, is strictly prohibited.
15. NZCCHK Related Persons should not disclose any classified information of the Organisation without authorisation or misuse any Organisation information (e.g. unauthorised sale of the information). Those who have access to or are in control of such information, including information in the Organisation's computer system, should protect the information from unauthorized disclosure or misuse. Special care should also be taken in the use of any personal data, including members', staff and customers' personal data, to ensure compliance with Hong Kong's Personal Data (Privacy) Ordinance.

Outside Employment

16. If an employee of the Organisation wishes to take up employment outside the Organisation, he/she must seek the prior written approval of the approving authority. The approving authority should consider whether the outside employment would give rise to a conflict of interest with the staff member's duties or the interests of the Organisation.

Relationship with Suppliers, Contractors and Customers

17. NZCCHK Related Persons are advised not to engage in frequent gambling activities (e.g. mahjong) with persons having business dealings with the Organisation.

Loans

18. NZCCHK Related Persons should not accept any loan from, or through the assistance of, any individual or organization having business dealings with the Organisation. There is however no restriction on borrowing from licensed banks or registered financial institutions.

Compliance with the Code

19. It is the responsibility of every NZCCHK Related Person of the Organisation to understand and comply with this Code, whether performing his/her duties and activities of the Organisation in or outside Hong Kong. Managers and supervisors should also ensure that the staff under their supervision understand and comply with this Code.
20. Any NZCCHK Related Persons in breach of this Code will be subject to disciplinary action (refer to the Rules of the New Zealand Chamber of Commerce in Hong Kong), including termination of membership or appointment. Any enquiries about this Code or reports of possible breaches of this Code should be made to exec.officer@nzcchk.com. In cases of suspected corruption or other criminal offences, a report should be made to the appropriate authority at exec.officer@nzcchk.com.

New Zealand Chamber of Commerce in Hong Kong
This version updated: January 2021