

# Hong Kong Football Association Limited

## Code of Conduct

### Introduction

1. Honesty, integrity and fair play are core values that must be upheld by the Association and all its members at all times. This Code sets out the basic standard of conduct expected of all the Association's directors<sup>1</sup>, staff<sup>2</sup> where the Association's policy on acceptance of advantage and handling of conflict of interest in connection with matters of the Association are stipulated.

### Prevention of Bribery

#### Prevention of Bribery Ordinance

2. Under the Prevention of Bribery Ordinance, any director, staff member or agent who solicits or accepts an advantage in connection with his/her work without the permission of the employer or principal may commit an offence. The person offering the advantage may also commit an offence.

3. It is also an offence under the Ordinance for any director, staff member or agent to use any document containing false information with the intent to deceive the employer or principal.

(The relevant provisions of Section 9 of the Ordinance and the definition of "advantage" are detailed in the **Annex**.)

### Acceptance of Advantages

4. It is the Association's policy that directors, staff members must not solicit or accept any advantage from its member clubs or any persons, companies, etc., having business dealings with the Association (e.g. suppliers, contractors, sportsmen), or interests in the activities (e.g. matches) of the Association, except that they may accept (but not solicit) the following advantages when offered on a voluntary basis:

(a) advertising or promotional gifts of a nominal value; or

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<sup>1</sup> "Directors" include members of the Board of Directors, consultants to the Board, members of any committees, panels or working groups appointed by the Association, such as the disciplinary task force, and all the honorary presidents and vice presidents of the Association.

<sup>2</sup> "Staff" cover full-time, part-time and temporary staff, except where specified.

- (b) gifts given on festive or special occasions subject to a maximum limit of HK\$500.00 in value; or
- (c) discounts or other special offers given by any person or company to the Association's directors or staff members, on terms and conditions equally applicable to other customers in general; or
- (d) gifts or souvenirs presented to the directors, staff members acting on behalf of the Association in official functions.

5. Gifts or souvenirs mentioned in 4(d) above are deemed as offers to the Association. The recipients should report the acceptance to the Association and seek direction as to how to handle them, in manner as described below, using Form A. If a director or staff member wishes to accept any other gift/advantage not covered in paragraph 4, he should also seek permission in the same manner using Form A.

<p><u>Recipient</u></p> <p><i>The Chairman</i></p> <p><i>Director &amp; Board / Committee Member</i></p> <p><i>Staff Member</i></p>	<p><u>Direction &amp; Approval Given By</u></p> <p><i>The Board</i></p> <p><i>The Chairman</i></p> <p><i>Chief Executive Officer</i></p>
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6. A director or staff member should decline an offer of gift if acceptance could affect his or her objectivity in conducting the Association's business or induce him or her to act against the interest of the Association, or where he or she believes the offer or has such an intention, or acceptance will likely lead to perception or allegation of impropriety.

### **Offering of Advantages**

7. Directors and staff members are prohibited from offering bribes or advantages to any director, employee or agent of another company or organization, or any public official, whether directly or indirectly through a third party, for the purpose of conducting business for the Association.

### **Entertainment**

8. As defined in Section 2 of the Prevention of Bribery Ordinance, "entertainment" refers to food or drink provided for immediate consumption on the occasion, and any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour, a director or staff member should avoid accepting lavish and frequent entertainment from persons with whom the Association has business dealings (e.g. suppliers or contractors) or from his or her subordinates to avoid placing himself or herself in a position of obligation to the offeror.

## **Records, Accounts and other Documents**

9. Directors and staff members should ensure, to the best of their knowledge, that any record, receipt, account or other document they submit to the Association or the supervisors as appropriate, gives a true representation of the events or business transactions as reported in the document. Intentional use of documents containing false information to deceive or mislead the Association, regardless of whether the director or staff member may obtain any gain or advantage, may constitute an offence under the Ordinance.

## **Compliance with Local Laws in other Jurisdictions**

10. A director or staff member who conducts business on behalf of the Association in another jurisdiction must abide by the laws of that jurisdiction, including laws on anti-corruption, and all other laws and regulations pertaining to ethical business conduct.

## **Conflict of Interest**

11. A conflict of interest situation arises when the private interest of a director or staff member competes or conflicts with the interest of the Association. Private interest includes both financial and personal interests of the director or staff member and those of his connections. Connections include family members, relatives, close personal friends, and clubs or associations, to which the director or staff member belongs.

12. Directors and staff members must not misuse their positions or authorities in the Association to achieve personal gain or to benefit their relatives or personal friends or associates, e.g. unauthorized reservation of tickets for their relatives or associates. They should avoid situations which may lead to actual or perceived conflict of interest, and should make a declaration, in manner as described in paragraph 5 above, using Form B when such a situation arises. Failure in doing so may give rise to criticism of favouritism, abuse of authority or even allegation of corruption.

13. Directors and staff members are in the best position to decide whether or not there is a conflict of interest warranting declaration. If in doubt, it is prudent for the director or staff member to seek clarification from the Board or supervisor respectively. Some common examples of conflict of interest are described below but they are by no means exhaustive:

- (a) A staff member involved in a procurement exercise is closely related to or has beneficial interest in a supplier being considered by the Association.
- (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 the staff member involved in the process.
- (c) A director of the Association has financial interest in a company which is a bidder in a tender exercise under consideration by the Board.

## **Betting on Football Matches and Match-Fixing**

14. Directors and staff members must not bet, accept any shares of a bet, agree to accept any proceeds of a bet, or in any way be involved in any betting, or induce or encourage any other person to do the same, on any football matches organized or participated by the Association or its member clubs.

15. Directors and staff members must not contrive or attempt to contrive the result of any match, such as by inducing or encouraging any football player or team/match official not to perform on his merits in any match. They must not offer or accept, either directly or indirectly, any consideration whatsoever to or from any person (e.g. a football player or a club), with a view to influencing the result of a match.

16. They should report any approach made to them to bet on any match or to influence the result of any match to the Association's Chief Executive Officer / General Secretary or direct to the ICAC if corruption is suspected.

## **Use of Association Assets**

17. Directors and staff in charge of or have access to any Association assets including funds, property, information, and intellectual property should use them solely for the purpose of conducting the Association's business. Unauthorized use, such as misuse to make personal gain, is strictly prohibited.

## **Confidentiality of Information**

18. Directors and staff members should not disclose any classified information of the Association to any other persons without authorization. Those who have access to or are in control of such information should at all times protect the information to prevent misuse of the information. It should be noted that dishonest use of information kept in the Association's computer system (e.g. sale of the data to outsiders without authority) could constitute a criminal offence<sup>3</sup>. Special care should be taken in the use of any personal data (including employees' and customers' personal data) to ensure compliance with the Personal Data (Privacy) Ordinance (Cap. 486) and the Association's personal data privacy policy.

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<sup>3</sup> E.g. Section 161 of the Crimes Ordinance (Cap. 200).

## **Outside Employment**

19. If a full-time staff member wishes to take up concurrent employment outside the Association, either on a regular or consulting basis, they must seek the prior written approval of the Association's Chairman in the cases of the Chief Executive Officer; and, the Association's Chief Executive Officer in the cases of staff members. The approving authority should consider whether the employment would pose a conflict of interest with the staff member's duties in the Association.

## **Relationship with Suppliers, Contractors and Clients**

### **Gambling**

20. Directors and staff members are advised not to engage in frequent gambling activities of any kind, including games of mahjong, with persons having business dealings with the Association. In social games of chance with clients, suppliers or business associates, they must exercise judgment and withdraw from any high stake games.

### **Loans**

21. Directors and staff members or their immediate family members should not accept a loan from or through the assistance of, any individual or organization having business dealings with the Association.

### **Conduct Bringing Disrepute**

22. Directors and staff members should not engage in conduct unbecoming to their status which could bring them, the Association, or the sport of football into disrepute.

### **Compliance with the Code**

23. It is the personal responsibility of every director and staff member of the Association to understand and comply with the Code. They are required to comply with this Code whether carrying out the Association's duties inside or outside Hong Kong. Managers should also ensure that their subordinates understand well and comply with the standards and requirements stated in the Code. Where appropriate, other applicable code of behaviours needs to be observed.

24. Any director and staff member who is in breach of the Code will be subject to disciplinary action, including termination of appointment. In cases of suspected corruption or other criminal offences, a report will be made to the ICAC, the Police or the law enforcement agency concerned as appropriate.

25. Any enquiries about the Code or reports of possible breaches of this Code should be channeled to the Association's Chief Executive Officer / General Secretary for advice and action. The Association will handle all complaints in strict confidence and impartially.

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**Section 9**

- (1) Any agent who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his -
- (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or
  - (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,
- shall be guilty of an offence.
- (2) Any person, who, without lawful authority or reasonable excuse, offers any advantage to any agent as an inducement to or reward for or otherwise on account of the agent's -
- (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or
  - (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,
- shall be guilty of an offence.
- (3) Any agent who, with intent to deceive his principal, uses any receipt, account or other document –
- (a) in respect of which the principal is interested; and
  - (b) which contains any statement which is false or erroneous or defective in any material particular; and
  - (c) which to his knowledge is intended to mislead the principal,
- shall be guilty of an offence.
- (4) If an agent solicits or accepts an advantage with the permission of his principal, being permission which complies with subsection (5), neither he nor the person who offered the advantage shall be guilty of an offence under subsection (1) or (2).
- (5) For the purpose of subsection (4) permission shall –
- (a) be given before the advantage is offered, solicited or accepted; or
  - (b) in any case where an advantage has been offered or accepted without prior permission, be applied for and given as soon as reasonably possible after such offer or acceptance,
- and for such permission to be effective for the purpose of subsection (4), the principal shall, before giving such permission, have regard to the circumstances in which it is sought.

**Section 2**

**'Advantage' means:**

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or part;
- (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) the exercise or forbearance from the exercise of any right or any power or duty; and
- (f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (10 of 2000), particulars of which are included in an election return in accordance with that Ordinance.

**'Entertainment' means:**

The provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

**Hong Kong Football Association Limited  
Code of Conduct**

(for handling of gifts/souvenirs received on behalf of the Association)

To : The Chairman / The Chief Executive Officer

Dear Sir,

I have received on behalf of the Association from \_\_\_\_\_ the  
(name of organization)

following gifts/souvenirs on the occasion of \_\_\_\_\_ held  
(name of event)

on \_\_\_\_ / \_\_\_\_ / \_\_\_\_:  
(dd) (mm) (yyyy)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Please advise how the above should be handled. Thank you.

\_\_\_\_\_  
Name in Block Letters

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title/ Position Held

\_\_\_\_\_  
Date

You can keep the item(s) as your own gift(s)/souvenirs.

Please return the item(s) to the Association for further handling.

Thank you.

**Confirmed by:**

\_\_\_\_\_  
Signed by Chairman / Chief Executive Officer

\_\_\_\_\_  
Date



# THE HONG KONG FOOTBALL ASSOCIATION LIMITED

香 港 足 球 總 會 有 限 公 司

## DECLARATION OF CONFLICT OF INTEREST

### Part A - Declaration *(To be completed by Declaring Party)*

To : \_\_\_\_\_ (Approving party)  
Name and Designation

I would like to report the following existing /potential\* conflict of interest situation arising during the discharge of my official duties:-

**Persons/companies with whom/which I have official dealings**

**My relationship with the persons/companies (e.g. relationship / position / office held)**

**Relationship of the persons/companies with HKFA (e.g. supplier)**

**Brief description of my duties which involved the persons/companies  
(e.g. handling of procurement exercise, recruitment selection, etc)**

I have no interest/s to declare.

\_\_\_\_\_  
Name of Declaring Party

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title/Department

\_\_\_\_\_  
Date

### Part B – Acknowledgement *(To be completed by Approving Authority)*

The information contained in this declaration form is noted and will be handled with the above consideration taken into account. This record and subsequent follow up action will be properly maintained in the HKFA Secretariat for future reference.

\_\_\_\_\_  
Name of Approving Authority

\_\_\_\_\_  
Title/Department

\_\_\_\_\_  
Date