

**Replies to initial written questions raised by Finance Committee Members
in examining the Estimates of Expenditure 2010-11**

**Controlling Officer : Commissioner, Independent Commission Against
Corruption
Session No. : 10**

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Examination of Estimates of Expenditure 2010-11
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC001

Question Serial No.

1795

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme :

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : From 2007 to 2009, what were the number of staff by rank, their terms of employment and wastage rate in the ICAC?

Asked by : Hon. CHEUNG Man-kwong

Reply :

ICAC officers are appointed on agreement terms. The strength (as at 1 January) and wastage figures in the past three years are as follows:-

	2007		2008		2009	
	Strength	Wastage	Strength	Wastage	Strength	Wastage
Directorate	14	1	13	1	13	1
Senior Commission Against Corruption Officer	34	1	37	5	36	3
Commission Against Corruption Officer (Upper)	94	4	104	8	104	6
Commission Against Corruption Officer (Middle/Lower)	336	23	339	21	354	8
Assistant Commission Against Corruption Officer	338	51	300	42	338	29
Commission Against Corruption Investigator Grade	105	5	114	3	111	3
General and Support Grades	272	26	292	13	307	14
Total	1 193	111 (9.3%)	1 199	93 (7.8%)	1 263	64 (5.1%)

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 10.3.2010

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC002

Question Serial No.

1141

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (1) Corruption Prevention

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : In the past year, did the Chinese-funded organisations in Hong Kong seek assistance from the Corruption Prevention Department (CPD) and request corruption prevention advice? If yes, how many Chinese-funded organisations in total have been offered such advice by CPD? If no, what is the reason? Does CPD have a budget for proactively offering corruption prevention advice to these Chinese-funded organisations?

Asked by : Hon. NG Margaret

Reply : The Corruption Prevention Department (CPD) performs its statutory role to provide corruption prevention advice, on request, to any person or organization, including the Chinese-funded organisations. In 2009, the CPD provided advice to private sector organisations on 377 occasions but we do not classify them into Chinese-funded or non-Chinese-funded organisations.

The Advisory Services Group of the CPD provides corruption prevention advice to private sector organisations and assists them in adopting good governance practices and internal control measures in their operation. The Group has pledged to respond to requests for service within two working days and the pledge has been met without fail.

The CPD also proactively approaches private sector organisations through trade associations and professional bodies to offer corruption prevention service to their members, including Chinese-funded organisations. The CPD will flexibly deploy resources to meet the demand for such service as necessary. Since corruption prevention services for private sector organisations form an integral part of our corruption prevention work, there is no separate budget for this specific target group.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 16.3.2010

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC003

Question Serial No.

1142

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (1) Corruption Prevention

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : As for the private business organisations/companies of Hong Kong operating on the Mainland, did the Corruption Prevention Department (CPD) ever provide corruption prevention advice to them concerning their operation on the Mainland? If yes, how many such business organisations in total have been offered corruption prevention advice? If no, what is the reason? Does CPD have a budget for proactively offering corruption prevention advice to these private business organisations of Hong Kong operating on the Mainland?

Asked by : Hon. NG Margaret

Reply : In 2009, the Corruption Prevention Department (CPD) published the guidebook “Governance and Internal Control – A Best Practice Checklist” for use by small and medium enterprises (SMEs), many of which have business operations on the Mainland. The Checklist provides the essential elements of good governance and recommends corruption prevention measures for adoption in their systems, such as procurement, sales operations, staff administration, and inventory control, etc.

The Checklist was promulgated at a seminar organised for the SMEs in September 2009. In 2010, the CPD has plans to partner with the chambers of commerce and trade associations to promote the recommended practices through organising thematic workshops for the SMEs.

Since corruption prevention services for private sector organisations form an integral part of our corruption prevention work, there is no separate budget for this specific target group.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 16.3.2010

Examination of Estimates of Expenditure 2010-11
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC004

Question Serial No.

1143

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (3) Preventive Education

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : As for the private business organisations/companies of Hong Kong operating on the Mainland, did the Community Relations Department (CRD) ever provide preventive education to their staff? If yes, how many staff of these organisations have been provided with preventive education? If no, what is the reason? Does CRD have a budget for proactively offering preventive education to these private sector staff at venues on the Mainland?

Asked by : Hon. NG Margaret

Reply : The Independent Commission Against Corruption (ICAC) has been providing preventive education to business organisations of Hong Kong operating on the Mainland through various channels. These include the production of “Corruption Prevention Kit on Cross-Boundary Business” in 2004 and the joint publication of “Integrity and Compliance with the Law - A Guide to the Prevention of Corruption for SME Entrepreneurs Investing in Guangdong and Hong Kong” with the Guangdong Provincial People’s Procuratorate (GDPP) in 2008 to enhance cross-boundary business operators’ knowledge on anti-corruption legislations in both jurisdictions and strengthening their capabilities in managing corruption risks. In addition, the ICAC organised a business ethics conference for cross-boundary small and medium enterprises (SMEs) in 2009. Through the network of 53 local trade associations of the conference, we promoted ICAC’s preventive education services to their 30 000 member companies by conducting visits, talks and publishing feature articles in newsletters.

In light of the close economic relationship between Hong Kong and the Pearl River Delta, it is necessary for the ICAC to strengthen collaboration with Guangdong and Macao in order to provide preventive education to cross-boundary enterprises. Since 2008, we have collaborated with the Ministry of Supervision and the Commission Against Corruption of Macao (CCAC) to organise annual seminars which have been participated by about 400 managerial staff from more than 120 cross-boundary companies. We are now discussing with GDPP and CCAC on the establishment of a joint working group to strengthen preventive education for SMEs operating in the Pearl River Delta. Through the arrangement of trade associations and listed companies, the ICAC has sent speakers to conduct talks on the Mainland for staff of Hong Kong enterprises to explain Hong Kong’s anti-corruption laws and the importance of complying with Mainland laws and regulations.

Corruption prevention services for cross-boundary business organisations form an integral part of our on-going corruption prevention and preventive education programmes. There is no separate budget for this specific target group.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 15.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC005

Question Serial No.

2609

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (3) Preventive Education

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : The Community Relations Department (CRD) stepped up the promotion of integrity messages through popular web platforms such as “YouTube” and “Facebook” in 2009. What are the viewing rate of the videos and the number of viewers making exchanges and discussions on ethical issues? Will the ICAC consider using other channels to communicate with the public (especially the young people)? What are the provision for expenditure and staff establishment to be involved?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply : The ICAC has utilised exchange platforms on the internet to help young people establish positive values. In May 2009, the CRD launched an “ICAC Channel” in “YouTube” and uploaded more than 100 video clips for promoting integrity messages on the channel. We have also set up a discussion group on the social networking website “Facebook” for subscribers to discuss ethical issues. As at February 2010, over 100 000 visits and 200 subscribers have been recorded at the “ICAC Channel” in “YouTube” and the ICAC discussion group in “Facebook” respectively. To further enhance the effectiveness of promoting integrity messages to the youth through internet, we will integrate the two existing websites for primary and secondary students in 2010-11 and enhance its interactive elements and popular contents to attract more young browsers.

Apart from web platforms, the ICAC has been disseminating integrity messages to the young people through other channels. These include incorporation of integrity education into the curricula for primary, secondary and tertiary students, production of teaching modules and packages to facilitate discussion with students on the importance of integrity through case studies. We have also organised various activities to promote integrity messages to the young people such as the Youth Summit and the “ICAC Ambassador Programme” for senior secondary school students. In 2010-11, we will set up an “ICAC Ambassador Association” to enhance communication and exchanges among participants. In addition, an ICAC exhibition vehicle has started operation since 2008 to increase face-to-face contacts and exchanges with youngsters. The vehicle has visited 100 secondary and primary schools reaching about 40 000 students so far.

Moral education for youth forms part of our on-going preventive education programme. There is no separate budget for this specific target group. Regarding staff establishment, the CRD will undergo a restructuring in 2010-11. Resources will be redeployed for setting up a Youth and Moral Education Office to strengthen the promotion of moral education to the youth.

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Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 12.3.2010

Examination of Estimates of Expenditure 2010-11
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC006

Question Serial No.

2748

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (2) Operations

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : Please provide:

- (a) the establishment of the Technical Services Division by rank and the resources allocated to the Division for 2009-10 and the estimated figures for the same items for 2010-11;
- (b) a detailed list of the work undertaken by the Technical Services Division in 2009-10, including the types of support services it has provided; and
- (c) the establishment of the Technical Services Division by rank, number of staff and salaries who are responsible for undertaking interception of communications and surveillance duties.

Asked by : Hon. TO Kun-sun, James

Reply :

	<u>2009-10</u> (Actual)	<u>2010-11</u> (Estimate)
(a) <u>Establishment</u>		
Senior Commission Against Corruption Officer	3	3
Commission Against Corruption Officer (Upper)	6	6
Commission Against Corruption Officer (Middle/Lower)	25	25
Assistant Commission Against Corruption Officer	22	22
Senior Personal Secretary/Personal Secretary II	2	2
Clerical Assistant/Workman II	<u>2</u>	<u>2</u>
	60	60
<u>Resources (\$M)</u>		
Personal Emoluments	30.086	32.653
General operational equipment, consumables, maintenance services, etc.	<u>3.543</u>	<u>3.544</u>
	33.629	36.197

- (b)&(c) The main role of the Technical Services Division is to provide technical support to the Operations Department of the ICAC in the investigation of corruption. To disclose details of its work will inevitably compromise the efficiency and effectiveness of the ICAC investigative work. It is hence not in the public interest to disclosure such details.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 11.3.2010

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC007

Question Serial No.

2749

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) : 103 – Rewards and
Special Services

Programme : (2) Operations

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

- Question : (a) Under this Subhead, has the ICAC allocated provision for expenditure in relation to the Technical Services Division for 2009-10? If affirmative, please state the number of occasions and the actual amount of the expenditure.
- (b) What is the estimated provision for allocation to the Technical Services Division in 2010-11? Is the Technical Services Division subject to any expenditure approval limit in the use of the allocated provision? If positive, what is the limit and how is it compared with that in 2009-10?

Asked by : Hon. TO Kun-sun, James

Reply :

Subhead 103 caters for expenditure on rewards and procurement of special services and equipment of a confidential nature, including expenditure incurred by the Technical Services Division for supporting the work of the ICAC. The expenditure is based on actual requirement. As this subhead provides an essential source of funding for covert operational activities and intelligence gathering, disclosure of such expenditure details is not appropriate.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 11.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC008

Question Serial No.

2751

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) : 103 – Rewards and
Special Services

Programme : (2) Operations

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : In the past three financial years from 2007-08 to 2009-10, did the ICAC conduct any surprise inspection on the expenditure under Subhead 103 'Rewards and Special Services' to ensure its use was reasonable and in compliance with the procedures? If affirmative, what were the ranks of the inspecting officers and how many inspections were conducted? If not, what are the justifications and is there any plan to conduct surprise inspections in the future?

Asked by : Hon. TO Kun-sun, James

Reply :

The ICAC exercises strict control over the expenditure under Subhead 103 'Rewards and Special Services'. All claims under the Subhead are scrutinized by senior officers. Apart from the inspections carried out by the Director of Audit, the Commissioner, the Head of Operations and the Assistant Director (Administration) also conduct surprise inspections on the accounts under this subhead. In the last three years, eight, seven and eight surprise inspections were respectively conducted, with no anomalies found.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 11.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC009

Question Serial No.

2754

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) : 103 – Rewards and
Special Services

Programme : (2) Operations

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : (a) What were the number of cases involved and the number of persons who received rewards/special services fee as well as the number of occasions on which rewards/special services fee were provided and the actual amount of such expenditure in 2009-10?

(b) Please list the number of cases attracting wanted persons rewards, the amount of rewards offered, the actual expenditure and the number of occasions where payments were made as well as the number of rewards recipients in 2009-10.

(c) Under this Subhead, what was the expenditure for procurement and maintenance of surveillance equipment in 2009-10?

Asked by : Hon. TO Kun-sun, James

Reply :

As at 8 March 2010, the total expenditure under Subhead 103 (Rewards and Special Services) for 2009-10 was \$13.11M. There were 92 occasions on which reward / special services fee was provided but there was no case involving reward on wanted persons.

Subhead 103 caters for expenditure on rewards and procurement of special services and equipment of a confidential nature. Since this subhead provides an essential source of funding for covert operational activities and intelligence gathering, disclosure of such expenditure details is not appropriate.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 11.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC010

Question Serial No.

2755

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) : 103 – Rewards and
Special Services

Programme : (2) Operations

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : (a) Please provide the amount of expenditure in 2009-10 in respect of information obtained from abroad in connection with investigations as well as the overseas places involved.

(b) Please provide the amount of expenditure in 2009-10 in respect of information obtained locally in connection with investigations.

(c) Of the proposed provision for 2010-11, what is the estimated percentage to be spent in respect of information obtained from abroad in connection with investigations?

Asked by : Hon. TO Kun-sun, James

Reply :

Subhead 103 caters for expenditure on rewards and procurement of special services and equipment of a confidential nature. Since this subhead provides an essential source of funding for covert operational activities and intelligence gathering, disclosure of such expenditure details is not appropriate.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 11.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC011

Question Serial No.

2815

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (1) Corruption Prevention

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : The Government will allocate an additional funding of \$500 million for “Operation Building Bright” (OBB) to assist homeowners, including those of old buildings without owners’ corporations, in maintaining their properties. Does the Corruption Prevention Department have a budget for providing corruption prevention advice and recommendations on monitoring procedures such as tender, maintenance and financial management to the contractors and owners of old buildings involved in the OBB ?

Asked by : Hon. NG Margaret

Reply :

Since the planning stage of the OBB, the Corruption Prevention Department (CPD) has been providing advice on the selection of homeowners for the scheme and on the systems for monitoring implementation of the funded maintenance projects to the Hong Kong Housing Society (HKHS) and the Urban Renewal Authority (URA), both entrusted with the responsibility to operate the OBB.

During implementation of the OBB, the CPD has organised workshops jointly with HKHS and URA for the Owners’ Corporations (OCs) and homeowners on the tendering and monitoring of building maintenance contracts and financial management and to assist them in adopting corruption prevention measures when implementing maintenance projects under the OBB. At the same time, the CPD has published two toolkits, on building maintenance and financial management respectively, for use by the OCs and homeowners.

The CPD provides the above corruption prevention service through a task force comprising professional engineers and quantity surveyors formed by internal redeployment. There is no separate budget for it.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 16.3.2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC012

Question Serial No.

2816

Head : 72 – Independent
Commission Against
Corruption

Subhead (No. & title) :

Programme : (3) Preventive Education

Controlling Officer : Commissioner, Independent Commission Against Corruption

Director of Bureau : Commissioner, Independent Commission Against Corruption

Question : As for the staff of Chinese-funded organisations stationed in Hong Kong, did the Community Relations Department (CRD) ever provide preventive education to them? If yes, how many staff of Chinese-funded organisations stationed in Hong Kong have been provided with preventive education? If no, what is the reason? Does the CRD have a budget for proactively providing prevention education to these staff of Chinese-funded organisations who are not conversant with the laws of Hong Kong?

Asked by : Hon. NG Margaret

Reply : The ICAC has been using various channels, including chambers of commerce, professional bodies and regulators, to provide preventive education to the staff of Chinese-funded organisations stationed in Hong Kong, as for other listed companies in Hong Kong. For the past five years, we provided corruption prevention talks to more than 1 000 staff members of Chinese-funded organisations each year on average. In addition, we have organised seminars and other types of activities with the Hong Kong Chinese Enterprises Association over the years to promote anti-corruption messages to such staff.

Corruption prevention services for staff of Chinese-funded organisations stationed in Hong Kong form an integral part of our on-going corruption prevention and preventive education programmes. There is no separate budget for this specific target group.

Signature _____

Name in block letters Timothy H M TONG

Post Title Commissioner, ICAC

Date 12.3.2010