

Legislative Council Panel on Security

**Information Paper by the ICAC
in response to the agenda item on
Security matters under the "Framework Agreement on
Guangdong/Hong Kong Co-operation"**

Purpose

This paper provides information in response to an agenda item of the Panel on Security, as to what has transpired under the "Framework Agreement on Guangdong/Hong Kong Co-operation", in respect of –

- (a) an annual exchange forum on mutual case assistance in cross-boundary corruption enquiries; and
- (b) the collaboration among the Independent Commission Against Corruption (ICAC), the Guangdong Provincial People's Procuratorate (GDPP) and the Commission Against Corruption (CCAC) of Macao in providing corruption prevention services to cross-boundary business enterprises in the Pearl River Delta (PRD) Region.

Mutual Case Assistance

2. In 1990, the GDPP was designated by the Supreme People's Procuratorate (SPP) to set up with the ICAC a Mutual Case Assistance Scheme (MCA scheme), to render mutual assistance in conducting enquiries in corruption cases. The GDPP was the Mainland's point of contact with the ICAC on behalf of the Guangdong province and all the Mainland procuratorates. In April 2000, the SPP took over the role of contact point with the ICAC for cases involving all Mainland provinces apart from the Guangdong province which would continue to be liaised by the GDPP.

3. Under the MCA scheme, the ICAC and the GDPP agreed to render assistance in arranging witnesses to be interviewed or to testify in court on a voluntary basis, or checking of public records. Statistics on mutual assistance requested under the scheme for the last three years are as follows :

	Requests from ICAC to GDPP	Requests from GDPP to ICAC
2009	26	9
2008	28	13
2007	29	17

4. Commencing 2005, an annual exchange forum has been organized for officers of the respective liaison units of the ICAC and the GDPP to meet to foster their working relationship.

Corruption Prevention Service

5. To help cross-boundary business operators understand the anti-corruption laws in Hong Kong and the Mainland and to encourage them to put integrity management into practice, the ICAC and the GDPP joined forces in 1995, 1998 and 2008 to publish legal guides for businessmen in Guangdong and Hong Kong.

6. Since 2008, the ICAC and the GDPP have been co-organising annual corruption prevention conferences for Small and Medium Enterprises (SME). With the release of *The Outline of the Plan for the Reform and Development of the PRD* by The National Development and Reform Commission in early 2009 and the signing of the *Framework Agreement on Hong Kong - Guangdong Co-operation* by the Hong Kong Special Administrative Region and the Guangdong Government this year, further economic integration in the PRD Region is envisaged. In view

of the development, the ICAC and the GDPP will join hand with the CCAC to further enhance regional co-operation in facilitating cross-boundary enterprises to implement corruption prevention measures and practise ethical management.

7. The ICAC is arranging to set up a joint task force with the GDPP and the CCAC later this year to review the latest business environment in PRD and the needs for corruption prevention services by cross-boundary business operators; and discuss ways to enhance the understanding of the anti-corruption laws in the three places by businessmen carrying out cross-boundary investments.

Way Forward

8. The ICAC and the GDPP are committed to render mutual assistance to each other under the MCA scheme, and to organize the annual exchange forum. The next forum will be conducted in Hong Kong by the ICAC later this year. The ICAC will also continue strengthening its cooperation with the anti-graft agencies in Guangdong and Macao to build up a clean business environment for the PRD Region.

Independent Commission Against Corruption

25 May 2010