

**Item 3 : Please provide response and/or information on the following issues :**

**Records of the applications made by Mr Timothy TONG to the Chief Executive (“CE”) from 2007-2008 to 2012-2013 for personal retention of gifts offered/presented to him (a) in his official capacity as the Commissioner of ICAC and (b) in his private capacity, and the CE’s replies.**

➤ According to the Commission’s records, Mr Timothy TONG, had made two applications to the Chief Executive (CE) from 2007-2008 to 2012-2013 for personal retention of gifts offered to him in his official capacity as the Commissioner of ICAC. Details of the gifts are as follows :-

- (i) Invitation by the Supreme People’s Procuratorate of the PRC to the Opening Ceremony of the Beijing Olympic Games on 8.8.2008 for Mr TONG and a family member (his daughter) (including admission to the ceremony and accommodation in Beijing);
- (ii) A total of four admission tickets to the Olympic Equestrian Events on 15.8.2008 and 21.8.2008 for Mr TONG and his daughter offered by the Hong Kong Jockey Club.

Although CE had approved application (i), Mr TONG did not attend the event subsequently. Mr TONG had also withdrawn application in (ii) above. Relevant applications are attached (English version only).

**Loose Minute**

CE,

**Approval to attend the Beijing Olympic Games**

Your approval is requested for me to accept an invitation to attend the Opening Ceremony of the Beijing Olympic Games on 8 August 2008. The invitation is extended to me and a family member (my daughter) by the Supreme People's Procuratorate of the PRC. It includes admission to the Opening Ceremony and hotel accommodation while in Beijing. The Supreme People's Procuratorate and the ICAC maintain a cordial working relationship, and Mr Jia Chun-wang, former Procurator-General, visited Hong Kong last December to attend the official opening of the ICAC Building.

2. If your approval is granted, I will take leave for two days on 7-8 August 2008 and pay for our own air passage to Beijing. The same invitation is also extended to [REDACTED] and his family. Subject to your agreement, I will approve his application for accepting the offer.


( Timothy Tong )  
Commissioner, ICAC  
5.6.2008

*Downgraded.*  
**CONFIDENTIAL** *21.78*

Jock WY  
TAM/CEO/HKSARG@CE  
O  
24/06/2008 10:38

To MS TSE/ADM/ICAC/HKSARG@ICAC  
cc  
bcc  
Subject CONFIDENTIAL: Approval to attend 2008 Beijing  
Olympics  
File Ref.:

Urgent     Return receipt     Enigmator Sign     Enigmator Encryp

History:     This message has been replied to and forwarded.  
Dear MS,

I refer to the LM from C, ICAC to CE on the above subject.

2. CE has given approval for C, ICAC to accept the invitation from the Supreme People's Procuratorate of the PRC to attend the Opening Ceremony of the Beijing Olympics Games.

Regards,

Jock Tam  
CEO(A)  
CE's Office  
Tel no. 2878 3366

To Private Secretary to Chief Executive  
(Fax No. : 2509 0575)

H/Ops

AD/A

C/MA/7/8  
S/MA/7/8

**Application for Vacation Leave  
by Commissioner, Independent Commission Against Corruption**

PART 1 (to be completed by C, ICAC)

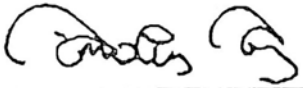
Name : Mr Timothy TONG Hin-ming

Period : 14.8.2008 (p.m.) to 21.8.2008 (a.m.) and 22.8.2008

Remarks : Originally I intended to go to Beijing to attend the Opening Ceremony of the Olympic Games. Owing to scheduling difficulties, I now wish to take leave in Hong Kong and watch some equestrian events.


\* I recommend Mr Daniel LI, Head of Operations to ~~set up~~ double up my post during my absence.

\* ~~There is no need for my duties to be covered by another officer during my absence.~~

Signature :  Date : 5 August 2008

PART 2 (to be completed by CE)

Application \*approved / not approved.

Signature :  Date : 6 August 2008  
CE

\* Please delete as appropriate

## MEMO

*From* Commissioner, Independent  
Commission Against Corruption

*Ref.* (46) In ICAC 7/6/3 Pt.3

*Tel. No.* 2826 3121

*Fax. No.* 2537 0767

*Date* 1 August 2008

*To* Director of the Chief Executive's Office

*(Attn.: Mr. TAM Wai-yuen, Jock, CEO (Adm) )*

*Your Ref.* \_\_\_\_\_ *in* \_\_\_\_\_

*dated* \_\_\_\_\_ *Fax. No.* 2524 3099

*Total Pages* 1

### Acceptance of Advantage

#### Mr. TONG Hin-ming, Timothy, Commissioner, ICAC

I would be grateful if you would seek the Chief Executive's approval for Mr. Timothy TONG, Commissioner (C) to accept and handle a gift, details as follows:

(A) Occasion :-

- (i) Name of donor/organization : The Hong Kong Jockey Club
- (ii) Function : Olympic Equestrian Events (EQ 08) on 15.8.2008  
Olympic Equestrian Events (EQ 13) on 21.8.2008

(B) Gift :-

- (i) Gift to be received by : C
- (ii) Two tickets for EQ 08 and two tickets for EQ 13 for C and C's daughter, Miss Tania TONG. The tickets are complimentary but based on tickets on sale in the market are estimated to cost \$550/each. Similar complimentary tickets are also dished out as gifts to other heads of bureau/departments.

2. Chief Executive's approval is sought for Mr. TONG to accept the tickets as

- (a) it is the interest of the Commission to attend the events; and
- (b) there is no conflict of interest involved.



(Ms Judy LI)

for Commissioner,  
Independent Commission Against Corruption

Judy KC  
LI/ADM/ICAC/HKSAR  
G  
12/08/2008 10:25

To Jock WY TAM/CEO/HKSARG  
cc MS TSE/ADM/ICAC/HKSARG  
bcc  
Subject Application for Acceptance of EQ tickets from HK Jockey  
Cub by C, ICAC

Urgent  Return receipt  Sign  Encrypt

Dear Jock,

I refer to our telecon this morning and confirm that due to other engagement, Mr Timothy TONG was unable to make it to the EQ 08 and EQ13 events on 15 and 21 August 2008. Please consider this mail as formal notice of withdrawal of application vide my memo ref (46) in ICAC7/6/3 Pt 3 dated 1 August 2008.

2. Thank you for your attention.

Ms Judy LI  
S/MA1  
ICAC