

**Questions raised by the Legislative Council Secretariat
on 25 July 2013 for reply by ICAC**

I. Matters relating to Mr Timothy TONG's official duty visits, entertainment, and bestowing and receipt of gifts during his tenure as Commissioner of the ICAC

Duty visits outside Hong Kong

(a) Policy on duty visits and related regulatory arrangements

1. Details of ICAC's policy, rules and guidelines on duty visits when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the policy, rules and guidelines during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
2. Details of the procedure for approving duty visits made by the Commissioner of ICAC and other ICAC officers when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
3. Details of the procedure for handling the expenses arising from the duty visits made by the Commissioner of ICAC and other ICAC officers, including the arrangements for application, approval and reimbursement, as well as the accounting arrangements; whether there have been any reviews of the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
4. Role and involvement of Mr Timothy TONG when he was serving as the Commissioner of ICAC in the making of the policy, rules, guidelines and the approval and financial procedures governing the duty visits made by the Commissioner and other officers of ICAC.

5. Measures taken by ICAC to promulgate the policy, rules, guidelines and the approval and financial procedures governing duty visits to ICAC officers at all levels.
6. Details of the monitoring and oversight arrangements in respect of duty visits made by the Commissioner of ICAC and other ICAC officers to prevent abuse and ensure compliance with the relevant policy, rules, and guidelines.

(b) *Details of the duty visits made by Mr Timothy TONG*

7. Details of the duty visits made by Mr Timothy TONG when he was serving as the Commissioner of ICAC, including the number, date, duration, destination, purpose, itinerary, number and post titles of accompany ICAC officers, organizations and persons met during the visits, and expenditure details.
8. Same details as item 7 above about the duty visits made by the three predecessors of Mr Timothy TONG and the incumbent Commissioner of ICAC up to August 2013.
9. Among the duty visits made by Mr Timothy TONG when he was serving as the Commissioner of ICAC, which ones were conducted in response to invitation, which ones were initiated by Mr TONG himself, and which ones were proposed by other ICAC officers, and the relevant records such as invitation letters, memos and file minutes etc.
10. Records on all the applications and approvals/disapprovals for the duty visits made by Mr Timothy TONG.
11. Details of any sponsorship provided by hosting organizations or other parties for the duty visits made by Mr Timothy TONG, and the reasons for accepting the sponsorship.

12. During each of the duty visits, whether Mr Timothy TONG and/or accompanying ICAC officers had visited places and/or participated in activities not directly related to the purpose of the duty visit; if yes, the relevant details and records on the planning and decision-making process if such arrangements were known at the planning and preparatory stage.
- (c) *Role and involvement of Mr Timothy TONG in determining the arrangements for his duty visits*
13. Details of the mechanisms and practices of ICAC for the assessment of need, planning and preparation of the duty visits made by Mr Timothy TONG when he was serving as the Commissioner of ICAC; role and involvement of Mr TONG in the making of these mechanisms and practices.
 14. In what respects and to what extent Mr Timothy TONG was involved in determining the various arrangements for his duty visits, such as the itinerary, accompanying ICAC staff, organizations and persons to meet with during the visits, etc.
 15. Whether Mr Timothy TONG had given any instructions or requests regarding the arrangements for his duty visits, where such instructions or requests were not directly related to the purpose and the context of the duty visits concerned; if yes, the relevant records.

Official entertainment

- (a) *Policy on official entertainment and related regulatory arrangements*
16. Details of ICAC's policy, rules and guidelines on official entertainment when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the policy, rules and guidelines during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.

17. Details of the procedure for approving the hosting of official entertainment by the Commissioner of ICAC and other ICAC officers when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
 18. Details of the procedure for handling the expenses arising from the official entertainment made by the Commissioner of ICAC and other ICAC officers, including the arrangements for application, approval and reimbursement as well as the accounting arrangements; whether there have been any reviews of the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
 19. Role and involvement of Mr Timothy TONG when he was serving as the Commissioner of ICAC in the making of the policy, rules, guidelines and the approval and financial procedures governing the official entertainment activities hosted by the Commissioner and other officers of ICAC.
 20. Measures taken by ICAC to promulgate the policy, rules, guidelines and the approval and financial procedures governing official entertainment to ICAC officers at all levels.
 21. Details of the monitoring and oversight arrangements in respect of the official entertainment hosted by the Commissioner of ICAC and other ICAC officers to prevent abuse and ensure compliance with the relevant policy, rules and guidelines.
- (b) *Details of the official entertainment hosted by Mr Timothy TONG*
22. Details of the official entertainment activities hosted by Mr Timothy TONG when he was serving as the Commissioner of ICAC, including the date, purpose, type of meals (e.g. lunch or dinner), venue, number and

names of organizations/persons entertained, number and post titles of attending ICAC officers, number and names of other attending persons, the food and drinks served, expenditure breakdown and expenditure per head.

23. Same details as item 22 above of the official entertainment activities hosted by the three predecessors of Mr Timothy TONG and the incumbent Commissioner of ICAC up to August 2013.
 24. Among the official entertainment activities hosted by Mr Timothy TONG, which ones had incurred expenditure exceeding the ceiling under the relevant rules; what justifications were provided in obtaining approval for the excessive expenditure and the relevant records.
 25. Among the official entertainment activities hosted by Mr Timothy TONG, which ones were attended by personal guest(s) of Mr Timothy TONG, names of these persons, whether the relevant expenses were borne by ICAC or by Mr TONG and the relevant records.
 26. Details of the purchase and consumption of wine and hard liquor by ICAC each year from July 2002 to August 2013.
- (c) *Role and involvement of Mr Timothy TONG in determining the arrangements for the official entertainment activities he hosted*
27. Details of the mechanisms and practices of ICAC for the assessment of need, planning and preparation of the official entertainment activities hosted by Mr Timothy TONG when he was serving as the Commissioner of ICAC; role and involvement of Mr TONG in the making of these mechanisms and practices.

28. In what respects and to what extent Mr Timothy TONG was involved in determining the various arrangements for the official entertainment activities he hosted, such as venue, organizations/persons to be invited, attending ICAC officers and/or other attending persons, food and drinks to be served etc.
29. Whether Mr Timothy TONG had given any instructions or requests regarding the arrangements for the official entertainment activities he hosted, where such instructions or requests were not directly related to the purpose and context of the official entertainment activities concerned; if yes, the relevant records.

Bestowing and receipt of gifts

(a) *Policy on bestowing and receipt of gifts and related regulatory arrangements*

30. Details of ICAC's policy, rules and guidelines on bestowing and receipt of gifts when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the policy during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
31. Details of the procedure for approving the bestowing and receipt of gifts by the Commissioner of ICAC and other ICAC officers when Mr Timothy TONG was serving as the Commissioner of ICAC; whether there have been any reviews on the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.
32. Details of the procedure for handling the expenses arising from the bestowing of gifts made by the Commissioner of ICAC and other ICAC officers, including the arrangements for application, approval and reimbursement as well as the accounting arrangements; whether there have been any reviews of the procedure during and after Mr TONG's tenure, and what changes have been made as a result of such reviews.

33. Role and involvement of Mr Timothy TONG when he was serving as the Commissioner of ICAC in the making of the policy, rules, guidelines and the approval and financial procedures governing the bestowing and receipt of gifts by the Commissioner and other officers of ICAC.
34. Measures taken by ICAC to promulgate the policy, rules, guidelines and the approval and financial procedures governing the bestowing and receipt of gifts to ICAC officers at all levels.
35. Details of the monitoring and oversight arrangements in respect of the bestowing and receipt of gifts by the Commissioner of ICAC and other ICAC officers to prevent abuse and ensure compliance with the relevant policy, rules and guidelines.

(b) *Details of the bestowing and receipt of gifts by Mr Timothy TONG*

36. A list of the gifts paid out of public funds and bestowed by Mr Timothy TONG when he was serving as the Commissioner of ICAC, with details on the occasion, recipient, type of official business of ICAC the recipient was involved in or relevant to, nature and value of each of the gifts.
37. Same details as item 36 above of the gifts bestowed by the three predecessors of Mr Timothy TONG and the incumbent Commissioner of ICAC up to August 2013.
38. A list of the gifts paid out of public funds and bestowed by Mr Timothy TONG with a value at or exceeding \$500, and the records on the procurement process and expenditure approval of such gifts.
39. A list of the gifts paid out of public funds and bestowed by Mr Timothy TONG on occasions other than official functions, the reasons for bestowing those gifts and the relevant records.

40. A list of the gifts received by Mr Timothy TONG when he was serving as the Commissioner of ICAC, with details on the relevant occasion, organization or person presenting the gift, nature and value, and the way of disposal of each of the gifts.
- (c) *Role and involvement of Mr Timothy TONG in deciding what gifts he was to bestow and the disposal of the gifts he had received*
41. Details of the mechanisms and practices of ICAC for determining the need and kind of the gifts to be bestowed by Mr Timothy TONG when he was serving as the Commissioner of ICAC; role and involvement of Mr TONG in the making of these mechanisms and practices.
42. In what respects and to what extent Mr Timothy TONG was involved in determining the various aspects of the gifts he was to bestow on different occasions, such as the nature and value of the gifts etc.
43. Whether Mr Timothy TONG had given any instructions or requests regarding the gifts he was to bestow, where such instructions or requests were not directly related to the official contexts concerned; if yes, the relevant records.

II. Information provided by ICAC to the Finance Committee of the Legislative Council

44. The workflow of the preparation and vetting of ICAC's replies to Members' initial and supplementary questions on the Estimates of Expenditure 2013-14, with the names and posts of the ICAC officers involved and their respective responsibility in the process.
45. Information that should have been but was not included in the replies, and/or information that was included in the replies but was inaccurate, incomplete or out of date.

46. How the above omissions, inaccuracies, incompleteness and/or out-of-date information were identified and rectified by ICAC.
47. Whether the omitted information had been initially included but was subsequently removed from the replies; if yes, reasons for and the circumstances leading to the removal of the information, and the relevant records.
48. Reasons for and the circumstances leading to the provision of the inaccurate, incomplete or out-of-date information, and the relevant records.