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Code of Conduct for the Personnel of the Hong Kong Institute of Clinical Psychologists Limited


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(Distribution list: This Policy shall be read by all staff and members of HKICP, Professional Council and its committees, and the general public.)

1. Objective and Ethical Commitment

Hong Kong Institute of Clinical Psychologists Limited (HKICP) regards honesty, integrity and fair play as our core values that must be upheld by all directors and staff¹ of the Company at all times. This Code sets out the basic standard of conduct expected of all directors and staff, and HKICP's policy on acceptance of advantage and handling of conflict of interest when dealing with HKICP's business and to provide the personnel of HKICP with clear and helpful parameters to guide their behavior when carrying out their official duties.


2. Scope and Definition

- 2.1 This Code applies to all personnel of HKICP including the Board of Directors, employees, staff, members of the Professional Council and its Committees (and sub-committees, if any).
- 2.2 In this Code, the term "member(s)" refers to all personnel of HKICP.

3. Core Values

- 3.1 HKICP is fully committed to the following principles in the delivery of services to the public:
 - 3.1.1 Honesty, integrity and fair play,
 - 3.1.2 Objectivity and impartiality,
 - 3.1.3 Accountability for decisions and actions,
 - 3.1.4 Dedication, professionalism and diligence,
 - 3.1.5 Fairness,
 - 3.1.6 Confidentiality,
 - 3.1.7 Independence and objectivity in making registration decisions, and
 - 3.1.8 Avoidance of conflict of interest.

¹ "Staff" cover full-time, part-time and temporary staff, except where specified.

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- 3.2 Members should uphold the above core values. They should always act in the best interest of public, place public interest above private interest and ensure that their conducts do not bring HKICP into disrepute.

4. Prevention of Bribery

- 4.1 All members are bound by Section 4 of the Prevention of Bribery Ordinance (POBO) (Cap. 201).
- 4.2 HKICP prohibits all forms of bribery and corruption. All personnel are prohibited from soliciting, accepting or offering any bribe in conducting HKICP's business or affairs, whether in Hong Kong or elsewhere. In conducting all business or affairs of HKICP, they must comply with the Prevention of Bribery Ordinance (POBO) of Hong Kong and must not:
- (a) solicit or accept any advantage from others as a reward for or inducement to doing any act or showing favour in relation to HKICP's business or affairs, or offer any advantage to an agent of another as a reward for or inducement to doing any act or showing favour in relation to his principal's business or affairs;
 - (b) offer any advantage to any public servant (incl. Government / public body employee) as a reward for or inducement to his performing any act in his official capacity or his showing any favour or providing any assistance in business dealing with the Government / a public body; or
 - (c) offer any advantage to any staff of a Government department or public body while they are having business dealing with the latter.


(The relevant provisions of the POBO are at **Annex 1**.)

5. Acceptance of Advantage

As a decision-making body, members including staff and stakeholders must be prohibited from accepting and offering advantage.

6. Offer of Advantage

HKICP's personnel are prohibited from offering advantages to any director, staff member or agent of another company or organisation, for the purpose of influencing such person in any dealing, or any public official, whether directly or

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indirectly through a third party, when conducting HKICP's business. Even when an offer of advantage carries no intention of improper influence, it should be ascertained that the intended recipient is permitted by his employer/principal to accept it under the relevant circumstance before the advantage is offered.

7. Entertainment

Although entertainment² is an acceptable form of business and social behaviour, a director or staff member should avoid accepting lavish or frequent entertainment from persons with whom HKICP has business dealing (e.g. suppliers or contractors) or from their subordinates to avoid placing themselves in a position of obligation.

8. Records, Account and other Documents

8.1 Members should ensure, to the best of their knowledge, that any record, receipt, account or other documents they submit to HKICP, gives a true representation of the events or transactions reported in the documents.

8.2 Intentional use of documents containing false information to deceive or mislead HKICP, regardless of whether the members may obtain any gain or advantage, may constitute an offence under the POBO (Appendix 1).

9. Compliance with Laws of Hong Kong and in Other Jurisdictions


HKICP's personnel must comply with all local laws and regulations when conducting HKICP's business, and also those in other jurisdictions when conducting business there or where applicable³.

10. Managing Conflict of Interest

10.1 Managing conflict of interest is important to good governance and maintaining trust in HKICP. A conflict of interest situation arises when the "private interests" of a member compete or conflict with the interests of HKICP or the member's official duties. Private interests include financial and other interests of the member themselves, and those of their connections including family and other relations, personal friends, the clubs and societies to which they belong, and any person to

² According to the POBO, "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 the provision of food or drink.

³ Some other countries' anti-bribery laws have provisions with extra-territorial effect, e.g. the UK's Bribery Act 2010, the USA's Foreign Corrupt Practices Act.

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whom they owe a favour or to whom they may be obligated in any way. Use of official position, use of official information, private investment and outside employment are some common areas in which a conflict of interest may arise between a member's official duties and private interests. 10.2 A fundamental integrity requirement is that all members should avoid situations, which may compromise (or be seen to compromise) their personal judgement or integrity at work or lead to conflict of interest.

10.3 When a situation involving a conflict of interest cannot be avoided, members should as soon as possible make full disclosure of all relevant interests which conflict, may conflict or may be seen to conflict with their official duties.

10.4 Members shall refer to Policy on Declaration and Handling of Conflict of Interest of HKICP (HKICP-ECI-PO-003) for handling a situation involving conflict of interest.


10.5 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 financial interest in the business of a supplier who is being considered for selection by HKICP.
- (b) One of the candidates under consideration in a recruitment exercise is a family member, a relative or a close personal friend of the staff member involved in the process.
- (c) A director of HKICP has financial interest in a company whose quotation or tender is under consideration by the Board.

11 Use of Confidential or Privileged Information

11.1 Members shall not take advantage of, or let any person or organization benefit from, the confidential or privileged information obtained in his or her capacity as a member and which is not generally available to the public.

11.2 Members shall use confidential or privileged information only in respect of matters of public interest and shall not use such information for private or personal interests.

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11.3 Members shall not disclose any confidential or privileged information obtained in his or her capacity as a member of the Professional Council or its committees and hence undermine the interest of HKICP.

11.4 Members shall refer to the Guideline on Information Management and Information Security (HKICP-ADM-GL-006) of HKICP for the proper procedures in handling confidential information.

12 Misuse of official position


12.1 Members holding offices in HKICP are placed in a position of trust and entrusted with certain powers by the public. HKICP expects a member in such a position to exercise the powers and discretions with integrity and fidelity, and in an incorrupt manner to serve the public interest, and should not subordinate the public interest to private interests.

12.2 Members must not misuse their official position in HKICP to pursue their own private interests, which include both financial and personal interests and those of their family members, relatives or close personal friends.

12.3 Members shall act impartially and should not use their official position for personal gains nor accord preferential treatment to organizations or persons with whom they have connections. They should not use or permit the use of their official position or title or an authority associated with their office in a manner that is intended to coerce or induce another person to provide any benefit to themselves or their relations, friends or associates. Nor should they use their official position or title in a manner that could reasonably be construed to imply that HKICP sanctions or endorses their personal activities or those of another.

12.4 Members in charge of or having access to any HKICP's assets, including funds, property, information, and intellectual property, should use them solely for the purpose of conducting the Company's business. Unauthorised use, such as misuse for personal interest, is strictly prohibited.

12.5 Members should not disclose any classified information of HKICP without authorisation or misuse any HKICP's information (e.g. unauthorised sale of the information). Those who have access to or are

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in control of such information, including information in HKICP's computer system, should protect the information from unauthorised disclosure or misuse. Special care should also be taken in the use of any personal data, including directors', staff's, registrants' and clients' personal data, to ensure compliance with Hong Kong's Personal Data (Privacy) Ordinance.

13 Indebtedness

Members are required to notify the Chairperson of Professional Council of HKICP, if proceedings are taken against them with a view to bankruptcy. The Chairperson is required to notify the Board of Directors if any bankruptcy proceedings are taken against them. Members (including the Council Chairperson) who become insolvent or bankrupt, even though no proceedings have been taken against them yet, should also report their case to HKICP.

14. Relationship with Suppliers, Contractors and Customers


14.1 Gambling: Members are advised not to engage in frequent gambling activities (e.g. mahjong) with persons having business dealings with HKICP.

14.2 Loans: Members should not accept any loan from, or through the assistance of, any individual or organisation having business dealings with HKICP. There is however no restriction on borrowing from licensed banks or financial institutions.

15. Compliance with the code

15.1 It is the responsibility of every member to understand and comply with this Code, whether performing their duties of HKICP in or outside Hong Kong. They should adhere to the spirit and the letter of any rules or orders made for HKICP's practices and procedures or for members' behaviour in relation to the business of HKICP.

15.2 Any member in breach of this Code will be subject to disciplinary action, including termination of appointment. Any breach of the Code by member that comes to attention of HKICP will be reported by the Professional Council to the Board. In case of suspected corruption or other criminal offences, a report will be made to the ICAC or the appropriate law enforcement agencies.

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16. Review

This Code is subject to review and revision at an interval of no more than 3 years.

17. Enquiry

Any enquiries, comments or suggestions in relation to this Code may be referred to the Professional Council of HKICP.


18. Reference Document

Corruption Prevention Department of Independent Commission Against Corruption (ICAC)'s sample code of conduct for private organisations.

19. Attachments

19.1 Appendix

- Extracts from the Prevention of Bribery Ordinance (Cap. 201)

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Appendix: Extracts from the Prevention of Bribery Ordinance (Cap. 201)

Section 2 – Definition


Definition of an Advantage

“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 in 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 (Cap. 554), particulars of which are included in an election return in accordance with that Ordinance.

Definition of Entertainment

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.

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Section 4 – Bribery

(1) Any person who, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, offers any advantage to a public servant as an inducement to or reward for or otherwise on account of that public servant's -

- (a) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a public servant;
- (b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by that public servant or by any other public servant in his or that other public servant's capacity as a public servant; or
- (c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body, shall be guilty of an offence.


(2) Any public servant who, whether in Hong Kong or elsewhere, 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) performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a public servant;
- (b) expediting, delaying, hindering or preventing, or having expedited, delayed, hindered or prevented, the performance of an act, whether by himself or by any other public servant in his or that other public servant's capacity as a public servant; or
- (c) assisting, favouring, hindering or delaying, or having assisted, favoured, hindered or delayed, any person in the transaction of any business with a public body shall be guilty of an offence.

(3) If a public servant other than a prescribed officer solicits or accepts an advantage with the permission of the public body of which he is an employee being permission, which complies with subsection (4), neither he nor the person who offered the advantage shall be guilty of an offence under this section.

(4) For the purposes of subsection (3) permission shall be in writing and -

- (a) be given before the advantage is offered, solicited or accepted; or

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(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 purposes of subsection (3), the public body shall, before giving such permission, have regard to the circumstances in which it is sought.

Section 8 - Bribery of public servants by persons having dealings with public bodies

(2) Any person who, without lawful authority or reasonable excuse, while having dealings of any kind with any other public body, offers any advantage to any public servant employed by that public body, shall be guilty of an offence.

Section 9 - Corrupt transaction with agents

(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.

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(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