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Background

The Hong Kong Institute of Chartered Secretaries is an independent professional body with approximately 5,000 members and 3,000 students. It is dedicated to the promotion of its members' role in the implementation, and formulating, of good and effective corporate governance policies in Hong Kong and China that will help maintain and advance Hong Kong’s position as a leading international business centre.

The Institute was first established in 1949 as an association of Hong Kong members of the Institute of Chartered Secretaries and Administrators (ICSA) of London. It became a branch of ICSA in 1990 before gaining local status in 1994 and changing its name to The Hong Kong Institute of Chartered Secretaries.

The Institute is a separately-constituted learned body with power to award a local professional qualification. Our aims and objectives are:

- To promote the good governance, management and efficient administration of joint stock companies and other public bodies in commerce, industry and public affairs
- To promote the study of and research into the law and practice of secretaryship and administration
- To support and protect the character, status and interests of members, graduates and students of the Institute
- To promote the efficiency and usefulness of the service and standard of professional conduct provided by members; and
- To consider all manner of questions affecting the interest of the profession of company secretary

Registered Office

Hong Kong Office

3/F, Hong Kong Diamond Exchange Building, 8 Duddell Street, Central, Hong Kong.
Tel: (852) 2881 6177 Fax: (852) 2881 5050

Beijing Representative Office

Rms 1014-1015, 10/F., Jinyu Mansion, No. 129 Xuanwumen Xidajie, Xicheng District, Beijing, China P.C. 100031
Tel: (8610) 6641 9368 Fax: (8610) 6641 9078

1. Introduction

1.1 This handbook serves to provide staff of The Hong Kong Institute of Chartered Secretaries (the Institute) with information on employment conditions, benefits and welfare administration, regulations, practices and personnel policies of the Institute.
1.2 The contents of this handbook together with the terms and conditions of the Contract of Employment must be observed by all staff during their services with the Institute. Contents of this handbook should be regarded as a supplement and will not override any special terms stated in the Contract of Employment.

1.3 Rights and Benefits conferred by Hong Kong Employment Ordinance as specified in ‘A Concise Guide to the Employment Ordinance’ published by Labour Department will apply insofar as they are not otherwise provided for in these rules.

1.4 The Institute reserves the rights to modify, delete, alter or amend any of the clauses set out in this handbook as the Council may from time to time think necessary.

1.5 Should staff have questions about the contents of this handbook, they should contact their superior for advice.

1.6 This handbook is the property of the Institute. It must be returned to the Institute should the staff leave the Institute’s employment.

2. Duties and Terms of Employment

2.1 Staff are expected to devote the whole of his/her time and attention to the service of the Institute and discharge his/her duties diligently and faithfully.

If staff wish to undertake any part-time employment after office hours, except those on charitable nature, he/she must seek prior written approval of the Council before accepting the employment.

2.2 Job duties and responsibilities are advised to staff upon confirmation of employment, however, staff may be rotated to other job when necessary and may be required to take up other duties and responsibilities as instructed by his/her superior.

2.3 All new staff are required to undergo a one-month to six-month probationary period (as specified in the Contract of Employment) during which time the employment may be terminated by either party on giving not less than 7 days (or as specified otherwise in the Contract of Employment) or payment in lieu.

2.4 Subject to a satisfactory evaluation report by the superior concerned, staff will be appointed to permanent status at the end of the probationary period.

2.5 Probationary period will, however, be extended up to an additional three months should assessment warrant an extended probationary period.

3. Salary

3.1 In general, the Institute will review the staff’s salary on 1 January. The Institute shall have discretionary rights on salary review to adjust salary of a staff.

3.2 Salaries are paid monthly directly into bank accounts assigned by the staff on or about the 28th day of each month.

3.3 Salaries will be deducted on proportion basis if staff is absent from work without previous permission of the Chief Executive or for circumstances as allowed under the Employment Ordinance.
4. Working Hours

4.1 The normal office hours are:

- Mondays to Fridays: 9:00 am - 6:00 pm (with one hour off for lunch: 12:30 pm – 1:30 pm)
- Saturdays (alternate week): 9:00 am - 1:00 pm

4.2 Staff are required to work on alternate Saturdays following a duty roster. Should a public holiday fall on a Saturday, it will not be counted for the duty roster. Any change in the duty roster should be pre-approved by the relevant superior and the Accountant informed.

4.3 The Institute reserves the right to revise the office hours pattern in accordance with operational needs. Whenever necessary, staff may be required to work irregular and flexible hours.

5. Overtime Leave, Overtime Pay and Compensation Leave

5.1 Staff may be required to work overtime (OT) on specific assignments. OT is counted as from any time exceeding the normal working hours or when the functions commence whichever is the later.

5.2 Written authority to work overtime must be obtained before the work commences.

5.3 OT leave / pay is applicable only to Officer or below for pre-approved events.

5.4 The Institute generally rewards staff for overtime worked by OT pay subject to the following provisions:

5.4.1 OT pay is calculated at:

OT pay for BRO is calculated at:
1.5 x basic salary/21.5 days x no. of OT hours worked

OT hours should be reported to Accountant within the end of next month after the OT occurred. Late application will not be process.

5.5 In general staff working past 7:00 pm in the evening may take compensation leave without making any formal application on the following day as follows:

a) report duty at 9:00 am and take a one-hour lunch break the next working day;
b) report duty at 9:30 and take a half-hour lunch break the next working day;
c) take an early day off subject to prior approval from Chief Executive.

Compensation leave must be taken within 30 days after approval. Unused compensation leave will be void after 30 days or at the Chief Executive’s discretion.

5.6 Overtime leave / Overtime pay is subject to review from time to time and staff will be informed within a reasonable time should there be changes in the policy.
6. Performance Appraisal

6.1 On completion of staff’s probationary period
On completion of staff’s probationary period, the immediate superior or head of department concerned will review the work performance with staff.

6.2 Annual appraisal
Annual appraisal will be conducted to review staff’s performance.

6.3 Special appraisal
Special appraisal will be conducted to review staff’s performance from time to time between two annual appraisals for very outstanding/poor performance. It is performed solely at the discretion of the management.

6.4 The appraisal records will serve as reference when the management consider staff’s promotion or transfer. Such record is in written, initiate by management and kept by the Administration Department with the staff’s personnel file.

7. Transfer and Promotion

7.1 The Institute reserves the right to transfer staff’s job duty within the secretariat whenever necessary for operational reasons.

7.2 Promotion to a higher grade is entirely at the discretion of the management.

8. Leave

8.1 General provisions:

8.1.1 Approval for leave or re-scheduling of approved leave should be obtained from the Chief Executive. All applications for leave should be submitted in the prescribed form two weeks prior to the intended leave.

8.1.2 Applications for leave and the re-scheduled leave should be filed with the Accountant for record purpose.

8.1.3 Absence without approval may lead to disciplinary action, including leave forfeiture or salary deduction.

8.1.4 Leave will not be taken by members of staff who are serving their period of probation or after they have handed in their resignation.

8.1.5 For any application for leave purpose, Saturday is counted as a half day.

8.1.6 Staff are entitled to leave on public holidays. In case staff are required to work on public holidays, they will be entitled for compensation leave subsequently.

8.2 Annual Leave, Sick Leave, Maternity Leave and Compassion Leave

8.2.1 All leave is based on China Labour Law and Labour Contract Law.
9. Benefit and Welfare

9.1 Staff development

9.1.1 The Institute will support staff who wish to pursue HKICS and ICSA qualifications.

9.1.2 Examination leave will be granted based on actual commitment according to examination schedule. A maximum of 10 days will be granted to each staff under this category for study leave per annum.

a) Study leave will be granted as follows:

<table>
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<tr>
<th>Attempt</th>
<th>Maximum day(s)/subject</th>
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<tr>
<td>1st attempt</td>
<td>2</td>
</tr>
<tr>
<td>2nd attempt</td>
<td>1</td>
</tr>
<tr>
<td>3rd attempt</td>
<td>½</td>
</tr>
<tr>
<td>over 3 attempts</td>
<td>no leave to be granted</td>
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b) Examination leave will be given on actual basis.

9.1.3 Financial Sponsorship

a) Staff should pay for the Institute examination entry and subject fees which will only be reimbursed upon successful completion of the examinations.

b) Membership fees to the Institute will be re-imbursed to staff who are member of the Institute.

9.1.4 Conditions of Benefit

a) Benefit will be offered to staff who has completed one year service and still under employment of the Institute.

b) Staff who serves less than 1 year will be required to sign an undertaking stating that if he/she leaves the Institute without a full year service, he/she will have to reimburse to the Institute all the expenses financed and leave granted will be deducted from accrued leave entitlement accordingly.

c) Staff should produce "Result Notification" to validate his/her claim. In case he/she, without proper reason, did not attempt the examination on the given date, the leave granted will be deducted from his/her annual leave entitlement and the relating examination fees will not be reimbursement.

d) If staff leaves employment before release of result, an appropriate amount would be deducted from his/her last salary but shall be reimbursed on production of the result letters later.

9.1.5 The Institute will support staff who wish to take further studies /activities relevant to job duties on a case-by-case basis.

a) Examination leave will be granted based on actual commitment according to examination schedule.

b) Staff should pay for course enrolment and examination fees but may apply for reimbursement subject to the following conditions stated below:

i) Pre-approval required; and

ii) Upon successful completion of all examinations
For CCA/IQS, the Institute will reimburse 100% of costs on a year-by-year /course-by-course basis. Payment will be made upon receipt of proof of attendance and/or proof of successful completion e.g. attending the course/examination and/or passing the examination.

For other professional courses/examinations, payment will be limited to 70% of course/examination costs on a year-by-year/course-by-course basis. Payment terms are the same basis as for CCA/IQS.

Should the staff member leave the Institute within one year of the payment, the Institute reserves the right to reclaim the entire amount paid to the staff member. Should the staff member leave after one year but before two years after the payment, then the Institute reserves the right to claim back half the payment. After two years, no claim on payment will be made.

b) Concurrently, The Institute shall contribute in respect of each staff an amount according to the following schedule:

<table>
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<tr>
<th>No. of Completed Years of Services</th>
<th>Contribution Expressed as Basic Salary</th>
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<tbody>
<tr>
<td>Less than 5 years</td>
<td>5%</td>
</tr>
<tr>
<td>5 but less than 10 years</td>
<td>7.5%</td>
</tr>
<tr>
<td>10 years or more</td>
<td>10%</td>
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c) A staff shall not suspend his/her own contributions or withdraw his/her own contributions in whole or in part unless he/she leaves the services of The Institute and ceases to be a Member of the Plan.

d) Contribution shall cease on the last day of the month immediately proceeding the staff’s last day of employment.

10. Disciplinary Procedures

10.1 Disciplinary actions will be taken against staff depending on the severity and nature of the misconduct/offence.

10.1.1 Oral Warning
It is normal to minor offence but will be recorded in the staff’s personal file.

10.1.2 Written Warning
A written warning will be issued for an offence or poor working performance and will serve as reference for consideration of withholding salary increment or termination of employment. The staff concerned will be required to countersign the record when warnings are given. Refusal to sign by the staff concerned will be witnessed and recorded. Written warning, once given, will become a permanent record in the staff’s personal file.

10.1.3 Final Written Warning
Final written warning letter will be issued after written warning failed to improve the situation. Written and final warning would be given with consent of the Executive Committee.

10.1.4 Suspension
Staff may be suspended from work pending investigation into some serious allegation of malpractice. Suspension requires approval of the Executive Committee.

10.1.5 Summary Dismissal
Staff may be summarily dismissed without notice or payment in lieu for committing serious offences. In such case, staff will only receive payment up to and including the date of the offences as specified in the Employment Ordinance. Summary dismissal requires approval from Executive Committee.

10.2 Staff in breach of the following rules are liable and subject to disciplinary action depending on the nature and serious of the offence.
   a) being absent or persistently late from work without permission notification or authorisation;
   b) gambling in any form within the Institute’s premises;
   c) indulging in immoral conduct of any sort in the Institute’s premises;
   d) wilfully neglecting duties or refusing to accept reasonable, lawful orders assigned to him/her by his/her superior;
   e) indulging in threatening behaviour or fighting in the Institute’s premises;
   f) violating safety rules or engaging in any conduct which tends to create a safety hazard;
   g) failure to supply information or supplying false information for personnel or Institute’s records or reports;
   h) removing the Institute’s property, records or other materials from the Institute’s premises without authorisation;
   i) soliciting or accepting bribes of any kind in capacity of Institute staff;
   j) intoxication in the Institute’s premises;
   k) conducting any personal business during working hours;
   l) making defamatory remarks against the Institute, other staff or members;
   m) obtaining fringe benefits in bad faith;
   n) being convicted of a criminal offence.

The above list is not exhaustive and a breach of proper conduct reasonably required of the staff not included in the above list shall be subject to appropriate disciplinary action as reasonable determined by the Institute.

10.3 Appeal
Any appeal of disciplinary action should be made in writing within 2 weeks of notification of any disciplinary action taken or to be taken and should be sent to the President in case the Executive Committee has been involved in the decision of disciplinary action concerned.

11. Grievance Procedures
The Institute recognises that a prompt and fair response by management to staff work-related complaints is vital to a productive work environment. The procedures are:

11.1 the grievance should be discussed in the first instance between the staff and his/her immediate supervisor;
11.2 should the supervisor be unable to solve the problem, it should be referred to the Chief Executive;
11.3 should the problem still be unsolved, it should be referred to the Executive Committee.

12. Office Security, Safety and Others
12.1 Hygiene
   a) All staff should do their best in keeping the premises in good shape, tidy and clean.
   b) Except for re-heating of lunch boxes, cooking in the office or pantry is prohibited.
   c) Utensil and cutlery should be cleaned immediately after use and be put in the proper place.
   d) All used tea-bags, snacks wrapping papers etc, should be put in rubbish bins.
   a) Smoking is prohibited within the premises.
12.2 Punctuality

12.2.1 Staff will be considered late if they arrive in the office after the designated time of arrival or do not return from lunch within the allocated time therefore.

12.2.2 Unless otherwise agreed between staff and management, the designated time of arrival is 9:00a.m., and lunchtime is 12:30 – 1:30 pm.

12.2.3 Staff arriving late to work or returning late from lunch without prior notice and approval must report the reason for the lateness to their supervisor immediately upon arrival – where the reason is not so reported, management will not consider whether the excuse is reasonable.

12.2.4 Where staff are late on 3 occasions within a six-month period, a Warning Letter will be issued.

12.2.5 Where staff are late on 5 occasions within a six-month period, summary dismissal will be recommended without further notice.

12.2.6 Summary dismissal will be recommended for any member of staff who is late to work on more than 5 occasions within a six-month period without prior notice and approval or reasonable excuse.

12.3 Fire precautions

12.3.1 All staff working in the Institute’s premises should:
   a) familiarise themselves with the location of fire alarms, extinguishers and exits at their work place;
   b) not use naked flames or heat without permission;
   c) avoid keeping flammable materials in the office;
   d) not block the access to fire alarm, extinguishers and exits;
   e) not cover up or overload an electrical switch/socket.

12.3.2 If a fire or smoke is discovered with the premises, staff should:
   a) activate the fire alarm or shout for help;
   b) try to extinguish the fire immediately if possible (but make sure it is not hazardous to them), otherwise evacuate the premises as quickly as possible.

12.3.3 On hearing the fire alarm, please keep calm. Evacuate immediately if there is strong suspicion of a fire.

12.4 Office security

12.4.1 Staff should ensure security of offices and guard against unauthorised persons gaining access to any office within the premises.

12.4.2 Members of staff should keep personal efforts on valuables in the office if there are valuable items, the respective staff should keep and lock them properly. The Institute does not take responsibility for the loss of personal belongings to members of staff.

12.4.3 The member of staff who is last to leave the office should make sure that all lighting, equipment and air-conditioners are switched off and doors are locked before he/she leaves the office.

12.4.4 All confidential files and papers should be properly kept to avoid access by unauthorised persons.

12.4.5 Female staff should avoid staying late alone in the office. Keep alert against
strangers if staying late is necessary.

12.4.6 Staff should take good care of the Institute’s property, including office furniture, equipment, machines and documents etc. Staff will be personally liable for any loss or damage of property due to misuse, carelessness, or negligence.

12.4.7 Report to the security immediately should any unauthorised stranger be found within the premises.

12.5 Emergencies
12.5.1 Staff involved in an emergency should exercise his/her own judgement but act promptly;

12.5.2 In a medical emergency, call for assistance from the security or dial 999 when necessary. Clear indication of location concerned is necessary when reporting the emergency.

12.6 Communication
Staff will be informed of any new policy, rules, regulations or procedures by administrative circulars. Staff should discuss with their immediate supervisor first if they need any assistance related to work.

12.7 Change of personal particulars
Staff should notify any changes of following personal particulars to the Director, Administration and Operations for personnel record update:
   a) Name;
   b) Hong Kong Identity Card;
   c) Residential address/Telephone;
   d) Marital status;
   e) Person to notify in case of emergency and his contact telephone;
   f) Educational/ Professional qualification.

12.8 Confidentiality
As staff may at times be working with confidential information about the Institute affairs and members during the course of employment, staff shall not at any time (except so far as is necessary and proper for the purposes of the employment) disclose to any person or parties any information as the affairs of the Institute or any of its members or any matters which may come to the Employee’s knowledge by reason of the employment.

12.9 Code of conduct (for staff)
Please refer to the separate Code of Conduct for Staff. (Appendix 1)

12.10 Acceptance of advantages
Please refer to the separate Statement on Acceptance of Advantages. (Appendix 2)

12.11 Personal data protection
Please refer to the separate Statement on Personal Data Protection. (Appendix 3)

13. Conduct and Working Environment
13.1 Policy
It is the policy of the Institute that staff maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among the staff and is free from all forms of harassment and violence.

13.2 Objective
This policy identifies the Institute responsibility and the staff responsibility as it
relates to conduct and working environment.

13.3 Procedures
Staff is expected to conduct themselves in an appropriate manner as judged by a reasonable person.

Staff have the right to conduct their work without disorderly or undue interference from other staff members. The Institute prohibits staff from violating this right of their co-workers.

Staff should obey their supervisor and the order and duties assigned by their supervisor.

The Institute encourages a congenial work environment of respect and professionalism. Therefore, the Institute prohibits staff from intentionally harming or threatening to harm other staff, clients, vendors, visitors or property belonging to any of these parties.

Staff is responsible for maintaining their work area in a neat and professional manner.

Staff is responsible for assuring the security of Institute confidential/proprietary material in their possession and similarly maintaining the security of the Institute provided equipment. Staff concerned for the security of their work area or equipment must inform their supervisor of such concerns.

The Institute reserves the right to search unlocked and/or publicly used Institute property at any time without consent. The Institute may request a search of personal property at the worksite or locked Institute property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities resides therein. Refusal of such a request may result in disciplinary action up to and including termination.

The Institute may take disciplinary action against staff whose conduct violates this or other Institute policies and practices. The Manager should consult the Director, Administration and Operations, and/or the Chief Executive on such matters.
Code of Conduct for Staff

The Hong Kong Institute of Chartered Secretaries believes that honesty and integrity are important assets of the organisation. It is therefore important for all of you to ensure that the Institute’s reputation is not tarnished by dishonesty, disloyalty or corruption. In official dealings, you may be offered advantages and the following explains how you should respond.

Prevention of bribery
Please refer to the Statement on Acceptance of Advantages in appendix 2 for details.

Entertainment
Although entertainment is an acceptable form of business and social behaviour, staff should turn down invitations to meals or entertainment that are excessive in nature or frequently, so as to avoid embarrassment or loss of objectivity when conducting Institute business.

Outside employment
If staff wish to take concurrent employment, either regular or on a consulting basis, except those on charitable nature, he/she must seek prior written approval of the Institute before accepting the employment.

Conflict of interest
Staff should avoid engaging in business, investments or activities that might conflict with Institute interests. Staff must declare to the Institute any financial interest, direct or indirect, which he/she or members of his/her immediate family may have, in any business or other organisation which competes with the Institute or with which the Institute has business dealings. All declarations should be made in writing to the Chief Executive of the Institute.

Handling of confidential information
As staff may at times be working with confidential information about the Institute affairs and members during the course of employment, staff shall not at any time (except so far as is necessary and proper for the purposes of the employment) disclose to any person or parties any information as the affairs of the Institute or any of its members or any matters which may come to the Employee’s knowledge by reason of the employment.

Loans to and from suppliers
Staff or his/her immediate family should not grant or guarantee a loan to, or accept a loan from or through the assistance of any individual or organisation having business dealings with the Institute. There is, however, no restriction on normal bank lending’s.

Gambling
Staff are advised not to engage in frequent and excessive gambling of any kind, including games of mahjong, with persons who have business dealings with the Institute. In social games with clients, contractors or suppliers, one must exercise judgment and withdraw from any high stake games.

Institute property
Appropriation of Institute properties, by any staff for personal use or resale is strictly prohibited. In these cases, the Institute may, without notice or payment in lieu, dismiss the offending staff.
Institute records and accounts
Staff are reminded that falsifying documents or furnishing false accounting records are also offences under the Prevention of Bribery Ordinance and are strictly prohibited.

Compliance with the Institute code
Anyone breaching the Institute’s code will be disciplined, including termination of employment and may, in some circumstances, be prosecuted under the relevant law.

Any complaints on possible breach of this code can be referred to the Chief Executive of the Institute and will be treated promptly and fairly.
Statement on Acceptance of Advantages

The Hong Kong Institute of Chartered Secretaries believes that honesty and integrity are important assets of the organisation. It is therefore important for all of you to ensure that the Institute’s reputation is not tarnished by dishonesty, disloyalty or corruption.

The purpose of this statement is to give general guidance to staff of the Institute on the acceptance of advantages in conducting business on behalf of the Institute.

Legal Provision
According to Section 4 of the Prevention of Bribery Ordinance, it is an offence for a public servant to solicit or accept an advantage without the written permission of the public body. As regards the definition of ‘advantage’, please refer to the relevant sections of the Prevention of Bribery Ordinance attached.

Channel for seeking Guidance
If any staff is offered advantages which are not approved by the Institute, he/she should report to the Chief Executive for advice and instructions.

Breach of the Policy
Any staff found to be in breach of the policy will be liable to disciplinary action including dismissal. A report will also be made to the Independent Commission Against Corruption if necessary.

Prevention of Bribery Ordinance
The law regarding the offence of bribery in the public sector is set out in Section 4 of the Prevention of Bribery Ordinance which is given below:

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—(Amended 28 of 1980 s. 3)
   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 expeditied, 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—(Amended 28 of 1980 s. 3)
   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 expeditied, 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 Crown servant 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. (Added 28 of 1980 s. 3)

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
   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. (Added 28 of 1980 s. 3)

As defined in the Prevention of Bribery Ordinance, "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; (Amended 33 of 1991 s. 2; 10 of 2000 s. 47)
Statement on Personal Data Protection

The Institute’s Privacy Policy
The Hong Kong Institute of Chartered Secretaries from time to time collect personal identifiable information from members, students as well as other interested persons (‘the interested parties’) for registration and related business.

Our policy is to build on the trust and confidence the interested parties placed on us. Accordingly, we have a duty to the interested parties to keep information about them, and their personal information confidential.

Privacy Policy Statement and Personal Information Collection
In addition to our duty of confidentiality to the interested parties, the Institute will at all times fully observe the Personal Data (Privacy) Ordinance (‘the Ordinance’) in collecting, maintaining and using the personal data of the interested parties. In particular, the Institute observes the following principles, save otherwise appropriately agreed by the interested parties:

- collection of personal data from the interested parties shall be for purposes relating to the business of the Institute or related services;
- all practical steps will be taken to ensure that personal data are accurate and will not be kept longer than necessary or will be destroyed in accordance with the internal retention period;
- personal data will not be used for any purposes other than the data that were to be used at the time of collection or purposes directly related thereto;
- personal data will be protected against unauthorised or accidental access, processing or erasure;
- the interested parties have the right of access to and for correction of their personal data held by us and that their request for access or correction will be dealt with in accordance with the Ordinance.

The interested parties’ personal data is classified as confidential and can only be disclosed by us where permitted by the Ordinance or otherwise legally compelled to do so.

In accordance with the terms of the Ordinance, the Institute has the right to charge a reasonable fee for the processing of any data access request.

Nothing in this Statement shall limit the rights of the interested parties under the Personal Data (Privacy) Ordinance.

Contact Us
Requests for access to data or correction of data or for information regarding policies and practices and kinds of data held should be in written and addressed to:
Director, Administration and Operations
The Hong Kong Institute of Chartered Secretaries
3/F, Hong Kong Diamond Exchange Building,
Duddell Street
Central
Hong Kong
Tel: (852) 2881 6177 Fax: (852) 2881 5050
**The Institute’s Privacy Policy**

The Hong Kong Institute of Chartered Secretaries (‘the Institute’)’s interest has been built on trust between our members and students as well as interested prospective members and students (interested persons). We have a duty to safeguard and keep confidential any information relating to the interested persons or their personal affairs revealed to us. Whether it is provided to us in person at our counter, over the phone, or while visiting our web-site, we will strive at all times to ensure that the information is kept confidential and secure.

**Internet Privacy Policy Statement and Personal Information Collection**

The Institute will not collect any personal information that identifies a visitor to this site individually unless specified otherwise. Your visit to this site will record only the Domain Name Server part of your e-mail address and of the pages visited. Such information will be used to prepare aggregate information about the number of visitors to the site and general statistics on usage patterns.

In addition to our duty of confidentiality to customers, we shall at all times fully observe the Personal Data (Privacy) Ordinance ("the Ordinance") of the Hong Kong SAR in collecting, maintaining and using the personal data of customers. In particular, we observe the following principles, save otherwise appropriately agreed by the customers:

- collection of personal data from customers shall be for purposes relating to the provision of services or related business of the Institute;
- all practical steps will be taken to ensure that personal data are accurate and will not be kept longer than necessary or will be destroyed in accordance with the internal retention period;
- personal data will not be used for any purposes other than the data that were to be used at the time of collection or purposes directly related thereto;
- personal data will be protected against unauthorised or accidental access, processing or erasure;
- interested persons have the right of access to and for correction of their personal data held by us and that interested person’s request for access or correction will be dealt with in accordance with the Ordinance.

An interested person’s personal data is classified as confidential and can only be disclosed by us where permitted by the Ordinance or otherwise legally compelled to do so.

**Linked Web Sites**

The Institute is not responsible for the contents available on or the set-up of any other web sites linked to this site. Access to and use of such other web sites is at the user’s own risk and subject to any terms and conditions applicable to such access/use.

**Notice to interested persons and others relating to the Personal Data (Privacy) Ordinance**

From time to time, it is necessary for interested persons to supply the Institute with data in connection with the registration and application for studentship or membership or for other services of the Institute. Failure to supply such data may result in the Institute being unable to process the application or to provide any services.
It is also the case that data are collected from customers in the ordinary course of business of the Institute.

The purposes for which data relating to an interested person may be used are as follows:
- the registration for studentship or membership or related services;
- ensuring status of interested persons;
- meeting the requirements to make disclosure under the requirements of any law binding on the Institute;
- assisting other institutions to conduct surveys;
- purposes relating thereto.

Data held by the Institute relating to an interested person will be kept confidential but the Institute may provide such information to the following parties for the following purposes:-
- any other person under a duty of confidentiality to the Institute including a group sister associations of the Institute;
- where permitted by the Ordinance or otherwise legally compelled to do so;

In accordance with the terms of the Ordinance, the Institute has the right to charge a reasonable fee for the processing of any data access request.

Nothing in this Notice shall limit the rights of interested persons under the Personal Data (Privacy) Ordinance.

**Contact Us**

Requests for access to data or correction of data or for information regarding policies and practices and kinds of data held should be addressed to:

Director, Administration and Operations  
The Hong Kong Institute of Chartered Secretaries  
3/F, Hong Kong Diamond Exchange Buidling,  
Duddell Street  
Central  
Hong Kong

Tel  (852) 2881 6177  
Facsimile: (852) 2881 5050  
Email : ask@hkics.org.hk

*IMPORTANT: By accessing this web site and any of its pages you are agreeing to the terms set out above.*
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Background

The Hong Kong Institute of Chartered Secretaries is an independent professional body with approximately 4,200 members and 3,000 students. It is dedicated to the promotion of its members' role in the implementation, and formulating, of good and effective corporate governance policies in Hong Kong and China that will help maintain and advance Hong Kong's position as a leading international business centre.

The Institute was first established in 1949 as an association of Hong Kong members of the Institute of Chartered Secretaries and Administrators (ICSA) of London. It became a branch of ICSA in 1990 before gaining local status in 1994 and changing its name to The Hong Kong Institute of Chartered Secretaries.

The Institute is a separately-constituted learned body with power to award a local professional qualification. Our aims and objectives are:

- To promote the good governance, management and efficient administration of joint stock companies and other public bodies in commerce, industry and public affairs
- To promote the study of and research into the law and practice of secretaryship and administration
- To support and protect the character, status and interests of members, graduates and students of the Institute
- To promote the efficiency and usefulness of the service and standard of professional conduct provided by members; and
- To consider all manner of questions affecting the interest of the profession of company secretary

Registered Office

Hong Kong Office

3/F, Hong Kong Diamond Exchange Building, 8 Duddell Street, Central, Hong Kong.
Tel : (852) 2881 6177  Fax : (852) 2881 5050

Beijing Representative Office

Room 1710 U-SPAE Building Block A, No.8 Guangqumenwai Street, Chaoyang District, Beijing, China, 100022
Tel : (86 10) 5861 2050  Fax : (86 10) 5861 2051
1. **Introduction**

1.1 This handbook serves to provide staff of The Hong Kong Institute of Chartered Secretaries (the Institute) with information on employment conditions, benefits and welfare administration, regulations, practices and personnel policies of the Institute.

1.2 The contents of this handbook together with the terms and conditions of the Contract of Employment must be observed by all staff during their services with the Institute. Contents of this handbook should be regarded as a supplement and will not override any special terms stated in the Contract of Employment.

1.3 Rights and Benefits conferred by Hong Kong Employment Ordinance as specified in 'A Concise Guide to the Employment Ordinance' published by Labour Department will apply insofar as they are not otherwise provided for in these rules.

1.4 The Institute reserves the rights to modify, delete, alter or amend any of the clauses set out in this handbook as the Council may from time to time think necessary.

1.5 Should staff have questions about the contents of this handbook, they should contact their superior for advice.

1.6 This handbook is the property of the Institute. It must be returned to the Institute should the staff leave the Institute's employment.

2. **Duties and Terms of Employment**

2.1 Staff are expected to devote the whole of his/her time and attention to the service of the Institute and discharge his/her duties diligently and faithfully.

If staff wish to undertake any part-time employment after office hours, except those on charitable nature, he/she must seek prior written approval of the Council before accepting the employment.

2.2 Job duties and responsibilities are advised to staff upon confirmation of employment, however, staff may be rotated to other job when necessary and may be required to take up other duties and responsibilities as instructed by his/her superior.

2.3 All new staff are required to undergo a one-month to six-month probationary period (as specified in the Contract of Employment) during which time the employment may be terminated by either party on giving not less than 7 days (or as specified otherwise in the Contract of Employment) or payment in lieu.

2.4 Subject to a satisfactory evaluation report by the superior concerned, staff will be appointed to permanent status at the end of the probationary period.

2.5 Probationary period will, however, be extended up to an additional three months should assessment warrant an extended probationary period.

3. **Salary**

3.1 In general, the Institute will review the staff's salary on 1 January. The Institute shall have discretionary rights on salary review to adjust salary of a staff.

3.2 Salaries are paid monthly directly into bank accounts assigned by the staff on or about the 28th day of each month.
3.3 Salaries will be deducted on proportion basis if staff is absent from work without previous permission of the Chief Executive or for circumstances as allowed under the Employment Ordinance.

4. Working Hours

4.1 The normal office hours are:

- Mondays to Fridays: 9:00 am - 6:00 pm
  (with one hour off for lunch: 12:30 pm – 1:30 pm)

- Saturdays: 9:00 am - 1:00 pm
  (alternate week)

4.2 Staff are required to work on alternate Saturdays following a duty roster. Should a public holiday fall on a Saturday, it will not be counted for the duty roster. Any change in the duty roster should be pre-approved by the relevant superior and the Chief Accountant informed.

4.3 The Institute reserves the right to revise the office hours pattern in accordance with operational needs. Whenever necessary, staff may be required to work irregular and flexible hours.

5. Overtime Leave, Overtime Pay and Compensation Leave

5.1 Staff may be required to work overtime (OT) on specific assignments. OT is counted as from any time exceeding the normal working hours or when the functions commence whichever is the later.

5.2 Written authority to work overtime must be obtained before the work commences.

5.3 OT leave / pay is applicable only to Officer or below for pre-approved events.

5.4 The Institute generally rewards staff for overtime worked by OT pay subject to the following provisions:

5.4.1 OT pay is calculated at:

\[
\text{OT pay} = \frac{1.5 \times \text{basic salary} \times \text{no. of OT hours worked}}{182 \text{ hrs}^*}
\]

*i.e. 22.75 days per month

(Overtime pay for staff who resign or have their contract terminated is calculated on a 30-days basis, i.e. on calendar days)

5.5 In general staff working past 7:00 pm in the evening may take compensation leave without making any formal application on the following day as follows:

a) report duty at 9:00 am and take a one-hour lunch break the next working day;

b) report duty at 9:30 and take a half-hour lunch break the next working day;

c) report duty late in the morning;

d) take an early day off subject to prior approval from Chief Executive.

Compensation leave must be taken within 30 days after approval. Unused compensation leave will be void after 30 days or at the Chief Executive's discretion.

5.6 Overtime leave / Overtime pay is subject to review from time to time and staff will be informed within a reasonable time should there be changes in the policy.
6. **Performance Appraisal**
   6.1 **On completion of staff's probationary period**
   On completion of staff's probationary period, the immediate superior or head of department concerned will review the work performance with staff.

   6.2 **Annual appraisal**
   Annual appraisal will be conducted to review staff's performance.

   6.3 **Special appraisal**
   Special appraisal will be conducted to review staff's performance from time to time between two annual appraisals for very outstanding/poor performance. It is performed solely at the discretion to the management.

   6.4 The appraisal records will serve as reference when the management consider staff's promotion or transfer. Such record is in written, initiate by management and kept by the Administration Department with the staff's personnel file.

7. **Transfer and Promotion**
   7.1 The Institute reserves the right to transfer staff's job duty within the secretariat whenever necessary for operational reasons.

   7.2 Promotion to a higher grade is entirely at the discretion of the management.

8. **Leave**
   8.1 **General provisions:**
   8.1.1 Approval for leave or re-scheduling of approved leave should be obtained from the Chief Executive. All applications for leave should be submitted in the prescribed form two weeks prior to the intended leave.

   8.1.2 Applications for leave and the re-scheduled leave should be filed with the Accountant for record purpose.

   8.1.3 Absence without approval may lead to disciplinary action, including leave forfeiture or salary deduction.

   8.1.4 Leave will not be taken by members of staff who are serving their period of probation or after they have handed in their resignation.

   8.1.5 For any application for leave purpose, Saturday is counted as a half day.

   8.1.6 Staff are entitled to leave on public holidays. In case staff are required to work on public holidays, they will be entitled for compensation leave subsequently.

   8.2 **Annual leave**
   8.2.1 In addition to the HKSAR's gazetted public holidays, members of the staff are entitled to Annual Leave with pay as stated in the Contract of Employment.

   8.2.2 Staff will be entitled to 14 to 20 working days' leave as appropriate in each financial year, to be taken at a time or times convenient to the Institute. During the first and last year of service, leave entitlement will be calculated on a pro rata basis. Statutory leave must be taken before leave.

   8.2.3 A maximum of 5 days leave may be carried forward from one financial year to another except in exceptional circumstances and with prior approval from the Chief Executive. For exceptional cases, leave may be redeemed by pay at the sole discretion of management.
8.2.4 Annual Leave should be taken on consecutive-days basis for not less than 3 working days. Notwithstanding this requirement, staff may apply for non-consecutive days leave, i.e. for leave to be split. To comply with the statutory requirements, staff are required to take a minimum of 7 consecutive calendar days of annual leave of one time within each year.

8.2.5 All staff should submit a preliminary leave plan to the Chief Executive at the beginning of each financial year so that proper allocation can be made in advance in order to minimise interruption to the Institute's operations.

8.2.6 All applications for annual leave and compensation leave must be submitted 3 weeks prior to the intended leave date(s).

8.3 Sick leave
8.3.1 Sick Leave will be granted according to provisions of the Employment Ordinance concerning sickness allowance. Staff who has worked continuously to his employer for a period of one month preceding his/her sickness is entitled to sickness allowance at the rate of 2 paid sickness days for each completed month of employment, during the first 12 months of employment and 4 paid sickness days for each month of service thereafter. Paid sickness days may be accumulated up to a maximum of 120 days.

8.3.2 If any member of staff is sick and requires sick leave, he/she must inform their immediate supervisor and the Administration Department, as soon as practicable after 9:00 am on the day in question. A medical certificate from a registered medical practitioner specifying the period of sick leave is required if the sick leave is more than one day.

8.3.3 No sick leave will be granted while staff are on other types of leave, e.g. annual leave, study leave or examination leave nor to staff who are on probation.

8.3.4 Sick leave without pay may be granted if staff has exhausted his entitlement to full-pay sick leave subject to written approval from the Chief Executive.

8.3.5 A staff is not entitled to sickness allowance:
   a) where a staff's unfitness for work has resulted from his own serious and wilful misconduct;
   b) whenever compensation is awardable under the Employment Ordinance; or

8.4 Maternity leave
8.4.1 A female staff having worked continuously for the Institute for more than 26 weeks but less than 40 weeks is entitled to no-pay maternity leave for a period of 10 weeks.
8.4.2 A female staff, who has no more than 2 surviving children and has worked continuously for the Institute for over 40 weeks, will be entitled to pay maternity leave in accordance with the relevant provisions of the Employment Ordinance.

8.4.3 Maternity leave may be extended for a period of 10 weeks without pay on the ground of illness or disability arising out of pregnancy or confinement. If the staff has accumulated sick leave and/or annual leave, she may apply for the extended leave wholly or partially to be offset by the accumulated leave. A certificate from a registered medical practitioner is required in case sick leave is applied.

8.4.4 Any holiday falling within the period of maternity leave will be counted as maternity leave and will not give rise to any entitlement to an additional holiday. Maternity leave will not be counted as part of the notice period of termination of service.

8.4.5 Staff should:
   a) Submit the application for maternity leave, with a medical certificate certifying pregnancy and specifying the expected date of confinement, to the immediate superior and the Administration Department at least 3 months before the expected date of confinement;
   b) notify the immediate superior and the Administration Department within 8 days of her confinement date and the date on which she intends to resume duty;
   c) submit the following documents upon resumption of duty to the Administration Department:
      i) a statement from her doctor certifying the actual date of delivery; and
      ii) a copy of the birth certificate of her new-born child.

8.4.6 Any day off for ante-natal and/or post-natal check-ups, examinations treatments and miscarriages should be taken as sick leave.

8.5 Leave to perform public duties
All members of staff who are called to attend jury services should notify the Chief Executive. Jury leave will be granted as leave with pay, subject to documentary evidence.

8.6 Compassion leave
Compassion leave will not normally be granted. In the case of marriage or death of immediate family members, a maximum of 3 working days may be given subject to work conditions and prior approval from Chief Executive.

9. Benefit and Welfare
9.1 Staff development
9.1.1 The Institute will support staff who wish to pursue HKICS and ICSA qualifications.
9.1.2 Examination leave will be granted based on actual commitment according to examination schedule. A maximum of 10 days will be granted to each staff under this category for study leave per annum.
a) Study leave will be granted as follows:

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<th>Maximum day(s)/subject</th>
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<tr>
<td>1\textsuperscript{st} attempt</td>
<td>2</td>
</tr>
<tr>
<td>2\textsuperscript{nd} attempt</td>
<td>1</td>
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<tr>
<td>3\textsuperscript{rd} attempt</td>
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<tr>
<td>over 3 attempts</td>
<td>no leave to be granted</td>
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b) Examination leave will be given on actual basis.

9.1.3 Financial Sponsorship
a) Staff should pay for the Institute examination entry and subject fees which will only be reimbursed upon successful completion of the examinations.

b) Membership fees to the Institute will be re-imbursed to staff who are member of the Institute.

9.1.4 Conditions of Benefit
a) Benefit will be offered to staff who has completed one year service and still under employment of the Institute.

b) Staff who serves less than 1 year will be required to sign an undertaking stating that if he/she leaves the Institute without a full year service, he/she will have to reimburse to the Institute all the expenses financed and leave granted will be deducted from accrued leave entitlement accordingly.

c) Staff should produce "Result Notification" to validate his/her claim. In case he/she, without proper reason, did not attempt the examination on the given date, the leave granted will be deducted from his/her annual leave entitlement and the relating examination fees will not be reimbursement.

d) If staff leaves employment before release of result, an appropriate amount would be deducted from his/her last salary but shall be reimbursed on production of the result letters later.

9.1.5 The Institute will support staff who wish to take further studies /activities relevant to job duties on a case-by-case basis.

a) Examination leave stated at 9.2 will be granted based on actual commitment according to examination schedule.

b) Staff should pay for course enrolment and examination fees but may apply for reimbursement subject to the following conditions stated below:

i) Pre-approval required; and

ii) Upon successful completion of all examinations

For CCA/IQS, the Institute will reimburse 100% of costs on a year-by-year /course-by-course basis. Payment will be made upon receipt of proof of attendance and/or proof of successful completion e.g. attending the course/examination and/or passing the examination.

For other professional courses/examinations, payment will be limited
to 70% of course/examination costs on a year-by-year/course-by-course basis. Payment terms are the same basis as for CCA/IQS.

Should the staff member leave the Institute within one year of the payment, the Institute reserves the right to reclaim the entire amount paid to the staff member. Should the staff member leave after one year but before two years after the payment, then the Institute reserves the right to claim back half the payment. After two years, no claim on payment will be made.

9.2 Group medical scheme
9.2.1 Staff, one month from employment contract, as provided in will be entitled to join the medical scheme covering hospitalisation and out-patient medical benefits.

9.2.2 Coverage for family members
(On condition that the Insurance company may accept such arrangement)
   a) Spouse and children of all married staff may enter into the same grade of medical coverage enjoyed by the staff at own expenses subject to confirmation by the Insurance Company.
   b) In the event of termination, the staff and his/her family members may have the right to continue coverage under the group insurance program for the remaining of period already covered.

9.3 Insurance coverage for working outside Hong Kong
Insurance coverage as travelling insurance will be extended to staff who need to work outside Hong Kong on actual basis.

9.4 Mandatory Provident Fund Scheme
A mandatory provident fund scheme has been arranged for staff. Below are extracts of the plan rules:
9.4.1 Eligibility
   a) Staff shall be eligible to join the plan on the first day of the first month after they have completed probation, provided they have not, and reached the age of 60.
   b) A re-employed staff shall be considered as a new employee for the purpose of the plan.

9.4.2 Contributory Provident Fund Scheme
   a) As from the date on which the staff is accepted into the Plan, each staff shall be required to contribute 5% of basic salary each month (maximum $1,000). HKICS shall deduct the said amount from the staff's basic salary.
   b) Concurrently, The Institute shall contribute in respect of each staff an amount according to the following schedule:

<table>
<thead>
<tr>
<th>No. of Completed Years of Services</th>
<th>Contribution Expressed as Basic Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5 years</td>
<td>5%</td>
</tr>
<tr>
<td>5 but less than 10 years</td>
<td>7.5%</td>
</tr>
<tr>
<td>10 years or more</td>
<td>10%</td>
</tr>
</tbody>
</table>
c) A staff shall not suspend his/her own contributions or withdraw his/her own contributions in whole or in part unless he/she leaves the services of The Institute and ceases to be a Member of the Plan.

d) Contribution shall cease on the last day of the month immediately proceeding the staff’s last day of employment.

9.4.3 Benefits

a) Subject to paragraphs II and III of this Section a staff shall on the termination of his/her service with The Institute and ceasing to be a Member of the Plan receive the following:

1) The total of his/her Member’s Account, if
i) he/she retires on his Normal Retirement;
ii) he/she retires earlier with the consent of the Institute after having attained the age of 60;
iii) he/she retires with the consent of the Institute at any time due to total and permanent disability resulting from injury or sickness, and becomes permanently incapable of performing his/her own or equivalent duties or other appropriate work with the degree of efficiency required by the Institute;
iv) he/she remains in service with the consent of the Institute after the Normal Retirement Date and retires subsequently;
v) he/she dies while being a Member of the Plan.

2) Otherwise, only the portion of his/her Members Account secured by his/her own contributions, plus a % of the portion of his/her Member’s Account secured by the Institute’s contributions according to the following Vesting Schedule:

<table>
<thead>
<tr>
<th>No. of Completed Year of Service</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3 years</td>
<td>Nil</td>
</tr>
<tr>
<td>3 years</td>
<td>30%</td>
</tr>
<tr>
<td>4 years</td>
<td>40%</td>
</tr>
<tr>
<td>5 years</td>
<td>50%</td>
</tr>
<tr>
<td>6 years</td>
<td>60%</td>
</tr>
<tr>
<td>7 years</td>
<td>70%</td>
</tr>
<tr>
<td>8 years</td>
<td>80%</td>
</tr>
<tr>
<td>9 years</td>
<td>90%</td>
</tr>
<tr>
<td>10 years or more</td>
<td>100%</td>
</tr>
</tbody>
</table>

b) In the event of a staff being dismissed from the service of the Institute upon any of the following grounds, he/she shall not be entitled to any benefit in respect of the Institute’s portion of his/her Member’s Account:

1) wilfully disobeying a lawful and reasonable order;
2) misconducting himself /herself and such conduct being inconsistent with the due and faithful discharge of his/her duties;
3) being guilty of fraud or dishonesty;
4) being habitually neglectful in his/her duties; or
5) upon any ground on which the Institute would be entitled to terminate his/her service without notice at common law or by
Statue.
c) The Insurer shall, at the request of the Institute, out of the benefit payable to a Member of the Plan or other person, pay or transfer to the Institute the amount of:
1) proven loss the Institute has suffered due to a dishonest act committed by the Member; or
2) indebtedness acknowledged in writing by the Member owing to the Institute.

9.5 Long service bonus
Long service bonus is to be given to staff who have served the Institute for a continuing period of:

<table>
<thead>
<tr>
<th>No. of years served</th>
<th>Bonus (Basic month's salary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 years</td>
<td>0.5 month</td>
</tr>
<tr>
<td>10 years</td>
<td>1 month</td>
</tr>
<tr>
<td>15 years</td>
<td>1.5 month</td>
</tr>
<tr>
<td>(and for every 5 years)</td>
<td>remain at 1.5 month</td>
</tr>
</tbody>
</table>

This bonus is paid to staff in the anniversary month of his/her employment and will be calculated based upon the monthly salary applicable when the bonus is payable.

Ceiling of such bonus is set at the lower amount of:
1) the stated number of monthly salary
2) HK$75K

9.6 Allowances
9.6.1 Travelling allowance
Travelling allowance is available for staff taking trips within or outside office hours to and from the office for business transactions relating to the Institute by reasonable mode of transportation with documentary support as far as practicable.

Travelling allowance for overseas travel is to be determined by Chief Executive/ Executive Committee on a case by case basis.

Travelling by taxi by staff attending Institute functions are available beyond 10:00 pm. on pre-approved basis.

9.6.2 Lunch/ Dinner allowance
Lunch Allowance is available for staff attending Institute functions during lunch time on pre-approved basis.

Dinner Allowance is available for staff attending Institute functions beyond 8:00pm on pre-approved basis.

Such allowances are only available for pre-approved functions whereas no lunch/ dinner will be available at a rate to be determined by Management.

10. Disciplinary Procedures
10.1 Disciplinary actions will be taken against staff depending on the severity and nature of the misconduct/offence.
10.1.1 Oral Warning
It is normal to minor offence but will be recorded in the staff's personal file.

10.1.2 Written Warning
A written warning will be issued for an offence or poor working performance and will serve as reference for consideration of withholding salary increment or termination of employment. The staff concerned will be required to countersign the record when warnings are given. Refusal to sign by the staff concerned will be witnessed and recorded. Written warning, once given, will become a permanent record in the staff's personal file.

10.1.3 Final Written Warning
Final written warning letter will be issued after written warning failed to improve the situation. Written and final warning would be given with consent of the Executive Committee.

10.1.4 Suspension
Staff may be suspended from work pending investigation into some serious allegation of malpractice. Suspension requires approval of the Executive Committee.

10.1.5 Summary Dismissal
Staff may be summarily dismissed without notice or payment in lieu for committing serious offences. In such case, staff will only receive payment up to and including the date of the offences as specified in the Employment Ordinance. Summary dismissal requires approval form Executive Committee.

10.2 Staff in breach of the following rules are liable and subject to disciplinary action depending on the nature and serious of the offence.

a) being absent or persistently late from work without permission notification or authorisation;

b) gambling in any form within the Institute's premises;

c) indulging in immoral conduct of any sort in the Institute's premises;

d) wilfully neglecting duties or refusing to accept reasonable, lawful orders assigned to him/her by his/her superior;

e) indulging in threatening behaviour or fighting in the Institute's premises;

f) violating safety rules or engaging in any conduct which tends to create a safety hazard;

g) failure to supply information or supplying false information for personnel or Institute's records or reports;

h) removing the Institute's property, records or other materials from the Institute's premises without authorisation;

i) soliciting or accepting bribes of any kind in capacity of Institute staff;

j) intoxication in the Institute's premises;

k) conducting any personal business during working hours;

l) making defamatory remarks against the Institute, other staff or members;

m) obtaining fringe benefits in bad faith;

n) being convicted of a criminal offence.

The above list is not exhaustive and a breach of proper conduct reasonably required of the staff not included in the above list shall be subject to appropriate disciplinary action as reasonable determined by the Institute.

10.3 Appeal
Any appeal of disciplinary action should be made in writing within 2 weeks of notification of any disciplinary action taken or to be taken and should be sent to the President in case the Executive Committee has been involved in the decision of disciplinary action concerned.
11. **Grievance Procedures**

The Institute recognises that a prompt and fair response by management to staff work-related complaints is vital to a productive work environment. The procedures are:

- **11.1** the grievance should establish discussed in the first instance between the staff and his/her immediate supervisor;
- **11.2** should the supervisor be unable to solve the problem, it should be referred to the Chief Executive;
- **11.3** should the problem still be unsolved, it should be referred to the Executive Committee.

12. **Termination of employment**

12.1 **Period of notice**

Unless otherwise specified in the contract of Employment or any subsequent revisions, the period of notice required for management staff of Manager grade or above is at least 3 months and for Assistant Manager or below is at least 1 month.

Notice of intention to leave/terminate of employment must be served in written by both parties. Insufficient period of notice should be compensated by payment in lieu.

12.2 **Resignation**

Staff may resign by giving written notice or by payment in lieu and notice is subject to the approval of the Chief Executive. In case the Chief Executive is subject to the Council's approval.

12.3 **Termination**

Employment may be terminated by the Institute by giving written notice or by payment in lieu.

12.4 **Dismissal**

A staff may be summarily dismissed by the Institute without notice or payment in lieu as stipulated in the Employment Ordinance that he/she:

- a) wilfully disobeys a lawful and reasonable order;
- b) misconducts himself;
- c) is guilty of fraud or dishonesty; or
- d) is habitually neglectful in his duties.

On any other grounds in which the Institute will be entitled under provisions of the Employment Ordinance to terminate the contract of employment without notice and grant of benefits.

12.5 **Retirement**

All staff are required to retire at the age of 60. Employment may be extended beyond the retirement age at the discretion of the Institute.

12.6 **Indebtedness**

If the Institute has reasonable cause to believe that there are or may be outstanding debts still owing the Institute as at the effective date of termination, the Institute shall entitled to retain sufficient monies, from the staff's unpaid remuneration to cover such debts, any monies so retained shall in any case be paid to the staff without interest not later than 30 days after the effective date of termination less any debts which have been presented for payment.

13. **Office Security, Safety and Others**

13.1 **Work arrangements during typhoon and black rainstorm warning**
13.1.1 Staff are not required to return to work when typhoon signal no. 8 or above or black rainstorm warning is hoisted.

13.1.2 Staff are required to resume duty if the typhoon signal no. 8 or black rainstorm warning is lowered not less than 4 hours before close of working hours. If in difficulty to return to work, the staff should report to his/her immediate supervisor.

13.2 Hygiene
a) All staff should do their best in keeping the premises in good shape, tidy and clean.
b) Except for re-heating of lunch boxes, cooking in the office or pantry is prohibited.
c) Utensil and cutlery should be cleaned immediately after use and be put in the proper place.
d) All used tea-bags, snacks wrapping papers etc, should be put in rubbish bins.
e) Smoking is prohibited within the premises.

13.3 Punctuality
13.3.1 Staff will be considered late if they arrive in the office after the designated time of arrival or do not return from lunch within the allocated time therefore.

13.3.2 Unless otherwise agreed between staff and management, the designated time of arrival is 9:00a.m., and lunchtime is 12:30 – 1:30 pm.

13.3.3 Staff arriving late to work or returning late from lunch without prior notice and approval must report the reason for the lateness to their supervisor immediately upon arrival – where the reason is not so reported, management will not consider whether the excuse is reasonable.

13.3.4 Where staff are late on 3 occasions within a six-month period, a Warning Letter will be issued.

13.3.5 Where staff are late on 5 occasions within a six-month period, summary dismissal will be recommended without further notice.

13.3.6 Summary dismissal will be recommended for any member of staff who is late to work on more than 5 occasions within a six-month period without prior notice and approval or reasonable excuse.

13.4 Fire precautions
13.4.1 All staff working in the Institute's premises should:
a) familiarise themselves with the location of fire alarms, extinguishers and exits at their work place;
b) not use naked flames or heat without permission;
c) avoid keeping flammable materials in the office;
d) not block the access to fire alarm, extinguishers and exits;
e) not cover up or overload an electrical switch/socket.

13.4.2 If a fire or smoke is discovered with the premises, staff should:
a) activate the fire alarm or shout for help;
b) try to extinguish the fire immediately if possible (but make sure it is not hazardous to them), otherwise evacuate the premises as quickly as possible.

13.4.3 On hearing the fire alarm, please keep calm. Evacuate immediately if there is
13.5 Office security
13.5.1 Staff should ensure security of offices and guard against unauthorised persons gaining access to any office within the premises.

13.5.2 Members of staff should keep personal efforts on valuables in the office if there are valuable items, the respective staff should keep and lock them properly. The Institute does not take responsibility for the loss of personal belongings to members of staff.

13.5.3 The member of staff who is last to leave the office should make sure that all lighting, equipment and air-conditioners are switched off and doors are locked before he/she leaves the office.

13.5.4 All confidential files and papers should be properly kept to avoid access by unauthorised persons.

13.5.5 Female staff should avoid staying late alone in the office. Keep alert against strangers if staying late is necessary.

13.5.6 Staff should take good care of the Institute's property, including office furniture, equipment, machines and documents etc. Staff will be personally liable for any loss or damage of property due to misuse, carelessness, or negligence.

13.5.7 Report to the security immediately should any unauthorised stranger be found within the premises.

13.6 Emergencies
13.6.1 Staff involved in an emergency should exercise his/her own judgement but act promptly;

13.6.2 In a medical emergency, call for assistance from the security or dial 999 when necessary. Clear indication of location concerned is necessary when reporting the emergency.

13.7 Communication
Staff will be informed of any new policy, rules, regulations or procedures by administrative circulars. Staff should discuss with their immediate supervisor first if they need any assistance related to work.

13.8 Change of personal particulars
Staff should notify any changes of following personal particulars to the Director, Administration and Operations for personnel record update:

a) Name;
b) Hong Kong Identity Card;
c) Residential address/Telephone;
d) Marital status;
e) Person to notify in case of emergency and his contact telephone;
f) Educational/Professional qualification.

13.9 Confidentiality
As staff may at times be working with confidential information about the Institute affairs and members during the course of employment, staff shall not at any time (except so far as is necessary and proper for the purposes of the employment) disclose to any person or parties any information as the affairs of the Institute or any of its
members or any matters which may come to the Employee's knowledge by reason of the employment.

13.10 Code of conduct (for staff)
Please refer to the separate Code of Conduct for Staff. (Appendix 1)

13.11 Acceptance of advantages
Please refer to the separate Statement on Acceptance of Advantages. (Appendix 2)

13.12 Personal data protection
Please refer to the separate Statement on Personal Data Protection. (Appendix 3)

14. Conduct and Working Environment

14.1 Policy
It is the policy of the Institute that staff maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among the staff and is free from all forms of harassment and violence.

14.2 Objective
This policy identifies the Institute responsibility and the staff responsibility as it relates to conduct and working environment.

14.3 Procedures
Staff is expected to conduct themselves in an appropriate manner as judged by a reasonable person.

Staff have the right to conduct their work without disorderly or undue interference from other staff members. The Institute prohibits staff from violating this right of their co-workers.

The Institute encourages a congenial work environment of respect and professionalism. Therefore, the Institute prohibits staff from intentionally harming or threatening to harm other staff, clients, vendors, visitors or property belonging to any of these parties.

Staff is responsible for maintaining their work area in a neat and professional manner.

Staff is responsible for assuring the security of Institute confidential/proprietary material in their possession and similarly maintaining the security of the Institute provided equipment. Staff concerned for the security of their work area or equipment must inform their supervisor of such concerns.

The Institute reserves the right to search unlocked and/or publicly used Institute property at any time without consent. The Institute may request a search of personal property at the worksite or locked Institute property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities resides therein. Refusal of such a request may result in disciplinary action up to and including termination.

The Institute may take disciplinary action against staff whose conduct violates this or other Institute policies and practices. The Manager should consult the Director, Administration and Operations, and/or the Chief Executive on such matters.
Code of Conduct for Staff

The Hong Kong Institute of Chartered Secretaries believes that honesty and integrity are important assets of the organisation. It is therefore important for all of you to ensure that the Institute's reputation is not tarnished by dishonesty, disloyalty or corruption. In official dealings, you may be offered advantages and the following explains how you should respond.

Prevention of bribery
Please refer to the Statement on Acceptance of Advantages in appendix 2 for details.

Entertainment
Although entertainment is an acceptable form of business and social behaviour, staff should turn down invitations to meals or entertainment that are excessive in nature or frequently, so as to avoid embarrassment or loss of objectivity when conducting Institute business.

Outside employment
If staff wish to take concurrent employment, either regular or on a consulting basis, except those on charitable nature, he/she must seek prior written approval of the Institute before accepting the employment.

Conflict of interest
Staff should avoid engaging in business, investments or activities that might conflict with Institute interests. Staff must declare to the Institute any financial interest, direct or indirect, which he/she or members of his/her immediate family may have, in any business or other organisation which competes with the Institute or with which the Institute has business dealings. All declarations should be made in writing to the Chief Executive of the Institute.

Handling of confidential information
As staff may at times be working with confidential information about the Institute affairs and members during the course of employment, staff shall not at any time (except so far as is necessary and proper for the purposes of the employment) disclose to any person or parties any information as the affairs of the Institute or any of its members or any matters which may come to the Employee's knowledge by reason of the employment.

Loans to and from suppliers
Staff or his/her immediate family should not grant or guarantee a loan to, or accept a loan from or through the assistance of any individual or organisation having business dealings with the Institute. There is, however, no restriction on normal bank lending's.

Gambling
Staff are advised not to engage in frequent and excessive gambling of any kind, including games of mahjong, with persons who have business dealings with the Institute. In social games with clients, contractors or suppliers, one must exercise judgment and withdraw from any high stake games.

Institute property
Appropriation of Institute properties, by any staff for personal use or resale is strictly prohibited. In these cases, the Institute may, without notice or payment in lieu, dismiss the offending staff.
**Institute records and accounts**
Staff are reminded that falsifying documents or furnishing false accounting records are also offences under the Prevention of Bribery Ordinance and are strictly prohibited.

**Compliance with the Institute code**
Anyone breaching the Institute’s code will be disciplined, including termination of employment and may, in some circumstances, be prosecuted under the relevant law.

Any complaints on possible breach of this code can be referred to the Chief Executive of the Institute and will be treated promptly and fairly.
Statement on Acceptance of Advantages

The Hong Kong Institute of Chartered Secretaries believes that honesty and integrity are important assets of the organisation. It is therefore important for all of you to ensure that the Institute's reputation is not tarnished by dishonesty, disloyalty or corruption.

The purpose of this statement is to give general guidance to staff of the Institute on the acceptance of advantages in conducting business on behalf of the Institute.

Legal Provision
According to Section 4 of the Prevention of Bribery Ordinance, it is an offence for a public servant to solicit or accept an advantage without the written permission of the public body. As regards the definition of 'advantage', please refer to the relevant sections of the Prevention of Bribery Ordinance attached.

Channel for seeking Guidance
If any staff is offered advantages which are not approved by the Institute, he/she should report to the Chief Executive for advice and instructions.

Breach of the Policy
Any staff found to be in breach of the policy will be liable to disciplinary action including dismissal. A report will also be made to the Independent Commission Against Corruption if necessary.

Prevention of Bribery Ordinance
The law regarding the offence of bribery in the public sector is set out in Section 4 of the Prevention of Bribery Ordinance which is given below:

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- (Amended 28 of 1980 s. 3)
   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- (Amended 28 of 1980 s. 3)
   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 Crown servant 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. (Added 28 of 1980 s. 3)

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
   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. (Added 28 of 1980 s. 3)

As defined in the Prevention of Bribery Ordinance, "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; (Amended 33 of 1991 s. 2; 10 of 2000 s. 47)
Statement on Personal Data Protection

The Institute’s Privacy Policy
The Hong Kong Institute of Chartered Secretaries from time to time collect personal identifiable information from members, students as well as other interested persons (‘the interested parties’) for registration and related business.

Our policy is to build on the trust and confidence the interested parties placed on us. Accordingly, we have a duty to the interested parties to keep information about them, and their personal information confidential.

Privacy Policy Statement and Personal Information Collection
In addition to our duty of confidentiality to the interested parties, the Institute will at all times fully observe the Personal Data (Privacy) Ordinance (‘the Ordinance’) in collecting, maintaining and using the personal data of the interested parties. In particular, the Institute observes the following principles, save otherwise appropriately agreed by the interested parties:

- collection of personal data from the interested parties shall be for purposes relating to the business of the Institute or related services;
- all practical steps will be taken to ensure that personal data are accurate and will not be kept longer than necessary or will be destroyed in accordance with the internal retention period;
- personal data will not be used for any purposes other than the data that were to be used at the time of collection or purposes directly related thereto;
- personal data will be protected against unauthorised or accidental access, processing or erasure;
- the interested parties have the right of access to and for correction of their personal data held by us and that their request for access or correction will be dealt with in accordance with the Ordinance.

The interested parties’ personal data is classified as confidential and can only be disclosed by us where permitted by the Ordinance or otherwise legally compelled to do so.

In accordance with the terms of the Ordinance, the Institute has the right to charge a reasonable fee for the processing of any data access request.

Nothing in this Statement shall limit the rights of the interested parties under the Personal Data (Privacy) Ordinance.

Contact Us
Requests for access to data or correction of data or for information regarding policies and practices and kinds of data held should be in written and addressed to:
Director, Administration and Operations
The Hong Kong Institute of Chartered Secretaries
3/F, Hong Kong Diamond Exchange Buidling,
Duddell Street
Central
Hong Kong
Tel: (852) 2881 6177  Fax: (852) 2881 5050
The Institute's Privacy Policy

The Hong Kong Institute of Chartered Secretaries ('the Institute')'s interest has been built on trust between our members and students as well as interested prospective members and students (interested persons). We have a duty to safeguard and keep confidential any information relating to the interested persons or their personal affairs revealed to us. Whether it is provided to us in person at our counter, over the phone, or while visiting our web-site, we will strive at all times to ensure that the information is kept confidential and secure.

Internet Privacy Policy Statement and Personal Information Collection

The Institute will not collect any personal information that identifies a visitor to this site individually unless specified otherwise. Your visit to this site will record only the Domain Name Server part of your e-mail address and of the pages visited. Such information will be used to prepare aggregate information about the number of visitors to the site and general statistics on usage patterns.

In addition to our duty of confidentiality to customers, we shall at all times fully observe the Personal Data (Privacy) Ordinance ("the Ordinance") of the Hong Kong SAR in collecting, maintaining and using the personal data of customers. In particular, we observe the following principles, save otherwise appropriately agreed by the customers:

- collection of personal data from customers shall be for purposes relating to the provision of services or related business of the Institute;
- all practical steps will be taken to ensure that personal data are accurate and will not be kept longer than necessary or will be destroyed in accordance with the internal retention period;
- personal data will not be used for any purposes other than the data that were to be used at the time of collection or purposes directly related thereto;
- personal data will be protected against unauthorised or accidental access, processing or erasure;
- interested persons have the right of access to and for correction of their personal data held by us and that interested person's request for access or correction will be dealt with in accordance with the Ordinance.

An interested person's personal data is classified as confidential and can only be disclosed by us where permitted by the Ordinance or otherwise legally compelled to do so.

Linked Web Sites

The Institute is not responsible for the contents available on or the set-up of any other web sites linked to this site. Access to and use of such other web sites is at the user's own risk and subject to any terms and conditions applicable to such access/use.

Notice to interested persons and others relating to the Personal Data (Privacy) Ordinance

From time to time, it is necessary for interested persons to supply the Institute with data in connection with the registration and application for studentship or membership or for other services of the Institute. Failure to supply such data may result in the Institute being unable to process the application or to provide any services.
It is also the case that data are collected from customers in the ordinary course of business of the Institute.

The purposes for which data relating to an interested person may be used are as follows:

- the registration for studentship or membership or related services;
- ensuring status of interested persons;
- meeting the requirements to make disclosure under the requirements of any law binding on the Institute;
- assisting other institutions to conduct surveys;
- purposes relating thereto.

Data held by the Institute relating to an interested person will be kept confidential but the Institute may provide such information to the following parties for the following purposes:-

- any other person under a duty of confidentiality to the Institute including a group sister associations of the Institute;
- where permitted by the Ordinance or otherwise legally compelled to do so;

In accordance with the terms of the Ordinance, the Institute has the right to charge a reasonable fee for the processing of any data access request.

Nothing in this Notice shall limit the rights of interested persons under the Personal Data (Privacy) Ordinance.

**Contact Us**

Requests for access to data or correction of data or for information regarding policies and practices and kinds of data held should be addressed to:

The Hong Kong Institute of Chartered Secretaries
3/F, Hong Kong Diamond Exchange Buidling,
Duddell Street
Central
Hong Kong

Tel  (852) 2881 6177
Facsimile: (852) 2881 5050
Email : ask@hkics.org.hk

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