

## **Prevention of Corruption – Code of Conduct**

### **Probity requirements for licensed traders under the Pharmacy and Poisons Ordinance (Cap. 138)**

1. Licensed traders under the Pharmacy and Poisons Ordinance (Cap. 138), which includes licensed manufacturers, wholesalers, authorized sellers of poisons and listed sellers of poisons and all of their employees, must comply with the following probity requirements: -

a) bribery and corruption are strictly prohibited, including –

(i) compliance with the Prevention of Bribery Ordinance (Cap. 201) and other relevant laws in the trading of pharmaceutical products/poisons;

(ii) not to solicit or accept any advantage from others as a reward for or inducement to doing any act or showing favour in relation to the trading of pharmaceutical products/poisons; or offer any advantage to an agent of another as reward for or inducement to doing any act or showing favour in relation to the principal's business or affairs;

(iii) not to offer any advantage to any government officer or Members of statutory organisations (including but not limited to the Pharmacy and Poisons Board and its Committees) as a reward for or inducement to the performing of any act in the official capacity or showing any favour or providing any assistance in business dealings with the government officer or Members of statutory organisations or;

(iv) not to offer any advantage to any staff or members of government departments or statutory organisations while having dealings of any kind with them;

b) avoid any actual conflict of interest or the perception of such conflicts with the licensed trader's client or related personnel. For any potential or possible conflict of interests, the licensed trader must as soon as reasonably practicable disclose to its clients or related personnel in details of such interests.

c) assist law enforcement agencies – rendering full assistance to law enforcement agencies in the investigation of criminal offences.

2. Licensed traders should have a reporting mechanism, consists of a confidential reporting channel, for prompt reporting of suspected illegal acts to relevant law enforcement agencies. Any person come across any offering or solicitation of bribe or suspect any corruption should make a report to the ICAC immediately. All information provided to the ICAC would be treated in strict confidence.

#### Phone

25 266 366 (24-hour service)

#### Mail

The ICAC

G.P.O. Box 1000, Hong Kong

#### In Person

ICAC Report Centre (24-hour service)

G/F, 303 Java Road, North Point Hong Kong

ICAC Regional Offices (For the address and contact number of ICAC Regional Offices, please refer to: <https://www.icac.org.hk/en/rc/channel/ro/index.html>)

## 防止貪污事宜 - 操守守則

### 根據《藥劑業及毒藥條例》(第 138 章)所規管的持牌藥商的誠信要求

1. 根據《藥劑業及毒藥條例》(第 138 章)所規管的持牌藥商，包括持牌製造商、批發商、獲授權毒藥銷售商和列載毒藥銷售商及其所有僱員，均須遵守以下誠信要求—
  - a) 嚴禁賄賂貪污，包括 —
    - (i) 在經營藥劑製品/毒藥業務時，必須遵守《防止賄賂條例》(第 201 章)及其他相關法例；
    - (ii) 不可索取或接受他人的利益，作為作出任何與經營藥劑製品/毒藥業務有關的行為或對他人在經營藥劑製品/毒藥業務上予以優待的報酬或誘因；或提供任何利益予其他人的代理人以作為其作出與其主事人業務有關的行為或在其主事人業務上給予優待的報酬或誘因；
    - (iii) 不可向任何政府人員或法定機構(包括但不限於香港藥劑業及毒藥管理局及其委員會)的成員提供任何利益，作為該人員作出任何與其公職有關的行為或在其政府部門或法定機構事務上提供優待或協助的報酬或誘因；
    - (iv) 不可在與政府部門或法定機構進行往來時，向任何政府或法定機構的成員或職員提供利益；
  - b) 避免任何與持牌藥商的業務夥伴或其他相關人士之間出現實際或觀感上的利益衝突情況。在有可能有或有潛在利益衝突的情況下，持牌藥商須在合理切實可行的範圍內儘快向其業務夥伴或其他相關人士詳盡披露有關利益；
  - c) 協助執法部門 — 必須就刑事罪行調查向執法部門提供全面協助。
2. 持牌藥商應建立保密的舉報機制，以便迅速向相關執法部門舉報涉嫌非法行為。任何人士，如遇到任何行賄、索取利益或涉嫌貪污事件，應立即透過以下其中一個途徑向廉政公署舉報。所有提供給廉政公署的舉報資料均會絕對保密。

電話舉報

25 266 366 （24 小時舉報熱線）

投函舉報

香港郵政總局郵箱 1000 號

親身舉報

廉署舉報中心（24 小時舉報中心）

香港北角渣華道 303 號地下

廉署分區辦事處

（ 有 關 地 址 及 聯 絡 電 話 請 參 閱

<https://www.icac.org.hk/tc/rc/channel/ro/index.html>）