CODE OF CONDUCT FOR EXECUTIVE COMMITTEE MEMBERS, SENATE MEMBERS AND COMMITTEE MEMBERS

Last updated on 14 September 2026

This Code of Conduct sets out the basic standard of conduct expected of all Executive Committee Members, Senate Members and Committee Members of The Kendo Association of Hong Kong, China Limited (HKKA).

1. Introduction

1.1 The HKKA is fully committed to the principle of honesty, integrity and fair play in all its businesses and activities. All Executive Committee Members, Senate Members and Committee Members should ensure that the businesses of the HKKA, which include selection of athletes, management of coaches & referees, administration of membership and general administration such as procurement, accounting and staff administration, etc., are conducted in an open, fair and impartial manner. They should bear in mind that the HKKA is accountable to all stakeholders, including the Government, sponsors, and all members.

1.2 To uphold public trust and protect public interest, it is important for all Executive Committee Members, Senate Members and Committee Members to familiarize and comply with the standard of behaviours as set up in this Code of Conduct. They shall sign the Declaration of Compliance with the Code of Conduct for Executive Committee Members, Senate Members and Committee Members in ***Appendix 2*** and submit it to the HKKA annually. They should be conversant with the Code and failure to comply with the Code may result in disciplinary action. In case of suspected corruption or other criminal offences, a report should be made to the Independent Commission Against Corruption or the appropriate authorities.

1.3 For disciplinary actions relating to misconduct, please refer to ***Appendix 1 Misconduct and Disciplinary Actions.***

1.4 ***For the purposes of this Code, a reference to the Executive Committee includes, where a matter concerns the Senate or a committee or sub-committee of the Executive Committee, the Senate or that committee or sub-committee, and a reference to the President includes the chairperson of the Senate or of the relevant committee or sub-committee, as the case may be.***

1.5 ***This Code should be read together with, and is subject to, the HKKA Guidelines and Procedures on Handling of Complaints and Appeal.***

2. Provisions of Prevention of Bribery Ordinance

2.1 Under Section 9 of the Prevention of Bribery Ordinance (POBO, Cap. 201), an agent who solicits or accepts an advantage in relation to his/her principal's business or affairs without the principal's permission may commit an offence. The term "advantage" is defined in Section 2(1) of POBO and includes almost anything of value, except entertainment, such as money, gift, commission, loan, fee, reward, office, employment, contract, service or favour as detailed at ***Appendix 3***.

2.2 In this connection, any Executive Committee Member, Senate Member or Committee Member commits an offence if he/she, without the permission of the HKKA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the HKKA's business.

3. Acceptance of Advantages

3.1 Executive Committee Members, Senate Members and Committee Members are prohibited from soliciting any advantage from any persons or companies having business dealings with the HKKA (e.g., suppliers and contractors, etc.). Executive Committee Members, Senate Members and Committee Members who wish to accept any advantage from such persons should, depending on the circumstances of the case, seek special permission from the Executive Committee.

3.2 Gifts/Souvenirs presented to Executive Committee Members, Senate Members and Committee Members in official capacity

a) Any gifts/souvenirs offered voluntarily to Executive Committee Members, Senate Members and Committee Members in their official capacity are regarded as gifts/souvenirs to the HKKA. The HKKA should decline the offer if the acceptance would affect the Executive Committee Members, Senate Members and Committee Members' objectivity in conducting the HKKA's business or induce them to act against the interest of the HKKA, or lead to perception or complaints of bias or impropriety;

b) Executive Committee Members, Senate Members and Committee Members should follow the procedures set up in ***Appendix 4A*** for the disposal of gifts/souvenirs presented to them in their official capacity and, depending on the circumstances, report the matter to the Executive Committee and seek instruction by using the form in ***Appendix 4B***; and

c) Proper records of these applications should be kept by the Secretariat showing the name of the applicant, the occasion of the offer, the nature and estimated value of the gift/souvenir, and whether permission has been granted for the applicant to retain the gift/souvenir or other directions have been given to the disposal of the gift/souvenir.

3.3 Sponsorships offered to Executive Committee Members, Senate Members and Committee Members in official capacity

a) Executive Committee Members, Senate Members and Committee Members may be offered sponsorships in their official capacity by persons/organizations for official purposes such as attending local/overseas conferences, conventions and product trial activities, etc. Such sponsorships should be regarded as sponsorships offered to the HKKA and should be referred to the Executive Committee for consideration of acceptance, except for those offered by sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the HKKA for attending official meetings/programs.

b) The Executive Committee should consider whether the acceptance of the sponsorship will benefit the HKKA as a whole and not bring the HKKA into any disrepute,

whether the HKKA will feel obliged to do something in return for the offeror, and whether the acceptance will give rise to any actual or perceived conflict of interest (e.g., the offeror is a supplier/contractor bidding for the HKKA's contract). If decision is made to accept the sponsorship, the HKKA should then select a suitable representative to attend the sponsored activity.

3.4 Advantages offered to Executive Committee Members, Senate Members and Committee Members in private capacity

a) Where Executive Committee Members, Senate Members and Committee Members are offered an advantage in their private capacities, they may accept it if the acceptance will not affect the performance of their duties as Executive Committee Members/Committee Members of the HKKA; and they will not feel obliged to do something in return in connection with the HKKA's business for the offeror. If Executive Committee Members/Committee Members feel that they would be obliged to reciprocate an advantage by returning to the offeror a favour connected with any business of the HKKA, they should decline the offer.

b) When Executive Committee Members, Senate Members and Committee Members are in doubt as to whether they should accept an offer of advantage, it is advisable for them to apply the "sunshine test" and consult with the Executive Committee for advice and instruction.

3.5 Lucky draw prizes

a) When Executive Committee Members, Senate Members and Committee Members are invited as guests to events in his/her official capacity, they may take part in lucky draws and accept a prize if its value is below the amount as approved by the HKKA. For any prize exceeding such value, it should be disposed of in one of the ways as listed at ***Appendix 4A***.

b) If there are leftovers of lucky draw prizes from an HKKA event, consideration can be given to be used as lucky draw prizes internally among staff, athletes, coaches and referees with permission from the Executive Committee.

4. Acceptance of Entertainment

4.1 As defined in Section 2 of POBO, "entertainment" refers to food or drink provided for immediate consumption on the occasion, and any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour and is not an "advantage", Executive Committee Members, Senate Members and Committee Members should not accept lavish or frequent entertainment from persons/organizations with whom the HKKA has official dealings (e.g., suppliers

or contractors, clubs/persons to which the HKKA may allocate resources or job assignments), in order to avoid embarrassment or loss of objectivity when considering on giving their views on matters concerning these persons/organizations.

5. Offer of Advantage

5.1 Executive Committee Members, Senate Members and Committee Members are prohibited from offering advantages to any director, or staff of any company or organization, for the purpose of influencing such person or company in any dealings, or any public official, whether directly or indirectly through a third party, when conducting the business of the HKKA.

5.2 Relevant provisions of POBO including the offences of solicitation, acceptance and offering of advantages are at ***Appendix 5***.

6. Conflict of Interest

6.1 If an Executive Committee Member is in any way (directly or indirectly) interested in a transaction, arrangement or contract with the HKKA that is significant in relation to the HKKA's business and the Executive Committee Member's interest is material, the Executive Committee Member must declare their interest in accordance with Section 536 of the Companies Ordinance (Cap. 622). Failure to do so may be subject to suspension or termination and liable to a Level 6 fine as defined in accordance with Section 542 of the Companies Ordinance (Cap. 622).

6.2 "Private interest" includes both the financial and personal interests of the Executive Committee Members, Senate Members and Committee Members and those of their connections including:

a) family members and other relations;

b) personal friends;

c) companies or business interests which they hold or own (both in part or in whole);

d) clubs and societies to which they belong; and

e) people to whom they owe a favour or are obligated in any way.

6.3 Register of Executive Committee Members, Senate Members and Committee Members' Interests

a) Executive Committee Members, Senate Members and Committee Members have extensive powers over policy and financial matters. To maintain public confidence in their integrity as well as the impartiality of their decision, it is important that they disclose their general interests upon their appointments as Executive Committee Members, Senate Members and Committee Members;

b) Executive Committee Members, Senate Members and Committee Members shall, when they first take up the appointment, register in writing all commercial entities, community organizations, non-profit corporations or charitable programs with which they have a relationship with, which may have potential conflict with the work of the HKKA. The term "relationship" means any relation with a person or organization, whether personal, financial, contractual or fiduciary; and

c) The registration shall be made using a standard form, a sample of which is at Appendix 6, which also includes a confidentiality statement. The register is expected to be updated whenever any relevant change of circumstances occurs. Subject to the approval of the Executive Committee on a case-by-case basis, the register may be disclosed to the public in connection with the appointment as Executive Committee Members, Senate Members and Committee Members.

6.4 Declaration of Conflict of Interest

a) A conflict of interest situation arises when the "private interest" of an Executive Committee Member or Committee Member competes or conflicts with the interest of the HKKA or one's official duties. Executive Committee Members, Senate Members and Committee Members should avoid using their official position or any information made available to them in the course of their duties to benefit themselves, their relatives or any other persons with whom they have personal or social ties, or business connections. They should avoid putting themselves in a position that may lead to an actual or perceived conflict of interest. Failure to avoid or declare such conflict of interest may give rise to criticism of favouritism, abuse of authority or even allegations of corruption;

b) In particular, Executive Committee Members, Senate Members and Committee Members involved in the procurement process should declare conflict of interest if they are closely related to, or have, or will likely be perceived to have, beneficial interest in any company which is considering submission of quotation/tender to the HKKA or is being considered for selection as the HKKA's supplier of goods or services. ***Appendix 7*** provides some examples of conflict of interest scenarios which may be encountered and should be avoided by Executive Committee Members, Senate Members and Committee Members;

c) When called upon to deal with matters of the HKKA for which there is an actual or perceived conflict of interest, a written declaration should be made in ***Appendix 8A*** in the first instance to the President or the chairperson of the committee/sub-committee concerned, and to abstain from dealing with the matter in question, but to follow the instruction of the President or the chairperson of the committee/sub-committee who may (or may not) re-assign the task to other Executive Committee Members, Senate Members and Committee Members; and

d) All Executive Committee Members, Senate Members and Committee Members are required to fill in the Declaration of Conflict of Interest form in ***Appendix 8B*** before a meeting to declare any existing/potential conflict of interest in matters under consideration by the Executive Committee or committee/sub-committee concerned. ***Appendix 9*** summarizes the actions to be taken by President, Vice-President and members of the Executive Committee or committee/sub-committee for handling possible conflict of interest scenarios at meetings.

6.5 Executive Committee Members, Senate Members and Committee Members should timely declare any existing or potential conflict of interest before:

a) Being appointed as a team manager of the Hong Kong Representative Team; or

b) Being a member who will be involved in the decision-making process (e.g., involved in the athlete selection process).

6.6 When a conflict of interest situation arises, Executive Committee Members, Senate Members and Committee Members should timely disclose any potential conflicts of interest and report it to the Executive Committee. They should refrain from participating in any discussion or making decisions related to the declared matter.

7. Misuse of Official Position

7.1 Executive Committee Members, Senate Members and Committee Members who misuse their official position for personal gains or to favour any person/organization or to benefit their business connections are liable to disciplinary action by the HKKA or even prosecution by the appropriate authorities. Examples of misuse include an Executive Committee Member or Committee Member responsible for the selection of suppliers asking a supplier to provide products/services for his/her own personal use at a concessionary price not offered to other customers. Other examples include using an official position to reserve tickets for popular events for relatives and friends without prior permission of the HKKA and without going through the proper ticket allocation procedures, and unfair allocation of resources (e.g., sports venues) to other parties for personal gain.

8. Handling of Confidential or Privileged Information

8.1 Executive Committee Members, Senate Members and Committee Members are not allowed to disclose any confidential or privileged information to anybody without prior authorization by the HKKA. Executive Committee Members, Senate Members and Committee Members who have access to or are in control of such information should at all times provide adequate safeguards to prevent its abuse or misuse. Examples of misuse include disclosure of information in return for monetary rewards, or use of information for personal interest or business benefit. It should also be noted that unauthorized disclosure of any personal data may result in a breach of the Personal Data (Privacy) Ordinance.

8.2 This section should be read together with the HKKA Guidelines and Procedures on Personal Data Privacy Protection and the HKKA Guidelines and Procedures on Information Security.

9. Use of Funds

9.1 Executive Committee Members, Senate Members and Committee Members shall ensure that all the HKKA's funds are used in a prudent and responsible manner to safeguard the HKKA's interest. They should only approve funds for any project/activity/expenditure item which falls within the ambit of the funds and can achieve the purpose of the funds. Executive Committee Members, Senate Members and Committee Members shall particularly ensure that an open, fair and competitive mechanism is adopted for the procurement of goods/services and recruitment of staff for the HKKA.

10. Property and Other Resources of the HKKA

10.1 Executive Committee Members, Senate Members and Committee Members given access to any property or other resources of or acquired by the HKKA (such as sports venues) should ensure that they are properly used solely for the purpose of conducting the HKKA's business. Misappropriation or unauthorized use of such property or resources, such as for personal use or personal gain (e.g., resale or unauthorized leasing), is strictly prohibited.

11. Records, Accounts and Other Documents

11.1 Executive Committee Members, Senate Members and Committee Members should ensure, to the best of their knowledge, that any record, receipt, account or other document they submit to the HKKA gives a true representation of the events or transactions reported in the document. Intentional use of documents containing false information to deceive or mislead the HKKA may constitute an offence under the POBO.

12. Sponsorship

12.1 The HKKA is accountable to its sponsors for the use of their sponsorship. Executive Committee Members, Senate Members and Committee Members should ensure that any sponsorship or sponsored item is used solely for the purpose for which it is provided. Executive Committee Members and Committee

Members should also ensure adequate transparency on the use of sponsorship to the sponsors, and ensure that the HKKA can account for the use of their sponsorship.

13. Gambling

13.1 Executive Committee Members, Senate Members and Committee Members should not engage in frequent or excessive gambling with persons who have business dealings with the HKKA as well as among colleagues, particularly with subordinates. If on social occasions where refusal of gambling (provided that the activity is legal) is considered unsociable, the amount of money involved should not be significant. Gambling in the HKKA's premises, government venues, and locations where activities of the HKKA take place is strictly forbidden.

14. Compliance with Local Laws in Other Jurisdictions

14.1 Executive Committee Members, Senate Members and Committee Members must comply with all local laws and regulations when conducting the HKKA's business, and also those in other jurisdictions, when conducting business there.

15. Anti Manipulation of Competition

15.1 Executive Committee Members, Senate Members and Committee Members should:

a) Report immediately any manipulation attempts and/or other suspicious behaviours (such as match-fixing, bribery, betting and use of inside information) to the Executive Committee and if such involve corruption and other criminal elements, to ICAC and other law enforcement agencies;

b) Cooperate with any investigations related to manipulation in sports and provide any information or evidence requested by the appropriate authorities;

c) Participate in education programs/seminars related to anti-manipulation in order to be better equipped for identifying and reporting any suspicious behaviour;

d) Take responsibility for his/her actions and do not engage in any behaviour that could compromise the integrity of the sport. He/she should refrain from any actions that could make him/her vulnerable to manipulation, such as gambling on sports events;

e) Not involve in any type of competition manipulations, including but not limited to betting, manipulation or corruption of sports competitions and use of inside information, etc.; and

f) Maintain confidentiality and not disclose any information related to any investigations on manipulation, unless required by law or authorized by the appropriate authorities.

16. Handling of Social Media

16.1 Executive Committee Members, Senate Members and Committee Members should:

a) Use social media responsibly and will be held personally liable for any commentary and/or material deemed to be defamatory, offensive or obscene;

b) Strictly refrain from sharing any possible source or hint of confidential information such as team strategies, financial information, or personal information of Executive Committee Members, Senate Members, Committee Members, staff, athletes, coaches and referees, etc.;

c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the HKKA, Executive Committee Members, Senate Members, Committee Members, staff, athletes, coaches or referees in social media; and

d) Be cautious when endorsing products or services on social media. He/she should disclose any financial or other interests he/she may have in the product or service and ensure that the endorsement does not incur any conflict of interest with the HKKA's policies or values.

e) This section should be read together with the HKKA Guidelines and Procedures on Handling of Social Media.

17. Prevention of Sexual Harassment, Bullying and Abuse

17.1 Executive Committee Members, Senate Members and Committee Members should not engage in any forms of sexual harassment under any circumstances. Examples include unwanted physical contact, sexual advances, or requests for sexual favour. The HKKA will not tolerate any comments or initiatives that are considered as sexual harassment under the HKKA's discretion.

17.2 The same zero-tolerance approach applies to bullying, intimidation, verbal abuse and any form of violence or physical abuse, including the application of force which is excessive, dangerous or intended to injure, humiliate or intimidate, or which otherwise goes beyond what is reasonably incidental to the proper teaching, practice and competition of kendo as a martial art, and to any abuse of a position of authority, seniority or trust against any other person. Nothing in this Code restricts physical contact, strikes or rigorous training conducted in good faith in accordance with the rules and etiquette of kendo, applicable safety standards and accepted instructional practice.

17.3 Executive Committee Members, Senate Members and Committee Members should avoid:

a) Misuse of authority of demanding sexual favours in return for access to resources, promotion, team selection, etc.; and

b) Hostile environment where unwelcome conduct of a sexual nature is prevalent.

17.4 Executive Committee Members, Senate Members and Committee Members should:

a) Report to the Senior Sports Executive of the Secretariat immediately when noticing or receiving a report on harassment and show support and exercise due diligence to ensure the wellbeing of the victim;

b) Refrain from making any comments or engaging in any behaviour that can be considered sexually suggestive, intimidating, or offensive;

c) Commit to the act of preventing sexual harassment and any retaliation actions against any person who reports an incident of sexual harassment;

d) Not deny an athlete the right to participate in any event/competition based on the athlete having made, or being subject of, sexual harassment allegations;

e) Cooperate with investigation procedures when the HKKA requests. Investigation and disciplinary procedures are prioritized over competitions, matches, and any other events;

f) Attend education programs/seminars related to prevention of sexual harassment in order to be better equipped for identifying the actions considered as sexual harassment and understand the severe consequences; and

g) Commit to creating a safe and respectful environment for everyone involved.
h) This section should be read together with the HKKA Guidelines and Procedures on Prevention of Sexual Harassment, Bullying and Abuse.

18. Prevention of Discrimination and Other Forms of Harassment[1]

18.1 Executive Committee Members, Senate Members and Committee Members should not make any comments and/or engage in actions that display discrimination and are intimidating, offensive and coercing on the basis of age, gender, sexual orientation, religion, occupation, status, geographic location, income level, ethnicity and nationality.

18.2 Executive Committee Members, Senate Members and Committee Members should understand the term discrimination and work against it. Discrimination is a legal term referring to treating a person less favour based on above mentioned factors. There are two types of discrimination:

a) Direct Discrimination occurs when someone is treated less favourably than another

[1] Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment etc.

person because of a protected characteristic; and

b) Indirect Discrimination occurs when a condition or requirement, which is not justifiable, is applied to everyone but in practice adversely affects persons who possess the aforementioned protected characteristic.

18.3 Executive Committee Members, Senate Members and Committee Members should:

a) Commit to foster a culture of respect and accountability within the team or HKKA by promoting positive values and behaviours, such as teamwork, fairness, and empathy;

b) Not engage in any form of harassment. Any actions and/or comments that seek to harm, intimidate, or coerce will be considered as harassments. Using obscene language and/or gesture is one of the examples;

c) Understand that there will be consequences to the action of discrimination and harassment. There will be investigation and disciplinary procedures when incidents are reported. Executive Committee Members, Senate Members and Committee Members will be required to attend interviews and answer questions relevant to the incidents;

d) Be aware of the power dynamics and avoid using official position to exert power over others; and

e) Report any incidents of other forms of harassment to the Senior Sports Executive of the Secretariat immediately to show support and exercise due diligence to ensure the well-being of the victim.

f) This section should be read together with the HKKA Guidelines and Procedures on Equal Opportunities.

Appendix 1

Misconduct and Disciplinary Actions

Level	Examples of Misconduct	Disciplinary action
Minor	Using foul language	Verbal Advice/Warning, Written Warning
Serious	Repeated non- attendance at meetings without prior notification and/or reasonable justification]	Reprimand, Severe Reprimand, Termination of Tenure

Appendix 2

Declaration of Compliance with the Code of Conduct for Executive Committee Members, Senate Members and Committee Members

I agree to abide by the Code of Conduct for Executive Committee Members, Senate Members and Committee Members of the HKKA and acknowledge that the HKKA may take disciplinary action which may include suspension and termination against me for violation of provision of the Code.

Signature of the Declaring Member: _____

Full Name of the Declaring Member: _____

Date: _____

Appendix 3

Definition of Advantage under Section 2(1) of the

Prevention of Bribery Ordinance (Cap. 201)

"Advantage" means: -

a) any gift, loan, fee, reward or commission consisting of money, of any valuable security or of other property or interest of property in 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.

Appendix 4A

Guidelines for Handling Gifts/Souvenirs Presented to an Executive Committee Member and/or Committee Member in Official Capacity

All gifts and souvenirs received by Executive Committee Member/Committee Member in official capacity should be forwarded to the Executive Committee for disposal in the following manner:

a) If the gift/souvenir is of perishable nature (e.g., food or drink), it may be shared among the office or during an activity organized by the HKKA with approval from President/Vice-President of the Executive Committee.

b) If the gift/souvenir is of historical or other interest, it may be sent to the HKKA Archive with approval from President/Vice-President of the Executive Committee.

c) If the gift/souvenir is a useful item, it may be retained and used by the HKKA, or donated to another charitable organization with approval from President/Vice-President of the Executive Committee.

d) If the gift/souvenir is suitable for display (e.g., a painting, vase, etc.), it may be retained for display at appropriate locations of the HKKA with approval from President/Vice-President of the Executive Committee.

e) If the gift/souvenir has a value below HK$2,000 but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from President/Vice-President of the Executive Committee.

f) If the gift/souvenir is a personal item having a value of above HK$2,000, the Executive Committee shall decide whether the gift/souvenir should be retained by the recipient or returned to the offeror.

g) If the gift/souvenir is not a personal item and has a value of above HK$2,000, but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the HKKA with approval from President/Vice-President of the Executive Committee.

h) If the gift/souvenir is of little or nominal value and is distributed to all participants in public activities, such as a ball pen, file folder or key clasp, etc., it may be retained by the recipient.

Appendix 4B

Report of Gifts/Souvenirs Received

Part A – To be completed by Receiving Executive Committee Member/Committee Member

To: [President]

Description of Offeror: _____
Name and title of Offeror: _____
Company: _____
Relationship (business/personal): _____
Occasion on which the gift/souvenir was/is to be received: _____
Description of the gift/souvenir: _____
Estimated value of the gift/ souvenir: _____

Suggested Method of Disposal:	Remark
( ) Retain by the Recipient	
( ) Retain for Display as a Souvenir in the Office	
( ) Share among the Office	
( ) Reserve as Lucky Draw Prize at a Staff Function	
( ) Donate to another Charitable Organization	
( ) Return to Offeror	
( ) Others (please specify) :	

Name of Receiving Executive Committee Member/Committee Member: _____
Title: _____
Date: _____

Part B – To be completed by President The recommended method of disposal is ***approved/not approved.***
*The gift/souvenir(s) concerned should be disposed of by way of:

_____

President Full Name: Date:

** Please delete as appropriate*

Appendix 5

Relevant Provisions on offences of solicitation, acceptance and offering of advantages under the Prevention of Bribery Ordinance (Cap. 201)

Section 9 – Corrupt transaction with agents

1. Any agent who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his –

   (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or

   (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,

   shall be guilty of an offence.

2. Any person, who, without lawful authority or reasonable excuse, offers any advantage to any agent as an inducement to or reward for or otherwise on account of the agent's –

   (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or

   (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,

   shall be guilty of an offence.

3. Any agent who, with intent to deceive his principal, uses any receipt, account or other document –

   (a) in respect of which the principal is interested; and

   (b) which contains any statement which is false or erroneous or defective in any material particular; and

   (c) which to his knowledge is intended to mislead the principal,

   shall be guilty of an offence.

4. If an agent solicits or accepts an advantage with the permission of his principal, being permission which complies with subsection 5, neither he nor the person who offered the advantage shall be guilty of an offence under subsection 1 or 2.

5. For the purposes of subsection 4 permission shall –

   (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 4, the principal shall, before giving such permission, have regard to the circumstances in which it is sought.

Appendix 6

Confidentiality Statement and Registration of Interests

To: The Executive Committee of HKKA

1. Confidentiality Statement

During the time that I serve on the HKKA, or any of its functional committee or panel (collectively "Committee"), I realize that I will gain access to information that is considered to be confidential and/or proprietary. Such information relates to submitted proposals, criteria or decisions made with regard to the business and activities of the HKKA.

Since confidential and proprietary information is crucial to the operation of the HKKA, and because the HKKA in some instances has the obligation to protect such information, I agree that I will not use, publish or disclose such information during or subsequent to my participation on the HKKA and its Committee and that I will preserve the restricted nature of this information except to the extent that it becomes publicly available, or is otherwise lawfully obtained outside the scope of this agreement from third parties.

2. Registration of Interests

Additionally, as an Executive Committee Member or Committee Member of the HKKA, I realize that I have the dual obligation to disclose my personal interests upon my appointment and to report conflict of interest situations as and when they arise.

Below, I have listed all commercial entities, community organizations, non-profit corporations or charitable programs with which I have a relationship with, which may have potential conflict with the work of the HKKA or any Committee(s). The term "relationship" means any relation with a person or organization, whether personal, financial, contractual or fiduciary.

I understand that the interests I disclose shall be kept in a register of interests and, subject to the approval of the Executive Committee on a case-by-case basis, may be disclosed to the public in connection with the appointment as an Executive Committee Member or Committee Member.

a)	**Proprietorships, partnerships or directorships of companies, public, private or limited by guarantee**
b)	**Remunerated employments, offices, trades, professions or vocations (e.g., consultant/independent contractor, etc.)**
c)	**Ownership of (shareholdings in) companies, public, private or limited by guarantee (representing 1% or more of the total voting rights of members)**
d)	**Non-remunerated/Volunteer assignments (e.g., committee membership/honorary posts, etc.)**
e)	**Membership of clubs/societies**
f)	**Other declarable interests (e.g., a significant donation/sponsorship, spouse/close relatives/friends holding positions of responsibility in the HKKA, etc.)**

Declaration

I hereby certify that I have read, understood and undertaken to observe and comply with the terms of the HKKA's policies as described in this statement, with respect to confidential information and registration of interests, and that the information given in this statement is complete and accurate to the best of my knowledge. I further undertake that I will immediately inform the HKKA of any relevant change of circumstances.

Signature: _____

Full Name: _____

Post held: _____

Date: _____

Appendix 7

Examples of Conflict of Interest Scenarios

a) A Executive Committee Member or Committee Member takes part in the selection of suppliers or contractors, and one of the bidders under consideration is owned by or under the control of his/her relative or close personal friend.

b) A Executive Committee Member or Committee Member has a financial interest in a company which is being considered for selection as the HKKA's supplier of goods or services, or is an existing supplier.

c) A Executive Committee Member or Committee Member acquires dealership of goods or services on insider knowledge that such goods or services are being considered for procurement by the HKKA.

d) A Executive Committee Member or Committee Member or his/her relative or close personal friend has financial interests in a supplier whose goods or services are being selected through an intermediary (e.g., a publicity agent) appointed by the HKKA.

e) A Executive Committee Member or Committee Member selects a venue where his/her relative or close personal friend has ownership or management responsibility.

f) A Executive Committee Member or Committee Member accepts frequent or lavish entertainment or expensive gifts from the HKKA's suppliers or contractors.

g) A Executive Committee Member or Committee Member hires a relative as staff, or is considering the promotion of such a person.

h) A Executive Committee Member or Committee Member nominates a relative as Committee Member.

i) A Executive Committee Member or Committee Member vets applications for program sponsorship submitted by a Community Club of which he/she is also a Committee Member.

j) A Executive Committee Member or Committee Member responsible for controlling the allocation of venue rented by the HKKA, allocates prime time slots to a training school or a club operated by himself/herself or a relative.

k) A Executive Committee Member or Committee Member responsible for selling tickets of a popular program reserves tickets for his/her relatives or personal friends without permission.

Appendix 8A

The Kendo Association of Hong Kong, China

Declaration of Conflict of Interest by Executive Committee Members/Committee Members (Outside of Meetings)

Name of Committee: _____

President: _____

Subject: _____

Part A – Declaration (To be completed by Declaring Member)

To: President or the chairperson of the committee/sub-committee

I would like to report the following existing/potential conflict of interest situation(s) arising during the discharge of my official duties:

Person(s)/organization(s) with whom/which I have official dealings and/or private interest
My relationship with the person(s)/organization(s) (e.g. relative)
My contact with the person(s)/organization(s) **(Please state the frequency of contact and the usual occasions of contact, etc.)**
Relationship of the person(s)/organization(s) with the HKKA (e.g. supplier)

Brief description of my duties which involved the person(s)/organization(s) (e.g. handling of tender exercise)
File reference, if any, of the mentioned duties

I confirm that I fully understand that my right to handle the matter as described above and to access to any information in relation to it may be withheld.

Signature of Declaring Member: _____

Full Name: _____

Date: _____

Part B – Acknowledgement
(To be completed by the President or the chairperson of the committee/sub-committee)

To: Declaring Member

Acknowledgement of Declaration

Part B(i) – In respect of the declaration in Part A of this form, it has been decided that:

□ The declaration as described in Part A is noted. You are allowed to continue handling the work as described in Part A, provided that there is no change in the information declared above.

□ You are restricted in the work as described in Part A (e.g. prohibit from handling the specific part/duty that you have conflict, withdraw from discussion on a specific issue/case).

Details: _____

_____

□ You may continue to handle the work as described in Part A, but an independent Member would be recruited to participate in, oversee or review part or all of the decision-making process (e.g. task another Member with the required expertise to provide objective assessment on the matter).

Details: _____

_____

□ You are relieved of your duty as described in Part A, which will be taken up by another Member through redeployment.

Details: _____

□ Others (please specify) (e.g. you should not contact the person(s)/organization(s) concerned until the conflict situation described in Part A no longer exists):

Details: _____

_____

Part B(ii) – The justification(s) for the measure(s) as described in Part B(i) above is/are: (Factors of consideration including the materiality of the conflict, link between the conflict and the matter in question, and any possible negative public perception over the conflict/incident.)

_____

_____

_____

In all cases, please be reminded that you should not disclose any privileged/internal information of the subject matter to the person(s)/organization(s) concerned and should further report if there are changes in circumstances necessitating reporting.

Signature of President or the chairperson of the committee/sub-committee: _____

Full Name:

Date:

Part C – Keeping of Records
(To be completed by the Declaring Member)

To: President or the chairperson of the committee/sub-committee

Acknowledgement of Decision

I noted the decision in Part B. The completed form is for your retention please.

Signature of Declaring Member: _____

Full Name: _____

Date: _____

Appendix 8B

Declaration of Conflict of Interest at the HKKA's Meetings

Name of Meeting: _____

President: _____

Date of Meeting: _____

Part A - Declaration ***(To be completed by Declaring Member)***

To: President or the chairperson of the committee/sub-committee

With reference to the agenda items for the above-mentioned Meeting,

□ I solemnly declare that I do not have any existing/potential conflict of interest in any matter to be discussed at the Meeting.

□ I would like to report the following existing/potential conflict of interest situation(s):

Person(s)/organization(s) with whom/which I have official dealings and/or private interest
My relationship with the person(s)/organization(s) (e.g. relative)
My contact with the person(s)/organization(s) **(Please state the frequency of contact and the usual occasions of contact, etc.)**
Relationship of the person(s)/organization(s) with the HKKA (e.g. supplier)

Brief description of my duties which involved the person(s)/organization(s) (e.g. handling of tender exercise)
File reference, if any, of the mentioned duties

I confirm that I fully understand that my right to attend the Meeting, to speak and vote thereat, and to access to any information in relation to the matter as described above may be withheld.

I will avoid any possible conflict of interest at the Meeting to the best of my knowledge.

Signature of Declaring Member: _____

Full Name: _____

Date: _____

Part B – Acknowledgement
(To be completed by the President or the chairperson of the committee/sub-committee)

To: [Declaring Member]

Acknowledgement of Declaration

Part B(i) – In respect of the declaration in Part A of this form, it has been decided that:

□ You may continue to speak and vote on the matter as described in Part A (agenda item no. ____), provided that there is no change in the information declared above.

□ You may continue to speak but should not vote on the matter as described in Part A (agenda item no._), provided that there is no change in the information declared above.

Details: _____

_____

□ You may remain in the Meeting as an observer on the matter as described in Part A (agenda item no._), provided that there is no change in the information declared above.

Details: _____

_____

□ You should withdraw from the Meeting during the discussion of the matter as described in Part A (agenda item no.) and immediately return to the secretary any relevant documents sent to you earlier.

Details: _____

_____

□ Others (please specify) (e.g. you should not contact the person(s)/organization(s) concerned until the conflict situation described in Part A no longer exists):

Details: _____

_____

Part B(ii) – The justification(s) for the measure(s) as described in Part B(i) above is/are: (Factors of consideration including the materiality of the conflict, link between the conflict and the matter in question, and any possible negative public perception over the conflict/incident.)

_____

_____

_____

Signature of President or the chairperson of the committee/sub-committee: _____

Full Name:

Date:

Part C – Keeping of Records
(To be completed by the Declaring Member)

To: President or the chairperson of the committee/sub-committee:

Acknowledgement of Decision

I noted the decision in Part B. The completed form is for your retention please.

Signature of Declaring Member: _____

Full Name: _____

Date: _____

Appendix 9

The Kendo Association of Hong Kong, China

Handling Possible Conflict of Interest Scenarios at Meetings

1. If a member (including the President) has any direct personal or pecuniary interest in any matter under consideration by the Executive Committee or committee/sub-committee, he/she must, as soon as practicable after he/she has become aware of it, disclose it in the declaration form and send it to the Secretary.

2. The Secretary will forward the declaration form to the President (or the Vice-President if the President has declared an interest in the matter/or temporary chair in the meeting if both the President and Vice-President have declared an interest in the matter) prior to the discussion of the item.

3. The President (or the Executive Committee) shall decide whether the member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.

4. If the President declares an interest in a matter under consideration, his/her chairmanship may be temporarily taken over by the Vice-President or a member appointed by a majority of votes if the Vice-President is not available.

5. If, during a meeting, a member declares an interest in a matter for which both the President and the Vice-President have declared an interest, the temporary chair shall decide on how to handle the conflict of interest.

6. Where a member is in receipt of a paper for discussion which he/she knows presents a direct conflict of interest, he/she should immediately inform the Secretary by means of the declaration form and refrain from reading the paper until a ruling has been made.

7. All cases of declaration of interests, including the related deliberations and rulings, shall be recorded in the minutes of meeting.

8. The table on the following page illustrates some common conflict of interest scenarios and ways to handle them. In the event that conflict of interest scenarios other than those mentioned are declared, the President (or the Vice-President) shall decide on how to handle them at their discretion.

Conflict of Interest Scenarios	**Action to be taken depending on the post of the Declaring Member**	
	President	**Vice-President or Member**
Pecuniary interests in a matter under consideration by the Executive Committee, held by either the member or his/her close relative/friend *(e.g., a member's relative is the Director of a company bidding for the HKKA's service contract)*	a) Should pass the chairmanship to the Vice-President# b) Should withdraw from the meeting c) Should return any relevant meeting papers	d) Should withdraw from the meeting e) Should return any relevant meeting papers
Directorship (whether paid or unpaid), partnership, advisory or client relationship, employment or other significant connection with an organization, which is connected with, or the subject of, a matter under consideration by the Executive Committee *(e.g., a member provides legal advice to an HKKA applying for membership upgrade)*	f) Should pass the chairmanship to the Vice-President# g) May remain in the Meeting as an observer on the matter h) May speak in the capacity of representative of the organization only*	i) May remain in the Meeting as an observer on the matter j) May speak in the capacity of representative of the organization only*
Family relationship / close friendship with a candidate under consideration by the Executive Committee *(e.g., one of the athletes under consideration for selection to a multi-sports Games is the daughter of a member's close friend)*	k) Should pass the chairmanship to the Vice-President# l) May remain in the Meeting as an observer on the matter	m) May remain in the Meeting as an observer on the matter

Any interest likely to lead an objective observer to believe that the member's advice may have been motivated by personal interest rather than a duty to give impartial advice *(e.g., a member's spouse receives preferential treatment from a sports association applying for membership of the HKKA)*	n)To be determined by the Vice-President (or temporary Chair if the Vice-President has also declared an interest in the matter)	o)To be determined by the Vice-President if the President has declared an interest in the matter/or temporary Chair if both the President and Vice-President have declared an interest in the matter)

Or a member appointed by a majority of votes if the Vice-President is not available.

* For matters involving the interests of more than one organization (e.g., allocation of resources, selection of athletes to take part in an international event), if a member is allowed to speak at the meeting in the capacity of a representative of an organization, the Executive Committee or committee/sub-committee should invite representatives from all organizations concerned to attend the meeting for that particular agenda item or to make written submissions to the Executive Committee or committee/sub-committee before the meeting for consideration as appropriate.