

MARINE DEPARTMENT NOTICE NO. 56 of 2019

(Miscellaneous Information)

Act of Bribery to Public Servants

A master of a cargo vessel was prosecuted and sentenced to four months' imprisonment for bribing a Marine Department surveyor during a port state control inspection.

Anyone, while having dealings of any kind with the Marine Department (MD), shall not offer any advantage to a MD officer; or else, he/she may commit an offence under section 4(1) and/or section 8 of the Prevention of Bribery Ordinance (Chapter 201 of the Laws of Hong Kong), and be liable to a maximum penalty of a fine of \$500,000 and imprisonment for 7 years.

“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).

Maisie CHENG
Director of Marine

Marine Department
Government of the HKSAR

Date: 22 March 2019

Action file: LM No. 29/19 in MDSD/S 1-145/4

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