



CODE OF GOVERNANCE (REFERENCE MATERIALS)

**Sports Federation and
Olympic Committee of Hong Kong, China**

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DISCLAIMER: This Disclaimer has been translated into Chinese. If there is any inconsistency or ambiguity between the English version and the Chinese version, the English version shall prevail.

REFERENCE MATERIALS

These reference materials contain guidelines and procedures relating to various governance issues which are recommended best practices to support the Board of Directors and senior management of NSA in applying the Code of Governance. Individual NSA should tailor-make guidelines and procedures that will best suit its own circumstances and specific needs.

1.1 GUIDELINES AND PROCEDURES ON ELECTION OF BOARD DIRECTORS AND APPOINTMENT OF FUNCTIONAL COMMITTEE AND CO-OPT MEMBERS

Objective: To lay down the basic principles and in-house guidelines for election of Board Directors and appointment of functional committees and co-opt members to ensure an open and transparent governing mechanism.

1. Structure of the Board of Directors

- 1.1 Due to the difference in terms of size & scale, type of sport, scope of activities, resources and funding status, etc., it is understandable that the size of the Board of Directors of individual NSA varies. Yet, it is common to all that the Board of Directors should be properly structured and of appropriate size in order to meet its operational requirements and execute its function effectively. The number of Board Directors including both the maximum and minimum number, should be specified. All Board Directors shall be elected to their positions which shall include a Chairperson, Secretary and Treasurer.

2. Diversity of the Board Directors

- 2.1 The Board of Directors should comprise an appropriate balance of Board Directors who possess the necessary knowledge, skills and experiences, etc. in NSA's governance and, at the same time, professionals with a diversity of backgrounds such as financial or auditing management, skills and experiences relevant to the sports, etc. to take collective and effective decisions that are conducive to fostering NSA's goals.

3. Nomination Mechanism

3.1 To oversee and arrange all election-related matters, the NSA should establish a mechanism for the nomination and election of Board Directors, such as:

- a) Setting up a Nomination/Election Committee; or
- b) Appointing a designated staff from the Secretariat to be responsible for handling the nomination.

4. Eligibility for Being Nominated to Election and Re-election

4.1 NSA should decide and lay down the requirements and/or conditions whereby members are eligible for being nominated for election and whether Board Directors who completed their terms are eligible for re-election:

- a) If a member attempts the election by self-nomination, he/she should be required to submit his/her personal profile with highlights on the fulfilment of nomination criteria; or
- b) If a candidate is to be nominated, the number of members required to put forward a nomination should be specified. Besides, written consent from the nominee should be obtained in advance.

5. Eligibility as a Voter

5.1 NSA should lay down the requirements whereby a member is entitled to vote for a candidate in the election, such as:

- a) Types and validity of membership; or
- b) Proxies.

6. Nomination Procedures

6.1 NSA should set up the procedures for the nomination, such as:

- a) Members should submit written nominations in a prescribed form as approved by the Board of Directors to the designated office not less than 14 days or a number of days as decided by NSA before the time of the holding of the Annual General Meeting;

- b) Nomination should state the post that a candidate will hold. A person may be nominated for election to more than one office on the condition that if that person is elected to an office, the nomination of that person to all other offices shall be void;
- c) Nominations received should be posted on NSA's website as soon as practicable; and
- d) If balloting is required, the ballot lists, which contain the names of candidates, in alphabetical order, for each vacant office, should be prepared for circulation in advance.

7. Election Procedures

7.1 Election is to be held at the Annual General Meeting. The election procedures should be laid down, such as:

- a) Eligible member or representative present at the Annual General Meeting shall be entitled to vote for one of the candidates nominated for each vacant office by show of hands or ballot;
- b) All cast ballots should be made before the casting deadline after which no further ballots may be made and all cast ballots should be safeguarded within a double-locked ballot box with keys kept by scrutineer and staff appointed by the NSA separately;
- c) If there is only one nominated candidate to fill a vacant office, the Chairperson of the Annual General Meeting may declare that candidate is successfully elected to that vacant office;
- d) If there is no nomination to fill a vacant office, the Board of Directors may appoint any eligible person to fill such vacant office, on the condition that such person should hold office only until the next following Annual General Meeting;
- e) Candidate who receives simple majority of votes in respect of each vacancy should be elected;
- f) Under balloting, if two or more candidates obtain an equal number of votes for a position, a second ballot shall take place to see if one of them can obtain the required number of votes. The Chairperson may also exercise a casting vote; and
- g) Only valid votes cast should be counted towards the calculation of the majority.

- 7.2 The counting of votes should be conducted in an open manner and immediately after the balloting deadline. In case this is not practicable, all ballots should be properly sealed to prevent tampering. After the counting, the votes should be kept safely for a reasonable time to facilitate subsequent verification.

8. Scrutineer

- 8.1 To oversee the entire election process, which includes, but not limited to, counting, handling of invalid ballots, announcement of results, and documentation of any violations observed during the process, an independent person can be appointed as a scrutineer.

9. Termination of Appointment as Board Directors

- 9.1 The appointment of a Board Director may be terminated for the following circumstances, which include, but not limited to:
- a) Becomes bankrupt or makes any arrangement or composition with the person's creditors generally;
 - b) Becomes a Mentally Incapacitated Person;
 - c) Fails to meet the requirement on minimum attendance rate of Board of Directors meetings without justifiable reasons;
 - d) Fails to declare his/her interests in a timely manner which results in a significant loss of the NSA (e.g., reputation, finance, etc.);
 - e) Involves in activities that violate any of the applicable rules, regulations or Codes of Conduct issued by the NSA, the Sports Federation & Olympic Committee of Hong Kong, China, and other related organizations; and
 - f) Is removed from office by an ordinary resolution passed by members at a General Meeting.

10. Company Secretary

- 10.1 The NSA must appoint a Company Secretary from the date of incorporation in accordance with Section 474 of the Companies Ordinance (Cap. 622), who can be an employee of the NSA or an external service provider engaged by the NSA.

- 10.2 The Company Secretary is responsible for supporting the Board of Directors by ensuring good information flow within the Board and that Board guidelines and procedures are followed. The Company Secretary is also responsible for advising the Board of Directors on governance matters and should also facilitate induction and professional development of directors.

11. Appointment of Functional Committee Member

- 11.1 All functional committee members should be appointed by the Board of Directors in the following manner:
- a) Board Directors may indicate their interests/preferences in serving the functional committee at a specified number of days before the expiry of previous term of functional committee's membership;
 - b) The Board of Directors can also explore and invite any other persons with appropriate professional knowledge/background and/or representatives of interested parties to serve in the functional committee;
 - c) A composition plan with considerations of individual's background and interest/preference should be drawn up for consideration;
 - d) The Board of Directors will review and discuss the composition plan to decide the appointment/designations of the most suitable persons;
 - e) Confirmation of the appointment should be recorded;
 - f) It will be optimal that none of the Committee Members shall be appointed to serve on more than one or a specific number of functional committees; and
 - g) Only members who fulfilled the required attendance rate in the previous term will be considered for reappointment.

12. Appointment of Co-opt Members

- 12.1 Co-opt members are appointed for their special skills and knowledge that will complement the range of skills and expertise of existing Committee Members and assist with the issues under consideration by the committee. The NSA should lay down the following information for the co-opt members:
- a) Roles and responsibilities;

- b) Tenure;
- c) Required expertise;
- d) Restrictions (e.g., shall not act as the Chairperson of a meeting);
- e) Nomination mechanism; and
- f) The proportion of co-opt members in a functional committee.

12.2 Co-opt members shall have no voting right and shall not count towards the quorum.

13. Conflict of Interest

13.1 Board Directors and members of functional committees including co-opt members shall declare his/her interest in any matter or issue in which he/she is interested.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

1.2

GUIDELINES AND PROCEDURES ON CONDUCT OF BOARD OF DIRECTORS MEETING AND GENERAL MEETING

Objective: To lay down the basic guidelines and respective proceedings of Board of Directors Meeting and General Meeting to ensure an open and transparent governing mechanism.

1. Board of Directors Meeting

1.1 The NSA shall conduct regular Board of Directors Meetings in accordance with prescribed rules and procedures and as stipulated in the Articles of Association, which include, but not limited to:

- a) The Board of Directors should determine the regularity of meeting and whether specified meeting dates should be set;
- b) The Secretary of the meeting should inform all Board Directors of the date, time, location, and form (e.g., whether virtual attendance is allowed) of the meeting and call for motions;
- c) Motions should be submitted to the Secretary and delivered to the Board of Directors at a specified number of days before the meeting;
- d) The Secretary shall maintain a proper and accurate record of meeting, decisions and actions agreed which should be circulated to all attendees for their confirmation; and
- e) Minimum attendance rate required of Board Directors at meetings should be laid down.

2. Notice of Board of Directors Meeting

2.1 A notice of the meeting together with an agenda should be sent to every Board Director at a specified number of days before the date of the meeting. In addition, the notice and agenda of the meeting may also be posted on NSA's website.

3. Number and Frequency of Board of Directors Meeting

3.1 The Board of Directors should lay down the frequency and/or number of meetings to be held, e.g., monthly, biannually or as circumstances deem necessary.

4. Quorum for Board of Directors Meeting

- 4.1 The quorum for Board of Directors meeting should be fixed, i.e., at least three or more than half of the Board Directors, whichever is greater. If the quorum requirement is not fulfilled within half an hour after the scheduled meeting time, the meeting should be cancelled and rescheduled by the Chairperson.

5. Chairperson at Board of Directors Meeting

- 5.1 The Board of Directors Meeting should be chaired by the Chairperson or in his/her absence by the Vice Chairperson. If none of the above is present within fifteen minutes after the scheduled meeting time, those who are present may elect a Director among themselves to chair the meeting.

6. Voting at the Board of Directors Meeting

- 6.1 Voting on all motions at the Board of Directors Meeting should require a simple majority of those present and are entitled to vote. All votes should be decided by a show of hands or ballot. Unless notice has been given prior to the meeting, no motion should be discussed without the consent of the Chairperson of the meeting.

7. Casting Vote of the Chairperson at Board of Directors Meeting

- 7.1 In addition to his/her own vote, the Chairperson of the meeting should have a second or casting vote in case of an equality of votes.

8. Conflict of Interest

- 8.1 Board Directors should declare his/her interest in any matter in which he/she has potential/actual conflict of interest. He/she will not vote in respect of any contract or issues in which he/she has potential/actual conflict of interest or any matter arising thereout.

9. Annual General Meeting (“the AGM”)

- 9.1 The Annual General Meeting should be held at least once in each financial year/calendar year and the following items will be decided during the meeting:
- a) Adoption of the report of the Chairman;
 - b) Approval and acceptance of the annual accounts and auditor’s report;

- c) Appointment of external auditor;
- d) Election of the Board of Directors;
- e) Review and amend the Articles of Association and/or By-law, etc.; and
- f) Any other applicable matters.

9.2 The Minutes of the AGM should be published and made available to the public.

10. Notice of the AGM

10.1 A notice of the meeting together with an agenda for the meeting, should be sent to every member at a specified number of days before the meeting. The notice and agenda of the meeting can also be posted on NSA's website. Notice may be given to members:

- a) By hand personally;
- b) By hand by leaving it at the registered address of the member;
- c) By mail, postage paid, addressed to the member at his/her registered address;
- d) By electronic means to the address or number specified by the member to the NSA;
or
- e) By any other means authorized in writing by the member concerned.

11. Quorum for the AGM

11.1 A quorum for the AGM should be specified, i.e., at least a specific number of members who are entitled to vote. If the required quorum is not fulfilled within half an hour after the scheduled meeting time, the meeting will be cancelled and rescheduled by the Chairperson.

12. Chairperson at the AGM

12.1 The AGM shall be chaired by the Chairperson or in his/her absence by the Vice Chairperson. If none of the above is present within fifteen minutes after the scheduled meeting time, members who are entitled to vote shall elect one of the members to chair the meeting.

13. Extraordinary General Meetings (“the EGM”)

- 13.1 Other than an AGM, an Extraordinary General Meeting (“EGM”) can be called whenever it is considered necessary and shall be arranged within a specified number of days after receiving a written requisition signed by members representing not less than a specified percentage of the total voting rights.

14. Notice of the EGM

- 14.1 Similarly, a notice of the meeting together with an agenda on the issue(s) to be discussed, should be sent to every member at a specified number of days before the meeting. The notice and agenda of the meeting can also be posted on NSA’s website.

15. Quorum for the EGM

- 15.1 A quorum for the EGM should be specified, i.e., attendance of at least a specific number of members who are entitled to vote. If the required quorum is not fulfilled within half an hour after the scheduled meeting time, the meeting will be cancelled and rescheduled by the Chairperson.

16. Chairperson at the EGM

- 16.1 The EGM shall be chaired by the Chairperson or in his/her absence by the Vice Chairperson. If none of the above is present within half an hour after the scheduled meeting time, members who are entitled to vote shall elect one of the members to chair the meeting.

17. Proxies

- 17.1 A member who is entitled to attend and vote at any General Meeting (including both the AGM and EGM) may appoint a proxy to attend and vote on his/her behalf. The appointed proxy should be a registered member whose information has been registered to the NSA at a specified number of days before the submission of proxy appointment.
- 17.2 NSA should specify the number of proxies that a person can hold.
- 17.3 A valid appointment of proxy should be given in writing with the following information:
- a) Name and contact information of the member appointing the proxy;

- b) Name and ID number of the person appointed to hold a proxy and the meeting in relation to which that person is appointed; and
- c) The notice is signed on behalf of the member appointing the proxy.

17.4 The written appointment should be submitted to the Secretariat at a specified number of days before holding the General Meeting.

18. Verification of Eligibility of Voters in Elections

18.1 The NSA should verify the eligibility of voters and proxies by checking voter's membership status against the register of members and conducting authenticity checks on appointed proxies before casting of votes.

19. Voting at the General Meeting

19.1 A resolution put to the vote of the General Meeting should be decided by a poll. Unless notice has been given prior to the General Meeting, no motion should be discussed without the consent of the Chairperson of the meeting.

20. Casting Vote of the Chairperson at General Meeting

20.1 In addition to his/her own vote, the Chairperson of the meeting should have a second or casting vote in case of an equality of votes.

21. Conflict of Interest

21.1 Board Directors and members of functional committees including co-opt members should declare his/her interest in any matter in which he/she has potential/actual conflict of interest. He/she will not vote in respect of any contract or issues in which he/she has potential/actual conflict of interest or any matter arising thereout.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.

- Views or comments on the guidelines and procedures are welcomed by way of email or post.

2.1

CODE OF CONDUCT FOR BOARD DIRECTORS AND COMMITTEE MEMBERS

This Code of Conduct sets out the basic standard of conduct expected of all Board Directors and Committee Members of the NSA.

1. Introduction

- 1.1 The NSA is fully committed to the principle of honesty, integrity and fair play in all its businesses and activities. All Board Directors and Committee Members should ensure that the businesses of the NSA, which include selection of athletes, management of coaches & umpires, 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 NSA 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 Board Directors 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 Board Directors and Committee Members in **Appendix 1** and submit it to the NSA 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 2 Misconduct and Disciplinary Actions**.

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 Board Director and Committee Member commits an offence if he/she, without the permission of the NSA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the NSA's business.

3. Acceptance of Advantages

3.1 Board Directors and Committee Members are prohibited from soliciting any advantage from any persons or companies having business dealings with the NSA (e.g., suppliers and contractors, etc.). Board Directors 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 Board of Directors.

3.2 Gifts/Souvenirs presented to Board Directors and Committee Members in official capacity

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

- a) Board Directors 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 NSA and should be referred to the Board of Directors for consideration of acceptance, except for those offered by sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the NSA for attending official meetings/programs.
- b) The Board of Directors should consider whether the acceptance of the sponsorship will benefit the NSA as a whole and not bring the NSA into any disrepute, whether the NSA 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 NSA's contract). If decision is made to accept the sponsorship, the NSA should then select a suitable representative to attend the sponsored activity.

3.4 Advantages offered to Board Directors and Committee Members in private capacity

- a) Where Board Directors 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 Board Directors/Committee Members of the NSA; and they will not feel obliged to do something in return in connection with the NSA's business for the offeror. If Board Directors/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 NSA, they should decline the offer.
- b) When Board Directors 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"¹ and consult with the Board of Directors for advice and instruction.

3.5 Lucky draw prizes

- a) When Board Directors 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 NSA. 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 NSA event, consideration can be given to be used as lucky draw prizes internally among staff, athletes, coaches and umpires with permission from the Board of Directors.

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

Note:

¹ In the sunshine test, the person concerned should ask himself/herself if he/she would be happy to openly discuss with the general public what he/she is doing. If he/she feels uncomfortable about that, what he/she is doing is probably conflicting with the ethical standard generally expected by society.

behaviour and is not an “advantage”, Board Directors and Committee Members should not accept lavish or frequent entertainment from persons/organizations with whom the NSA has official dealings (e.g., suppliers or contractors, clubs/persons to which the NSA 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 Board Directors 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 NSA.
- 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 a Board Director is in any way (directly or indirectly) interested in a transaction, arrangement or contract with the NSA that is significant in relation to the NSA’s business and the Board Director’s interest is material, the Board Director 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 Board Directors 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 Board Directors and Committee Members' Interests

- a) Board Directors 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 Board Directors and Committee Members;
- b) Board Directors 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 NSA. 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 Board of Directors on a case-by-case basis, the register may be disclosed to the public in connection with the appointment as Board Directors and Committee Members.

6.4 Declaration of Conflict of Interest

- a) A conflict of interest situation arises when the "private interest" of a Board Director or Committee Member competes or conflicts with the interest of the NSA or one's official duties. Board Directors 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, Board Directors 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 NSA or is being considered for selection as the NSA'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 Board Directors and Committee Members;

- c) When called upon to deal with matters of the NSA 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 Chairman of the Board of Directors/Committee concerned, and to abstain from dealing with the matter in question, but to follow the instruction of the Chairman of the Board of Directors/Committee who may (or may not) re-assign the task to other Board Directors and Committee Members; and
 - d) All Board Directors 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 Board of Directors/Committee concerned. **Appendix 9** summarizes the actions to be taken by Chairman, Vice-Chairman and members of the Board of Directors/Committee for handling possible conflict of interest scenarios at meetings.
- 6.5 Board Directors 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, Board Directors and Committee Members should timely disclose any potential conflicts of interest and report it to the Board of Directors. They should refrain from participating in any discussion or making decisions related to the declared matter.
- 7. Misuse of Official Position**
- 7.1 Board Directors 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 NSA or even prosecution by the appropriate authorities. Examples of misuse include a Board Director 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 NSA 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 Board Directors and Committee Members are not allowed to disclose any confidential or privileged information to anybody without prior authorization by the NSA. Board Directors 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.

9. Use of Funds

- 9.1 Board Directors and Committee Members shall ensure that all the NSA's funds are used in a prudent and responsible manner to safeguard the NSA'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. Board Directors 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 NSA.

10. Property and Other Resources of the NSA

- 10.1 Board Directors and Committee Members given access to any property or other resources of or acquired by the NSA (such as sports venues) should ensure that they are properly used solely for the purpose of conducting the NSA'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 Board Directors and Committee Members should ensure, to the best of their knowledge, that any record, receipt, account or other document they submit to the NSA 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 NSA may constitute an offence under the POBO.

12. Sponsorship

- 12.1 The NSA is accountable to its sponsors for the use of their sponsorship. Board Directors and Committee Members should ensure that any sponsorship or sponsored item is used solely for the purpose for which it is provided. Board Directors and Committee

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

13. Gambling

- 13.1 Board Directors and Committee Members should not engage in frequent or excessive gambling with persons who have business dealings with the NSA 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 NSA's premises, government venues, and locations where activities of the NSA take place is strictly forbidden.

14. Compliance with Local Laws in Other Jurisdictions

- 14.1 Board Directors and Committee Members must comply with all local laws and regulations when conducting the NSA's business, and also those in other jurisdictions, when conducting business there.

15. Anti Manipulation of Competition

- 15.1 Board Directors 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 Board of Directors 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 Board Directors 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 Board Directors, Committee Members, staff, athletes, coaches and umpires, etc.;
- c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the NSA, Board Directors, Committee Members, staff, athletes, coaches or umpires 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 NSA's policies or values.

17. Prevention of Sexual Harassment

17.1 Board Directors 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 NSA will not tolerate any comments or initiatives that are considered as sexual harassment under the NSA's discretion.

17.2 Board Directors 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.

17.3 Board Directors and Committee Members should:

- a) Report to the appropriate body of the NSA 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 NSA 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.

18. Prevention of Discrimination and Other Forms of Harassment²

- 18.1 Board Directors 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 Board Directors 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:

Note:

² Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment etc.

- a) Direct Discrimination occurs when someone is treated less favourably than another 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 Board Directors and Committee Members should:

- a) Commit to foster a culture of respect and accountability within the team or NSA 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. Board Directors 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 appropriate body of the NSA immediately to show support and exercise due diligence to ensure the well-being of the victim.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix 1

Declaration of Compliance with the Code of Conduct for Board Directors and Committee Members

I agree to abide by the Code of Conduct for Board Directors and Committee Members of the NSA and acknowledge that the NSA 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 2**Misconduct and Disciplinary Actions**

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

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

a Board Director and/or Committee Member in Official Capacity

All gifts and souvenirs received by Board Director/Committee Member in official capacity should be forwarded to the Board of Directors 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 NSA with approval from [Chairman/Vice-Chairman of the Board of Directors].
- b) If the gift/souvenir is of historical or other interest, it may be sent to the NSA Archive with approval from [Chairman/Vice-Chairman of the Board of Directors].
- c) If the gift/souvenir is a useful item, it may be retained and used by the NSA, or donated to another charitable organization with approval from [Chairman/Vice-Chairman of the Board of Directors].
- 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 NSA with approval from [Chairman/Vice-Chairman of the Board of Directors].
- e) If the gift/souvenir has a value below [the amount as approved by the NSA] but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from [Chairman/Vice-Chairman of the Board of Directors].
- f) If the gift/souvenir is a personal item having a value of above [the amount as approved by the NSA], the Board of Directors 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 [the amount as approved by the NSA], but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the NSA with approval from [Chairman/Vice-Chairman of the Board of Directors].
- 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 Board Director/Committee Member**

To: [Chairman of the Board of Directors]

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: _____
☐ below HK\$[x] ☐ HK\$[x] – [x] ☐ over HK\$[x]

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 Board Director/Committee Member: _____	
Title: _____	
Date: _____	

Part B – To be completed by Chairman of the Board of DirectorsThe recommended method of disposal is ****approved/not approved.***

*The gift/souvenir(s) concerned should be disposed of by way of:

Chairman of the Board of Directors

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 Board of Directors of NSA

1. Confidentiality Statement

During the time that I serve on the NSA, 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 NSA.

Since confidential and proprietary information is crucial to the operation of the NSA, and because the NSA 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 NSA 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 a Board Director or Committee Member of the NSA, 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 NSA 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 Board of Directors on a case-by-case basis, may be disclosed to the public in connection with the appointment as a Board Director 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 NSA, etc.)

Declaration

I hereby certify that I have read, understood and undertaken to observe and comply with the terms of the NSA'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 NSA of any relevant change of circumstances.

Signature:

Full Name:

Post held:

Date:

Appendix 7

Examples of Conflict of Interest Scenarios

- a) A Board Director 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 Board Director or Committee Member has a financial interest in a company which is being considered for selection as the NSA's supplier of goods or services, or is an existing supplier.
- c) A Board Director or Committee Member acquires dealership of goods or services on insider knowledge that such goods or services are being considered for procurement by the NSA.
- d) A Board Director 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 NSA.
- e) A Board Director or Committee Member selects a venue where his/her relative or close personal friend has ownership or management responsibility.
- f) A Board Director or Committee Member accepts frequent or lavish entertainment or expensive gifts from the NSA's suppliers or contractors.
- g) A Board Director or Committee Member hires a relative as staff, or is considering the promotion of such a person.
- h) A Board Director or Committee Member nominates a relative as Committee Member.
- i) A Board Director or Committee Member vets applications for program sponsorship submitted by a Community Club of which he/she is also a Committee Member.
- j) A Board Director or Committee Member responsible for controlling the allocation of venue rented by the NSA, allocates prime time slots to a training school or a club operated by himself/herself or a relative.
- k) A Board Director or Committee Member responsible for selling tickets of a popular program reserves tickets for his/her relatives or personal friends without permission.

Appendix 8A**[Name of the NSA]****Declaration of Conflict of Interest by Board Directors/Committee Members (Outside of Meetings)**

Name of Committee: _____

Chairman: _____

Subject: _____

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

To: Chairman of the Board of Directors/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 NSA (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 Chairman of the Board of Directors/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 Chairman of the Board
of Directors/Committee:

Full Name:

Date:

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

To: Chairman of the Board of Directors/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 NSA's Meetings**

Name of Meeting:

Chairman:

Date of Meeting:

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

To: Chairman of the Board of Directors/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 NSA (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 Chairman of the Board of Directors/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 Chairman of the Board of
Directors/Committee:

Full Name:

Date:

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

To: Chairman of the Board of Directors/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

[Name of the NSA]

Handling Possible Conflict of Interest Scenarios at Meetings

1. If a member (including the Chairman) has any direct personal or pecuniary interest in any matter under consideration by the Board of Directors/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 Chairman (or the Vice-Chairman if the Chairman has declared an interest in the matter/or temporary chair in the meeting if both the Chairman and Vice-Chairman have declared an interest in the matter) prior to the discussion of the item.
3. The Chairman (or the Board of Directors) 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 Chairman declares an interest in a matter under consideration, his/her chairmanship may be temporarily taken over by the Vice-Chairman or a member appointed by a majority of votes if the Vice-Chairman is not available.
5. If, during a meeting, a member declares an interest in a matter for which both the Chairman and the Vice-Chairman 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 Chairman (or the Vice-Chairman) 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	
	Chairman	Vice-Chairman or Member
Pecuniary interests in a matter under consideration by the Board of Directors, held by either the member or his/her close relative/friend <i>(e.g., a member's relative is the Director of a company bidding for the NSA's service contract)</i>	a) Should pass the chairmanship to the Vice-Chairman[#] b) Should <u>withdraw</u> from the meeting c) Should return any relevant meeting papers	d) Should <u>withdraw</u> 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 Board of Directors <i>(e.g., a member provides legal advice to an NSA applying for membership upgrade)</i>	f) Should pass the chairmanship to the Vice-Chairman[#] g) May remain in the Meeting as an observer on the matter h) May speak in the capacity of representative of the organization <u>only</u>*	i) May remain in the Meeting as an observer on the matter j) May speak in the capacity of representative of the organization <u>only</u>*
Family relationship / close friendship with a candidate under consideration by the Board of Directors <i>(e.g., one of the athletes under consideration for selection to a multi-sports Games is the daughter of a member's close friend)</i>	k) Should pass the chairmanship to the Vice-Chairman[#] 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 <i>(e.g., a member's spouse receives preferential treatment from a sports association applying for membership of the NSA)</i>	n) To be determined by the Vice-Chairman (or temporary Chair if the Vice-Chairman has also declared an interest in the matter)	o) To be determined by the Vice-Chairman if the Chairman has declared an interest in the matter/or temporary Chair if both the Chairman and Vice-Chairman have declared an interest in the matter)
---	--	--

Or a member appointed by a majority of votes if the Vice-Chairman 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 Board of Directors/Committee should invite representatives from all organizations concerned to attend the meeting for that particular agenda item or to make written submissions to the Board of Directors/Committee before the meeting for consideration as appropriate.

2.2

CODE OF CONDUCT FOR STAFF

This Code of Conduct sets out the basic standard of conduct expected of all staff irrespective of their terms of employment, i.e., including all full-time, short-term contract, part-time, temporary staff and volunteers of the NSA.

1. Introduction

- 1.1 The NSA is fully committed to the principle of honesty, integrity and fair play in all its businesses and activities. All staff should ensure that the businesses of the NSA, such as procurement of sports and office equipment, outsourcing of staff and services for NSA activities, processing of application and selection of athletes and allocation of resources, are conducted in an open, fair and impartial manner. They should bear in mind that the NSA is accountable to all stakeholders, including the Government, sponsors, and all members.
- 1.2 All staff are automatically bound by and required to comply with all rules written under this Code. Accordingly, they are deemed to have agreed that it is their personal responsibility to familiarize and comply with all the requirements written, in particular, what behaviours constitute as contraventions/offences under the Code. They should sign the Declaration of Compliance with the Code of Conduct for Staff in **Appendix 1** and submit it to the NSA annually. They should be conversant with the Code and failure to comply with the Code may result in disciplinary action. In cases 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 2 Misconduct and Disciplinary Actions**.

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 staff commits an offence if he/she, without the permission of NSA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the NSA's business.

3. Acceptance of Advantages

- 3.1 All staff are prohibited from soliciting any advantage from any persons or companies having business dealings with the NSA (e.g., suppliers, contractors and members, etc.). Staff who wish to accept any advantage from such persons should, depending on the circumstances of the case, seek special permission from the designated approving authority of the NSA.

3.2 Gifts/Souvenirs presented to staff in official capacity

- a) Any gifts/souvenirs offered voluntarily to staff in their official capacity are regarded as gifts/souvenirs to the NSA. The NSA should decline the offer if the acceptance would affect the staff's objectivity in conducting the NSA's business, induce them to act against the interest of the NSA, or lead to perception or complaints of bias or impropriety;
- b) Staff 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 designated approving authority of the NSA 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 staff in official capacity

- a) Staff 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 NSA and referred to the designated approving authority for consideration of acceptance, except for those offered by sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the NSA for attending official meetings/programs.

- b) The designated approving authority should consider whether the acceptance of the sponsorship will benefit the NSA as a whole and not bring the NSA into any disrepute, whether the NSA 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 NSA's contract). If decision is made to accept the sponsorship, the NSA should then select a suitable staff to attend the sponsored activity.

3.4 Advantages offered to staff in private capacity

- a) Where a staff is offered an advantage in his/her private capacity, he/she may accept it if the acceptance will not affect the performance of his/her duties as a staff; and he/she will not feel obliged to do something in return in connection with the NSA's business for the offeror. If a staff feels that he/she would be obliged to reciprocate an advantage by returning to the offeror a favour connected with any business of the NSA, he/she should decline the offer.
- b) When a staff is in doubt as to whether he/she should accept an offer of advantage, it is advisable for him/her to apply the "sunshine test"¹ and consult the designated approving authority for advice and instruction.

3.5 Lucky draw prizes

- a) When a staff is invited as a guest to events in his/her official capacity, he/she may take part in lucky draws and accept a prize if its value is below the amount as approved by the NSA. 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 NSA event, consideration can be given to be used as lucky draw prizes internally among staff, athletes, coaches and umpires with permission from the designated approving authority.

Note:

¹ In the sunshine test, the person concerned should ask himself/herself if he/she would be happy to openly discuss with the general public what he/she is doing. If he/she feels uncomfortable about that, what he/she is doing is probably conflicting with the ethical standard generally expected by society.

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”, the staff should not accept lavish or frequent entertainment from persons/organizations with whom the NSA has official dealings (e.g., suppliers or contractors, clubs/persons to which the NSA may allocate resources or job assignments) to avoid placing themselves in a position of obligation to the offeror.

5. Offer of Advantage

- 5.1 Staff 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 NSA.
- 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 “Private interest” includes both the financial and personal interests of the staff 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.
- 6.2 Declaration of Conflict of Interest
- a) A conflict of interest situation arises when the “private interest” of a staff competes or conflicts with the interest of the NSA or one’s official duties. Staff should avoid using their 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, staff 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 NSA or is being considered for selection as the NSA's supplier of goods or services. **Appendix 6** provides some examples of conflict of interest scenarios which may be encountered and should be avoided by staff; and
- c) When called upon to deal with matters of the NSA for which there is an actual or perceived conflict of interest, a written declaration should be made in **Appendix 7** in the first instance to the Secretary of Board of Directors/Department Head and to abstain from dealing with the matter in question, but to follow the instruction of the Secretary of Board of Directors/Department Head who may (or may not) re-assign the task to other staff.

6.3 Staff should timely declare any existing or potential conflict of interest before:

- a) Being appointed as an official 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).

6.4 When a conflict of interest situation arises, staff should timely disclose any potential conflicts of interest and report it to the NSA and refrain from participating in any discussion or making decisions related to the declared matter.

7. Misuse of Official Position

7.1 Staff 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 NSA or even prosecution by the appropriate authorities. Examples of misuse include a staff 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 a staff position to reserve tickets for popular events for relatives and friends without prior permission of the NSA 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 Staff are not allowed to disclose any confidential or privileged information to anybody without prior authorization by the NSA. Staff 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.

9. Property and Other Resources of the NSA

- 9.1 Staff given access to any property or other resources of or acquired by the NSA (such as sports venues) should ensure that they are properly used solely for the purpose of conducting the NSA'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.

10. Records, Accounts and Other Documents

- 10.1 Staff should ensure, to the best of their knowledge, that any record, receipt, account or other document they submit to the NSA 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 NSA may constitute an offence under the POBO.

11. Sponsorship

- 11.1 The NSA is accountable to its sponsors for the use of their sponsorship. Staff should ensure that any sponsorship or sponsored item is used solely for the purpose for which it is provided. Staff should also ensure adequate transparency on the use of sponsorship to the sponsors and ensure that the NSA can account for the use of their sponsorship.

12. Gambling

- 12.1 Staff should not engage in frequent or excessive gambling with persons who have business dealings with the NSA 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 NSA's premises, government venues, and locations where activities of the NSA take place is strictly forbidden.

13. Compliance with Local Laws in Other Jurisdictions

- 13.1 Staff must comply with all local laws and regulations when conducting the NSA's business, and also those in other jurisdictions, when conducting business there.

14. Anti Manipulation of Competition

- 14.1 Staff 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 NSA 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 NSA and 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.

15. Handling of Social Media

- 15.1 Staff 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 Board Directors, Committee Members, staff, athletes, coaches and umpires, etc.;
- c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the NSA, Board Directors, Committee Members, staff, athletes, coaches or umpires 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 NSA's policies or values.

16. Prevention of Sexual Harassment

16.1 Staff should not engage in any forms of sexual harassment under any circumstances. Examples include unwanted physical contact, sexual advances, or requests for sexual favours. The NSA will not tolerate any comments or initiatives that are considered as sexual harassment under the NSA's discretion.

16.2 Staff 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.

16.3 Staff should:

- a) Report to the appropriate body of the NSA 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 NSA 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.

17. Prevention of Discrimination and Other Forms of Harassment²

- 17.1 Staff 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.
- 17.2 Staff 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 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.
- 17.3 Staff should:
- a) Commit to foster a culture of respect and accountability within the team or NSA by promoting positive values and behaviours, such as teamwork, fairness, and empathy;

Note:

² Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment etc.

- 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. Board Directors 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 appropriate body of the NSA immediately to show support and exercise due diligence to ensure the well-being of the victim.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix 1

Declaration of Compliance with the Code of Conduct for Staff

I agree to abide by the Code of Conduct for Staff of the NSA and acknowledge that the NSA may take disciplinary actions which may include suspension and termination against me for violation of provision of the Code.

Signature of the Staff: _____

Full Name of the Staff: _____

Date: _____

Appendix 2**Misconduct and Disciplinary Actions**

Type	Examples of Misconduct	Disciplinary action
[Minor]	[Example: Repeated late for work, Unsatisfactory work performance]	[Example: Verbal Advice/ Warning, Written Warning]
[Serious]	[Example: Absenteeism, Habitual neglect of duties]	[Example: Final Written Warning, Dismissal]

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****a Staff in Official Capacity**

All gifts and souvenirs received by staff in official capacity should be forwarded to the designated approving authority of the NSA 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 NSA with approval from the designated approving authority of NSA.
- b) If the gift/souvenir is of historical or other interest, it may be sent to the NSA Archive with approval from the designated approving authority of NSA.
- c) If the gift/souvenir is a useful item, it may be retained and used by the NSA, or donated to another charitable organization with approval from the designated approving authority of NSA.
- d) If the gift/souvenir is suitable for display (e.g., a painting, vase, etc.), it may be retained for display in the recipient's office or elsewhere noticeable in the NSA's premises with approval from the designated approving authority of NSA.
- e) If the gift/souvenir has a value below [the amount as approved by the NSA] but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from the designated approving authority of NSA.
- f) If the gift/souvenir is a personal item having a value above [the amount as approved by the NSA], the designated approving authority of the NSA 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 [the amount as approved by the NSA], but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the NSA with approval from the designated approving authority of NSA.
- 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 without the need to seek approval.

Appendix 4B

Report of Gifts/Souvenirs Received

Part A – To be completed by Receiving Staff

To: * [Secretary of Board of Directors/Department Head]

Description of Offeror: _____
 Name and title of Offeror: _____
 Company: _____
 Relationship (business/personal): _____
 Occasion on which the gift was/is to be received: _____
 Description of the gift: _____
 Estimated value of the gift: ☐ below HK\$[x] ☐ HK\$[x] – [x] ☐ over HK\$[x]

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 Staff: _____	
Title: _____	
Date: _____	

Part B – To be completed by *the Secretary of Board of Directors/Department Head

The recommended method of disposal is ****approved/not approved.***

*The gift/souvenir(s) concerned should be disposed of by way of:

* Secretary of Board of Directors/Department Head
 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

Examples of Conflict of Interest Scenarios

- a) A staff 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 staff has a financial interest in a company which is being considered for selection as the NSA's supplier of goods or services, or is an existing supplier.
- c) A staff acquires dealership of goods or services on insider knowledge that such goods or services are being considered for procurement by the NSA.
- d) A staff 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 NSA.
- e) A staff selects a venue where his/her relative or close personal friend has ownership or management responsibility.
- f) A staff accepts frequent or lavish entertainment or expensive gifts from the NSAs suppliers or contractors.
- g) A staff hires a relative as staff, or is considering the promotion of such a person.
- h) A staff nominates a relative as Committee Member.
- i) A staff vets applications for program sponsorship submitted by a Community Club of which he/she is also a Committee Member.
- j) A staff responsible for controlling the allocation of venue rented by the NSA, allocates prime time slots to a training school or a club operated by himself or a relative.
- k) A staff responsible for selling tickets of a popular program reserves tickets for his/her relatives or personal friends without permission.

Appendix 7

[Name of the NSA]

Declaration of Conflict of Interest by Staff

Name of Department Head: _____

Division/ Department: _____

Subject: _____

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

To: Secretary of Board of Directors/Department Head

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

Full Name:

Date:

Part B – Acknowledgement***(To be completed by Secretary of Board of Directors/Department Head)***

To: Declaring Staff

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 staff would be recruited to participate in, oversee or review part or all of the decision-making process (e.g. task another staff 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 staff through redeployment.

Details:

- ☐ You should relinquish the personal/private interest (e.g. cease to be a member of a club/association, divest the investments until the conflict situation described in Part A no longer exists).

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 Secretary of Board of
Directors/Department Head:

Full Name:

Date:

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

To: Secretary of Board of Directors/Department Head

Acknowledgement of Decision

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

Signature of Declaring Staff:

Full Name:

Date:

2.3

CODE OF CONDUCT FOR ATHLETES

This Code of Conduct sets out the basic standard of conduct expected of all athletes of the NSA.

1. Introduction

- 1.1 All athletes are automatically bound by and required to comply with all rules written under this Code of Conduct. Accordingly, they are deemed to have agreed that it is their personal responsibility to familiarize and comply with all the requirements written, in particular, what behaviours constitute as contraventions/offences under the Code.
- 1.2 Failure to comply with the Code may result in disciplinary action. For disciplinary actions relating to misconduct, please refer to ***Appendix 1 Misconduct and Disciplinary Actions***.

2. Fundamentals

- 2.1 Athlete should:
- a) Compete with fairness, integrity and to always play by the rules. Cheating, misconduct, or any other form of unfair advantage will not be tolerated;
 - b) Respect the rights, dignity, and worth of all individuals, regardless of their race, gender, religion, or sexual orientation, and treat all participants as they would like to be treated without bias;
 - c) Maintain professionalism and refrain from using abusive, threatening, and/or disrespectful language and/or behaviour towards anyone. Any form of discrimination, harassment, or bullying will not be tolerated;
 - d) Take responsibility of his/her own actions and behaviour, both on and off the field. This includes avoiding behaviour that could bring himself/herself, the team, and/or the NSA, into disrepute;
 - e) Work effectively as part of a team, cooperating with coaches, teammates, and support staff. He/she is responsible of attending all team meetings and practices, and giving his/her best effort in competition;

- f) Participate in education programs/seminars related to anti-manipulation, anti-doping, use of social media, prevention of sexual harassment and child safeguarding, etc., arranged by the NSA;
- g) Prioritize safety at all times, both for himself/herself and for others. This includes using proper equipment, following all safety protocols and reporting any injuries;
- h) Dress appropriately in accordance with the nature, requirements and seriousness of the event. This implies that he/she is most likely expected to wear appointed attire/team uniform in any official events;
- i) Understand performance and conduct are considered as one of the deciding factors for selection to the team;
- j) Commit in creating a safe and respectful environment for everyone involved;
- k) Comply with athletes' guidance of the NSA and other applicable rules by other organizations such as the International Olympic Committee (IOC), World Anti-Doping Agency (WADA), and related world and/or regional sports federations;
- l) Not involve in any type of competition manipulations, including but not limited to betting or corruption of sports competitions and use of inside information etc.;
- m) Keep his/her reputation in good standing and refrain from any conduct that may harm the standing of the NSA; and
- n) Complete the Declaration of Compliance with the Code of Conduct for Athletes in **Appendix 2** upon registration and renewal as an athlete of the NSA.

3. Provisions of Prevention of Bribery Ordinance

- 3.1 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**.
- 3.2 In this connection, any athlete commits an offence if he/she, without the permission of NSA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the NSA's business.

4. Acceptance of Advantages

4.1 All athletes are prohibited from soliciting any advantage from any persons or companies having business dealings with the NSA (e.g., suppliers and contractors, etc.). Athletes who wish to accept any advantage from such persons should, depending on the circumstances of the case, seek special permission from the designated approving authority of the NSA.

4.2 Gifts/Souvenirs presented to athletes in official capacity

- a) Any gifts/souvenirs offered voluntarily to athletes in their official capacity are regarded as gifts/souvenirs to the NSA. The NSA should decline the offer if the acceptance would affect the athletes' objectivity in conducting the NSA's business, induce them to act against the interest of the NSA, or lead to perception or complaints of bias or impropriety;
- b) Athletes 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 designated approving authority of the NSA 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.

4.3 Sponsorships offered to athletes in official capacity

- a) Athletes 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 NSA and referred to the designated approving authority for consideration of acceptance, except for those offered by sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the NSA for attending athlete meetings/programs.
- b) The designated approving authority should consider whether the acceptance of the sponsorship will benefit the NSA as a whole and not bring the NSA into any disrepute, whether the NSA 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 NSA's contract).

If decision is made to accept the sponsorship, the NSA should then select a suitable athlete to attend the sponsored activity.

4.4 Advantages offered to athletes in private capacity

- a) Where an athlete is offered an advantage in his/her private capacity, he/she may accept it if the acceptance will not affect the performance of his/her roles as an athlete; and he/she will not feel obliged to do something in return in connection with the NSA's business for the offeror. If an athlete feels that he/she would be obliged to reciprocate an advantage by returning to the offeror a favour connected with any business of the NSA, he/she should decline the offer.
- b) When an athlete is in doubt as to whether he/she should accept an offer of advantage, it is advisable for him/her to apply the "sunshine test"¹ and consult the designated approving authority for advice and instruction.

5. **Acceptance of Entertainment**

- 5.1 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", athletes should not accept lavish or frequent entertainment from persons/organizations with whom the NSA has official dealings (e.g., suppliers or contractors, clubs/persons to which the NSA may allocate resources or job assignments), to avoid placing themselves in a position of obligation to the offeror.

6. **Offer of Advantage**

- 6.1 Athletes 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 NSA.

Note:

¹ *In the sunshine test, the person concerned should ask himself/herself if he/she would be happy to openly discuss with the general public what he/she is doing. If he/she feels uncomfortable about that, what he/she is doing is probably conflicting with the ethical standard generally expected by society.*

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

7. Professionalism

7.1 Athlete should:

- a) Demonstrate a solid understanding of the rules and their applications and make efforts on achieving the goal during the events;
- b) Ensure that sportsmanship is well maintained throughout all events; and
- c) Dress up properly and professionally throughout the events.

8. Participation in Overseas and/or Local Competitions

8.1 Athlete should:

- a) Maintain good discipline, conduct, and behave properly in and out of competition as he/she is representing the image of Hong Kong, China and the NSA;
- b) Comply with the local and national laws where the overseas competition is placed. It will be personal liability for any violation, and the NSA will not bear any cost regarding the matter;
- c) Attend official functions such as opening, closing and award ceremonies, official dinners and receptions as arranged by the event organizer;
- d) Keep all original copies of receipts for matters including but not limited to air ticket, boarding pass, accommodation, meal, supplements, and long-distance calls in case of reimbursement. Alcohol or any illicit substances will not be reimbursed. Credit/debit card slips will not be accepted unless it is supported by original receipts, in accordance with the conditions stipulated by the NSA;
- e) Lodge the appeal through his/her team manager and coach in accordance with the competition rules in case of disputes on the judging and results of the competition; and
- f) Agree that the NSA reserves the right to remove his/her name from the list of athletes if a violation of the Code or any illegal or inappropriate behaviour has occurred. The NSA may take any corrective action deemed appropriate.

9. Anti-Manipulation of Competition

9.1 Athlete should:

- a) Always play by the rules of the sport and to compete with integrity. He/she should not engage in any behaviour that undermines the fairness of the competition;
- b) Report any suspicious behaviour related to manipulation (such as match-fixing, bribery, betting and use of inside information) to the NSA and appropriate authorities. This includes any attempts to bribe or offer him/her any incentives to influence the outcome of a game or competition;
- c) Cooperate with any investigations related to manipulation in sports and provide any information or evidence requested by the NSA and the appropriate authorities;
- d) Participate in education programs/seminars related to anti-manipulation in order to be better equipped for identifying and report any suspicious behaviour
- e) 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 he/she vulnerable to manipulation, such as gambling on sports events;
- f) 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
- g) Maintain confidentiality and not disclose any information on any investigations related to manipulation, unless required by law or authorized by the appropriate authorities.

10. Handling of Social Media

10.1 Athlete 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 Board Directors, Committee Members, staff, athletes, coaches and umpires, etc.;

- c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the NSA, Board Directors, Committee Members, staff, athletes, coaches or umpires, 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 NSA's policies or values.

11. Prevention of Sexual Harassment

- 11.1 Athlete should not engage in any forms of sexual harassment under any circumstances. Examples include unwanted physical contact, sexual advances, requests for sexual favours. The NSA will not tolerate any comments or initiatives that are considered as sexual harassment under the NSA's discretion.
- 11.2 Ensure that no action could be misconstrued or experienced as inappropriate while physical contacts are sometimes necessary during the event.
- 11.3 Athlete should avoid:
 - a) Offer sexual favours to any other individual in return for access to resources and team selection, etc.; and
 - b) Hostile environment where unwelcome conduct of a sexual nature is prevalent.
- 11.4 Athlete should:
 - a) Report to the NSA immediately and show support to the victim if he/she notice or receive a report of any incidents of harassment;
 - 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) Cooperate with investigation procedures when being requested by the NSA. Investigation and disciplinary procedures are prioritized over competitions, matches, and any other events;

- e) 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
- f) Commit to creating a safe and respectful environment for everyone involved.

12. Prevention of Discrimination and Other Forms of Harassment²

- 12.1 Athlete 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.
- 12.2 Athlete 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 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.
- 12.3 Athlete should:
 - a) Commit to foster a culture of respect and accountability within the team or NSA by promoting positive values and behaviours, such as teamwork, fairness, and empathy;
 - b) Not engage in any forms 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

Note:

² *Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment, etc.*

are reported. He/she will be required to attend interview and answer questions relevant to the incidents;

- d) Be respectful towards Board Directors, Committee Members, staff, other athletes, coaches and umpires; and
- e) Report any incidents of other forms of harassment to a coach, team manager, the NSA, or other authority figure immediately to show support and exercise due diligence to ensure the well-being of the victim.

13. Anti-doping

13.1 Athlete should:

- a) Comply with the anti-doping rules and regulations of World Anti-Doping Agency (WADA), Anti-Doping Organization of Hong Kong, China (ADOHK) and the NSA and be aware of the impact and consequences of doping;
- b) Strictly prohibit the use of any performance enhancement substance, illicit drugs, illegal drugs, or any other substances that are listed as banned products in the local, national, and international sports competitions and associations;
- c) Participate in anti-doping education programs/seminars to in order better understand the risks and consequences of doping in sports and to be better equipped for making informed decisions with regard to his/her own health and safety;
- d) Report any suspicious behaviour related to doping by other athletes to the NSA and the appropriate authorities;
- e) Cooperate with any anti-doping test and investigation when the NSA commands with full honesty;
- f) Maintain confidentiality and not to disclose any information related to any anti-doping test or investigations, unless required by law or authorized by the appropriate authorities;
- g) Disclose any use of prescribed or over-the-counter medications, supplements, or treatments to the NSA and the appropriate authorities; and
- h) Take responsibility of his/her actions and not engage in any behaviour that could compromise the integrity of the sport. This includes refraining from any actions

that could make he/she vulnerable to doping such as using supplements or medications without proper medical advice. Those who fail to comply with anti-doping rules may receive provision of punishment including sanctions.

14. Child Safeguarding

14.1 Athlete should report immediately to the NSA when witnessed a suspicious behaviour which may harm children and provide support to any child who has been affected.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix 1**Misconduct and Disciplinary Actions**

Level	Examples of Misconduct	Disciplinary action
[Minor]	[Example: Using foul language]	[Example: Verbal Advice/Warning, Written Warning]
[Serious]	[Example: Use of doping]	[Example: Suspension to participate in any sport-related activities for a period of time, Disqualification of results in a particular competition or event, Forfeiture of medals, points and prizes, Fines]

Appendix 2

Declaration of Compliance with the Code of Conduct for Athletes

I agree to abide by the Code of Conduct for Athletes of the NSA and acknowledge that the NSA may take disciplinary actions which may include suspension and termination against me for violation of provision of the Code.

Signature of the Athlete: _____

Full Name of the Athlete: _____

Date: _____

For the athletes under 18 years old:

Signature of the Parent/Guardian/
Authorized Person of the Athlete: _____

Full Name of the Parent/Guardian/
Authorized Person of the Athlete: _____

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 Athlete in Official Capacity

All gifts and souvenirs received by an athlete in official capacity should be forwarded to the designated approving authority of the NSA 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 NSA with approval from the designated approving authority of NSA.
- b) If the gift/souvenir is of historical or other interest, it may be sent to the NSA Archive with approval from the designated approving authority of NSA.
- c) If the gift/souvenir is a useful item, it may be retained and used by the NSA, or donated to another charitable organization with approval from the designated approving authority of NSA.
- 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 NSA with approval from the designated approving authority of NSA.
- e) If the gift/souvenir has a value below [the amount as approved by the NSA] but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from the designated approving authority of NSA.
- f) If the gift/souvenir is a personal item having a value above [the amount as approved by the NSA], the designated approving authority of the NSA 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 [the amount as approved by the NSA] but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the NSA with approval from the designated approving authority of NSA
- 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 without the need to seek approval.

Appendix 4B

Report of Gifts/Souvenirs Received

Part A – To be completed by Receiving Athlete

To: * [Secretary of Board of Directors/Department Head]

Description of Offeror: _____
 Name and title of Offeror: _____
 Company: _____
 Relationship (business/personal): _____
 Occasion on which the gift was/is to be received: _____
 Description of the gift: _____
 Estimated value of the gift: ☐ below HK\$[x] ☐ HK\$[x] – [x] ☐ over HK\$[x]

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 Athlete: _____	
Title: _____	
Date: _____	

Part B – To be completed by *the Secretary of Board of Directors/Department Head

The recommended method of disposal is ****approved/not approved.***

*The gift/souvenir(s) concerned should be disposed of by way of:

* Secretary of Board of Directors/Department Head
 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.

2.4

CODE OF CONDUCT AND PRACTICE FOR COACHES

This Code of Conduct sets out the basic standard of conduct expected of all coaches under the NSA.

1. Introduction

- 1.1 All coaches are automatically bound by and required to comply with all rules written under this Code of Conduct and Practice. Accordingly, they are deemed to have agreed that it is their personal responsibility to familiarize and comply with all the requirements written, in particular, what behaviours constitutes as contraventions/offences under the Code.
- 1.2 Failure to comply with the Code may result in disciplinary action, including suspension or termination from the NSA. For disciplinary actions relating to misconduct, please refer to ***Appendix 1 Misconduct and Disciplinary Actions***.

2. Fundamentals

- 2.1 Coach should:
- a) Exercise his/her discretion, position, and power in a way that best demonstrates respect, fairness and integrity for all individuals, regardless of their race, gender, religion, or sexual orientation, in particular, when:
- Screening and selecting athletes for the competition in concern;
 - Training;
 - Distributing roles and positions; and
 - Nominating athletes for awards and subventions.
- b) Maintain professionalism and refrain from using abusive, threatening, and/or disrespectful language and/or behaviour towards anyone. Any form of discrimination, harassment, or bullying will not be tolerated. He/she is expected to lead by example and demonstrate the spirit of integrity and professionalism among the athletes;

- c) Take responsibility of his/her own actions and behaviour, both on and off the field. This includes avoiding behaviour that could bring himself/herself, the team, and/or the NSA, into disrepute;
- d) Promote a culture of teamwork and cooperation among the athletes and ensure that the athletes attend all team meetings and practices as far as practicable, and that they give their best effort in competition;
- e) Upskill himself/herself with the latest coaching techniques and seek continual improvement;
- f) Always prioritize safety and commit to creating a safe and respectful environment for the athletes and those involved. He/she should be completely confident in preventing safety hazard in the practice and match field. He/she should take reasonable steps to minimize harm where it is foreseeable and unavoidable. He/she should also educate the athletes on using proper equipment, reporting any injuries, and following safety protocols;
- g) Provide services only within the boundaries of his/her competence, based on his/her qualification, training, and appropriate professional experience;
- h) Not overtrain the athletes and commit to promote their enthusiasm towards sport. The level of training is expected to match the age and fitness level of the athletes;
- i) Ensure that the athletes are dressed appropriately for all events;
- j) Comply with coaches' guidance of the NSA, and other applicable rules by other organizations such as the International Olympic Committee (IOC), World Anti-Doping Agency (WADA), and related world and/or regional sports federations;
- k) Not involve in any type of competition manipulations, including but not limited to betting or corruption of sports competitions and use of inside information etc.;
- l) Keep his/her reputation in good standing and refrain from any conduct that may harm the standing of the NSA;
- m) Pledge that there will be no incidents of interest. All conflicts of interest arisen should be reported to the NSA;
- n) Participate in education programs/seminars related to anti-corruption, anti-manipulation, anti-doping, use of social media, prevention of sexual harassment and child safeguarding, etc., arranged by the NSA; and

- o) Complete the Declaration of Compliance with the Code of Conduct and Practice for Coaches in Appendix 2 upon registration and renewal as a coach of the NSA.

3. Provisions of Prevention of Bribery Ordinance

- 3.1 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**.
- 3.2 In this connection, any coach commits an offence if he/she, without the permission of NSA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the NSA's business.

4. Acceptance of Advantages

- 4.1 Coaches are prohibited from soliciting any advantage from any persons or companies having business dealings with the NSA (e.g., suppliers, contractors and members, etc.). Coaches who wish to accept any advantage from such persons should, depending on the circumstances of the case, seek special permission from the designated approving authority of the NSA.
- 4.2 Gifts/Souvenirs presented to coaches in official capacity
 - a) Any gifts/souvenirs offered voluntarily to coaches in their official capacity are regarded as gifts/souvenirs to the NSA. The NSA should decline the offer if the acceptance would affect the coaches' objectivity in conducting the NSA's business, induce them to act against the interest of the NSA, or lead to perception or complaints of bias or impropriety;
 - b) Coaches 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 designated approving authority of the NSA 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.

4.3 Sponsorships offered to coaches in official capacity

- a) Coaches 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 NSA and referred to the designated approving authority for consideration of acceptance, except for those offered by sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the NSA for attending coach meetings/programs.
- b) The designated approving authority should consider whether the acceptance of the sponsorship will benefit the NSA as a whole and not bring the NSA into any disrepute, whether the NSA 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 NSA's contract). If decision is made to accept the sponsorship, the NSA should then select a suitable coach to attend the sponsored activity.

4.4 Advantages offered to coaches in private capacity

- a) Where a coach is offered an advantage in his/her private capacity, he/she may accept it if the acceptance will not affect the performance of his/her duties as a coach; and he/she will not feel obliged to do something in return in connection with the NSA's business for the offeror. If a coach feels that he/she would be obliged to reciprocate an advantage by returning to the offeror a favour connected with any business of the NSA, he/she should decline the offer.
- b) When a coach is in doubt as to whether he/she should accept an offer of advantage, it is advisable for him/her to apply the "sunshine test"¹ and consult the designated approving authority for advice and instruction.

5. **Acceptance of Entertainment**

- 5.1 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

Note:

¹ In the sunshine test, the person concerned should ask himself/herself if he/she would be happy to openly discuss with the general public what he/she is doing. If he feels uncomfortable about that, what he/she is doing is probably conflicting with the ethical standard generally expected by society.

same time. Although entertainment is an acceptable form of business and social behaviour and is not an “advantage”, coaches should not accept lavish or frequent entertainment from persons/organizations with whom the NSA has official dealings (e.g., suppliers or contractors, clubs/persons to which the NSA may allocate resources or job assignments), to avoid placing themselves in a position of obligation to the offeror.

6. Offer of Advantage

- 6.1 Coaches 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 NSA.
- 6.2 Relevant provisions of POBO including the offences of solicitation, acceptance and offering of advantages are at **Appendix 5**.

7. Professionalism

- 7.1 Coach should:
- a) Demonstrate a solid understanding of the rules and their applications;
 - b) Make decisions with consistency and professionalism in all aspects during trainings and events;
 - c) Ensure that sportsmanship is well maintained throughout all events;
 - d) Respect the rights, dignity and worth of all participants regardless of their gender, ethnic origin or religion and treat all participants as they would like to be treated without bias; and
 - e) Dress up properly and professionally throughout trainings and events.

8. Providing Coaching Services (Code of Practice when Coaching)

- 8.1 Coach should:
- a) Maintain a high standard in the use of proper language, manner and presentation during coaching. He/she is encouraged to actively collect feedback from the

participants after the coaching/training courses and consider the suggestions carefully;

- b) Never smoke or drink alcohol while coaching. He/she should also forbid participants to smoke, drink alcohol, speak foul language and other misconduct during coaching/training courses;
- c) Always attend the coaching/training course on time. He/she should not be absent, arrive late or leave early without proper authorization or a valid reason;
- d) Not cancel or change the coaching/training courses without permission from the NSA unless in exceptional circumstances;
- e) Not develop any inappropriate relationship with the participants;
- f) Avoid unnecessary physical contact with participants/athletes unless to assist in their skill development, for safety and medical reasons. Such physical contacts should be kept to a minimum;
- g) Not involve in introducing or recruiting participants to join in any private coaching or activities or merchandise promotion;
- h) Not solicit or accept any benefits (including money, gifts or discounts) from participants;
- i) Keep vigilant on his/her personal, financial, social, institutional, political and other status to avoid any undue influence on others; and
- j) Consult and/or report to the NSA when he/she suspects or discovers any unprofessional behaviours of other coaches acting against the Code of Conduct and Practice for Coaches.

8.2 If he/she cannot attend the coaching/training courses:

- a) For personal reasons, he/she should notify the NSA as soon as possible and seek approval. Absence without prior notification or justifiable reason will be treated as misconduct and the NSA has the right to recover all related damages. For disciplinary actions relating to misconduct, please refer to **Appendix 1 Misconduct and Disciplinary Actions**;

- b) For illnesses or physical problems, he/she should notify the NSA immediately and submit the doctor's certificate within a specified number of days after the sick leave. If not, it will be treated as misconduct and the NSA has the right to recover all related damages. For disciplinary actions relating to misconduct, please refer to ***Appendix 1 Misconduct and Disciplinary Actions***; and
- c) The NSA should arrange another coach to substitute the coaching/training courses where appropriate.

8.3 Before the start of the coaching/training courses, coach should:

- a) Plan the coaching/training courses to ensure that the courses are progressive and appropriate that meet the needs of the participants;
- b) Make sure his/her first aid certificate is valid. If necessary, he/she may prepare a first aid kit; and
- c) Check and ensure all training equipment is in good condition to ensure a safe training environment.

8.4 During the coaching/training courses, coach should:

- a) Not leave without proper authorization or a valid reason;
- b) Avoid excessive use of smartphone or other electronic device except for emergency;
- c) Remind participants not to carry expensive personal belongings to the venue. If the participants carry expensive personal belongings, he/she should remind the participants to keep them in a safe place;
- d) Check the attendance of the participants and sign on the attendance form. He/she shall not sign the attendance record on behalf of the participants;
- e) Not allow unregistered persons to participate in the coaching/training courses;
- f) Be aware of the physical condition of the participants especially that of children and teenagers to ensure the training loads and intensities are appropriate;
- g) Be aware of the progress of participants and maintain a proper record;

- h) Maintain the discipline of the courses and remind participants to accord safety at the highest priority;
- i) Explain the evaluation methods of any progression opportunities to the participants to avoid any misunderstanding. He/she should assess participants in an open, fair and impartial manner. The assessment results should be supported by adequate and valid justifications. He/she should not divulge the results in private; and
- j) Contact their parents/guardians/family members and the venue staff immediately to seek assistance and make appropriate arrangements if there are any unexpected incidents including injuries/accidents of participants. He/she should also submit an incident report to the NSA as soon as possible after the occurrence of the incident for proper record keeping.

8.5 After the coaching/training courses, coach should:

- a) Submit application form with class attendance sheet for applying the coaching fee; and
- b) Try to contact the absentees or their guardians to find out the reasons and report to the NSA as soon as practicable.

8.6 For the personal data of participants, coach should:

- a) Collect, record and confirm the contact information of participants including their guardians for children under 18 in the first coaching/training course. He/she should ensure personal information is handled in accordance with provisions of Personal Data (Privacy) Ordinance;
- b) Only use the personal data of participants provided by the NSA for the purpose of coaching/training courses and other authorized events by the NSA;
- c) Report to the NSA immediately if there is any leaking or suspicious leaking of the personal data of participants; and
- d) Delete the contact information of participants from his/her personal devices, if any, upon the completion of the course and also return all records of personal data to the NSA.

8.7 Coach should follow the stipulations laid down by the NSA for inclement weather. In addition, coach should:

- a) Contact the NSA two hours before the start of courses and check whether the course continues:
 - Notify the participants if the NSA confirm the cancellation of course; and
 - Notify the participants and arrive the venue on time if the NSA confirm the continuation of course.
- b) Contact the NSA and report the weather conditions to confirm whether the course should continue if the course has already started:
 - Notify the participants and assist them to leave safely if the NSA confirm the cancellation of course. He/she should leave the venue after all participants have left safely; and
 - Continue the course and pay attention to any changes of weather condition if the NSA confirm the continuation of course. If he/she considers necessary to cancel the courses, he/she should contact and report to the NSA immediately.

9. Participation in Overseas and/or Local Competitions

9.1 Coach should:

- a) Maintain good discipline, conduct, and behave properly as he/she is representing the image of Hong Kong, China and the NSA;
- b) Comply with the local and national laws where the overseas competition is placed. It will be personal liability for any violation, and the NSA will not bear any cost regarding the matter;
- c) Attend official functions such as opening, closing and award ceremonies, official dinners and receptions as arranged by the event organizer;
- d) Keep all original copies of receipts for matters including but not limited to air ticket, boarding pass, accommodation, meal, supplements, and long-distance calls in case of reimbursement. Alcohol or any illicit substances will not be reimbursed. Credit/debit card slips will not be accepted unless it is supported by original receipts, in accordance with the conditions stipulated by the NSA;

- e) Help the athlete to lodge an appeal through his/her team manager in accordance with the competition rules in case of disputes on the judging and results of the competition; and
- f) Agree that the NSA reserves the right to remove his/her name from the list of coaches if a violation of the Code or any illegal or inappropriate behaviour has occurred. The NSA may take any corrective action deemed appropriate including suspension or termination of a coach from the NSA.

10. Anti Manipulation of Competition

10.1 Coach should:

- a) Always train the athletes to play by the rules of the sport and to compete with integrity. He/she should not engage in any behaviour that undermines the fairness of the competition;
- b) Report any suspicious behaviour related to manipulation (such as match-fixing, bribery, betting and use of inside information) to the NSA and appropriate authorities. This includes any attempts to bribe or offer him/her any incentives to influence the outcome of a game or competition;
- c) Cooperate with any investigations related to manipulation in sports and provide any information or evidence requested by the NSA and the appropriate authorities;
- d) Participate in education programs/seminars related to anti-manipulation in order to be better equipped for identifying and reporting any suspicious behaviour;
- e) 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 he/she vulnerable to manipulation, such as gambling on sports events;
- f) 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
- g) Maintain confidentiality and not disclose any information related to any investigations on manipulation, unless required by law or authorized by the appropriate authorities.

11. Handling of Social Media

11.1 Coach 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 Board Directors, Committee Members, staff, athletes, coaches and umpires, etc.;
- c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the NSA, Board Directors, Committee Members, staff, athletes, coaches or umpires 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 NSA's policies or values.

12. Prevention of Sexual Harassment

12.1 Coach should not engage in any forms of sexual harassment under any circumstances. Examples include unwanted physical contact, sexual advances, requests for sexual favours. The NSA will not tolerate any comments or initiatives that are considered as sexual harassment under the NSA's discretion.

12.2 Ensure that no action could be misconstrued or experienced as inappropriate while physical contacts are sometimes necessary during the coaching process.

12.3 Coaches 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.

12.4 Coach should:

- a) Report to the NSA immediately and show support to the victim if he/she notices or receives a report of any incidents of harassment;

- 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 being requested by the NSA. 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 in creating a safe and respectful environment for everyone involved.

13. Prevention of Discrimination and Other Forms of Harassment²

- 13.1 Coach should not make any comments and/or engage in actions that displays 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.
- 13.2 Coach 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 person because of a protected characteristic; and

Note:

² Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment, etc.

- 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.

13.3 Coach should:

- a) Commit to foster a culture of respect and accountability within the team or NSA by promoting positive values and behaviours, such as teamwork, fairness, and empathy;
- b) Not engage in any forms 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. The NSA will require he/she to attend interviews and answer questions relevant to the incidents;
- d) Be respectful towards Board Directors, Committee Members, staff, athletes, other coaches and umpires. He/she should be aware of the power dynamics and avoid using his/her position as a coach to exert power over others;
- e) Report any incidents of other forms of harassment to the appropriate body of the NSA immediately to show support and exercise due diligence to ensure the well-being of the victim; and
- f) Never engage in any form of sexually related conduct, including but not limited to sexual innuendo, inappropriate gestures and terms or even sexually related contact with any participant.

14. Anti-doping

14.1 Coach should:

- a) Educate the athletes on the importance of always complying with the anti-doping rules and regulations of World Anti-Doping Agency (WADA), Anti-Doping Organization of Hong Kong, China (ADOHK) and the NSA, and the impact and consequence of doping;

- b) Strictly prohibit the use of any performance enhancement substance, illicit drugs, illegal drugs, or any other substances that are listed as banned products in the local, national, and international sports competitions and associations, among the athletes;
- c) Ensure himself/herself and the athletes participating in anti-doping education programs/seminars in order to better understand the risks and consequences of doping in sports and to be better equipped for making informed decisions with regard to athletes' own health and safety;
- d) Report any suspicious behaviour related to doping by athletes to the NSA and the appropriate authorities;
- e) Cooperate with investigations when the NSA commands with full honesty;
- f) Maintain confidentiality and not disclose any information related to any anti-doping test or investigations on the athletes, unless required by law or authorized by the appropriate authorities;
- g) Disclose any use of prescribed or over-the-counter medications, supplements, or treatments of the athletes to the NSA and the appropriate authorities;
- h) Take responsibility of his/her actions and not engage in any behaviour that could compromise the integrity of the sport. This includes refraining from any actions that help athletes to doping such as using supplements or medications without proper medical advice. Those who fail to comply with anti-doping rules may receive provision of punishment including sanctions; and
- i) Actively scan the anti-doping list issued by the WADA or other relevant organizations and keep close monitoring on the athletes' medication history to avoid doping issues.

15. Child Safeguarding

15.1 Coach should:

- a) Have a duty of care to safeguard all children (person below 18) during the coaching/training courses under the NSA. Children with disabilities and others who may be particularly vulnerable must also be taken into account;
- b) Take all reasonable steps to provide children with appropriate psychological and physical safety and protection which in the care of the NSA;

- c) Attend child safeguarding training programs/seminars arranged by the NSA or other relevant bodies;
- d) Be subject for screening of Sexual Conviction Record Check before coaching/training courses;
- e) Report immediately to the NSA when witnessed a suspicious behaviour which may harm children and provide support to any child who has been affected; and
- f) Discuss with and inform parents/guardians on the requirements of the sport and potential impact of the training on the children before the training session.

16. Conflict of Interest

16.1 “Private interest” includes both the financial and personal interests of the coaches 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.

16.2 Declaration of Conflict of Interest

- a) A conflict of interest situation arises when the “private interest” of a coach competes or conflicts with the interest of the NSA or one’s official duties. Coaches should avoid using their 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, coaches 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 NSA or is being considered for selection as the NSA's supplier of goods or services. **Appendix 6** provides some examples of conflict of interest scenarios which may be encountered and should be avoided by coaches; and

- c) When called upon to deal with matters of the NSA for which there is an actual or perceived conflict of interest, a written declaration should be made in **Appendix 7** in the first instance to the Secretary of Board of Directors/Department Head and to abstain from dealing with the matter in question, but to follow the instruction of the Secretary of Board of Directors/Department Head who may (or may not) re-assign the task to other coaches.

16.3 Coach should timely declare any existing or potential conflict of interest before:

- a) Being appointed as a team coach; or
- b) Being a member who will be involved in the decision-making process (e.g., involved in the athlete selection process).

16.4 When a conflict of interest situation arises, coaches should timely disclose any potential conflicts of interest and report it to the NSA and refrain from participating any discussion or making decisions related to the declared matter.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix 1**Misconduct and Disciplinary Actions**

Level	Examples of Misconduct	Disciplinary action
[Minor]	[Example: Use of foul language, neglect of duty]	[Example: Verbal Advice/Warning, Written Warning]
[Serious]	[Example: Repeated absence without prior notification and/or reasonable justification]	[Example: Suspension to participate in any sport-related activities for a period of time, Forfeiture of Salary, Fines]

Appendix 2

Declaration of Compliance with the Code of Conduct and Practice for Coaches

I agree to abide by the Code of Conduct and Practice for Coaches of the NSA and acknowledge that the NSA may take disciplinary actions which may include suspension and termination against me for violation of provision of the Code.

Signature of the Coach: _____

Full Name of the Coach: _____

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 a Coach in Official Capacity

All gifts and souvenirs received by coaches in official capacity should be forwarded to the designated approving authority of the NSA 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 NSA with approval from the designated approving authority of NSA.
- b) If the gift/souvenir is of historical or other interest, it may be sent to the NSA Archive with approval from the designated approving authority of NSA.
- c) If the gift/souvenir is a useful item, it may be retained and used by the NSA, or donated to another charitable organization with approval from the designated approving authority of NSA.
- d) If the gift/souvenir is suitable for display (e.g., a painting, vase, etc.), it may be retained for display in the recipient's office or elsewhere noticeable in the NSA's premises with approval from the designated approving authority of NSA.
- e) If the gift/souvenir has a value below the amount as approved by the NSA but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from the designated approving authority of NSA.
- f) If the gift/souvenir is a personal item having a value above the amount as approved by the NSA, the designated approving authority of the NSA 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 the amount as approved by the NSA but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the NSA with approval from the designated approving authority of NSA.
- 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 without the need to seek approval.

Appendix 4B

Report of Gifts/Souvenirs Received

Part A – To be completed by Receiving Coach

To: * [Secretary of Board of Directors/Department Head]

Description of Offeror: _____
 Name and title of Offeror: _____
 Company: _____
 Relationship (business/personal): _____
 Occasion on which the gift was/is to be received: _____
 Description of the gift: _____
 Estimated value of the gift: ☐ below HK\$[x] ☐ HK\$[x] – [x] ☐ over HK\$[x]

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 an Internal Function	_____
() Donate to another Charitable Organization	_____
() Return to Offeror	_____
() Others (please specify) :	_____
Name of Receiving Coach:	_____
Title:	_____
Date:	_____

Part B – To be completed by *the Secretary of Board of Directors/Department Head

The recommended method of disposal is ****approved/not approved.***

*The gift/souvenir(s) concerned should be disposed of by way of:

* Secretary of Board of Directors/Department Head
 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

Examples of Conflict of Interest Scenarios

- a) A coach 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 coach has a financial interest in a company which is being considered for selection as the NSA's supplier of goods or services, or is an existing supplier.
- c) A coach acquires dealership of goods or services on insider knowledge that such goods or services are being considered for procurement by the NSA.
- d) A coach 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 NSA.
- e) A coach selects a venue where his/her relative or close personal friend has ownership or management responsibility.
- f) A coach accepts frequent or lavish entertainment or expensive gifts from the NSAs suppliers or contractors.
- g) A coach assesses a relative's coaching qualification, or is considering the promotion of such a person.
- h) A coach nominates a relative as Committee Member.
- i) A coach vets applications for program sponsorship submitted by a Community Club of which he/she is also a Committee Member.
- j) A coach responsible for controlling the allocation of venue rented by the NSA, allocates prime time slots to a training school or a club operated by himself/herself or a relative.
- k) A coach responsible for selling tickets of a popular program reserves tickets for his/her relatives or personal friends without permission.

Appendix 7

[Name of the NSA]

Declaration of Conflict of Interest by Coach

Name of Department Head: _____

Division/ Department: _____

Subject: _____

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

To: Secretary of Board of Directors/Department Head

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

Full Name:

Date:

Part B – Acknowledgement

(To be completed by Secretary of Board of Directors/Department Head)

To: Declaring Coach

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 coach would be recruited to participate in, oversee or review part or all of the decision-making process (e.g. task another coach 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 coach through redeployment.

Details:

- ☐ You should relinquish the personal/private interest (e.g. cease to be a member of a club/association, divest the investments until the conflict situation described in Part A no longer exists).

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 Secretary of Board of
Directors/Department Head:

Full Name:

Date:

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

To: Secretary of Board of Directors/Department Head

Acknowledgement of Decision

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

Signature of Declaring Coach:

Full Name:

Date:

2.5

CODE OF CONDUCT FOR UMPIRES

This Code of Conduct sets out the basic standard of conduct expected of all umpires under the NSA.

1. Introduction

- 1.1 All umpires are automatically bound by and required to comply with all rules written under this Code of Conduct. Accordingly, they are deemed to have agreed that it is their personal responsibility to familiarize and comply with all the requirements written, in particular, what behaviours constitute as contraventions/offences under the Code.
- 1.2 Failure to comply with the Code may result in disciplinary action, including suspension or termination from the NSA. For disciplinary actions relating to misconduct, please refer to ***Appendix 1 Misconduct and Disciplinary Actions***.

2. Fundamentals

- 2.1 Umpires should:
 - a) Maintain impartiality and integrity for all decisions and actions delivered in the event, and uphold the rules and regulations of the sport. He/she should not tolerate cheating, misconduct, or any other form of unfair advantage, and should take appropriate action if such instances occur;
 - b) Exercise his/her discretion, position, and power in a way that best demonstrates respect for all individuals, regardless of their race, gender, religion, or sexual orientation;
 - c) Maintain professionalism and refrain from using abusive, threatening, and/or disrespectful language and/or behaviour towards anyone. Any form of discrimination, harassment, or bullying will not be tolerated. He/she is expected to lead by example and demonstrate the spirit of integrity and professionalism among the athletes;
 - d) Demonstrate integrity and professionalism when umpiring the event no matter how the players, coaches and spectators react and respect decisions made by other umpires;

- e) Take responsibility of his/her own actions and behaviour, both on and off the field. This includes avoiding behaviour that could bring himself/herself, the teams, and/or the NSA into disrepute;
- f) Be punctual, and ensure effective communications between players, coaches and other umpires. He/she should never umpire any event under the influence of drugs or alcohol;
- g) Participate in education programs/seminars related to anti-corruption, anti-manipulation, anti-doping, use of social media, prevention of sexual harassment and child safeguarding, etc., arranged by the NSA
- h) Be aware of any safety concerns and take appropriate action to ensure that the game is played safely. He/she should also maintain a safe and fair playing environment, which includes taking action to prevent and discourage violence on or off the court/field;
- i) Commit to creating a safe and respectful environment for everyone involved;
- j) Comply with umpires' guidance of the NSA, and other applicable rules by other organization such as the International Olympic Committee (IOC), World Anti-Doping Agency (WADA) and related world and/or regional sports federations;
- k) Not involve in any type of competition manipulations, including but not limited to betting or corruption of sports competitions and use of inside information etc.;
- l) Keep his/her reputation in good standing and refrain from any conduct that may harm the standing of the NSA;
- m) Pledge that there will be no incidents of interest. All conflicts of interest arisen should be reported to the NSA; and
- n) Complete the Declaration of Compliance with the Code of Conduct for Umpires in **Appendix 2** upon registration and renewal as an umpire of the NSA.

3. Provisions of Prevention of Bribery Ordinance

- 3.1 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**.

- 3.2 In this connection, any umpire commits an offence if he/she, without the permission of NSA, solicits or accepts any advantage as a reward or inducement for doing any act or showing favour in relation to the NSA's business.

4. Acceptance of Advantages

- 4.1 Umpires are prohibited from soliciting any advantage from any persons or companies having business dealings with the NSA (e.g., suppliers, contractors and members, etc.). Umpires who wish to accept any advantage from such persons should, depending on the circumstances of the case, seek special permission from the designated approving authority of the NSA.

4.2 Gifts/Souvenirs presented to umpires in official capacity

- a) Any gifts/souvenirs offered voluntarily to umpires in their official capacity are regarded as gifts/souvenirs to the NSA. The NSA should decline the offer if the acceptance would affect the umpires' objectivity in conducting the NSA's business, induce them to act against the interest of the NSA, or lead to perception or complaints of bias or impropriety;
- b) Umpires 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 designated approving authority of the NSA 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.

4.3 Sponsorships offered to umpires in official capacity

- a) Umpires may be offered sponsorships in their official capacity by persons/organizations for official purpose such as attending local/overseas conferences, conventions and product trial activities, etc. Such sponsorships should be regarded as sponsorships offered to the NSA and referred to the designated approving authority for consideration of acceptance, except for those offered by

sports governing bodies (e.g., International Olympic Committee, Olympic Council of Asia, etc.) to the NSA for attending umpire meetings/programs.

- b) The designated approving authority should consider whether the acceptance of the sponsorship will benefit the NSA as a whole and not bring the NSA into any disrepute, whether the NSA 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 NSA's contract). If decision is made to accept the sponsorship, the NSA should then select a suitable umpire to attend the sponsored activity.

4.4 Advantages offered to umpires in private capacity

- a) Where an umpire is offered an advantage in his/her private capacity, he/she may accept it if the acceptance will not affect the performance of his/her duties as an umpire; and he/she will not feel obliged to do something in return in connection with the NSA's business for the offeror. If an umpire feels that he/she would be obliged to reciprocate an advantage by returning to the offeror a favour connected with any business of the NSA, he/she should decline the offer.
- b) When an umpire is in doubt as to whether he/she should accept an offer of advantage, it is advisable for him/her to apply the "sunshine test"¹ and consult the designated approving authority for advice and instruction.

5. **Acceptance of Entertainment**

- 5.1 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", umpires should not accept lavish or frequent entertainment from persons/organizations with whom the NSA has official dealings (e.g., suppliers or contractors, clubs/persons to which the NSA may allocate resources

Note:

¹ *In the sunshine test, the person concerned should ask himself/herself if he/she would be happy to openly discuss with the general public what he/she is doing. If he feels uncomfortable about that, what he/she is doing is probably conflicting with the ethical standard generally expected by society.*

or job assignments), to avoid placing themselves in a position of obligation to the offeror.

6. Offer of Advantage

6.1 Umpires 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 NSA.

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

7. Professionalism

7.2 Umpire should:

- a) Maintain a solid and comprehensive understanding of the rules and regulations related to the roles, and to apply them fairly and consistently during games;
- b) Make his/her decisions with consistency and professionalism in all aspects during events;
- c) Ensure that sportsmanship is well maintained throughout all events;
- d) Respect the rights, dignity and worth of all participants regardless of their gender, ethnic origin or religion and treat all participants as they would like to be treated without bias; and
- e) Dress up properly and professionally throughout the events.

8. Umpiring Overseas and/or Local Competitions

8.1 Umpire should:

- a) Maintain good discipline, conduct, and behave properly in and out of competition as he/she is representing the image of Hong Kong, China and the NSA;
- b) Comply with the local and national laws where the overseas competition is placed. It will be personal liability for any violation, and the NSA will not bear any cost regarding the matter;

- c) Keep all original copies of receipts for matters including but not limited to air ticket, boarding pass, accommodation, meal, supplements, and long-distance calls in case of reimbursement. Alcohol or any illicit substances will not be reimbursed. Credit/debit card slips will not be accepted unless it is supported by original receipts, in accordance with the conditions stipulated by the NSA;
- d) Handle the appeal properly in accordance with the competition rules in case of disputes on the judging and results of the competition; and
- e) Agree that the NSA reserves the right to remove his/her name from the list of umpires if a violation of the Code or any illegal or inappropriate behaviour has occurred. The NSA may take any corrective action deemed appropriate including suspension or termination of an umpire from the NSA.

9. Anti-Manipulation of Competition

9.1 Umpire should:

- a) Always umpire the event by the rules of the sport and to compete with integrity. He/she should not engage in any behaviour that undermines the fairness of the competition;
- b) Report any suspicious behaviour related to manipulation (such as match-fixing, bribery, betting and use of inside information) to the NSA and appropriate authorities. This includes any attempts to bribe or offer him/her any incentives to influence the outcome of a game or competition;
- c) Cooperate with any investigations related to manipulation in sports and provide any information or evidence requested by the NSA and the appropriate authorities;
- d) Participate in education programs/seminars related to anti-manipulation in order to be better equipped for identifying and report any suspicious behaviour;
- e) 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;
- f) 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

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

10. Handling of Social Media

10.1 Umpire 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 Board Directors, Committee Members, staff, athletes, coaches and umpires, etc.;
- c) Not engage in cyberbullying, derogatory comments, harassment, offensive and discriminatory opinion about the NSA, Board Directors, Committee Members, staff, athletes, coaches, or umpires 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 NSA's policies or values.

11. Prevention of Sexual Harassment

11.1 Umpires should not engage in any forms of sexual harassment under any circumstances. Examples include unwanted physical contact, sexual advances, requests for sexual favours. The NSA will not tolerate any comments or initiatives that are considered as sexual harassment under the NSA's discretion.

11.2 Ensure that no action could be misconstrued or experienced as inappropriate while physical contacts are sometimes necessary during the umpire process.

11.3 Umpire should avoid:

- a) Misuse of authority of demanding sexual favours in return for access to resources, promotion, judgement on event result, etc.; and
- b) Hostile environment where unwelcome conduct of a sexual nature is prevalent.

11.4 Umpire should:

- a) Report to the NSA immediately and show support to the victim if he/she notices or receives a report of any incidents of harassment;
- 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 being requested by the NSA. Investigation and disciplinary procedures are prioritized over competitions, matches, and any other events; and
- 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.
- g) Commit in creating a safe and respectful environment for everyone involved.

12. Prevention of Discrimination and Other Forms of Harassment²

- 12.1 Umpire 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.

Note:

² Other forms of harassment include but not limited to discriminatory harassment, physical harassment, cyberbullying, retaliation harassment, etc.

12.2 Umpire 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 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.

12.3 Umpire should:

- a) Commit to foster a culture of respect and accountability within the team or NSA by promoting positive values and behaviours, such as teamwork, fairness, and empathy;
- b) Not engage in any forms 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. The NSA will require he/she to attend interviews and answer questions relevant to the incidents;
- d) Be respectful towards Board Directors, Committee Members, staff, athletes, coaches, and other umpires. He/she should be aware of the power dynamics and avoid using his/her position as an umpire to exert power over others;
- e) Report any incidents of other forms of harassment to the appropriate body of the NSA immediately to show support and exercise due diligence to ensure the well-being of the victim; and
- f) Never engage in any form of sexually related conduct, including but not limited to sexual innuendo, inappropriate gestures and terms or even sexually related contact with any participating athletes.

13. Anti-doping

13.1 Umpire should:

- a) Educate the athletes on the importance of complying with the anti-doping rules and regulations of World Anti-Doping Agency (WADA), Anti-Doping Organization of Hong Kong, China (ADOHK) and the NSA, and the impact and consequence of doping;
- b) Strictly prohibit the use of any performance enhancement substance, illicit drugs, illegal drugs, or any other substances that are listed as banned products in the local, national, and international sports competitions and associations, among the athletes;
- c) Report any suspicious behaviour related to doping by athletes to the NSA and the appropriate authorities;
- d) Cooperate with investigations when the NSA commands with full honesty;
- e) Maintain confidentiality and not disclose any information related to any anti-doping test or investigations on the athletes, unless required by law or authorized by the appropriate authorities;
- f) Disclose any noticed use of prescribed or over-the-counter medications, supplements, or treatments of the athletes to the NSA and the appropriate authorities; and
- g) Take responsibility of his/her actions and not engage in any behaviour that could compromise the integrity of the sport. This includes refraining from any actions that help athletes to doping such as using supplements or medications without proper medical advice. Those who fail to comply with anti-doping rules may receive provision of punishment including sanctions.

14. Child Safeguarding

14.1 Umpire should:

- a) Have a duty of care to safeguard all children (person below 18) during the event. Children with disabilities and others who may be particularly vulnerable must also be taken into account;

- b) Take all reasonable steps to provide children with appropriate psychological and physical safety and protection during the event;
- c) Attend child safeguarding training programs/seminars arranged by the NSA or other relevant bodies; and
- d) Report immediately to the NSA when witnessed a suspicious behaviour which may harm children and provide support to any child who has been affected.

15. Conflict of Interest

15.1 “Private interest” includes both the financial and personal interests of the umpires 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.

15.2 Declaration of Conflict of Interest

- a) A conflict of interest situation arises when the “private interest” of an umpire competes or conflicts with the interest of the NSA or one’s official duties. Umpires should avoid using their 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, umpires 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 NSA or is being considered for selection as the NSA’s supplier of goods or services. Appendix 6 provides some examples of conflict of

interest scenarios which may be encountered and should be avoided by umpires;
and

- c) When called upon to deal with matters of the NSA for which there is an actual or perceived conflict of interest, a written declaration should be made in Appendix 7 in the first instance to the Secretary of Board of Directors/Department Head and to abstain from dealing with the matter in question, but to follow the instruction of the Secretary of Board of Directors/Department Head who may (or may not) re-assign the task to other umpires.

15.3 Umpire should timely declare any existing or potential conflict of interest before:

- a) Being appointed as an event umpire or;
- b) Being a member who will be involved in the decision-making process (e.g. involved in the athlete selection process).

15.4 When a conflict of interest situation arises, umpires should timely disclose any potential conflicts of interest and report it to the NSA and refrain from participating any discussion or making decisions related to the declared matter.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix 1**Misconduct and Disciplinary Actions**

Level	Examples of Misconduct	Disciplinary action
[Minor]	[Example: Use of foul language, neglect of duty]	[Example: Verbal Advice/Warning, Written Warning]
[Serious]	[Example: Repeated absence without prior notification and/or reasonable justification]	[Example: Suspension to participate in any sport-related activities for a period of time, Forfeiture of Salary, Fines]

Appendix 2

Declaration of Compliance with the Code of Conduct for Umpires

I agree to abide by the Code of Conduct for Umpires of the NSA and acknowledge that the NSA may take disciplinary actions which may include suspension and termination against me for violation of provision of the Code.

Signature of the Umpire: _____

Full Name of the Umpire: _____

Date: _____

Appendix 3

Definition of Advantage under the Section 2(1) of

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 Umpire in Official Capacity**

All gifts and souvenirs received by umpires in official capacity should be forwarded to the designated approving authority of the NSA 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 NSA with approval from the designated approving authority of NSA.
- b) If the gift/souvenir is of historical or other interest, it may be sent to the NSA Archive with approval from the designated approving authority of NSA.
- c) If the gift/souvenir is a useful item, it may be retained and used by the NSA, or donated to another charitable organization with approval from the designated approving authority of NSA.
- d) If the gift/souvenir is suitable for display (e.g., a painting, vase, etc.), it may be retained for display in the recipient's office or elsewhere noticeable in the NSA's premises with approval from the designated approving authority of NSA.
- e) If the gift/souvenir has a value below the amount as approved by the NSA but is not suitable for sharing, archiving or display, it may be retained by the recipient with approval from the designated approving authority of NSA.
- f) If the gift/souvenir is a personal item having a value above the amount as approved by the NSA, the designated approving authority of the NSA 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 the amount as approved by the NSA but is not suitable for sharing, archiving or display, it may be reserved as a lucky draw prize in functions organized by the NSA with approval from the designated approving authority of NSA.
- 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 without the need to seek approval.

Appendix 4B

Report of Gifts/Souvenirs Received

Part A – To be completed by Receiving Umpire

To: * [Secretary of Board of Directors/Department Head]

Description of Offeror: _____
 Name and title of Offeror: _____
 Company: _____
 Relationship (business/personal): _____
 Occasion on which the gift was/is to be received: _____
 Description of the gift: _____
 Estimated value of the gift: ☐ below HK\$[x] ☐ HK\$[x] – [x] ☐ over HK\$[x]

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 an Internal Function	_____
() Donate to another Charitable Organization	_____
() Return to Offeror	_____
() Others (please specify) :	_____
Name of Receiving Umpire: _____	
Title: _____	
Date: _____	

Part B – To be completed by *the Secretary of Board of Directors/Department Head

The recommended method of disposal is ****approved/not approved***.

*The gift/souvenir(s) concerned should be disposed of by way of:

* Secretary of Board of Directors/Department Head
 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

Examples of Conflict of Interest Scenarios

- a) An umpire 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) An umpire has a financial interest in a company which is being considered for selection as the NSA's supplier of goods or services, or is an existing supplier.
- c) An umpire acquires dealership of goods or services on insider knowledge that such goods or services are being considered for procurement by the NSA.
- d) An umpire 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 NSA.
- e) An umpire selects a venue where his/her relative or close personal friend has ownership or management responsibility.
- f) An umpire accepts frequent or lavish entertainment or expensive gifts from the NSAs suppliers or contractors.
- g) An umpire assesses a relative's umpiring qualification, or is considering the promotion of such a person.
- h) An umpire nominates a relative as Committee Member.
- i) An umpire vets applications for program sponsorship submitted by a Community Club of which he/she is also a Committee Member.
- j) An umpire responsible for controlling the allocation of venue rented by the NSA, allocates prime time slots to a training school or a club operated by himself/herself or a relative.
- k) An umpire responsible for selling tickets of a popular program reserves tickets for his/her relatives or personal friends without permission.

Appendix 7

[Name of the NSA]

Declaration of Conflict of Interest by Umpire

Name of Department Head: _____

Division/ Department: _____

Subject: _____

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

To: Secretary of Board of Directors/Department Head

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

Full Name:

Date:

Part B – Acknowledgement***(To be completed by Secretary of Board of Directors/Department Head)***

To: Declaring Umpire

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 umpire would be recruited to participate in, oversee or review part or all of the decision-making process (e.g. task another umpire 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 umpire through redeployment.

Details:

- ☐ You should relinquish the personal/private interest (e.g. cease to be a member of a club/association, divest the investments until the conflict situation described in Part A no longer exists).

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 Secretary of Board of
Directors/Department Head:

Full Name:

Date:

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

To: Secretary of Board of Directors/Department Head

Acknowledgement of Decision

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

Signature of Declaring Umpire:

Full Name:

Date:

3.1

GUIDELINES AND PROCEDURES ON ATHLETE SELECTION

Objective: These guidelines and procedures relate to the selection of athletes which should be applied from time to time to ensure fairness and transparency.

1. Fundamental Principles

1.1 In devising the mechanism for selection of athletes, NSA should include the following principles by making a statement of commitment to:

- a) Promulgate the core values of equal opportunities and fair competition in athlete selection;
- b) Allow athletes fair and full opportunity to display their worthiness for selection and to fulfill the aims of the NSA at the competition;
- c) Ensure transparency in respect of information about the selection and the selection process, and timeliness in the dissemination of the information;
- d) Uphold the principle of impartiality in the selection process, including the formulation of a mechanism for declaring conflict of interest, actual or perceived, and the guidelines for taking appropriate actions following the declaration; and
- e) Adhere to ethical practices in athlete selection and compliance with the fundamental principles in athlete selection.

2. Overview of the Selection

2.1 Information relating to the selection should include, but not limited to the following:

- a) Objectives (e.g., obtaining medals, top eight achievement, preparation for other Games, etc.);
- b) Details of the event/team (e.g., name, date and location, etc.);
- c) Number of athletes to be selected including reserve; and
- d) Selection/application timeline.

3. Athlete Registration

- 3.1 The NSA shall establish and publish the guidelines on the registration and renewal of athletes, in order to facilitate the verification of their eligibility for participating in any event or competition organized by the NSA. The guidelines on registration and renewal of athletes shall be publicized to promote fairness and transparency of the NSA.
- 3.2 When the NSA formulate the guidelines on registration and renewal of athletes, the following should be considered:
- a) Eligibility criteria;
 - b) Registration requirements and necessary documents;
 - c) Renewal conditions and necessary documents;
 - d) Registration and renewal workflow (e.g., conduct and documentation of the authenticity checks on applicants' claimed qualifications);
 - e) Registration approving authorities (e.g., for approval of renewal, waiving of fees);
 - f) Undertaking by applicants to abide by NSA's Code of Conduct for Athletes;
 - g) Registration and renewal period;
 - h) Validity duration;
 - i) Fees and fee-waiver arrangement;
 - j) Time pledge for processing applications;
 - k) Suspension and termination of registration status; and
 - l) Appeal mechanism.
- 3.3 The NSA should require the applicant to declare the veracity and accuracy of all the information and documents provided to the NSA. The submission of the documents implies the applicant's consent to further verification by the NSA as necessary. Any fabrication of documents may result in the revocation of registration and the prohibition from enrolling any athlete selection procedure.

4. Selection Mechanism

NSA should consider the formation of an Athlete Selection Committee. If the NSA decide not to formulate an Athlete Selection Committee, the NSA should assign an independent staff/focus group to perform a supervisory check on the selection result. Individual who is involved in the selection process is also subject to the same probity requirements for members of Athlete Selection Committee (e.g. Code of Conduct for Board Directors and Committee Members). The eligibility requirements should be clearly listed out, such as:

4.1 Eligibility Criteria

4.1.1 In order to be eligible for selection, athletes should, at the time of being nominated and at the beginning of the qualification competition, be:

- a) A citizen of the Hong Kong SAR. For an athlete who has multiple citizenships or has undergone a nationality change or acquired a nationality, please refer to the Olympic Charter (Rule 41);
- b) A member or registered player of the NSA;
- c) A holder of a valid Hong Kong passport with a validity of at least [x] months after the event completion date; and
- d) An achiever of at least an entry-level record, if any (e.g., Olympic Consideration Time) set by the event owner in Qualifying events during the qualification period.

4.2 Selection Method

4.2.1 For selection of athletes, the following one or combination of selection methods should be decided and promulgated to ensure objectivity, fairness and transparency:

- a) Direct nomination;
- b) Ranking/Point-system;
- c) Coach assessment;
- d) Trial event; and/or
- e) A combination of the above.

4.3 Selection Criteria

4.3.1 Direct Nomination

Eligible athletes who meet the required results in previous international competitions may automatically be selected by the NSA to participate in the event:

Recognized Events	Results	Recognized Period
[Name of the recognized event]	[Description of event results]	[Period]
	[Description of event results]	[Period]

[For team event, only if all of the athletes nominated among the team fulfilled the above shall automatically be selected. While for team only sports, only if their previous team fulfilled the above shall automatically be selected.]

4.3.2 Other Selection Criteria

In addition to direct nomination, the NSA has to set up detailed selection criteria for general athlete selection. Prior to the commencement of the selection process, the Athlete Selection Committee should decide a set of selection criteria. General guidelines on selection criteria including but not limited to the following criteria, and allocation of weighting to each of the following criteria, if applicable, must be determined before publicizing the selection criteria. The selection criteria consist of the following parts:

Part 1 - Past Performance in Recognized Events (Total weighting: [xx%])

- a) Eligible athletes are allowed to submit [x] event results for each category;
- b) The validity period of the submitted results; and
- c) The following is the score table with details on the score for each result from each category of recognized events:

Recognized Events	Results	Score¹	Weighting
[e.g., World-Wide Events]	[Description of event results]	[XX]	[xx%]
	[Description of event results]	[XX]	
[e.g., Asia-Wide Events]	[Description of event results]	[XX]	[xx%]
	[Description of event results]	[XX]	
[e.g., Local Events]	[Description of event results]	[XX]	[xx%]
	[Description of event results]	[XX]	

Part 2 - Ranking Record (Total weighting: [xx%])

- Eligible athletes are allowed to submit their best [World-/Asian-Wide] ranking record;
- Only the most recent ranking record within [x] year will be considered; and
- The following is the score table with details on the score for ranking record:

Ranking Type	Ranking Record	Score	Weighting
[e.g., World-Wide Ranking]	[Ranking]	[XX]	[xx%]
	[Ranking]	[XX]	[xx%]
[e.g., Asia-Wide Ranking]	[Ranking]	[XX]	[xx%]
	[Ranking]	[XX]	[xx%]

Part 3 – Coach Assessment (Total weighting: [xx% or x% if trial event is conducted])

On top of quantitative selection criteria, qualitative criteria will also be considered. The assessment should be performed by coaches throughout the training. The Athlete Selection Committee will evaluate the eligible athletes on the following basis, score

Note:

¹ Score: The NSA should determine the scores to be awarded for each type of event.

should be set on a scale, e.g., ranging from one to ten with weighting accorded to each criterion.

Criteria	Evaluation Item	Score	Weighting
[Skill Criteria]	[Training Performance] ²	[1-10]	[x%]
	[Technical Abilities] ³	[1-10]	[x%]
[Non-Skill Criteria]	[Individual/Team Play Characteristics] ⁴	[1-10]	[x%]
	[Attitude towards the Games] ⁵	[1-10]	[x%]

Part 4 - Trial Event (Total weighting: [xx%])

The NSA may conduct a trial event and consider the event result as a selection criterion, the following details of the trial event should be publicized well in advance to facilitate preparation by aspiring athletes:

- a) Event Time/Date;
- b) Event Location;
- c) Application Deadline;
- d) Eligibility;
- e) Scope of Test;
- f) Grading Scheme;

Note:

² [Examples for Training Performance: training attendance; abilities to follow the instructions from the coach; etc.]

³ [Examples for Technical Abilities: ability to score; tactical knowledge; ability to assist his/her teammates; etc.]

⁴ [Examples for Individual/Team Play Characteristics: ability to play towards the team strategy; ability to fit into the team chemistry; team cohesiveness; etc.]

⁵ [Examples for Attitude towards the Games: willingness to work towards the objective of the game; etc.]

- g) Result Announcement Date;
- h) Appeal Mechanism(s); and
- i) Any other applicable information.

Part 5 – Combination of Methods

If more than one selection methods are used, the NSA should decide the percentage of weighting of each result and publicize for general information.

4.4 Selection Procedures

Depending on system and circumstances adopted by individual NSA, an eligible athlete can either be self-recommendation or recommended by a coach under the NSA. Athletes will be evaluated according to the selection method and criteria. Final decision will be made by the following steps:

- 4.4.1 If an eligible athlete is self-recommended, he/she should submit his/her profile including the following information to the NSA [through online application system/by post/in person] before submission deadline:
 - a) Personal information (including full name, gender, HKID, age);
 - b) Proofs of his/her eligibility (e.g., supporting documents on achieving entry-level record set by the event owner);
 - c) A summary of his/her performance and ranking records; and
 - d) Any other applicable documents/information.
- 4.4.2 If an eligible athlete is recommended by a coach under the NSA, the coach should submit the athlete's profile including the following information to the NSA through online application system/by post/in person before submission deadline:
 - a) Personal Information (including full name, gender, HKID, age);
 - b) Proofs of his/her eligibility (e.g., supporting documents on achieving entry-level record set by the event owner);
 - c) A summary of his/her performance and ranking records;

- d) Statement of Recommendation; and
 - e) Any other applicable documents/information.
- 4.4.3 The Athlete Selection Committee may conduct a preselection by selecting a pool of qualified athletes based on the scores they obtained in Part 1 and Part 2 of the scoring system.
- 4.4.4 Selected athletes are required to attend [training campaign and/or the trial event] conducted by the NSA and their performance during the training [campaign and/or the trial event] shall be recorded as a supporting document for Part 3 [and Part 4] evaluation.
- 4.4.5 Final decision will be made by the Athlete Selection Committee at a specified date before the event commencement date based on the total score from Part 1 to Part [3/4] the athletes obtained.
- 4.5 Reserve Athletes
- 4.5.1 If an athlete was on the top of the list of unselected athletes after the selection exercise, provided that he/she is willing to be considered as a reserve athlete, he/she can be listed as a reserve athlete. If there is a vacancy in the event/team, a written approval should be obtained from the NSA before the reserve athlete is added to the team.

5. Removal of Athletes

A selected athlete may be removed for any of the reasons, but not limited to the following:

- 5.1 A voluntary withdrawal takes place. If an athlete decides to voluntarily withdraw from the event or from the team, he/she shall submit a written letter to the NSA before the commencement of the event;
- 5.2 If he/she is not able to maintain his/her competitiveness in the event due to injury or illness which is assessed by a registered medical practitioner;
- 5.3 If he/she has been absent at a specified percentage of mandatory training sessions/courses without reasonable explanation;
- 5.4 An athlete who violates any of the applicable rules, regulations or Codes of Conduct issued by the event owner, the NSA, SF&OC, World Anti-Doping Agency (“WADA”) and other related organizations; or

- 5.5 If an athlete fails an anti-doping test, he/she may stay in the team until: (i) he/she is subject to a ban after a hearing is conducted by WADA; (ii) he/she voluntarily accepts the suspension or sanction of ineligibility; or (iii) he/she voluntarily steps down from the nomination.

6. Retention of Documents

- 6.1 All documents relating to the selection process, including scoring records, evaluation forms, deliberation/meeting records, reasoning of decisions, appeal records, etc. shall be retained for a specified period after the completion of selection.

7. Announcement of Results

- 7.1 NSA should timely announce the results of selection. The preselection results, if any, will be announced at NSA's website at a specified date after the application deadline while the final selection results will be announced in accordance with the date as specified by the NSA.

8. Lodging an Appeal against Selection Results

- 8.1 Athlete has the right to submit an appeal against the selection result (including preselection result and the final result). NSA should include the date or period whereby the athlete can lodge an appeal.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

3.2

GUIDELINES AND PROCEDURES ON ATHLETE SELECTION COMMITTEE

Objective: These guidelines cover the formulation of [standing/ad-hoc] Athlete Selection Committee and set up the key procedures. The following procedures should be applied from time to time to uphold fairness and transparency.

1. Fundamental Principles

- 1.1 Members of the Athlete Selection Committee must respect applicable rules, regulations and/or Codes of Conduct issued by the NSA, the SF&OC, and other related organizations. Each member must conduct himself/herself honestly, fairly and in line with transparency and integrity.

2. Purpose of the Athlete Selection Committee

- 2.1 The purpose of the Athlete Selection Committee is to facilitate an open and fair athlete selection system and execution of athlete selection process. The Committee has the following responsibilities:
 - a) To monitor the implementation of athlete selection process to ensure an impartial and transparent selection system is adopted;
 - b) To review applications/submissions and make final decision on the athlete selection according to the stipulated criteria;
 - c) To review and provide recommendations on the selection criteria; and
 - d) To address concerns raised by athletes and the public during the athlete selection procedures.

3. Powers of the Athlete Selection Committee

- 3.1 The Athlete Selection Committee has the power to:
 - a) Request the athlete to submit necessary documents and information in assisting the selection process;
 - b) Make decisions on the selection of athletes; and

- c) Revise the guidelines and procedures for athlete selection when needed.

4. Membership Composition

- 4.1 The Athlete Selection Committee shall be of a reasonable size and the number of members should be set down. The Athlete Selection Committee should comprise of different stakeholders, such as:

- a) Board Directors;
- b) Athlete representatives;
- c) Coach representatives;
- d) Umpire representatives; and/or
- e) Other independent members.

- 4.2 One of the members shall be appointed as a Chairperson to facilitate the deliberations, execution of duties, and retain a casting vote to make final decision in the deliberations or decisions.

5. Membership Requirements

- 5.1 Requirements for being a member of the [standing/ad-hoc] Athlete Selection Committee should be laid out, for example:

- a) Be a Full Member or an Individual Member of the NSA for a specified period;
- b) Has served for the NSA for a duration of period as required by NSA;
- c) Be an expert in the relevant sport¹; or
- d) Any other applicable criteria.

Note:

¹ An example such as athlete, coach or umpire who has attended the World-wide or Asia-wide competition.

6. Appointment of Athlete Selection Committee Members

- 6.1 All members of the Athlete Selection Committee should be appointed by the Board of Directors in the following manner:
- a) The Secretary should invite all Board Directors to express their preference in serving the Athlete Selection Committee before the expiry of current term of standing/ad-hoc Athlete Selection Committee;
 - b) The Secretary should also prepare a list of potential members according to the membership requirements;
 - c) After collecting the preference and a list of potential members, the Secretary will draw up the composition plan with individual's background and preference which will be submitted to the Board of Directors for consideration;
 - d) The Board of Directors will discuss and decide the composition during Board of Directors meetings or by circulation of documents and announce the appointment results; and
 - e) The appointed members will be required to confirm their appointments after the announcement of the appointment.

7. Quorum of the Athlete Selection Committee Meeting

- 7.1 The quorum of the meeting should be more than 50% of the [standing/ad-hoc] Athlete Selection Committee members. If the quorum is not reached within half an hour of the appointed time of the meeting, the meeting will be cancelled and rescheduled by the Chairperson.

8. Tenure of the Committee Members

- 8.1 Term of office for members of a standing Athlete Selection Committee should be specified.
- 8.2 For the ad-hoc Athlete Selection Committee, it will be disbanded after the athlete selection process is completed.

9. Replacement of Committee Members

- 9.1 In case where a Committee Member passes away or resigns before the expiration of his/her term of office, or if for any reason a vacancy arises which results in an ineffective committee (e.g., total number of active members in the Athlete Selection Committee is below three), the vacancy may be filled by appointment by the Board of Directors.

10. Conflict of Interest

- 10.1 Committee Members shall adopt the conflict of interest policy stipulated in the Code of Conduct of the NSA. In addition to timely declare any actual conflict of interest prior to the appointment, Committee Members shall also disclose any potential conflict of interest and refrain from participating in any discussions or decisions related to the matter.

11. Meeting Frequency

- 11.1 The frequency of meeting should be specified. For standing Athlete Selection Committee, meeting should be held at least once before and after each selection process or no less than twice for each calendar year if no selection process takes place during the year.
- 11.2 For ad-hoc Athlete Selection Committee meeting, the Chairperson should decide the frequency deemed appropriate.

12. Attendance Rate

- 12.1 The minimum attendance rate required of members at meetings should be specified.

13. Conduct of Committee Meetings

- 13.1 The NSA shall conduct regular or ad-hoc Athlete Selection Committee meetings in the following manner:
- a) The Chairperson of the committee shall determine the date, time, location, and the form (e.g., whether virtual attendance is allowed) of the meeting, and notify the members of the meeting arrangement;
 - b) Any proposed discussion items should be submitted to the Secretary of the Committee well before the date of the meeting; and

- c) Notice of the meeting, together with the agenda, should be delivered to the Committee Members at a specified period before the date of meeting.

13.2 All proposed items will be discussed and resolved by a majority vote during the meeting.

13.3 The Secretary of the Committee shall maintain proper meeting minutes (either in written or electronic formats), including the decision-making date, voting result (if any), all salient points by discussion, views of each Committee Member and relevant issues, should be circulated to all attendees for confirmation after the meeting.

14. Decision-making Procedures

14.1 The Athlete Selection Committee will make decisions based on the evaluation result for each athlete. In case when there is an equal score with insufficient quota, the Committee should make decision based on the following methods:

- a) To hold another trial event for the athletes with equal assessment scores;
- b) To make decisions on a majority basis based on coach evaluation; or
- c) Any other applicable.

15. Reporting Frequency

15.1 Both the standing and ad-hoc Athlete Selection Committee should report to the Board of Directors on its works after each selection process. It will be prudent for the standing Athlete Selection Committee to report to the Board of Directors no less than twice on each calendar year even if no selection process takes place during the year.

16. Retention of Documents

16.1 All documents relating to the selection process, including scoring records, evaluation forms, deliberation/meeting records, reasoning of decisions, appeal records, etc. shall be retained for a specified period after the completion of the selection.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.

- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

3.3

GUIDELINES AND PROCEDURES ON APPEAL MECHANISM

Objective: These guidelines and procedures related to the establishment of a fair and transparent appeal mechanism for handling different appeal cases. The following procedures should be applied from time to time to uphold impartiality and transparency.

1. Fundamental Principles

- 1.1 Members of the Appeal Panel must comply with Code of Conduct for Board Director and Committee Members issued by the NSA, and applicable rules and regulations issued by the NSA, the SF&OC, and other related organizations. Each member must conduct himself/herself honestly, fairly and in line with objectivity and transparency.

2. Terms of Reference of the Appeal Panel

- 2.1 An Appeal Panel shall be established by the Board of Directors to handle different types of appeals, including but not limited to issues arising from selection of athlete and membership, etc. Members of the Appeal Panel shall fulfill the following responsibilities:
- a) To consider whether the appeal has merit, e.g., any eligible grounds;
 - b) To review whether the decision is made in compliance with the Guidelines and Procedures set down for particular purposes;
 - c) To review whether the decision made by the related Committee and/or authorities is reasonable/appropriate/correct;
 - d) To hear and determine the appeal;
 - e) To assess representation, evidence and documents;
 - f) To make a final judgement towards the appeal and provide suggestions for subsequent actions; and
 - g) To provide a record of the appeal process and reasons for the decision to the Board of Directors.

3. Powers of the Appeal Panel

3.1 The Appeal Panel has the powers to:

- a) Request appellant and related parties to express their views before the panel meeting;
- b) Request the appellant and related parties to submit necessary documents and/or supplementary information in support of the appeal;
- c) Confirm, vary or reverse the decision (e.g., to reverse the decision if incorrect conclusions were drawn in the original process), or substitute other decision or make other order as it may think fit (e.g., order a re-selection exercise if selection was not made in accordance with the Guidelines and Procedures for Athlete Selection); and
- d) Make recommendations to improve the relevant process/mechanism.

4. Composition of the Appeal Panel

4.1 The Appeal Panel should have at least four or more members who are appointed by the Board of Directors. Amongst the panel members, there shall be a Chairperson who leads the appeal procedures and retains a casting vote to make final decision in the deliberations or decisions. To ensure objectivity without prejudice, more than half of the members, including the panel Chairperson, should not be involved in the original decision process.

4.2 The following members should be included in the panel:

- a) Directors of the NSA;
- b) Members of the NSA not involved in the matter of appeal; and
- c) Members with expertise and professional background relevant to the issue of appeal (e.g., athlete/coach/umpire representative).

5. Database for Eligible Appeal Panel Members

5.1 The Board of Directors should invite eligible individuals to express their interest in serving as members of the Appeal Panel. The Secretariat should maintain a database on

eligible individuals' backgrounds and preferences and submit it to the Board of Directors for review after each update on the database.

6. Appointment on the Appeal Panel

6.1 Members of the Appeal Panel, irrespective of a standing Appeal Panel or an ad-hoc Appeal Panel, will be appointed by the Board of Directors in the following manner:

- a) The Secretary will draw up a composition plan based on the eligible panel members in the database, with considerations on their professional backgrounds, expertise and preferences within a specified time after receiving the appeal; and
- b) The Board of Directors will appoint the panel members and determine the panel Chairperson before the commencement of appeal.

7. Terms of Appointment of the Panel Members

7.1 Terms of office for the standing Appeal Panel members should be specified. The ad-hoc Appeal Panel will be disbanded upon completion of the appeal process.

8. Replacement of the Panel Members

8.1 In case where the member of the standing Appeal Panel passes away or resigns before the expiration of his/her term of office, or if for any reason a vacancy arises, the vacancy may be filled by appointment of the Board of Directors.

9. Conflict of Interest

9.1 The Appeal Panel shall adopt the conflict of interest policy stipulated in the Code of Conduct of the NSA. In addition to timely declare any actual conflict of interest prior to the appointment, panel members shall also disclose any potential conflict of interest and refrain from participating in any discussions or decisions related to the matter.

10. Appeal Procedures

10.1 Eligible Grounds of Appeal

Appellant can lodge an appeal which meets the following circumstances and should provide evidence to demonstrate the appeal eligibility:

- a) The assessment/decision-making process was not made in accordance with the stipulated guidelines or procedures;
- b) Inadequate or insufficient information or documents were used during the assessment/decision-making process leading to inaccurate decisions being made; and/or
- c) Any other applicable grounds of appeal.

10.2 Time Frame for Lodging an Appeal

- a) Reasonable time limit should be set; and
- b) A standard period can be considered for all circumstances.

11. Required Documents for Lodging the Appeal

11.1 Appellants are required to submit the following documents in order to lodge the appeal:

- a) A written request of appeal and/or statement on issues under appeal;
- b) Any supporting document that can prove the appeal eligibility of the appellant;
- c) Any evidence that can be cross validated by the witness; and/or
- d) Contact information of the witness.

12. Method for Lodging the Appeal

12.1 Appellant should lodge the appeal in the following manner:

- a) Appellant should submit his/her appeal in person or by mail/e-mail within the specified period after the announcement of the assessment/decision result; and
- b) The NSA should put in place the timeframe for acknowledging the receipt of the appeal and documents submitted by the appellant as well as the way of acknowledgment, i.e., by mail/e-mail and also the timeframe of notifying the Board of Directors of the appeal.

13. Appeal Proceedings

- 13.1 The Appeal Panel should conduct an initial assessment on the appeal case and consider whether the appeal is pursuable. If the Appeal Panel decides not to proceed the appeal, they should inform the appellant by formal written notification stating that the appeal has not been accepted and the reasons within a specified period after receiving the appeal.
- 13.2 If the appeal is accepted, the Appeal Panel should consider one or more than one of the following modes of deliberation before processing the appeal:
- a) By conduct of hearing;
 - b) By paper-based judgement; and/or
 - c) By meeting of panel members.
- 13.3 After determining the mode of deliberation, the appellant should be timely notified of the intended action, i.e., enquiry to be conducted and/or any related actions.
- 13.4 If the Appeal Panel decides to conduct a hearing, the NSA shall announce the list of panel member and issue a hearing notice with the following information to the appellant via email or by post or any other applicable method at least seven or more working days before the hearing date:
- a) Date/time of the hearing;
 - b) Location of the hearing;
 - c) Documents to be shared, reviewed and discussed during the hearing;
 - d) Hearing procedures (e.g., whether appellants may make their own representation or be allowed legal representation, etc.); and
 - e) Method of the hearings, i.e., conducted face-to-face, video conferencing or other electronic means.
- 13.5 The Appeal Panel will examine any necessary documents and information (e.g., trial event results, ranking records and recognized results for athlete selection/documents submitted for membership applications, etc.), review the appeal in accordance with set down criteria used during the process together with information obtained from the hearing.

- 13.6 The Appeal Panel may also make reference to the decision made on past appeal cases of similar nature as supporting information during decision-making process.
- 13.7 The Appeal Panel should record the decision-making date, voting result, all salient points in the discussion, views of each panel member, reasons for the decision and relevant issues etc. in either written or electronic formats for retention and future reference.
- 13.8 Decision and follow up actions, if any, will be made by a majority decision or consensus. The Appeal Panel should timely report the decision and/or follow-up actions to the Board of Directors. The decision made is a final decision and will be announced to the appellant in accordance with the time pledge.

14. Announcement of the Appeal Result

- 14.1 All related parties in the appeal will be informed of the appeal result in a written format through email/post/other applicable method within a specified period from the conclusion of appeal proceedings. It should also include whether further appeal can be lodged against the announced outcome and specify the time frame if it is facilitated.

15. Retention Period of Appeal Document

- 15.1 All supporting documents in the appeal process, including meeting notes, information obtained from hearing and any other documents related to the decision-making process shall be retained for a specified period after the completion of the appeal procedures.

16. Confidentiality

- 16.1 The NSA will treat appeal proceedings and decisions as confidential and will ensure the confidentiality of all information relating to the appeal, including but not limited to, personal information, evidence document and witness testimony etc. The relevant information can only be accessed by the panel members, the appellant and a third party for lawful purpose if a written consent is obtained from the appellant, panel members and/or relevant parties.

17. Compliance with the PDPO

- 17.1 The NSA is committed to handle all personal information obtained during the appeal process in compliance with the Personal Data (Privacy) Ordinance.

18. Appeal Fee

- 18.1 The NSA should determine if a fee is required as an administrative cost. The amount of fee and payment method should be laid down. The amount of fee should be reasonable and proportionate to reflect the time and efforts incurred and should not be a barrier to the lodging of complaint.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

4.1

GUIDELINES AND PROCEDURES ON TRAINING COURSE AND QUALIFICATION ASSESSMENT OF COACHES AND UMPIRES AND ASSIGNMENT OF COACHING AND ADJUDICATING DUTIES

Objective: To establish a framework with clear and comprehensive guidelines for the training and qualification assessment of coaches and umpires and fair and transparent procedures for assignment of coaching and adjudicating duties, with a view to improving the quality of coaching and umpiring, achieving consistency in standards, and promoting fairness and safety in sports.

1. Overall Structure of Coaches and Umpires

1.1 NSA has to lay down the overall structure and path to qualification with the following elements:

- a) Rationale and objectives;
- b) Number of levels (e.g., Elementary, Intermediate, Advanced, etc.);
- c) Features of each level;
- d) Pathways to achieve each level;
- e) Pathways to continuous development (e.g., attending workshops, refresher courses or re-validation tests, etc.); and
- f) Validity duration of each level.

2. Training Course and Qualification Assessment of Coaches and Umpires

2.1 Training Course Enrolment

2.1.1 The enrolment information should include the following details:

- a) Course syllabus outline such as theoretical and practical curriculums;
- b) Target participants;

- c) Number of places available for each course;
- d) Eligibility requirements, for example:
 - Has been qualified as a [level x] coach/umpire for [x] years;
 - Be a registered individual member of the NSA;
 - Has not committed any form of harassment or child abuse; and
 - Other applicable requirements.
- e) Application period and deadline;
- f) Access to application form (e.g., link to download the form or obtain hardcopy from the NSA office, etc.);
- g) Information and documents required to be submitted, (e.g., proof of eligibility requirements);
- h) Channel of submission (e.g., through online application system/by post/in person);
- i) Course fees and payment methods;
- j) If oversubscribed, the allocation method/procedures (e.g., first-come-first-serve, by drawing lots, etc.);
- k) Handling of late application (i.e., whether late application will/will not be accepted, and list out any special circumstances which will be assessed by the Course Administrator);
- l) Announcement date of successful applicants; and
- m) Way of notifying applicants of the result.

2.2 End-of-Course/Qualification Assessment

2.2.1 The End-of-Course/qualification assessment should include the following details:

- a) Mode of the assessment (e.g., written examination, practical assessment, or both);

- b) Marking Scheme;
- c) Assessment criteria (e.g., attendance rate, practical skills, etc.);
- d) Weighting to each criterion;
- e) Pass mark; and
- f) Any exemptions.

2.3 Pre-assessment of Course Enrolment

2.3.1 Upon receiving an application, the staff should perform the following pre-assessment procedures:

- a) Chop a date-stamp on the application for reference. If the allocation is based on a first-come-first-served basis, the time of receipt of the form should also be recorded; and
- b) Check whether the applicant has duly completed the application form and attached supporting documents. The accuracy of information and supporting documents should be verified.

2.4 Allocation of Course Enrolment

2.4.1 If the allocation of place is determined by first-come, first-served basis, the staff should:

- a) Maintain a name list of all eligible applicants and respective submission dates and times;
- b) Allocate the seat in accordance with the submission order of application forms;
- c) Maintain a waiting list according to the order of submission of application forms if the course is over-subscribed;
- d) If the enrolled applicant decides to withdraw from the course, the vacancy will be allocated to the next eligible applicant on the waiting list; and
- e) To arrange for timely announcement of enrolment result or as specified in the advertisement or application form.

2.4.2 If the course is oversubscribed and allocation of place has to be conducted by way of drawing lots, the staff should:

- a) Prepare a name list that contains all eligible applicants after the application deadline and arrange a ballot procedure;
- b) Review the names in the pool to ensure all eligible applicants are included before the drawing lots commences;
- c) Ensure fairness by having at least two staff involved in performing the drawing lots, preferably one office-bearer or senior staff of NSA and one other staff. The latter is responsible for drawing lots while the office-bearer or senior staff is to witness the process;
- d) Document the entire process and the results properly; and
- e) To arrange for timely announcement of enrolment results or as specified in the advertisement or application form.

3. Registration and Renewal

3.1 A mechanism for registration and renewal of registration of coach and umpire should be devised and publicized for general information. The following information should be included where applicable:

- a) Registration requirements and necessary documents (e.g., holder of certain certificates or qualifications or valid Sexual Conviction Record Check, etc.);
- b) Renewal conditions (e.g., need to fulfil minimum coaching/umpiring hours in recognized courses or attend refresher training, proper conduct, etc.) and necessary documents;
- c) Workflow for processing application of new registration/renewal of registration (e.g., conduct and document authenticity checks on applicants' claimed qualifications, etc.)
- d) Approving authorities (e.g., for approval of registration and renewal, waiving of fees, etc.);
- e) Signing of undertaking by applicants to abide by NSA's Code of Conduct and Practice for Coaches/Code of Conduct for Umpires;

- f) Registration and renewal period;
 - g) Validity duration;
 - h) Fees and fee-waiver arrangement; and
 - i) Time pledge for processing applications.
- 3.2 The NSA should require the applicant to declare that all information and documents submitted are genuine and correct. By submitting the documents, the applicant will be deemed to agree on further checks by the NSA if necessary. Falsification of documents may lead to the revocation of registration and suspension from attending any qualification course or assessment within a specified period.
- 3.3 The NSA should check against the ‘Complaint Records’ to see if there is any previous substantiated complaint whereby attention is required. Procedures for handling complaint records in processing applications (e.g. whether additional renewal conditions need to be imposed) and the respective approving authority should also be laid down.
- 4. Umpire Nomination for International Qualifications**
- 4.1 To demonstrate fairness and transparency, NSA should establish and publicize a mechanism to facilitate the application/nomination and selection of aspiring umpire for attaining international qualification which includes, but not limited to:
- a) Application period;
 - b) Application method/channel;
 - c) Eligibility requirements (e.g., factors to be considered such as years of adjudicating experience, recognizable events for counting experiences, qualifying period, etc.);
 - d) Application procedure (e.g., open application or by nomination);
 - e) Documents required;
 - f) Selection procedures (e.g. by way of screening, written tests, interviews, etc.)
 - g) Date and way of announcing results; and

h) Appeal mechanism.

4.2 The NSA should appoint appropriate assessors to assess the applications/nominations and make recommendation to the Board of Directors. The appointed assessors should ensure the decision-making process and final results are properly documented.

4.3 In addition to individual notification, the selection results should be published within the pledged period.

5. Database of Registered Coaches and Registered Umpires

5.1 The NSA should establish and maintain a database of registered coaches and umpires, ensuring it is being timely updated, and to publicize the lists for general information. In establishing and maintaining the database, NSA should comply with the Personal Data (Privacy) Ordinance.

6. Assignment of Coaching and Adjudicating Duties

As a safeguarding measure, NSA should require the application for coaching duties to be accompanied with a Sexual Conviction Record Check. Besides, NSA also needs to be mindful of any conflict of interest accrued in the process. The general approach in assigning duties to coaches and umpires is detailed as follows:

6.1 Open Invitation

6.1.1 To facilitate the use of open invitation for coaching and adjudicating duties, the following steps should be taken:

- a) The NSA may publish, after obtaining consent from subject, contact information and availability, together with basic personal information of the coach/umpire, such as name, gender, licenses and qualifications of each coach/umpire on the website of the NSA;
- b) If the NSA receives requests for provision of coaching or adjudicating duties, all such information should be conveyed to all coaches and/or umpires either by uploading to NSA's website, or through email/other electronic means as soon as practicable; and
- c) If more than one coach/umpire applies for taking up the same invitation, the NSA should adhere to fair and transparent procedures in assigning duties (e.g., by drawing lots which is conducted in the presence of second staff with proper documentation or by roster where procedures and authority for compilation and

approval of the duty roster and any out-of-turn invitation are laid down and publicized for general information).

6.2 Internal Mapping

6.2.1 If the method of internal mapping is adopted, the staff should take the following actions in advance:

- a) Invite all coaches/umpires to express their preferences on serving the NSA organized training courses or events at a specified date prior to the commencement of the courses;
- b) After collecting their preferences, draw up an assignment plan with considerations on applicants' eligibilities and preferences;
- c) Prioritize eligible applicants with the following considerations:
 - The qualifications of the coach/umpire which meet the duties requirements;
 - Total number of hours the coach/umpire has been assigned in the past;
 - Total number of teaching sections the coach/umpire is willing to conduct;
 - Preferred locations by coach/umpire; and
 - Preferred time slot by coach/umpire.
- d) The mapping process and results of the duty assignment should be properly recorded.
- e) The NSA should timely publicize internal mapping results to all applicants and the required date for confirmation of acceptance; and
- f) A waiting list should also be drawn up and publicized.

6.2.2 The NSA should maintain and update the database on the availability and/or preference of eligible coaches and umpires on a regular basis.

6.2.3 The NSA should also conduct random supervisory checks on the mapping results to ensure the mapping process and the assignment of duty are conducted properly.

7. Personal Data Privacy

- 7.1 The NSA is committed to handle all personal information obtained during coach/umpire training and qualification assessment process in compliance with the Personal Data (Privacy) Ordinance.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

6.1

GUIDELINES AND PROCEDURES ON EQUAL OPPORTUNITIES

Objective: To promote equal opportunities and avoid discrimination in all aspects of daily operation of the NSA and to ensure all individuals will be treated equally regardless of age, disability, sex, marital status, pregnancy, breastfeeding, race, family status and religious belief.

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, umpires, and every person involved in the NSA's business, activities, competitions, matches or events.

1. Forms of Discrimination

1.1 Forms of discrimination as defined by the Equal Opportunities Commission ("EOC") are detailed as follows:

- a) **Direct Discrimination:** occurs when someone is treated less favourably than another person because of a protected characteristic.
- b) **Indirect Discrimination:** occurs when a requirement or condition is applied to everyone, but in practice adversely affects people sharing a protected characteristic because it is less likely for them to be able to comply with that requirement or condition.
- c) **Harassment:** consists of sexual harassment and other harassment, which is an unwelcome conduct on account of a person's disability where it can be reasonably anticipated that the person would be offended, humiliated or intimidated.
- d) **Victimization:** occurs when a person treats another person (the victimized person) less favourably than in those circumstances he/she treats or would treat other persons, and does so by reason that the victimized person or any other person (the third person) has made or intends to make a complaint, or has furnished or intends to furnish information or document in relation to the complaint under the policy of discrimination.
- e) **Sex Discrimination:** it is unlawful under the Sex Discrimination Ordinance (Cap. 480) ("SDO") to discriminate against a person on the ground of sex, marital status, pregnancy or breastfeeding in prescribed areas of activities, including:
 - Employment

- Education
 - Provision of goods, services and/or facilities
 - Disposal and/or management of premises
 - Eligibility to vote for and to be elected or appointed to advisory bodies
 - Participation in clubs
 - Activities of the Government
- f) **Disability Discrimination:** the Disability Discrimination Ordinance (Cap. 487) (“DDO”) renders unlawful certain acts which discriminate against a person on the ground of disability when committed in prescribed areas of activities, including:
- Employment
 - Education
 - Provision of goods, services and/or facilities
 - Access to premises
 - Disposal and/or management of premises
 - Participation in clubs and sporting activities
 - Activities of the Government
- g) **Family Status Discrimination:** under the Family Status Discrimination Ordinance (Cap. 527) (“FSDO”), it is unlawful to discriminate against a person on the ground of family status. “Family status” means the status of having a responsibility for the care of an immediate family member, and “immediate family member”, in turn, means a person who is related to someone by blood, marriage, adoption or affinity. Victimization is also unlawful under the FSDO. The areas of activities for which a person may lodge a complaint under the FSDO includes:
- Employment

- Education
 - Provision of goods, services and/or facilities
 - Disposal and/or management of premises
 - Eligibility to vote for and to be elected or appointed to advisory bodies
 - Participation in clubs
 - Activities of the Government
- h) **Race Discrimination:** the Race Discrimination Ordinance (Cap. 602) (“RDO”) protects people against discrimination, harassment, and vilification on the ground of their race. Victimization is also unlawful under the RDO. “Race” means the race, color, descent, national or ethnic origin of a person. Under the RDO, it is unlawful to discriminate, harass or vilify a person on the ground of his/her race in prescribed areas of activities, including:
- Employment
 - Education
 - Provision of goods, services and/or facilities
 - Disposal and/or management of premises
 - Eligibility to vote for and to stand for election to public bodies, etc.
 - Participation in clubs

2. Principles for Employment

2.1 As an employer, the NSA shall act in a manner with the following principles:

- a) No wordings or images related to stereotype of particular groups or descriptions that may discourage particular groups from application (e.g., female/male only) shall be used on the job advertisement;

- b) No questions which may lead to an intentional discrimination of a protected characteristic (e.g., marital status or pregnant plan) shall be asked to the applicants during the interview;
- c) Applicants shall not be asked about his/her health or disability during the interview, unless such questions are necessary to access if his/her fitness to perform his/her duty;
- d) Selection of employment, promotion and training or other benefits shall be made on the basis of one's merit and ability, none of the ethnic group, gender, sexual orientation, religion, age, or any other protected characteristic shall be considered as a decisive factor; and
- e) Ensure an open and fair pathway to management positions is open to all employees.

3. Principles for Athlete Selection

3.1 The NSA shall comply with the following principles during their athlete selection process:

- a) Ensure the selection criteria and selection method are open to everyone;
- b) Selection of athlete shall be on the basis of his/her merit and ability, none of the ethnic group, sexual orientation, religion, [age (unless required by the Event owner)], or any other protected characteristic shall be considered as a decisive factor; and
- c) Ensure every athlete has an equal right to be evaluated and to appeal against the selection results regardless of their protected characteristic.

4. Complaints on Discrimination

Lodging a Complaint

4.1 An individual who believes himself/herself has been subject to harassment, discrimination or victimization may lodge a complaint. Making a delayed complaint can cause difficulties to the investigation and the collection of evidence. The NSA shall ensure that the complainant is protected from retaliation because of lodging a complaint in good faith.

- 4.2 Every person has a right to lodge a complaint on discriminations. A third party who witnesses discriminations can also report the incident to:
- a) The NSA;
 - b) The EOC and request investigation, conciliation or legal assistance (telephone number: 2511-8211). There is a time bar for lodging a complaint with the EOC. If the complainant intends to lodge a complaint with EOC, he/she should take action within 12 months after the incident occurred. Otherwise, EOC will not handle the case unless there are justifiable reasons for the delay. For enquiries or lodging of complaints, please refer to EOC's website: <http://www.eoc.org.hk/eoc/graphicsfolder/complaint.aspx>; and/or
 - c) File a civil lawsuit against the harasser as the complainant may deem fit. It is advisable that any decision to take legal proceedings to the District Court should be made within two years from the date of the incident.
- 4.3 The NSA's internal mechanism for handling discrimination does not affect the lodging of complaints with EOC, reporting to the police or filing a lawsuit.
- 4.4 When lodging a complaint, the following information should be provided:
- a) Name and contact information of the complainant;
 - b) Date(s) when the incident(s) occurred;
 - c) Facts of the alleged incident(s);
 - d) Any loss or harm caused from the unlawful act;
 - e) Any other supporting information;
 - f) Name and contact information of the witness(es) and his/her statement (if any); and
 - g) Any other applicable documents.

Handling a Complaint

- 4.5 Complaint shall be handled in line with the principles of fairness, promptness, transparency, protection for complainant and witness, and avoidance of conflict of interest.

- 4.6 The NSA shall ensure confidentiality is maintained throughout the handling process to the extent that it is practical and appropriate under the given circumstances.
- 4.7 The NSA should set the time frame for handling the complaint, i.e. specified the time frame for acknowledging the complaint, completion of enquiries and/or conduct of conciliation.
- 4.8 Any person who is the complainee or involved in the complaint should avoid handling the complaint. The complaint should only be dealt with by an independent person.
- 4.9 The NSA will not tolerate retaliation or victimization of any complainant for reporting an allegation of harassment or assisting or participating in any manner in any investigation into the alleged harassment. Retaliation or victimization is a form of harassment and those engaged in such will be subject to the same procedures set up in these guidelines and procedures.
- 4.10 Upon receiving a complaint, an acknowledgement of the complaint should be made within the specified period of receipt of the complaint. The responsible person should report it to the Board of Directors/responsible functional committee who shall assign a unique document file number for individual complaint case. The Board of Directors shall appoint a designated person to handle the complaint if no functional committee or department is established for handling discrimination.
- 4.11 The responsible person/functional committee appointed by the Board of Directors will conduct preliminary enquiries to decide whether to proceed the complaint through conciliation or investigation as soon as practicable or within the specified period from the date of receiving the complaint.

a) Conciliation

- If it is deemed appropriate and the complainant agrees to attempt conciliation, the responsible person/functional committee appointed by the Board of Directors shall assist the complainant to identify the cause and examine the issues that lead to the complaint and identify any points of agreement which may lead to a resolution on the complaint;
- If a mutual agreement can be reached, the terms of agreement will be written down and signed by both parties under the witness of the responsible person/functional committee appointed by the Board of Directors; and

- If the complainant does not agree to attempt conciliation, or an agreement cannot be reached after the conciliation, the complaint will be proceeded for further investigation.

b) Investigation

- The responsible person/functional committee appointed by the Board of Directors shall take the lead in conducting the investigation on the allegations made by the complainant. This will involve conducting interviews with the complainant, complainee, witness(es) and any other parties concerned, reviewing and analyzing relevant documents; and
- Upon conclusion of the investigation, the responsible person/functional committee shall submit a written fact-finding report to the Board of Directors for consideration. The report shall consist of the following:
 - A statement of the issues under review;
 - The allegations made by the complainant;
 - The evidence adduced in support of the allegations;
 - The response of the complainee towards the allegations;
 - The evidence adduced in rebuttal of the allegations;
 - The finding of facts subsequent to the investigation; and
 - Conclusion on the findings of the allegations.

Resolving the Complaint

- 4.12 When the investigation is completed, the responsible person/functional committee shall communicate the findings and intended actions to the complainant and the perpetrator. If the alleged harassment, discrimination or victimization is found to have occurred, appropriate corrective and/or disciplinary action shall be taken
- 4.13 If the responsible person/functional committee decide not to proceed the complaint or not to take any disciplinary action against the perpetrator, the reason for the decision should be conveyed to the complainant. If the complainant is not satisfied with the result, he/she can lodge an appeal.

- 4.14 If the complainant reports the issue to EOC, the police or file a civil lawsuit, depending on the seriousness of the incident and the role of the alleged perpetrator, the NSA may take the following steps regarding the alleged perpetrator:

If the alleged perpetrator is a staff of the NSA	a) If the case is under investigation by relevant law enforcement agencies/EOC, the alleged perpetrator will be assigned other duties where he/she will not be in contact with the complainant/the informant/other parties involved or will be suspended from duty without pay according to Sections 9 and 11 of the Employment Ordinance (Cap. 57). b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the staff is acquitted from the criminal charges, but during investigation it was revealed that the staff was involved in inappropriate behaviours, the case will be recorded in the staff's personnel file for record. In addition, his/her case will be subject to a disciplinary review according to the Staff Handbook of the NSA. Disciplinary sanctions will be given subject to the outcome of review. If after review, it is found that the staff is suitable to return to work, he/she will be offered support and training, as appropriate. c) If the alleged perpetrator is found or pleads guilty, he/she will be subject to disciplinary actions in accordance with the Code of Conduct of the NSA or even dismissed depending on the circumstances.
If the alleged perpetrator works for the NSA on a voluntary basis (e.g., Board Directors / Committee Member / Representative / Volunteer)	a) If the case is under investigation by relevant law enforcement agencies/EOC, the alleged perpetrator will be assigned other duties where he/she would not be in contact with the complainant/the informant/other parties involved or will be suspended from his/her role. b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the alleged perpetrator is acquitted from the criminal charges, but during investigation it was revealed that he/she was involved in inappropriate behaviours, his/her case will be subject to a disciplinary review

	and to be endorsed by the Board of Directors according to the Code of Conduct of the NSA. His/her case will be subject to a disciplinary review according to the Staff Handbook of the NSA. Disciplinary sanctions will be given subject to the outcome of review. Whether the alleged perpetrator can return to his/her role and complete the remaining tenure will be subject to the final decision of the Board of Directors. c) If the alleged perpetrator is found or pleads guilty, he/she will be subject to disciplinary actions in accordance with the Code of Conduct of the NSA. The NSA reserves the right to terminate the appointment with the perpetrator.
If the alleged perpetrator is a member of staff of a contractor of the NSA	a) The NSA will request the relevant company to change the staff concerned, pending the investigation outcome of the relevant law enforcement agencies/EOC. b) The NSA reserves the right to terminate the contract with the relevant company if no other staff is available.
If the alleged perpetrator is not directly related to the NSA	The NSA will report the incident to the relevant law enforcement agencies/EOC for handling and follow their subsequent advice on any follow-up steps.

Appeal

- 4.15 Both the person being discriminated against and the perpetrator have the right to appeal against the decision. To initiate an appeal, a written statement has to be submitted to the Board of Directors.
- 4.16 The Board of Directors may determine whether to reopen the case or seek for external helps within a specified period from the date of receiving the written appeal.
- 4.17 A flow chart on handling complaints on discrimination is appended in **Appendix I** for reference.

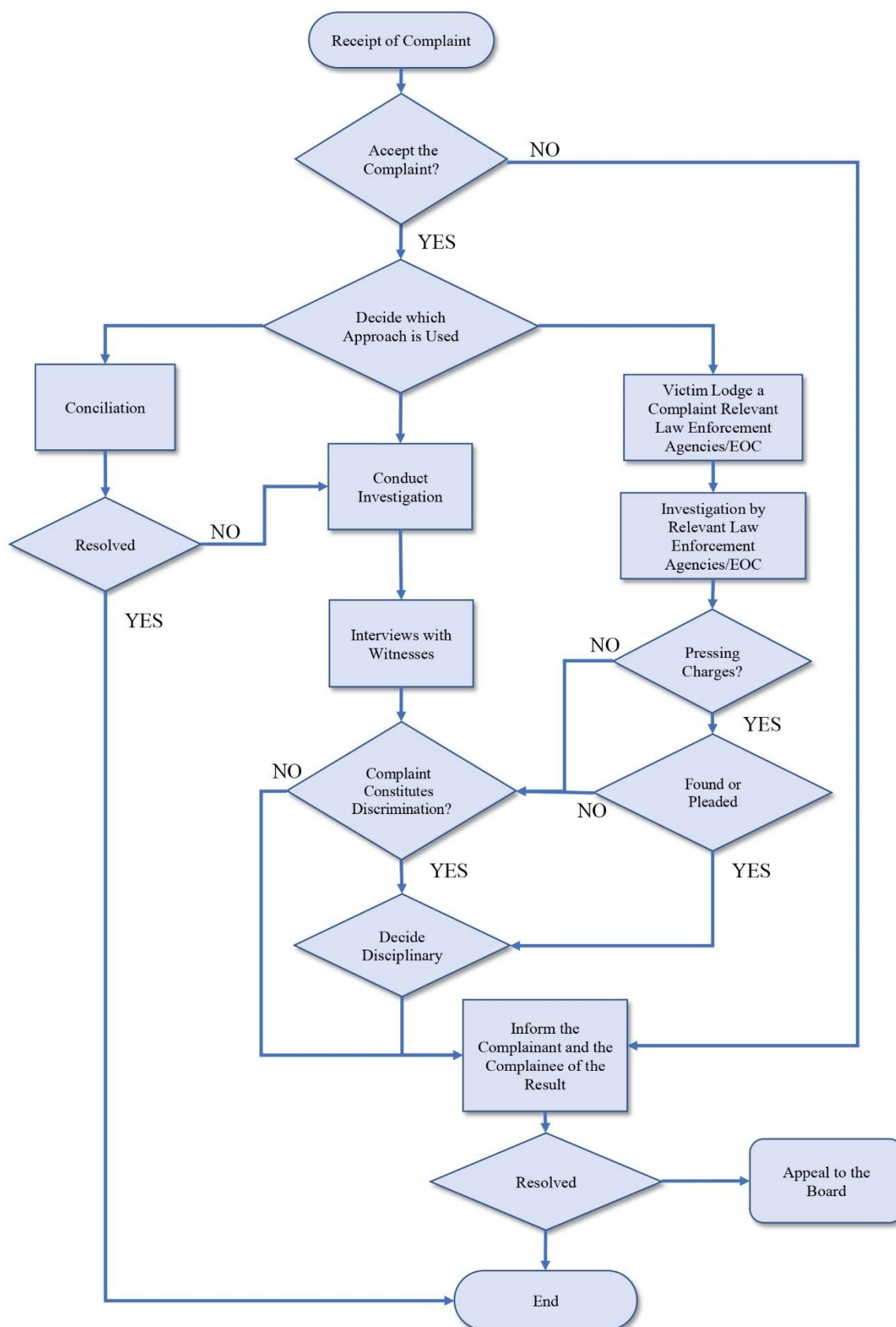
5. Enquiries

- 5.1 The NSA should include the name, post, contact phone number and/or email address of the Board Director or staff designated to handle any enquiries or complaints in its procedures and guidelines for handling complaints.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix I Flowchart on Handling Complaints on Discrimination



6.2

GUIDELINES AND PROCEDURES ON PREVENTION OF SEXUAL HARASSMENT

Objective: To establish a sport, competition and work environment which demonstrates respects and “zero tolerance” towards sexual harassment under the safeguard of the Sex Discrimination Ordinance (SDO), Cap. 480.

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, umpires, and every person involved in NSA’s business, activities, competitions, matches or events.

1. Definition

1.1 Sexual harassment is discriminatory and unlawful. Section 2(5) of SDO, Cap. 480 provides the definition of sexual harassment:

- a) If any person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person; or engages in other unwelcome conduct of a sexual nature in relation to that person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that he/she would be offended, humiliated or intimidated; or
- b) The person, alone or together with other persons, engages in conduct of a sexual nature which creates a hostile or intimidating environment for another person.

1.2 Sexual harassment covers a wide range of situations:

- a) **Regardless of gender:** sexual harassment may occur to any person, regardless of gender; all provisions in the SDO related to sexual harassment and in these guidelines and procedures are applicable to both men and women as well as sexual harassment to persons of the same sex.
- b) **Intention is irrelevant:** even if the act of sexual harassment is not intentional or there is no direct evidence to prove the intention, it amounts to sexual harassment once the act falls within the definition of sexual harassment. Hence, no matter whether the act is intentional or not, or even if the act is of a playful nature, it may amount to sexual harassment.
- c) **Single incident:** a single incident may also amount to sexual harassment.

- d) **Power relationship:** although sexual harassment incidents are usually related to a power relationship, i.e., a more powerful person harassing a less powerful person. It is also possible for a person weaker in power to harass a more powerful person, e.g., an employee harassing the employer.

1.3 Some examples of sexual harassment are given below:

- a) Unwelcome physical contact (e.g., hugging, kissing or touching);
- b) Comments with sexual innuendoes and suggestive or insulting sounds; and
- c) Displaying sexually obscene or suggestive photographs or literature.

2. Principles of Handling Sexual Harassment Complaints

2.1 The NSA shall handle sexual harassment complaints based on the following principles:

- a) **Fairness:** enquiries and complaints should be handled in a just and impartial manner to ensure that the complainant and the alleged harasser are fairly treated, and both parties have chances to present their case.
- b) **Confidentiality:** assurance should be given to complainants that all information and records related to a sexual harassment complaint must be confidential and will only be disclosed to relevant staff handling the case and the alleged harasser on a need-to-know basis. Every reasonable effort shall be made to ensure confidentiality and to protect the privacy of all parties.
- c) **Promptness:** complaints should be handled promptly because both the complainant and the alleged harasser are under pressure. The NSA pledges to deal with complaint cases without any delay.
- d) **Transparent procedures:** the handling procedures related to sexual harassment complaints should be made known to Board Directors, Committee Members, staff, athletes, coaches, umpires, members and all other persons related to the NSA.
- e) **Protection for complainants and witnesses:** complainants and witnesses should be protected against victimization, including retaliation. According to Section 9 of the SDO, victimization means being treated less favourably after filing a complaint or acting as witness. Victimization is in itself an unlawful act of discrimination.

- f) **Avoiding conflict of interest:** any person who has an actual conflict of interest in the complaint shall declare his/her interest and shall not take part in handling the complaint, i.e., as a Conciliator, member of the Investigation Committee or in any capacity as a decision-maker.
- g) **Anonymity:** in the case of an anonymous complaint, the NSA shall consider the evidence and seriousness of the allegation(s) to determine whether further inquiry into the circumstances is required.
- h) **Discretion:** empathy shall be shown to the feelings of complainants (e.g., avoiding asking the complainant to repeat his/her ordeal and to appoint investigators of the same sex to interview the complainant) to ensure that the complainant would not be unnecessarily distressed or humiliated. Complaint cases should be handled discreetly such that related parties would not be unnecessarily distressed.

3. Handling Sexual Harassment Complaints

- 3.1 A person who believes himself/herself to be a victim of sexual harassment should take action immediately. Ignoring sexual harassment may make the situation worse as the harasser may misinterpret a lack of response as approval or condonation of the behaviour. Delay in lodging the complaint may also present difficulties for the investigation, collection of evidence and establishing the fact. Hence, the NSA shall ensure that no one will be punished because of lodging a complaint in good faith.
- 3.2 There is also a time bar for lodging a complaint with the Equal Opportunities Commission (EOC) or to take legal action. If the person who is sexually harassed intends to lodge a complaint with EOC, he/she should take action within 12 months after the incident occurred. Otherwise, EOC will not handle the case unless there are justifiable reasons for the delay. Any decision to take legal proceedings to the District Court should be made within two years from the date of the incident.
- 3.3 Every person has a right to lodge a complaint against sexual harassment. A third party who witnesses sexual harassment should also report the incident. When a person is sexually harassed, he/she may take the following actions:
 - a) Speak up at the time. Tell the harasser that his/her act is unwelcome and should stop immediately;
 - b) Keep a written record of the incidents, including the dates, time, location, witnesses and nature (what the harasser has said or done) and the complainant's own response;
 - c) Tell someone he/she trusts and ask for emotional support and advice;

- d) Lodge a complaint to the Board of Directors/designated handling personnel of the NSA;
- e) Lodge a complaint with EOC and request investigation or conciliation. In case conciliation fails, the complainant may request EOC to provide legal assistance (telephone number: 2511-8211). For more information, please refer to EOC's website: <http://www.eoc.org.hk/>;
- f) Consult a lawyer; report to the police or file a civil lawsuit against the harasser as the complainant may deem fit; and
- g) The NSA's internal mechanism for handling sexual harassment complaints does not affect the right of the complainant to lodge a complaint with EOC, reporting of incident to the police or filing of lawsuit in the District Court.

4. Mechanism for Handling Sexual Harassment Complaints

- 4.1 The NSA should establish both informal and formal mechanisms for handling sexual harassment complaints. The differences between the two mechanisms are summarized in the following table:

	Informal mechanism	Formal mechanism
Suitability	- For relatively minor/single incident of sexual harassment - When the complainant does not want to start the formal mechanism or wishes to maintain a work relationship with the complaine	- For more serious or repetitive sexual harassment complaints - When sexual harassment continues or when it is not possible to resolve the complaint by the informal mechanism
Designated Personnel	Designated Conciliation Committee/Conciliator	Designated Investigation Committee/Investigator
Process	Explain the process/rules of the meeting (e.g., record, confidentiality)	- Formally interview the complainant and obtain a statement - Inform the complaine about the complaint to

	Informal mechanism	Formal mechanism
	- Find out the complainant's allegations and demands - Explain the different complaint handling mechanisms to the complainant - Try to understand the incident from the complainee's perspective - Resolve the problem through conciliation and reach a settlement if possible - Document details of the incident and the process of conciliation - Does not involve an investigation	provide an opportunity to respond to the allegation - Interview witnesses, if any - Collect evidence - Make a finding on the balance of probabilities (i.e., is it more likely than not that sexual harassment has occurred?) - Prepare a written report, giving an account of the investigation outcome, disciplinary actions (if any) and the considerations behind - Inform both the complainant and complainee of the outcome - Take disciplinary actions and handle appeals (if any)
Advantages	- Potentially quicker to process and to solve the problem - Provides an opportunity to inform the complainee of the organization's policy and of how their behaviour is affecting others	- Thorough investigation of the occurrence(s) - Provides a formal record of complaint - Appropriate disciplinary measures/actions may be taken
Disadvantages	Less easy to monitor	Takes a longer time to process

	Informal mechanism	Formal mechanism
	• Complainees may feel that they have been treated unfairly as they have no chance to put the record straight • Effectiveness may be affected by the power dynamics between the parties	

4.2 When a verbal or written complaint is received, the NSA will pass it to the Board of Directors/designated handling personnel for consideration. A document file should be created for each individual complaint case, assigned with a unique file number, containing the following information:

- a) Name and contact information of the complainant/complainee (if applicable);
- b) Date(s) when the complained issue(s) occurred;
- c) Facts of the complained issue(s);
- d) Any loss or harm caused from the complained issue(s);
- e) Any supporting information and/or documents;
- f) Name and contact information of the witnesses and his/her statement (if any); and
- g) Any other applicable documents.

4.3 Depending on the seriousness of the complaint and the complainant's wish, either a Conciliation Committee/Conciliator should be assigned by the Board of Directors, or an Investigation Committee/Investigator appointed by the Board of Directors will be formed to handle the complaint.

4.4 The NSA should set the time frame for handling the complaint, i.e. specified the time frame for acknowledging the complaint, completion of investigation and/or conduct of conciliation.

- 4.5 Any person who is the complainee or involved in the complaint should avoid handling the complaint. The complaint should only be dealt with by an independent person.
- 4.6 The membership composition of the committees should preferably consist of similar number of both genders. For conciliation, the person or the Committee in charge of the process should be agreed by both the complainant and the complainee, failing which the complaint shall be passed to the Investigation Committee.
- 4.7 If the complainant is a minor, he/she should be accompanied by a parent/guardian/an appropriate person to attend meetings related to the complaint.
- 4.8 The Conciliation Committee/Conciliator will keep a brief account of the steps taken to resolve a case and propose terms of settlement with the consent of both parties (e.g., requiring the alleged perpetrator to apologize, to attend counselling sessions, or to pay compensation). If a mutual agreement can be reached, the terms of agreement will be written down and signed by both parties under the witness of the Conciliator/Conciliation Committee. If the complainant does not agree to attempt conciliation, or an agreement cannot be reached after the conciliation, the complaint will be proceeded for investigation.
- 4.9 The Investigation Committee/Investigator appointed by the Board of Directors shall take the lead in conducting the investigation on the allegations made by the complainant. This will involve conducting interviews with the complainant, complainee, witness(es) and any other parties concerned, reviewing and analyzing relevant documents; and
- 4.10 Upon conclusion of the investigation, the Investigation Committee/Investigator shall submit a written fact-finding report to the Board of Directors for consideration. The report shall consist of the following:
 - a) A statement of the issues under review;
 - b) The allegations made by the complainant;
 - c) The evidence adduced in support of the allegations;
 - d) The response of the complainee towards the allegations;
 - e) The evidence adduced in rebuttal of the allegations;
 - f) The finding of facts subsequent to the investigation; and

g) Conclusion on the findings of the allegations.

- 4.11 If a case of sexual harassment is established, the NSA may take appropriate disciplinary measures against the perpetrator (e.g., requiring the perpetrator to face dismissal or termination of employment contract, or to be suspended or dismissed depending on the nature of the cases).
- 4.12 Where the behaviours in sexual harassment cases also amount to criminal offences, such as indecent assault, and distribution or display of indecent and obscene articles, the NSA may consider referring the cases to the police on its own motion.
- 4.13 Depending on the seriousness of the incident and the role of the alleged perpetrator, the NSA may take the following steps regarding the alleged perpetrator:

If the alleged perpetrator is a staff of the NSA	a) If the case is under investigation by relevant law enforcement agencies/EOC, the alleged perpetrator will be assigned other duties where he/she will not be in contact with the complainant/the informant/other parties involved or will be suspended from duty without pay according to Sections 9 and 11 of the Employment Ordinance (Cap. 57). b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the staff is acquitted from the criminal charges, but during investigation it was revealed that the staff was involved in inappropriate behaviours, the case will be recorded in the staffs personnel file for record. In addition, his/her case will be subject to a disciplinary review according to the Staff Handbook of the NSA. Disciplinary sanctions will be given subject to the outcome of review. If after review, it is found that the staff is suitable to return to work, he/she will be offered support and training, as appropriate. c) If the alleged perpetrator is found or pleads guilty, he/she will be subject to disciplinary actions in accordance with the Code of Conduct of the NSA or even dismissed.
If the alleged perpetrator works for the NSA on a voluntary basis (e.g., Board	a) If the case is under investigation by relevant law enforcement agencies/EOC, the alleged perpetrator will be assigned other duties where he/she will not be in contact with the complainant/the informant/other parties involved or will be suspended from his/her role.

Director/ Committee Member/ Representative /Volunteer)	b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the alleged perpetrator is acquitted from the criminal charges, but during investigation it was revealed that he/she was involved in inappropriate behaviours, his/her case will be subject to a disciplinary review and to be endorsed by the Board of Directors according to the Code of Conduct of the NSA. His/her case will be subject to a disciplinary review according to the Staff Handbook of the NSA. Disciplinary sanctions will be given subject to the outcome of review. Whether the alleged perpetrator can return to his/her role and complete the remaining tenure will be subject to the final decision of the Board of Directors. c) If the alleged perpetrator is found or pleads guilty, he/she will be subject to disciplinary actions in accordance with the Code of Conduct of the NSA. The NSA reserves the right to terminate the appointment with the perpetrator.
If the alleged perpetrator is a member of staff of a contractor of the NSA	a) The NSA will request the relevant company to change the staff concerned, pending the investigation outcome of the relevant law enforcement agencies/EOC. b) The NSA reserves the right to terminate the contract with the relevant company if no other staff is available.
If the alleged perpetrator is not directly related to the NSA	The NSA will report the incident to the relevant law enforcement agencies/EOC for handling and follow their subsequent advice on any follow-up steps.

4.14 A victim should lodge a complaint as soon as practicable and within 12 months after the incident occurred. For cases with justifiable reasons, the NSA may at its own discretion consider to handle delayed complaints.

4.15 If necessary, support and counselling should be promptly offered to the complainant.

5. Appeal

5.1 Both the complainant and the complaine have the right to appeal against the decision. To initiate an appeal, a written statement has to be submitted to the Board of Directors.

5.2 The Board of Directors may determine whether to reopen the case or seek for external helps within a specified period from the date of receiving the written appeal.

5.3 A flow chart on handling complaints on sexual harassment is appended in the **Appendix I** for reference.

6. Measures for Prevention of Sexual Harassment

6.1 The NSA shall promulgate its guidelines and procedures on prevention of sexual harassment to all Board Directors and Committee Member, staff, athletes, coaches and umpires to raise their awareness of sexual harassment prevention and shall also upload it onto the NSA's website for stakeholders' reference.

6.2 Stakeholders may refer to the International Olympic Committee's website for the Consensus Statement on "Sexual Harassment and Abuse in Sport", the Toolkit for "Safeguarding athletes from harassment and abuse in sport" and measures for prevention of sexual harassment.

6.3 The NSA should provide regular briefings/training to staff to enhance their awareness of sexual harassment prevention, in particular, to staff who need to handle complaints of sexual harassment. In this regard, the NSA can collaborate with EOC or other relevant organizations to provide seminars or workshops on prevention of sexual harassment to stakeholders on a need basis.

6.4 In the recruitment of coaches, the NSA shall, before offering an appointment to a coach, require him/her to provide proof that he/she does not have any criminal conviction records against a specified list of sexual offences under the Sexual Conviction Record Check Scheme. Upon appointment, a coach shall be required to sign an agreement to this set of guidelines.

6.5 The NSA shall also require all other potential employees who need to be in contact with children or mentally incapacitated persons at work to apply for the Sexual Conviction Record Check before offering appointment to them. If the aforementioned persons are employed from outside Hong Kong, they shall be required to provide proof issued by their previous country/region of residence to the effect that they do not have any criminal conviction records against sexual offences.

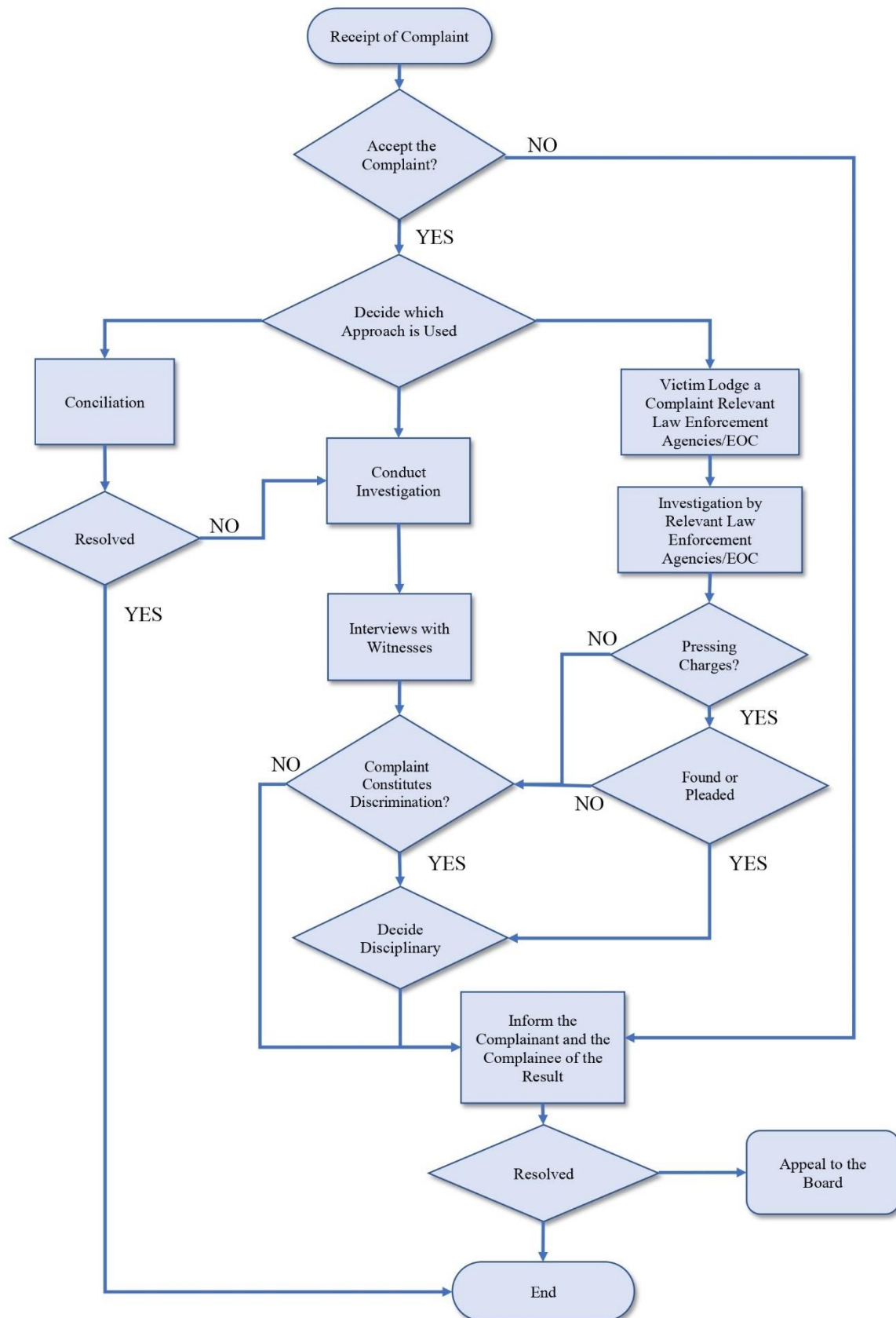
7. Enquiries

7.1 The NSA should include the name, post, contact phone number and/or email address of the staff designated to handling any enquiries or complaints.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix I Flowchart on Handling Complaints on Sexual Harassment



6.3

GUIDELINES AND PROCEDURES ON CHILD SAFEGUARDING

Objective: To promote child safeguarding and avoid child maltreatment/abuse in all aspects of daily operation, NSA should be committed to the protection and welfare of children involved in all its activities. Guidelines and procedures should be devised and implemented to raise the awareness and acceptance of responsibilities to safeguard children from any form of harm.

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, umpires, and every person involved in the NSA's business, activities, competitions, matches or events.

1. Definition

- 1.1 Child maltreatment/abuse is defined as any act of commission or omission that endangers or impairs the physical/psychological health and development of an individual under the age of 18.
- 1.2 Child maltreatment/abuse is committed by individuals, singly or collectively, who, by their characteristics (e.g., age, status, knowledge, organizational form), are in a position of differential power that renders a child vulnerable.
- 1.3 Child maltreatment/abuse may take the following forms:
 - a) **Physical harm/abuse:** refers to physical injury or suffering inflicted on a child by violent or other means (e.g., punching, kicking, striking with an object, poisoning, suffocation, burning, etc.), where there is a definite knowledge, or a reasonable suspicion that the injury has been inflicted non-accidentally.
 - b) **Sexual abuse¹:** refers to forcing or enticing a child to take part in any acts of sexual activity for sexual exploitation or abuse and the child does not consent to or fully understand or comprehend this sexual activity that occurs to him/her due to mental immaturity. The sexual activity includes behaviours that have or do not have

Note:

¹ For the purpose of this guidelines, conduct of a sexual nature which constitutes sexual harassment will also be dealt with as a child maltreatment/abuse incident.

physical contact with children (e.g., inappropriate touching or showing of pornography).

- c) **Neglect:** refers to a severe or repeated pattern of lack of attention to a child's basic needs that endangers or impairs the child's health or development (e.g., failure to provide necessary food/clothing/shelter, failure to prevent physical injury/suffering and lack of appropriate medical care/supervision, etc.
- d) **Psychological harm/abuse:** refers to a repeated pattern of behaviour and/or an interaction between carer and child, or an extreme incident that endangers or impairs the child's physical and psychological health (including emotional, cognitive, social and physical development).

1.4 Child maltreatment/abuse may take the form of a repeated pattern, multiple incidents or a single but serious incident. An individual incident may also involve more than one type of harm/abuse to the child.

1.5 A comprehensive list of possible indicators of child maltreatment/abuse is provided in Chapter 4 "Case Identification, Initial Handling and Reporting" of "Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation (2020)", which is drawn up by the Social Welfare Department ("SWD"), is available in the following link:
[https://www.swd.gov.hk/storage/asset/section/652/en/Procedural_Guide_Core_Procedures_\(Revised_2020\)_Eng_2Nov2021.pdf](https://www.swd.gov.hk/storage/asset/section/652/en/Procedural_Guide_Core_Procedures_(Revised_2020)_Eng_2Nov2021.pdf).

1.6 Examples of good practice and risky practice when interacting with children while carrying out work or duties for the NSA are given in **Appendix I**.

2. Principles of Handling Child Maltreatment/Abuse

2.1 The NSA shall handle suspected incidents of child maltreatment/abuse based on the following principles:

- a) **Fairness:** enquiries and complaints should be handled in a just and impartial manner to ensure that the person reporting the incident (the informant), the alleged perpetrator, the child concerned and his/her parent(s)/guardian(s) are fairly treated, and that all parties have the chance to present their evidence.
- b) **Confidentiality:** assurance should be given to the informant and the child concerned that their identity and the information they provide will be kept confidential and will only be disclosed to relevant parties handling the incident (e.g., Police/SWD etc.), and the alleged perpetrator on a need-to-know basis.

- c) **Promptness:** child abuse incidents should be handled promptly because all parties concerned are under pressure. The NSA pledges to deal with incidents without any delay.
- d) **Transparent procedures:** the procedures for handling child abuse incidents should be made known to all persons related to the NSA.
- e) **Protection:** informants, witnesses and the child concerned should be protected against victimization, including retaliation and discrimination. Victimization means being treated less favourably after reporting an incident or acting as witness.
- f) **Avoiding conflict of interest:** if the staff who handles the enquiry/child abuse incident is closely related to the informant, the alleged perpetrator, the child concerned or his/her parent(s)/guardian(s) (e.g., relatives), or the alleged perpetrator is the person-in-charge of child abuse incidents, the incident should be handled by another person.
- g) **Discretion:** empathy shall be shown to the feelings of the child concerned (e.g., avoid asking the child to repeat his/her ordeal to multiple parties, appoint investigators of the same sex to interview the child, etc.) to ensure that the child would not be unnecessarily distressed or humiliated. Child abuse incidents should be handled discreetly such that related parties would not be unnecessarily distressed.
- h) **Anonymity:** in the case of anonymous complaint, the NSA should consider the evidence and seriousness of the allegation(s) to determine whether inquiry into the circumstances is required.

3. Responding to Child Maltreatment/Abuse

- 3.1 A person may become aware of a possible child maltreatment/abuse incident by:
 - a) Seeing it happen;
 - b) Hearing it from someone else;
 - c) Hearing it directly from the child concerned; or
 - d) Receiving an anonymous allegation.
- 3.2 NSA should appoint a Board Director or a staff as the Child Safeguarding Officer who is responsible for administering the guidelines on child safeguarding and act as the first

point of contact for anyone who wishes to report maltreatment/abuse against a child. The Child Safeguarding Officer should be well briefed on his/her roles and responsibilities upon receiving a report of child maltreatment/abuse.

- 3.3 If a person suspects or becomes aware of a possible child maltreatment/abuse incident, he/she should in the first instance record all the facts using the form at **Appendix II**. The completed form should be forwarded to the respective Child Safeguarding Officer whose contact details including the name, post/designation, contact phone number and/or email address should be provided.
- 3.4 The safety, needs and welfare of the child concerned shall be of top priority. A person hearing the incident directly from a child should take the following steps:
- a) Stay calm so as not to frighten the child;
 - b) Reassure the child that he/she did the right thing in reporting;
 - c) Listen to the child to show that he/she is being taken seriously;
 - d) Keep questions to a minimum so that there is a clear and accurate understanding of what has been said. Only ask questions to clarify what has been said and avoid leading questions;
 - e) Inform the child that in order to help stopping the maltreatment/abuse, his/her ordeal has to be conveyed to other people; and
 - f) If the child needs urgent medical attention, take him/her to a medical professional or call the emergency services immediately.
- 3.5 While it is not the responsibility of a person to investigate or decide whether or not child maltreatment/abuse has taken place, all persons working for the NSA or on the NSA's behalf have the responsibility to report any suspicious incident.

4. Handling Child Maltreatment/Abuse

- 4.1 When a report of a possible child maltreatment/abuse incident is received, an acknowledgement of the report should be made within the specified period of the receipt of the report. The Child Safeguarding Officer will notify the Board of Directors in the first instance.

- 4.2 The Child Safeguarding Officer will inform the parents/guardians of the child concerned immediately. Sensitivity should be accorded in handling possible child maltreatment/abuse cases. The report of a possible child maltreatment/abuse incident should only be dealt with by an independent person who is not the complainee or involved in the complaint. The parents/guardians will be advised that the NSA will fully cooperate with any investigation and respect their right to report to the Police/SWD.
- 4.3 For incident which is handled by the Police and/or Family and Child Protective Services Unit of SWD (hotline: 2343 2255), the Child Safeguarding Officer will facilitate the coordination of the investigation or services.
- 4.4 Depending on the seriousness of the incident and the role of the alleged perpetrator, the NSA may take the following steps regarding the alleged perpetrator:

If the alleged perpetrator is a staff of the NSA	a) If the case is under investigation by relevant law enforcement agencies/SWD, the alleged perpetrator will be assigned other duties where he/she will not be in contact with children/the informant/other parties involved or will be suspended from duty without pay according to Sections 9 and 11 of the Employment Ordinance (Cap. 57). b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the staff is acquitted from the criminal charges, but during investigation it was revealed that the staff was involved in inappropriate behaviours, the case will be recorded in the staff's personnel file for record. Disciplinary will be given subject to relevant Code of Conduct of the NSA. If after review, it is found that the staff is suitable to return to work, he/she will be offered support and training, as appropriate. c) If the alleged perpetrator is found or pleads guilty, he/she will be dismissed.
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If the alleged perpetrator works for the NSA on a voluntary basis (e.g., Board Directors /Committee Member /Representative/ Volunteer)	a) If the case is under investigation by relevant law enforcement agencies/SWD, the alleged perpetrator will be assigned other duties where he/she would not be in contact with children/the informant/other parties involved or will be suspended from his/her role. b) If there is insufficient evidence to proceed with charges by relevant law enforcement agencies or the alleged perpetrator is acquitted from the criminal charges, but during investigation it was revealed that he/she was involved in inappropriate behaviours, disciplinary will be given subject to relevant Code of Conduct of the NSA. Whether the alleged perpetrator could return to his/her role and complete the remaining tenure will be subject to the final decision of the Board of Directors. c) If the alleged perpetrator is found or pleads guilty, his/her appointment will be terminated.
If the alleged perpetrator is a member of staff of a contractor of the NSA	a) The NSA will request the relevant company to change the staff concerned, pending the investigation outcome of the relevant law enforcement agencies/SWD. b) The NSA reserves the right to terminate the contract with the relevant company if no other staff is available.
If the alleged perpetrator is not directly related to the NSA	The NSA will report the incident to the relevant law enforcement agencies/SWD for handling and follow their subsequent advice on any follow-up steps.

4.5 A flow chart on handling possible child maltreatment/abuse incidents is appended in the **Appendix III** for reference.

5. Measures for Child Safeguarding

5.1 **Awareness:** the NSA shall ensure that all persons working for the NSA or on the NSA's behalf are aware of the high standards of behaviour and conduct expected of them in child safeguarding through the following means:

- a) Formulating guidelines and procedures on child safeguarding and to draw reference from International Olympic Committee's Toolkit on "Safeguarding athletes from harassment and abuse in sport";

- b) Uploading the guidelines and procedures onto the NSA's website for stakeholders' information;
- c) Requiring all persons working for the NSA or on the NSA's behalf in any capacity to sign an undertaking to comply with the guidelines and procedures on child safeguarding;
- d) Providing regular training to staff who have contact with children to enhance their awareness of child safeguarding; and
- e) Collaborating with the SWD or other relevant organizations (e.g., Plan International) to provide seminars or workshops on child safeguarding to stakeholders on a need basis.

5.2 **Prevention:** the NSA shall take the following precautionary measures when employing staff:

- a) Making every effort during recruitment to understand applicants' attitude towards child safeguarding (e.g., asking screening questions during interviews, conducting background checks, etc.);
- b) Requiring all potential employees, in particular, coaches who need to be in contact with children or mentally incapacitated persons at work to apply for the Sexual Conviction Record Check before offering an appointment; and
- c) Requiring potential employees from outside Hong Kong to provide proof issued by their previous country/region of residence to the effect that they do not have any criminal conviction records against sexual offences.

5.3 **Reporting:** the NSA shall ensure that all persons working for the NSA or on the NSA's behalf are clear on what steps to take where suspicions or concerns arise regarding child maltreatment/abuse. Furthermore, the NSA shall cultivate a culture where all individuals feel that they can openly discuss issues related to child maltreatment/abuse without fear of retribution.

6. Enquiries

- 6.1 The NSA should include the name, post/designation, contact phone number and/or email address of the staff designated to handle any enquiries or complaints.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix I Good Practice and Risky Practice When Interacting with Children

Examples of good practice and risky practice when interacting with children while carrying out work or duties for the NSA are given below:

Good practice	Risky practice
a) Interact with children in a professional way directly related to one's work or duties. b) Communicate with children (including through electronic means) in a transparent and accountable manner. c) Use supportive language and tone. d) Be responsive to a child's needs and arrange activities that are suitable to children's age and capability. e) Treat all children equally and with respect and dignity. f) Keep activities open to observation. g) Touch should be age-appropriate and only with the necessary amount for coaching, training, safety or medical needs. h) Gain written parental consent for any away trips or activities. i) Ensure that if mixed-gender children are taken on away trips, they are always accompanied by staff of both genders. j) Respect the trust of children and maintain appropriate boundaries and relationship with them. k) Teach children the safety rules and ensure that they understand the given instruction. l) Ensure a suitable staffing ratio of adult to children in activities.	a) Interact with children in an overfamiliar way not directly related to one's work or duties (e.g., oversharing personal information). b) Communicate with a child in a private and excessive manner. c) Humiliate or intimidate a child (e.g., shouting or swearing). d) Neglect a child's needs (e.g., assigning inappropriate activities or training loads and requiring children to participate when injured or unwell). e) Discriminate against children's gender, race, sexual orientation and ability. f) Unnecessarily spend excessive amounts of time alone with a child away from others (e.g., transporting a child alone in a car, entering a child's room/place of residence alone, inviting a child to one's home/place of residence alone, etc.). g) Touch a child unnecessarily (e.g., touching on the face, chest or bottom, kissing and tickling). h) Engage in questionable behaviours, such as flirting, joking and rough playing. i) Allow children to use inappropriate language or bully others unchallenged. j) Give and receive inappropriate gifts. k) Take pictures with personal devices or in changing rooms and toilets.

m) Ensure the activities' equipment is fit for purpose, safe to use and placed appropriately. n) Ensure surrounding environment is appropriate and safe for children's activities. o) Correct the inappropriate behaviours of children and take necessary actions immediately if there is possible safety risk. p) Be attentive to children's physical needs and offer rest time, water break and toilet break. q) Create and maintain an open culture and inform children of what they can do if they encounter problems or difficulties. r) No contact online between adult and children outside the virtual activities to avoid grooming of children. s) Ensure security setting are set to private and invite-only on the chosen platform for virtual activities. t) Respect children's right to privacy and confidentiality.	l) Fail to record and act upon allegations of abuse made by a child. m) Expose children to extreme weather conditions without ensuring adequate clothing or hydration. n) Encourage the use of drugs or harmful substances to enhance performance. o) Hit, assault or physically discipline children in ways that are abusive. p) Expose children to inappropriate materials such as pornography and violent pictures and videos. q) Be under the influence of alcohol and drugs. r) Be alone with a child in a changing room or toilet. s) Leave venue with a child or children unsupervised.
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CONFIDENTIAL

Appendix II Allegation of Child Abuse Report

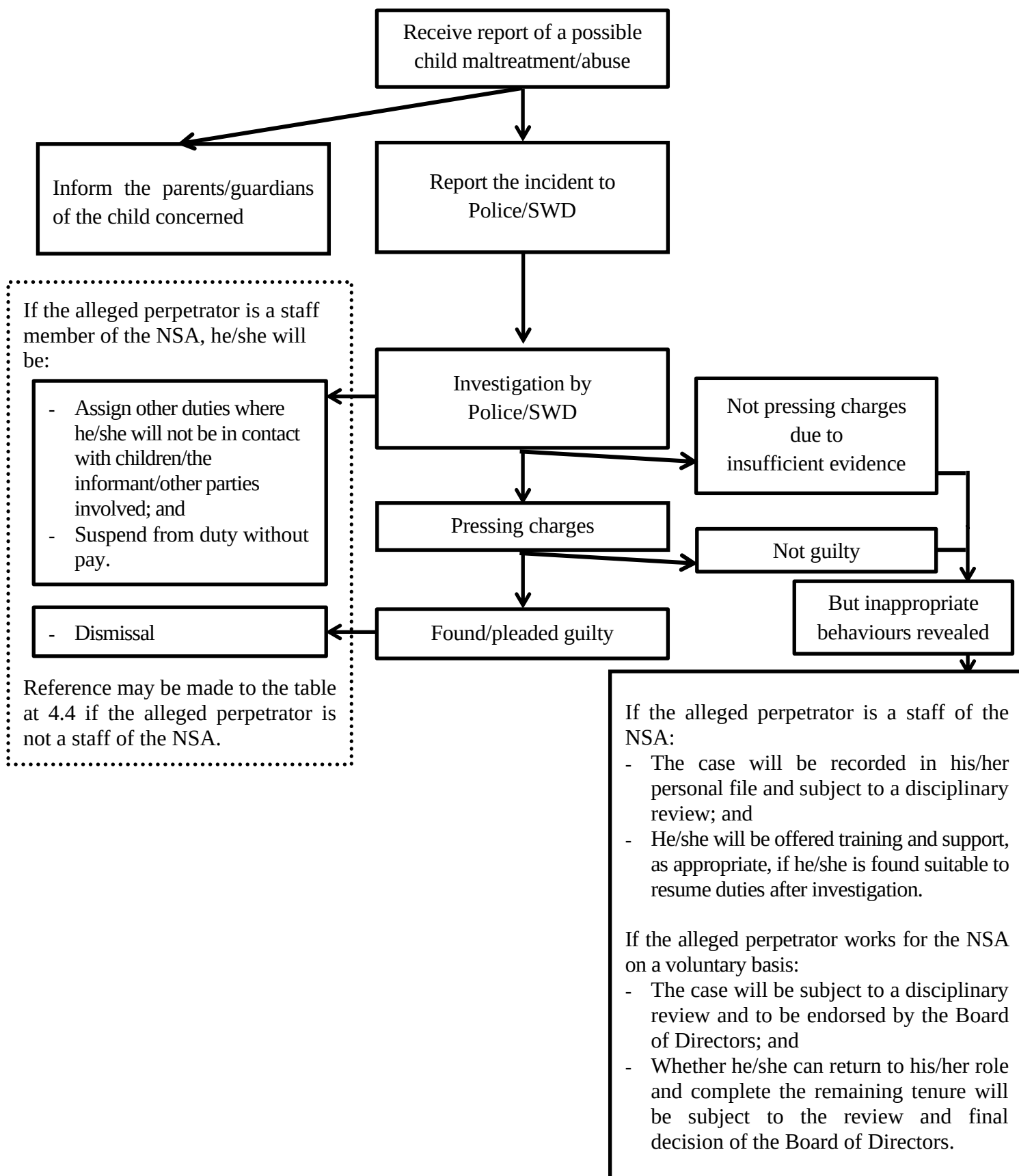
Person reporting the incident (informant)		
Name of informant:	Role of informant:	
Contact details of informant:	Report time & date:	
Child concerned (victim)		
Name of victim:	Date of birth/age of victim:	
Contact details of victim:	Name of parent/guardian (specify relationship):	
Details of the incident(s)		
Date/time (or frequency):	Location:	
Name of alleged perpetrator:	Role of alleged perpetrator:	
Description of the incident(s):		
External parties contacted (if applicable): ☐ Social Welfare Department ☐ Police ☐ Medical professional/emergency services ☐ Others: _____		Advice provided by the external parties contacted (if applicable):
Signatures:		
Informant	Child Safeguarding Officer	Head of Secretariat
Name: Date:	Name: Date:	Name: Date:

Follow-up actions (to be completed by respective Child Safeguarding Officer)

Actions taken:

☐ Prosecution: _____☐ Case Result: _____☐ Disciplinary Review/Result: _____☐ Action: _____

Appendix III Flowchart on Handling Complaints on Possible Child Abuse Incident



6.4

GUIDELINES AND PROCEDURES ON HANDLING OF COMPLAINTS

Objective: To provide guidelines and procedures for formulating a fair and transparent mechanism for handling of complaints lodged against the NSA.

For complaints which relate to specific issues such as equal opportunities, sexual harassment and child safeguarding, reference should be made to the relevant guidelines and procedures embedded in 6.1, 6.2 and 6.3 of this Reference Materials.

1. Fundamental Principles

1.1 The NSA shall handle complaints based on the following principles:

- a) **Fairness:** enquiries and complaints should be handled in a just and impartial manner to ensure that the complainant and complainee are fairly treated, and both parties have chances to present their case.
- b) **Promptness:** complaints should be handled promptly because both the complainant and the complainee are under pressure. The NSA pledges to deal with complaint cases without any delay.
- c) **Transparency:** the handling procedures should be laid down and uploaded on NSA's website for general information.
- d) **Protection for complainants and witnesses:** complainants and witnesses should be protected against victimization, including retaliation. According to Section 9 of the SDO, victimization means being treated less favourably after filing a complaint or acting as a witness. Victimization is in itself an unlawful act of discrimination.

2. Rights and Responsibilities of the Complainant and Complainee

2.1 The complainant is entitled to have:

- a) The right to appeal the decision if the complaint is not proceeded after initial assessment;
- b) The right to be informed on the status and outcome of the complaint investigation; and

- c) The right to appeal the outcome of an investigation.
- 2.2 A complaint should be made in writing by post, fax or email. In lodging a complaint to the NSA, the complainant has the responsibility to provide truthful and factual information regarding the details of the complaint. False, misleading or malicious complaints may lead to termination of the investigation.
- 2.3 The complainee is entitled to have:
- a) The right to be informed on complaints made against him/her;
 - b) The right to be informed on the status and outcome of the complaint investigation; and
 - c) The right to appeal the outcome of an investigation.
- 2.4 The complainee has the responsibility to cooperate with investigators and provide truthful and factual information to facilitate a fair investigation.

3. Roles and Responsibilities of the Persons Handling Complaints

- 3.1 Any person who is the complainee or involved in the complaint should avoid handling the complaint. The complaint should only be dealt with by an independent person.
- 3.2 Below are the key roles and responsibilities of persons involving in handling complaints:
- a) Initial Recipient of NSA
 - Receive complaints submitted by the public and provide acknowledgement of receipt within a specified time frame; and
 - Forward the complaint to the Board of Directors for direction.
 - b) Board of Directors
 - Perform an initial assessment on the complaint;
 - Assign an independent person/Complaint Handling Committee to investigate the complaint depending on the severity, complexity and urgency;

- Devise guidelines for disciplinary actions against substantiated complaints; and
- Recommend appropriate actions or remedies to address issues identified from substantiated complaints.

4. Conflict of Interest

- 4.1 Persons responsible for handling complaints shall adopt the conflicts of interest policy as laid out in the Code of Conduct of the NSA. In addition to timely declare actual conflict of interest before being appointed to handle the complaint, they shall also disclose any potential conflicts of interest and refrain from participating in any discussions or decisions related to the complaint.

5. Handling of Complaint

- 5.1 The Board of Directors may decide not to proceed the following:
- a) Anonymous complaints;
 - b) Verbal complaints;
 - c) Complaints not filed by persons involved in the incidents or their guardians;
 - d) Complaints under legal proceedings;
 - e) Complaints under investigation by law enforcement agencies;
 - f) Complaints for incidents occurring over a period of time as specified by NSA prior to submission date; and
 - g) Complaints with incomplete information.
- 5.2 In the case of an anonymous complaint, the NSA shall consider the evidence and seriousness of the allegation(s) to determine whether enquiry into the circumstances is required.
- 5.3 To assist the NSA in evaluating the situation, the complainant is advised to submit all available information. It is encouraged that complainant should provide as much of the following information as possible:

- a) Contact details, including his/her name, email address and/or contact number. The NSA will not proceed with a complaint investigation if no contact details are provided;
- b) An account of events surrounding the complaint;
- c) Supporting evidence or documentation that relates to the complaint including copies of those documents where possible; and
- d) Person(s) involved in the complaint including his/her name and job title where known.

5.4 The complaint may not be accepted if it is considered as:

- a) Frivolous;
- b) Vexatious; and
- c) Misconceived or lacking in substance.

6. Receipt of a Complaint

6.1 The complaint can be submitted by post, fax and email.

6.2 Upon receiving a complaint, an acknowledgement of the complaint should be made within the specified time frame upon receipt of the complaint. The complaint should be promptly passed to the Board of Directors with the following information, including but not limited to:

- a) Name and contact information of the complainant/complaine (if applicable);
- b) Date(s) when the complained issue(s) occurred;
- c) Facts of the complained issue(s);
- d) Any loss or harm caused from the complained issue(s);
- e) Any supporting evidence and/or documents;
- f) Name and contact information of the witness(es) and his/her statement (if any); and

- g) Any other applicable documents.

7. Initial Assessment

- 7.1 The Board of Directors will conduct an initial assessment to assess whether the complaint is pursuable or not.
- 7.2 If the Board of Directors decides not to proceed the complaint, the complainant should be formally informed by the way of written notification stating the reasons within a specified time frame. The complainant may appeal on this decision by submitting a request in writing to the NSA within a specified time frame upon informed of the decision.
- 7.3 If the Board of Directors decides to initiate investigation of the complaint, the responsible person/Complaint Handling Committee shall inform the complainant in writing that investigation has been initiated and that complainant will be informed of the progress or result at a specific timeframe by email/post/other applicable delivery method.
- 7.4 Conciliation
 - 7.4.1 If the complaint is minor and can be resolved through conciliation, the independent person/Complaint Handling Committee handling the complaint should assist the involved parties to identify the cause of the complaint and seek for any agreement which may lead to a resolution of the complaint. If an agreement can be reached, the involved parties will sign a written agreement under the witness of the independent person/Complaint Handling Committee handling the complaint.
 - 7.4.2 If the parties involved disagree with the method of conciliation, or an agreement cannot be reached upon conciliation, the complaint will be proceeded for investigation.

8. Investigation

- 8.1 The Board of Directors can determine whether to conduct an investigation via interviews and/or paper circulation.
- 8.2 The Board of Directors should appoint an independent person/Complaint Handling Committee to conduct the investigation and report the progress according to specified time frame.

- 8.3 The Board of Directors/independent person/Complaint Handling Committee may refer to the decision made on past complaints of similar nature as a reference in the decision-making process.
- 8.4 The Board of Directors/independent person/Complaint Handling Committee should record the investigation process, discussion and decision made etc. in either written or electronic formats for record retention and future reference.
- 8.5 Depending on the individual circumstances and complexity of the complaint, if the investigation cannot be completed within a reasonable timeframe, the complainant should be informed and updated of the progress in writing. Thereafter, the complainant should be informed at a regular interval until the conclusion of investigation.

9. Investigation and Reporting of Complaints Forwarded by the SF&OC

- 9.1 For the complaints concerning the NSA forwarded by the SF&OC, the Board of Directors of the NSA will investigate the complaint and compile an investigation report to the SF&OC within one month of the receipt of complaint. The investigation report should summarize details of the complaint, investigation, conclusions and any follow-up actions. If the one-month deadline cannot be met, the NSA should notify the SF&OC to request for an extension and submit an interim report.
- 9.2 SF&OC will reply to the complainant with the investigation report and copy to the NSA. If the complainant is dissatisfied with the investigation outcome, SF&OC will notify NSA of the response and forward any further information provided by the complainant to the NSA for further investigation.

10. Announcement of the Outcome of the Investigation

- 10.1 The Board of Directors will inform the complainant the outcome via email/post/other applicable delivery method with following details:
 - a) The outcome of the complaint and any actions taken by the NSA;
 - b) Justification of the decision; and
 - c) Remedial or disciplinary actions(s) to be taken.
- 10.2 Following the investigation on the reported issue, if a complaint is substantiated, the NSA may take corrective actions to address any identified systemic flaws and/or disciplinary action against the complainee in accordance with the guidelines devised for disciplinary sanctions.

Type	Substantiated Misconduct Relating to the Complaint	Disciplinary actions
Minor	[Example: Use of foul language, Neglect of duty]	[Example: Verbal/Written advice]
Serious	[Example: Misconduct]	[Example: Reprimand]

11. Appeal

11.1 Lodging an Appeal

11.1.1 If either party feel aggrieved of the outcome of the investigation, they can appeal by submitting a written statement to the Board of Directors within a specified time frame after the notification of the outcome of the investigation. The following documents should be submitted for lodging an appeal:

- a) A written request of appeal and/or statement on appeal issues;
- b) Any document that supports the eligibility of the appeal;
- c) Any new information/evidence or witness(es);
- d) Contact information of the witness(es), if any; and
- e) Any other required documents.

11.2 Appeal Procedures

11.2.1 NSA should put in place the timeframe for acknowledging the receipt of the appeal and the way of acknowledgment, i.e., by mail/e-mail and also the timeframe of notifying the Board of Directors of the appeal;

11.2.2 The Board of Directors shall determine whether to reopen the case or seek for external assistance and/or advice within the set timeframe from the date of receiving the written appeal; and

11.2.3 If the appeal request is accepted, an Appeal Panel will be formed in accordance with the **3.3 Guidelines and Procedures for Appeal Mechanism** and the case will be re-opened. The Appeal Panel will review the case and determine whether the handling of

the complaint, the conduct of the investigation and/or the decision made was in accordance with relevant set down criteria, guidelines and procedures.

11.3 Notification of the Appeal Result

- 11.3.1 All involved parties in the appeal will be informed of the result in writing through email/post/other applicable delivery method once the decision is made. NSA should also consider whether the appeal result will be final and that no further appeal can be made against the same case. The decision should be included in the notification of appeal result.

12. Retention of Documents Related to the Complaint

- 12.1 The NSA shall keep records of all documents related to the complaint in good order for a specified period from the conclusion of appeal. The time-expired records especially with personal data shall be disposed of with due care.
- 12.2 For substantiated complaints against coaches and umpires, the investigation details should be documented to ensure efficient retrieval of information for subsequent referencing in the registration and renewal exercises.

13. Confidentiality

- 13.1 The NSA will treat complaint proceedings and decisions as confidential and will ensure the confidentiality of all information relating to the complaint, including but not limited to, personal information, evidential documents and witness testimony, etc. The NSA will ensure relevant information can only be accessed for lawful purpose if a written consent is obtained from relevant parties by the responsible department/person of the NSA.

14. Compliance with the PDPO

- 14.1 The NSA is committed to handle all personal information obtained during the complaint proceedings and appeal process in compliance with the Personal Data (Privacy) Ordinance.

15. Enquiries

- 15.1 The NSA should include the name, post, contact phone number and/or email address of the staff designated to handle any enquiries or complaints.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

6.5

GUIDELINES AND PROCEDURES ON PERSONAL DATA PRIVACY PROTECTION

Objective: To demonstrate commitment in respecting personal data privacy, complying with data protection principles and all relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, umpires, and every person involved in NSA's business, activities, competitions, matches or events.

1. Privacy Policy Statement

1.1 The NSA, as a Data User, respects personal data privacy and is committed to fully implementing and complying with the data protection principles and all relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and Code of Practice issued by the Privacy Commissioner for Personal Data. The NSA is equally committed to ensuring that all its Board Directors, Committee Members, staff and members uphold these obligations. The NSA undertakes to:

- a) Collect personal data directly related to the functions and activities of the NSA only for lawful purposes, and by lawful and fair means;
- b) Take all reasonably practicable steps to ensure that personal data are accurate, up-to-date and kept no longer than necessary;
- c) Use the personal data collected only for purposes or directly related purposes for which the data were to be used at the time of collection, unless the Data Subject concerned has given consent to a change of use or such use is permitted by law;
- d) Take all reasonably practicable steps to ensure that personal data are protected against unauthorized or accidental access, processing, erasure or other use;
- e) Take all reasonably practicable steps to ensure that the public is informed of the kinds of personal data that the NSA holds and the purposes for which the data are to be used; and
- e) Permit Data Subjects to access and correct their personal data and process the data access/correction requests in a manner permitted or required by law.

2. Types of Personal Data Processed by the NSA

2.1 The NSA, in the course of its operations, may process the following types of personal data of Board Directors, Committee Members, staff, athletes, coaches, umpires, participants and other individuals:

- a) Identification data (e.g., name and Hong Kong Identity Card/passport details);
- b) Personal details (e.g., age, sex, date of birth, marital status, occupation, address, telephone number, email address and other contact details);
- c) Employment record (e.g., job applications, past and present staff's job particulars, details of salary, payments, benefits, leave, training records, group medical and dental insurance records, mandatory provident fund schemes, performance appraisals, and disciplinary matters);
- d) Payment details (e.g., bank/credit card details, for enrolment of events/activities);
- e) Health information (e.g., data from medical tests and emergency contact details);
- f) Vehicle information; and
- g) Images (e.g., photo of an individual participating in NSA's events/activities).

3. Main Purposes for Processing Personal Data

3.1 The purposes for which the NSA processes personal data are:

- a) To verify an individual's identity;
- b) To ensure compliance with the rules and regulations of the NSA and that of international sports governing bodies;
- c) To maintain and develop services, including programs, activities, and events;
- d) To enable athletes and Board Directors to participate in international multi-sports Games, including the selection of potential athletes into the Hong Kong, China Delegation;
- e) To organize, conduct and promote the NSA's events/activities;

- f) To maintain relationships with the NSA's members;
- g) To handle complaints/enquiries as appropriate;
- h) To carry out surveys and statistical analyses;
- i) For purposes related to recruitment of staff, manpower management, and maintenance of employment relationship;
- j) For security purposes; and
- k) Where otherwise reasonably necessary for the NSA to carry out its functions.

4. Lawful Basis for Processing Personal Data

4.1 The NSA only processes personal data where there is a lawful basis for doing so.

- a) Consent: the Data Subject has given clear consent for the NSA to process their personal data for a specific purpose;
- b) Contract: the processing is necessary for a contract the NSA has with a Data Subject, or because a Data Subject has asked the NSA to take specific steps before entering into a contract;
- c) Legal obligation: the processing is necessary for the NSA to comply with the law;
- d) Vital interests: the processing is necessary to protect the Data Subject's life;
- e) Public task: the processing is necessary for the NSA to perform a task in the public interest; and
- f) Legitimate interests: the processing is necessary for the NSA's legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

4.2 In addition, the NSA will on occasion need to process special category personal data (e.g., when conducting medical/anti-doping tests) or criminal records information (e.g., when carrying out No Criminal/Sexual Conviction Record Checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required.

5. How the NSA Collects Personal Data

- 5.1 Generally, the NSA collects personal data from the individual directly. This may be via a form, an online platform or simply in the ordinary course of interaction or communication.
- 5.2 In some cases, personal data may be supplied by third parties (e.g., other professionals or authorities working with that individual) or collected from publicly available resources.
- 5.3 The NSA will not collect personal data from a minor without prior consent from a person with parental responsibility for the minor.

6. Access to and Sharing of Personal Data

- 6.1 For the most part, personal data collected by the NSA will remain within the NSA and will be processed by appropriate individuals on a “need-to-know” basis.
- 6.2 Some of the NSA’s processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. All the NSA’s service providers are bound by contractual duty to keep confidential any data they come into contact with against unauthorized access, use and retention.
- 6.3 Where necessary, NSA may be required to share personal data with third parties, such as:
 - a) Professional advisers (e.g., lawyers, insurers and auditors);
 - b) Government authorities;
 - c) Partners or related organizations (e.g., Sports Federation & Olympic Committee of Hong Kong, China, International Olympic Committee, Organizing Committee of multi-sports Games); and
 - d) Where appropriate, parties who will be contacted by NSA during the handling of a complaint/enquiry case including the party being complained against and/or other parties concerned.
- 6.4 Personal data held by the NSA will not be disclosed to third parties unless the disclosure is for the purpose for which the data was to be used at the time of collection of the data

or a directly related purpose, or with the express consent of the data subject given voluntarily unless the obtaining of such consent is exempted under the law.

- 6.5 Unnecessary and excessive disclosure of personal data will not be made, e.g., in issuing documents in relation to complaint/enquiry case or disciplinary matters, unnecessary personal data will be removed and redacted.

7. Information Collected on the NSA's Websites

- 7.1 A cookie is a small amount of data created in a computer when a person visits a website on the computer. It often includes an anonymous unique identifier. A cookie can be used to identify a computer. Cookies are used by the NSA to collect statistics about the number of visits of users to the NSA's websites and the users' preference of websites and online services offered on the NSA's websites. Users may choose to accept or reject cookies. If users reject cookies, they will not be able to use some of the functions of the websites, such as saving preferences and accessing some online services.
- 7.2 When a user visits the NSA's websites, the webserver makes a record of the visit that includes the user's IP addresses (and domain names), the types and configurations of browsers, language settings, geo-locations, operating systems, previous sites visited, and time/duration and the pages visited (webserver access log). The NSA uses the webserver access log for the purpose of maintaining and improving its websites such as to determine the optimal screen resolution, which pages have been most frequently visited etc. The NSA uses such data only for website enhancement and optimization purposes. The NSA does not use, and have no intention of using the visitor data to personally identify anyone.

8. Protection Measures

- 8.1 The NSA should take appropriate steps to protect the personal data it holds against loss, unauthorized access, use, modification or disclosure, e.g., training on personal data protection is provided to staff who need to handle personal data in their daily work.

9. Retention

- 9.1 Personal data will not be kept longer than is necessary for the fulfilment of the purpose for which it is collected. Personal data that is no longer needed is either irreversibly anonymized (and the anonymized information will be retained) or securely destroyed.

10. Data Access and Correction

- 10.1 Data access requests should be made in writing using the form prescribed by the Privacy Commissioner for Personal Data¹. The completed form should be sent directly to the responsible staff of the NSA in person or by fax/email/post.
- 10.2 When handling a data access or correction request, the NSA will check the identity of the requester to ensure that he/she is the person legally entitled to make the data access or correction request.

11. Code of Practice on Data Protection

- 11.1 NSA should devise the Code of Practice on Data Protection which provides guidance and good practice in safeguarding personal data privacy and ensures that it is made known to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, umpires.

12. Definition of Personal Data

- 12.1 Personal data refers to information that relates to a living person and can be used to identify that person. It exists in a form in which access to or processing of is practicable. Examples of personal data protected by the Ordinance include names, phone numbers, addresses, identity card numbers, photos, medical records and employment records, etc.

13. Six Data Protection Principles

- 13.1 The Privacy Commissioner for Personal Data recognizes six Data Protection Principles (DPPs) that represent the core of the Ordinance:
- a) DPP1 - Collection - Purpose & Means
 - b) DPP2 - Accuracy & Retention
 - c) DPP3 - Use of Data

Note:

¹ The data access request form is available on the Office of the Privacy Commissioner for Personal Data's website:
<https://www.pcpd.org.hk/english/publications/files/Dforme.pdf>.

- d) DPP4 - Security
- e) DPP5 - Openness
- f) DPP6 - Data Access & Correction

13.2 The following paragraphs provide practical guidance on how to adhere to the six DPPs:

13.2.1 Collection - Purpose and Means (DPP1)

- a) The purpose of collection must be directly related to the functions or activities of the NSA, and the data collected in relation to a specified purpose should be adequate but not excessive.
- b) During the collection of personal data, Data Subjects should be informed explicitly of the following:
 - Purpose for which the data is collected;
 - Parties to whom the data may be transferred;
 - Whether it is obligatory or voluntary to supply the data, and the consequences of not doing so;
 - Rights of the Data Subject to request access to and correction of the data held by the NSA; and
 - Person to be contacted for data access and correction.
- c) A Personal Information Collection Statement (PICS) should be included when collecting personal data directly from a Data Subject. **Appendix I** lists out some circumstances under which a PICS is or is not required. A sample of PICS is shown at **Appendix II**.
- d) When proposing to collect HKID card numbers or copies, consideration should be given to adopting other less privacy-intrusive alternatives, e.g., collecting the first four digits of HKID card numbers should be sufficient for the purpose of identification of persons with the same names. Staff cards or other photo identification documents could be used instead of HKID card to check the identity of a person. For further information, reference should be made to the relevant Code of Practice issued by the Office of the Privacy Commissioner for Personal Data.

13.2.2 Accuracy & Retention (DPP2)

- a) The NSA holding personal data should review and update the personal data periodically to ensure that they are accurate. Inaccurate data and data no longer in use should be deleted.
- b) The NSA should keep a personal data inventory to keep track of the types of personal data it holds and how the personal data is being processed.
- c) Board Directors should ensure that personal data is not kept longer than necessary to fulfil the purpose for which it is used.
- d) As a good practice, personal data not collected directly by the NSA but transferred from another source should be disposed of properly immediately after use. Fresh data should be requested each time it is required.
- e) The below table shows the recommended maximum retention periods for different types of personal data held by the NSA:

Type of Personal Data		Maximum Retention Period
Secretariat		
Events/ Programs	Personal data of past participants	7 years from the completion of the event/program
Multi-sports Games	Personal data of Delegation members	8 years from the completion of the Games in accordance with the Financial Guidelines of Olympic Solidarity
Membership	Personal data of past individual members / representatives of Member Associations	2 years from the date of cessation of membership/representation
Employment record	Job applications of unsuccessful candidates	2 years from the completion of the recruitment exercise
	Personal files of past employees	7 years from the date of cessation of employment

Complaints	Personal data of complainants / complainees	2 years from the completion of the complaint, after which all related personal data shall be deleted or anonymized (unless there are any relevant statutory or regulatory requirements to keep the data for a longer period of time)
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13.2.3 Use of Data (DPP3)

- a) Personal data must be used for the purpose for which the data is collected or for a directly related purpose, unless voluntary and explicit consent with a new purpose is obtained from the Data Subject.
- b) Unnecessary and excessive disclosure of personal data should not be made, e.g., in issuing documents in relation to complaint/enquiry case or disciplinary matters, Board Directors should not disclose unnecessary and excessive personal data and should remove or redact the same.
- c) When personal data is transferred to another party, the transferor should remind the receiving party to process and handle it with an appropriate level of confidentiality and to use the data only for the agreed purpose.
- d) In direct marketing (e.g., promoting programmes/activities, soliciting donations/contributions, etc.):
 - Written or verbal consent must be obtained from Data Subjects for the use of their personal data. Data Subjects should also be informed of the classes of marketing subjects in relation to which the Data Users are going to carry out direct marketing. A sample of a consent for direct marketing is shown at **Appendix II**.
 - If only verbal consent is obtained from a Data Subject, a written confirmation should be issued to the Data Subject within 14 days after the consent is received.
 - The written confirmation should include:
 - Date of receipt of the consent;
 - Permitted types of personal data; and

- Permitted class of marketing subjects.
- e) Valid consent is considered not obtained if a Data Subject refuses to provide his/her contact information and as a result the written confirmation could not be sent, or when the written confirmation sent to the Data Subject is returned undelivered.

13.2.4 Security (DPP4)

Board Directors should take all practicable steps to safeguard personal data from unauthorized or accidental access, processing, erasure, loss or other uses by adopting the following measures:

- a) Access control
 - Personal data collected and retained should be disseminated to another party only if necessary. Access should be allowed on a “need to know” and “need to use” basis (e.g., when a staff who handles human resources matters is transferred to another post, his/her right of access to personnel records should cease immediately).
 - Measures must be in place to ensure the integrity, prudence and competence of authorized persons (e.g., requiring new staff to read the Code of Practice on Data Protection, requiring staff to participate in data protection refresher workshops periodically, signing of a confidentiality statement by Board Directors, etc.).
 - Personal data should not be taken away from the office, unless under special circumstances (e.g., events that take place outside the office).
 - If a Data Processor (e.g., service provider) is engaged, contractual or other means must be adopted to prevent unauthorized or accidental access, processing, erasure, loss or use.
- b) Data storage
 - An appropriate physical location should be identified where the personal data can be safely stored (e.g., lockable filing cabinets or rooms with controlled access or which can be locked when unoccupied). Files containing personal data should not be left open on desks or in areas where they can be seen by unauthorized persons.

- Personal or sensitive data should not be stored in portable devices, such as USB flash drives, notebooks or tablets. In case such data has to be stored in portable/mobile devices temporarily, the data stored should be the minimum necessary and should be password-protected. Moreover, the data must be deleted as soon as the tasks for which it is required have been completed.

c) Data transmission

- Board Directors should adopt appropriate measures to ensure the secure transmission of personal data (e.g., documents containing personal data should be put in a sealed envelope marked “private and confidential” and “to be opened by addressee only” with a specified addressee).
- Board Directors should make use of shared drives in the computing system if available and, as far as possible, communicate personal information in a safe and restricted environment.
- Personal or sensitive data, when sent electronically, should be password-protected. Email addresses and attachments should be double-checked to ensure that they are correct.
- When sending out a mass email, BCC or mail merge should be used to avoid disclosing the email addresses of recipients.

d) Data disposal

- Personal data should be disposed of properly after the specified retention period, e.g., hard copy documents should be shredded while disks and memory sticks should be formatted.

e) Others

- Information which can lead to the identification of the Data Subject in statistical analysis should be anonymized.

13.2.5 Openness (DPP5)

The NSA will make available the following information to all stakeholders:

a) Personal data policies and practices adopted;

- b) Types of personal data held; and
- c) Purposes for which the personal data is used or to be used.

13.2.6 Data Access & Correction (DPP6)

- a) A Data Subject must be given access to his/her own personal data and allowed to make corrections if it is inaccurate;
- b) A data access request is a request made by an individual to request the Data User:
 - To inform him/her whether the Data User holds personal data of which the individual is the Data Subject; and
 - If the Data User holds such data, to supply him with a copy of such data;
- c) Data Subjects are encouraged to make data access requests by means of the form prescribed by the Privacy Commissioner for Personal Data²;
- d) Data access requests shall be processed by a Data Protection Officer (DPO) as designated by the Board of Directors who has undergone appropriate training. When the NSA receives a data access request, the DPO should:
 - Ascertain the identity of the requestor; and
 - Assess whether the NSA holds the relevant personal data;
- e) If the NSA holds the relevant personal data, a copy of the requested data should be supplied to the Data Subject within 40 calendar days after receiving the request;
- f) If the NSA does not hold the requested data, the requestor should still be informed in writing within the 40-day time limit;
- g) The NSA may impose a fee for complying with a data access request which should not be excessive;

Note:

² <https://www.pcpd.org.hk/english/publications/files/Dforme.pdf>.

- h) The NSA may refuse to comply with a data access request if:
- It is not supplied with sufficient information to identify the requestor;
 - It cannot comply with the request without disclosing the personal data of a third party; or
 - Where compliance with the request is for the time being prohibited under the Personal Data (Privacy) Ordinance or any other ordinance;
- i) A log book should be kept to register all data access requests for the past four years, stating reasons if any of them are refused.

14. Opt-out Request

- 14.1 In direct marketing, a Data Subject may at any time require a Data User to cease using his/her personal data. Such “Opt-out” requests may be communicated verbally or in writing.
- 14.2 To comply with a Data Subject’s opt-out request, staff involved in direct marketing should maintain an “Opt-out List” of all persons who have indicated that they do not wish to receive further marketing approaches.

15. Handling of Data Breach

- 15.1 In case of a data breach, the incident should be reported to the DPO and Board of Directors in the first instance.
- 15.2 Essential information related to the breach should be gathered.
- 15.3 The following parties may also be notified as appropriate:
- a) Law enforcement agencies;
 - b) Office of the Privacy Commissioner for Personal Data; and
 - c) IT experts.
- 15.4 Measures should be adopted to contain the breach (e.g., cessation of a system function or access right).

- 15.5 An assessment of the potential damage and harm caused by the breach should be made.
- 15.6 Consideration should be taken to notify affected Data Subjects and relevant parties of the breach. When Data Subjects are not immediately identifiable or where public interest exists, public notification through the NSA's website or media may be considered.
- 15.7 A thorough investigation into the breach should be carried out. The investigation results should be reported to the Board of Directors and kept in a detailed report.
- 15.8 Areas for improvement should be identified to prevent the breach from recurring.
- 15.9 The Data Breach Information Sheet at **Appendix III** should be used to consolidate information relating to the breach, take remedial actions and conduct post-incident review.
- 16. Enquiries**
- 16.1 The NSA should include the name, post/designation, contact phone number and/or email address of the staff designated to handle any enquiries or complaints.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

Appendix I Circumstances Under Which a Personal Information Collection Statement (PICS) Is/Is Not Required

	<i>PICS required:</i>	<i>PICS <u>not</u> required:</i>
Event registration	Personal data is collected directly from participants.	Personal data of corporate team participants is provided by the organization they represent.
Staff recruitment	Personal data is collected directly from job applicants.	N/A
Membership programme	Personal data is collected directly from members.	N/A
Lucky draw	Contact details are collected directly from participants.	N/A
Athletes Committee Election	Personal data is collected directly from candidates/voters.	Personal data of candidates/voters is provided by NSAs.
Multi-sports Games	N/A	Personal data of delegation members is provided by NSAs.

The list of circumstances outlined above is for reference only and is by no means exhaustive. If in doubt, advice should be sought when deciding if a PICS is required for each individual case.

Appendix II**Personal Information Collection Statement (Sample)**

1. The personal data collected is used by the NSA for_____ (purpose) or other directly related purpose(s).
2. Please note that it is mandatory for you to provide the personal data marked with asterisks. In the event that you do not provide such personal data, the NSA may not be able to provide you with_____ (service).
3. Your personal data held by the NSA will be kept confidential within the retention period, but it may be shared with other parties, including_____ (other organizations), for the purpose(s) stated above.
4. In accordance with the Personal Data (Privacy) Ordinance, you have the right to access, amend, and ask for a copy of your personal data held by the NSA. Requests for access and/or correction can be made to the Data Protection Officer in writing via email [please enter the email address] or by post to [please enter the mailing address]. A fee at \$[x] per A4-size page shall be charged to cover the administrative cost.
5. For further details, please refer to the NSA's Personal Data Privacy Protection Guidelines at [please enter the link of the guideline].

Consent for Direct Marketing (if applicable)

We intend to use the personal data (name, mobile phone number and email address) you provided in this form for the purpose of sending you information about activities organized by us. We cannot use your personal data unless we have received your consent or indication of no objection.

If you do not agree to such use, please indicate your objection by ticking the box below:

☐ I do not wish my personal data to be used for the above-mentioned purpose(s).

CONFIDENTIAL

Appendix III

Data Breach Information Sheet

Office/Division:	
A) Information of the Breach	
<i>(i) General information of the breach</i>	
Description of the breach	
Date and time of the breach	
Location of the breach (e.g., which office, which computer server, etc.)	
Date and time of discovering the breach	
How the breach is discovered (e.g., discovered during routine system checking, known after reported by media, etc.)	
Nature of the breach (e.g., loss of data, database is hacked, etc.)	
Cause of the breach	
<i>(ii) Impact of the breach</i>	
Types of Data Subjects affected (e.g., staff, members, public, etc.)	
Estimated number of Data Subjects affected (Please state the respective number for each type of Data Subjects)	
Types of personal data affected (e.g., name, date of birth, HKID card number, address, telephone number, etc.)	
Medium holding the affected personal data (e.g., physical folders, USB, etc.)	
If the personal data is held in electronic medium, is the data encrypted?	

B) Data Breach Notification to Regulatory Bodies	
Are other regulatory bodies such as the Hong Kong Police Force or the Office of the Privacy Commissioner for Personal Data, Hong Kong being notified of the breach? If <u>yes</u> , please provide the date and details of each notification given.	
C) Actions Taken/To be Taken to Contain the Breach	
Brief description of actions <u>taken</u> to contain the breach	
Please evaluate the effectiveness of the abovementioned actions taken	
Brief description of actions that <u>will be taken</u> to contain the breach	
D) Risk of Harm	
Please assess the potential harm to Data Subjects caused by the breach and the extent of it	
E) Data Breach Notifications to Data Subjects Affected	
Dates and details of the data breach notifications issued to data subjects affected by the breach	
If no data breach notification is issued/will be issued, please state the consideration	
F) Investigation Results	
Cause(s) of the breach	
G) Post-incident Review (To be completed by the Data Protection Officer)	
Recommended improvement measures and the respective implementation date	
Date to review the effectiveness of the abovementioned improvement measures	

**Completed by
(Office Head)**

Signature: _____
 Name: _____
 Post: _____
 Date: _____

**Completed by
(Office Head)**

Signature: _____
 Name: _____
 Post: _____
 Date: _____

6.6**GUIDELINES AND PROCEDURES ON INFORMATION SECURITY**

Objective: To ensure the security of computer systems & data and better manage the IT resources and communication system, guidelines and procedures are formulated to safeguard for the use of computer files, emails, and any other forms used to store, transmit and process information.

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, members, athletes, coaches, and umpires.

1. Discipline

1.1 The following activities shall not be conducted:

- a) Accessing computers without authorization;
- b) Accessing computer with criminal or dishonest intent
- c) Criminal damage such as destroying webpages or spreading computer viruses;
- d) Accessing network resources without authorization;
- e) Cracking, stealing or misappropriating other people's accounts and passwords; and
- f) Disclosing other people's accounts and passwords without proper reasons.

1.2 Accessing or downloading pornographic materials is strictly prohibited.

1.3 It is prohibited to produce, access, download or forward offensive, immoral, discriminatory or insulting data, or to make any vulgar remarks, suggestions or comments that may embarrass or humiliate members of the NSA or any third party.

1.4 NSA's resources and time at work are reserved for the operation of NSA. Using computer for any private or commercial purposes, such as accessing chat rooms, playing games or similar activities during working hours is not allowed. Browsing non-business-related websites shall be minimized to prevent internal bandwidth congestion.

- 1.5 Spreading computer viruses and other interference or destruction programs on the Internet or on other people's computers are not allowed.
- 1.6 Use of P2P transmission software to share and download files is not recommended.
- 1.7 External storage media (e.g., USB) and files from unknown sources must not be used unless they have been checked and cleared of all virus and malicious code infections.
- 1.8 Do not download or execute any programs or software when using the Internet unless approved by responsible person.
- 1.9 Do not upload any information related to the NSA to external website without proper authorization.

2. Security and Protection

- 2.1 All desktops and laptops should be set up with an account password. The password should be changed at least every three months. Rules of password setting are suggested as follow:
 - a) Length of the password shall be at least 12 characters long. It should include at least one upper case, one lower case letter, number and a special character/symbol;
 - b) The changed password must not be the same as the previous one;
 - c) Avoid using passwords that are easy to be decrypted (e.g., initials, birthdays), or common words (e.g., password, qwerty); and
 - d) Avoid using a series of consecutive letters on keyboard or using repeated letters or numbers.
- 2.2 Do not connect your office device to unreliable or unknown wireless network.
- 2.3 All staff should take proper care of their office device, such as desktops, laptops and mobiles, etc. especially when travelling. In case where the device is unattended, device owner shall use proper security tool (e.g., a laptop security lock) to keep it safe.
- 2.4 The NSA shall ensure information system is protected from threats by installing Anti-virus and Firewall Systems. If a computer virus infection is suspected, the user must stop using the computer immediately and report the issue to the responsible staff.

- 2.5 The NSA shall conduct regular security risk assessment and internal compliance audit, including reviews on information system updates, vulnerabilities repairs, patch installations, authority managements and security configurations, to identify potential security breach and seek for resolutions.
- 2.6 Do not place items such as drinks and small stationery near the computer so as to minimize the risk of damaging the device.
- 2.7 User should keep the office device safe by using security tools such as an access password.
- 2.8 The practice of switching off the computer before leaving the workplace should be adopted.
- 2.9 Do not disassemble or modify any office device.
- 2.10 A report should promptly be made if the device or data is lost, stolen or crashed.
- 2.11 Users are not allowed to use personal/private devices for business communication.
- 2.12 Be aware of phishing emails. Do not access any suspicious links or extract suspicious attachments. Do not forward or reply to suspicious emails but timely delete them and report to the responsible staff.
- 2.13 The communication account shall only be available to the authorized person and any form of account sharing is not allowed.

3. Backup and Archive

- 3.1 Users shall perform regular back up on work-related data and information.
- 3.2 Confidential or sensitive data should be physically isolated, in particular, from external networks.
- 3.3 The NSA shall enable encryption options (if any) when backing up sensitive and confidential information/data.

4. Copyrights

- 4.1 Only licensed software can be installed to office's device in compliance with license agreement.

5. Emergency

- 5.1 The NSA should provide the name, post/designation, contact phone number of the responsible person to facilitate the seeking of immediate assistance for any security incidents.

6. Training

- 6.1 The NSA should ensure that all staff are apprised of the requirements outlined in these guidelines and arrange briefings/training to enhance their awareness on information security.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

6.7**GUIDELINES AND PROCEDURES ON HANDLING OF SOCIAL MEDIA**

Objective: To promote responsible usage and minimize the risks through inappropriate use of social media.

It applies to all Board Directors, Committee Members, and staff irrespective of their terms of employment, i.e., including short-term contract or part-time staff, and all members, including athletes, coaches and umpires, and every person involved in NSA's business, activities, competitions, matches or events.

1. Definition of Social Media

- 1.1 Social media refers to any tool or service that facilitate people to communicate and share information on the internet. Examples of social media platforms include but not limited to Facebook, Twitter, WhatsApp, Instagram, LinkedIn, blogs, video and photo-sharing websites, forums and discussion boards, ratings, and review sites, etc. It also includes any new forms of social media that may be introduced and/or become popular in the future.

2. General Principles

- 2.1 Social media is an effective tool. User should always bear in mind that any content posted on social media is public information which reflects on the individual user and the NSA as a whole. Hence, it is imperative to be aware of the ramifications of one's social media posts. To avoid any issues arising from inappropriate use of social media, user should adhere to the following principles when using social media platforms:

a) **Act in Best Interest**

Users are expected to act in the best interests of the NSA in all circumstances when using social media and should not post material that is, or which may reasonably be perceived to be inappropriate or harmful, whether directly or indirectly, to the reputation, members and/or stakeholders of the NSA;

b) **Safeguard Confidential Information and Personal Data**

User should not disclose or misuse confidential information when using social media platform. Confidential information includes but not limited to non-public information of the NSA and personal information of the registered members.

Besides, users should not misuse personal data of others where misuse may include disclosure of certain personal data without consent or authorization;

c) Obtain Authorization

In general, the NSA does not allow users to publish information about the NSA without a proper authorization obtained from the management. It is important to put in place certain checks and balances procedures to ensure things stay on the right track and are sustainable;

d) Be Transparent

Users should be transparent and disclose their relationship with the NSA when speaking for the NSA. The disclosure can take different forms depending on the situation and platform, but it should be clear and prominent to ensure that anyone reading the statement immediately understands that the user is affiliated with the NSA;

e) Know the Rules

To avoid violation of trademark and copyright, users should not post images or any other content without the owner's consent on social media platform. In addition, users are personally responsible for complying with Guidelines and Procedures and Codes of Conduct issued by the NSA on handling of social media as well as any terms of the social media platform he/she is using;

f) Be Respectful

Be respectful in the case of making any statement via social media as user is personally responsible for the communications that is published on the internet. Any form of discrimination including but not limited to age, sex, race, color, religion, ethnicity, sexual orientation, gender identity, national origin, citizenship, disability, and marital status will not be tolerated and may be subject to disciplinary action;

g) Act Responsibly

Electronic messages are permanent and transferable records which may affect the NSA's reputation. Therefore, user should undertake all reasonable efforts to ensure only worthwhile, factual, non-confidential information and perspective are published;

h) Keep It Real

User shall be aware that anything posted on social media has the potential to be viewed by anyone, and the comments could be misinterpreted by the general public. Therefore, it is important for the user to avoid misrepresenting himself/herself when participating in online communities;

i) Personal Use

NSA's property, resources and time at work are reserved for the operation of NSA. User should exercise sound judgement and discipline with respect to time spent on social media.

3. Guidelines for Use of Social Media Associated with NSA

3.1 The following specific guidelines and procedures pertain to the use of social media at the NSA in addition to the general principles:

- a) Information associated with NSA should be made publicly accessible via the NSA's social media platform and the NSA should ensure that its posts are accurate and not misleading. If in doubt, the NSA should refrain from posting;
- b) The NSA should develop a strategy that aligns with the NSA's goals and mission. Attention should be paid to avoid posting comments which could be interpreted as offensive, degrading, or inflammatory;
- c) If feedback is received via the NSA's official social media platform(s), the NSA should also ensure proper response to the message is made;
- d) It is the NSA's responsibility to address issues or complaints promptly and professionally. Hence, the NSA should monitor its social media account closely and properly especially when dealing with negative comments;
- e) The NSA should not exploit trademarks, copyrights or similar rights of others without obtaining the necessary authorization in its official social media platform. Permissions may be granted only for certain geographical areas, specific periods of time, or particular brands or products, and such materials should be used in accordance with the terms and conditions of the authorization; and
- f) The NSA should ensure compliance with all applicable privacy legislation and regulations in respect of any collection, storage, access or use of personal

information which knowingly identifies an individual, such as names, physical addresses, staff identification numbers, or photographs on social media.

4. Guidelines for Personal Use of Social Media

4.1 The following specific guidelines and procedures pertain to the personal use of social media in addition to the general principles:

- a) User should be aware that his/her opinions and behaviour will reflect on the NSA. Therefore, it is crucial to maintain a professional attitude and conduct in a manner that is consistent with Olympic values and the values of the NSA;
- b) Although privacy tools are used to access social media, any content posted via social media is public information. Hence, user should be mindful of the potential consequences of what is posted and act responsibly when using social media;
- c) User should exercise caution and think twice before publishing his/her own content or engaging with other people's posts, such as retweeting, liking, or commenting. Such actions may have adverse effects on the NSA's image;
- d) The use of the name, logo, or marks of the NSA on any social media account or online platform not owned or created by the NSA is strictly prohibited;
- e) User should not divulge any sensitive information about the team or individual members. Such information includes, but not limited to:
 - Internal policies or practices of the NSA;
 - Proprietary information of the NSA or its partners and sponsors;
 - Injury status, fitness level, and medical treatment of the team members/athletes;
 - Personal information;
 - Private conversations between team members, coaches, or other staff of the NSA;
 - Performance data or analytics of the team or individual team member; and
 - Any other information that is deemed confidential or prohibited by the NSA's policies or applicable laws and regulations.

- f) User should never post comments that refer to a person's ethnic origin, race, nationality, faith, gender, sexual orientation, or disability; and
- g) User should draw reference to the provision under "Rule 40 - Participation in the Olympic Games" stipulated in the Olympic Charter, which states, "Competitors, team officials and other team personnel who participate in the Olympic Games may allow their person, name, picture or sports performances to be used for advertising purposes during the Olympic Games in accordance with the principles determined by the IOC Executive Board".

5. Violation

- 5.1 The NSA should monitor relevant online and social media activities to ensure compliance with these guidelines and be aware of any circumstances that may lead to a breach of these guidelines. Prompt action should be taken to remove any offending material where possible.
- 5.2 User should report any suspected violations as laid out in the aforementioned guidelines to the NSA immediately. Depending on the nature and level of severity, confirmed violations may result in disciplinary action, which includes verbal or written warnings and, in serious cases, termination of the offender's employment or relationship with the NSA. User should also be aware that breaches of NSA's guidelines on handling of social media may also entail civil liability and even criminal consequences. The NSA is not responsible for any acts or omissions of user that are contrary to these guidelines.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

6.8**GUIDELINES AND PROCEDURES ON ANTI-DOPING**

Objective: To demonstrate the commitment of adopting zero tolerance towards doping, the respective roles, responsibilities and requirements of anti-doping shall be recognized by NSAs, athletes, athlete support personnel and other person subject to the anti-doping rules.

1. Fundamental Rationale for the “World Anti-Doping Code” (“the Code”)

- 1.1 Anti-doping programs are founded on the intrinsic value of sport which is often referred to as “the spirit of sport”, i.e., the ethical pursuit of human excellence through the dedicated perfection of each athlete’s natural talents.
- 1.2 Anti-doping programs seek to protect the health of athletes and to provide the opportunity for athletes to pursue human excellence without the *Use of Prohibited Substances* and *Prohibited Methods*.
- 1.3 The programs also seek to maintain the integrity of sports in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.
- 1.4 The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values found in and through sport, including:
 - a) Health;
 - b) Ethics, fair play and honesty;
 - c) Athletes’ rights as set forth in the Code;
 - d) Excellence in performance;
 - e) Character and education;
 - f) Fun and joy;
 - g) Teamwork;
 - h) Dedication and commitment;

- i) Respect for rules and laws;
- j) Respect for self and other participants;
- k) Courage; and
- l) Community and solidarity.

1.5 The spirit of sport is to play true. Doping is fundamentally contrary to the spirit of sport.

2. Roles and Responsibilities of the NSA

- 2.1 To comply with the Code, Anti-Doping Rules of SF&OC and Anti-Doping Organization of Hong Kong, China Limited (“ADOHK”), as well as the International Standards.
- 2.2 To recognize the authority of the ADOHK in accordance with Article 5.2.1 of the Anti-Doping Rules of ADOHK and assist, as appropriate, with the National Anti-Doping Organization’s implementation of the national *Testing* program for their sport.
- 2.3 To cooperate with and help ADOHK to fulfil its obligations under the Code, Anti-Doping Rules and the International Standards.
- 2.4 To report any information suggesting or relating to an anti-doping rule violation to ADOHK and cooperate with investigations conducted upon any athlete, athlete support personnel or other person under its authority.
- 2.5 To require athletes who are not its regular members to be available for Sample collection and provide accurate and up-to-date whereabouts information on a regular basis, if required, during the year before the Olympic Games as a condition of participation in the Olympic Games or as a member of the Hong Kong, China Olympic Team.
- 2.6 To promptly notify SF&OC if any *Athlete*, *Athlete Support Personnel* or other *Person* under its authority has been found to have committed an anti-doping rule violation and/or had a sanction imposed against them.
- 2.7 To provide assistance and information to SF&OC as requested to enable the latter to properly implement the Anti-Doping Rules.
- 2.8 To conduct anti-doping *Education* in coordination with ADOHK.

3. Roles and Responsibilities of Athletes

- 3.1 To be knowledgeable of and comply with all anti-doping policies and rules, namely the Code, the International Standards, the Anti-Doping Rules of SF&OC, ADOHK, National Federation and International Federation.
- 3.2 To be available for sample collection at all times.
- 3.3 To take responsibility, in the context of anti-doping, for what they ingest and use.
- 3.4 To inform medical personnel of their obligation not to *Use Prohibited Substances and Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate the anti-doping policies and rules applicable to them.
- 3.5 To disclose to ADOHK and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 3.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations. Failing to do so may result in a charge of misconduct, which may render the *Athlete* liable to disciplinary actions, which may be imposed by SF&OC, National Federations, International Federations, Hong Kong Sports Institute or other governing bodies (as the case may be) against the *Athlete*.
- 3.7 To disclose the identity of their *Athlete Support Personnel* upon request by ADOHK, or a National Federation, International Federation, or any Anti-Doping Organization with authority over them.
- 3.8 To take note that offensive conduct towards a Doping Control Official or other persons involved in Doping Control, which does not otherwise constitute *Tampering*, may result in a charge of misconduct, which render the *Athlete* liable to disciplinary actions, which may be imposed by SF&OC, National Federations, International Federations, Hong Kong Sports Institute or other governing bodies (as the case may be).

4. Roles and Responsibilities of Athletes Support Personnel

- 4.1 To be knowledgeable of and comply with all anti-doping policies and rules, namely the Code, the International Standards, the Anti-Doping Rules of SF&OC, ADOHK, National Federation and International Federation, applicable to them or to the *Athletes* whom they support.
- 4.2 To cooperate with the *Athlete Testing* program.

- 4.3 To use their influence on *Athlete* values and behaviour to foster anti-doping attitudes.
- 4.4 To disclose to ADOHK and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 4.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- 4.6 Not to use or possess any *Prohibited Substance or Prohibited Method* without valid justification.
- 4.7 To take note that offensive conduct towards a Doping Control Official or other persons involved in Doping Control, which does not otherwise constitute *Tampering*, may result in a charge of misconduct, which may render the *Athlete Support Personnel* liable to disciplinary actions, which may be imposed by SF&OC, National Federations, International Federations, Hong Kong Sports Institute or other governing bodies (as the case may be).

5. Roles and Responsibilities of Other Persons Subject to Anti-Doping Rules

- 5.1 To be knowledgeable of and comply with all anti-doping policies and rules, namely the Code, the International Standards and the Anti-Doping Rules of SF&OC, ADOHK, National Federation and International Federation.
- 5.2 To disclose to ADOHK and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 5.3 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- 5.4 Not to Use or Possess any *Prohibited Substance or Prohibited method* without valid justification.
- 5.5 To take note that offensive conduct towards a Doping Control Official or other persons involved in Doping Control, which does not otherwise constitute *Tampering*, may result in a charge of misconduct, which may render the *Person* liable to disciplinary actions, which may be imposed by SF&OC, National Federations, International Federations, Hong Kong Sports Institute or other governing bodies (as the case may be).

6. Commission of an Anti-Doping Rule Violation

- 6.1 Any Person who is serving a Provisional Suspension or a period of Ineligibility shall be ineligible for membership on or for selection to any Team, to receive funding from the NSA, or to hold any position within the NSA.

7. Breaches of Anti-Doping Rules

- 7.1 Any other breach of Anti-Doping Rules that does not constitute an anti-doping rule violation, shall result in the initiation of disciplinary procedures which conform with the principles set forth in the Code of Conduct of the NSA and the relevant and applicable provisions of the International Standard for Results Management.
- 7.2 Any appeal of decisions imposed pursuant to Anti-Doping Rules of NSA shall be conducted under the relevant and applicable appeal procedures of NSA.

8. Notification

- 8.1 Upon the imposition of a sanction against any Person under the Anti-Doping Rules, the NSA will send details of the sanction to:
- a) International Olympic Committee/Event Owners, where applicable;
 - b) Relevant International Federation;
 - c) SF&OC;
 - d) ADOHK;
 - e) WADA; and
 - f) Any other person or organization the NSA believes should be informed in this respect.

9. Final Provisions

- 9.1 All the terms used in this Guidelines and Procedures shall have the same meaning as that ascribed to them in the Code, Anti-Doping Rules and the International Standards. The Anti-Doping Rules and the International Standards shall be considered as part of the Guidelines and Procedures, apply automatically and prevail in case of conflict.

Remarks

- Reviews on the guidelines and procedures shall be conducted annually and/or updated upon any change to related rules and regulations.
- Date of last review and approval given by the Board of Directors should be laid out.
- The next review date should be laid down.
- Views or comments on the guidelines and procedures are welcomed by way of email or post.

6.9**ACCOUNTING PROCEDURES (ANNEX 12.12 OF CHAPTER XII OF "LCSD SPORTS SUBVENTION SCHEME (BLOCK GRANT) - HANDBOOK FOR NATIONAL SPORTS ASSOCIATIONS" - AS AT SEPTEMBER 2023)**

This reference is designed by Leisure and Cultural Services Department to facilitate NSA to set up their accounting procedures. It is a generic template which will require individual NSA to consider its circumstances and customize for its needs. The guidelines should be set up, reviewed and approved by the Board of Directors of the NSA, and communicated to the Secretariat for execution.

Sample

XXXXXXXXXXXXXXXXX Association Ltd. (the Association)
Accounting Procedures
(Effective from dd-mm-yyyy)

(Remark: Officers or amounts in [] are included as examples for illustrative purposes.)

1 Introduction

- 1.1 This Accounting Procedures Guidelines (“the Guidelines”) provide the basic principles and essential procedures to be followed by all staff and Executive Committee Members of a National Sports Association (“the Association”) in handling financial transactions so as to establish an effective internal control system within the Association.
- 1.2 The Association can make reference to the Guidelines and draw up its accounting procedures to suit its business operation and provide guidelines to its staff and officials to carry out their duties effectively and efficiently. **The responsible action officers and approving officers should be clearly stated in the accounting procedures of the Association.**

2 Basic Principles

- 2.1 Separate bank accounts should be maintained for subvented programmes and non-subvented activities. All accounting transactions should be properly entered into the ledger accounts.
- 2.2 The designated approving officers for receipt vouchers, payment vouchers, journal vouchers, petty cash claims, cheques and amendments to bank instructions and so on should be properly authorised and delegated by the Executive Committee.
- 2.3 All vouchers should be properly checked, authorised, signed and dated by the responsible officer.
- 2.4 **Deployment of receipts to other purposes is not allowed.** Official receipts are required to be issued for all income collection. All receipts should be properly recorded and banked promptly.
- 2.5 All expenses must be properly classified and duly authorised before payments are made. **No pre-signed payment vouchers and cheques are allowed.**
- 2.6 The policies on making cash payments, accommodation and meal expenses, scope and ceiling for entertainment expenses as well as transportation expenses like taxi fares and so on should be set by the Executive Committee where applicable. Unless under exceptional circumstances, staff and officials should use the most economical means of transport. Hotel accommodation for athletes, officials and coaches are restricted to standard rooms.

- 2.7 The petty cash holding limit and transaction limit for each purchase should be set and approved by the Executive Committee.
- 2.8 There should be a ceiling set on the amount of cash advance and time frame for settlement of cash advance. Such a ceiling should be approved by the Executive Committee.
- 2.9 Minor corrections or alterations should be rectified by striking off or adding in, with initial of responsible officer, instead of correction fluid. If there are any corrections or alterations of critical information made on official receipts such as the amount and name of payer, the official receipts must be cancelled and retained in the Official Receipt Book (ORB). Fresh official receipts should then be issued. In case of other vouchers or supporting documents to vouchers, the corrections or alterations to critical information should be initialed by the responsible officer.
- 2.10 The accounting procedure guideline should be approved by LCSD and the Executive Committee.

3 **Income**

Responsible Officers

Cashier: _____ [Administrative Assistant 1 (AA1)]

Official Receipt Book Holder: _____ [Sports Executive (SE)]

Receipt Voucher Preparing Officer: _____ [Administrative Assistant 2 (AA2)][#]

Receipt Voucher Checking Officer: _____ [Sports Executive (SE)]

Periodic Check: _____ [Senior Sports Executive (SSE)]

[#] This officer should be a staff responsible for handling accounting matters of the Association and should be a different person from the Receipt Voucher Checking Officer, and preferably also a different person from the Cashier if practicable.

3.1 ***Maintenance of Official Receipts***

- 3.1.1 _____ [SE] records the receipt of official receipt books on the Official Receipt Books in the Official Receipt Book Register (the “ORB Register”) at **Annex 1**. He/she also records the issue of official receipt books to _____ [AA1] and requests _____ [AA1] to initial on ORB Register with date. ORB holder and Cashier should be different persons.

- 3.1.2 On return of completely used up / obsolete official receipt books from _____ [AA1], _____ [SE] updates OR Register with initial and date.

3.2 ***Issue of Official Receipts***

- 3.2.1 _____ [AA1] issues pre-numbered official receipts (**Annex 2**) in duplicate in date sequence and in consecutive order for income collections. Details of particulars of the receipts should be stated. The original should be provided to the payer while the copy should be kept properly in ORB for audit trail. The official receipt stubs should be properly kept. Same official receipts can be issued for different sources of income e.g. collections from admission fees and entry fees. For payment through electronic means, manual official receipts are not necessary as long as receipt reference is generated

automatically by the collection system.

3.2.2 In case of spoiled or cancelled official receipts, _____ [AA1] marks “CANCELLED” immediately on both the original and the duplicate copies of spoiled or cancelled official receipts and attaches these official receipts to the respective ORB stub.

3.2.3 _____ [AA1] crosses all cheques which have not yet been crossed by the paying party. Post-dated cheques should not be accepted.

3.2.4 Both _____ [AA1] and _____ [SE] should keep all receipts, ORB, complimentary tickets properly and under lock and key.

3.2.5 For Acknowledgement of Receipts by proforma requested by the payer such as the Leisure and Cultural Services Department (LCSD), such acknowledgement should be signed by _____ [Chairman/President/Treasurer/Secretary].

3.3 ***Banking of Income***

3.3.1 _____ [AA1] banks in promptly all income within _____ [one week] or when the holding limit of HK\$_____ [HK\$10,000] is reached, whichever is earlier. The income collected should not be deployed to settle payments with suppliers directly.

3.3.2 After banking in, _____ [AA1] should record the official receipt numbers on the bank pay-in slips and keep properly the bank pay-in slips.

3.4 ***Preparation and Approval of Receipt Vouchers***

3.4.1 _____ [AA2] prepares Receipt Vouchers (**Annex 3**) with unique serial numbers and proper accounting records cross-referencing, e.g. official receipt numbers. Other supporting documents, such as original copy of remittance slips and receipt acknowledgement forms should also be attached to the Receipt Vouchers, where appropriate.

3.4.2 _____ [AA2] initials on the Receipt Vouchers with date.

3.4.3 _____ [SE] checks the details contained in the Receipt Vouchers against supporting documents and initials and dates the receipt vouchers.

3.5 ***Issue of Complimentary Tickets***

3.5.1 _____ [AA1] stamps all the complimentary tickets with “Non-transferable” and distributes to the approved recipients or organisations. Proper approval from _____ [SE] on the issue of complimentary tickets and list of recipients / organisations should be obtained before distribution.

3.5.2 _____ [AA1] keeps a record of distribution of complimentary tickets with details of recipients and quantities issued.

3.6 ***Supervisory Checking of Income and Physical Stocktaking of Official Receipts***

- 3.6.1 _____ [SSE], who should not be involved in the income collection process, conducts supervisory checking periodically on a _____ [quarterly] basis. He/she checks the official receipts to ensure the following are tally:
- the total amount of income stated in official receipt duplicates; and
 - the bank-in slips and collections on hand.
- 3.6.2 _____ [SSE] checks the physical stock of official receipts against ORB Register, to ensure no missing official receipt books or official receipts in official receipt books.
- 3.6.3 _____ [SSE] checks official receipts issued are in consecutive order and there are no missing receipts.
- 3.6.4 _____ [SSE] checks whether income collections are banked promptly in accordance with the prevailing policy (as stated in para. 3.3.1).
- 3.6.5 _____ [SSE] records the inspection result and initials with dates on the inspection report. The inspection report should include the date, scope and result of checking. He/she also reports to the Executive Committee if there are any discrepancies found. In addition, he/she conducts investigation and reports to the Executive Committee on the findings and course of actions to be taken.

4 Payment

Responsible Officers

Invoices / Receipts Certifying Officer : _____ [Administrative Assistant 1 (AA1)
/ Sports Executive (SE)]

Payment Voucher / Cheque or e-banking Preparing Officer : _____ [Administrative Assistant 2
(AA2)][#]

Payment Voucher Approving Officer : _____ [Senior Sports Executive (SSE) /
Treasurer]

[#] This officer should be a staff responsible for handling accounting matters of the Association and should be a different person from the Payment Voucher Approving Officer, and preferably also a different person from the Certifying Officer if practicable.

4.1 *Preparation of Payment Vouchers*

- 4.1.1 All invoices / receipts should be submitted for certification of payment within TWO WEEKS of receipt.
- 4.1.2 The staff or user making the payment request ensures the receipt of goods or services in good and satisfactory condition as specified in the purchase order or service order. He/she should provide the original invoices / receipts, delivery notes and supporting documents such as the purchase orders / service orders to substantiate all expenses incurred (including those incurred overseas) to _____ [AA1 / SE] for checking and certification.
- 4.1.3 _____ [AA1 / SE] checks the original invoices / receipts against the purchase / service orders, delivery notes and other supporting documents, and certifies on the original invoices / receipts with date.

- 4.1.4 Upon certification, _____ [AA1 / SE] passes the documents to _____ [AA2] within _____ [one week] to prepare payment vouchers.
- 4.1.5 _____ [AA2] checks the price and calculation on the invoices / receipts and matches them with the approved purchase / service orders and delivery notes.
- 4.1.6 For personnel expenses paid through autopay or crossed cheques, _____ [AA2] attaches relevant supporting documents to payment vouchers only when there are special payments/deductions and changes in monthly salary, such as the employment contracts, approved instructions on changes in payment details and written approval on granting of salary top-ups for posts of slide-down appointment and so on for verification. Payment in respect of staff beyond the age of 65 (w.e.f. 1 April 2019) should not be made through the subvention from LCSD. For payment of part-time staff salaries, the number of paid hours to be funded by subvention should not exceed the maximum conditioned monthly working hours of a permanent post.
- 4.1.7 _____ [AA2] ensures adequate supporting documents are attached and prepares payment vouchers (**Annex 4**) including at least the following details:
- Serially assigned (preferably pre-printed) voucher number;
 - Date of voucher;
 - Name of payee;
 - Ledger accounts to be entered;
 - Particulars of the payment of full details of the goods and services provided;
 - Currency and amount; and
 - Mode of Payment
- 4.1.8 _____ [AA2] crosses out unused space at the bottom of the payment voucher, and initials and dates on the payment vouchers.
- 4.1.9 For documentary evidence and certification in support of payment, _____ [AA2] should observe the following:
- Special circumstances where only the electronic copy / faxed copy / photocopy of invoices / other supporting documents are available
The copy should be certified correct, marked with the wordings of “Certified true copy and no previous payment has been made”, and initialed and dated by the supervisor or programme-in-charge.
 - Payment of coach/official fees
Proper attendance records of coaches/officials and other documents such as the course timetable and attendance records of participants should be maintained and attached to the payment vouchers. Officials should have signed on the attendance records of coaches/officials and participants with full name and signatures.
 - Payment of taxi fare, entertainment expenses, meals and other special items
Sufficient information such as the reasons for taking taxi instead of the most economical means of transportation, the guest lists and the events / programmes related should be documented. Proper approval should also be obtained in accordance with the prevailing approving authority.
 - Payment of entry fees
The list of participants should be provided.

- Foreign currency transactions

The exchange slips for currency exchange or exchange rate quotes from reliable source should be attached to the payment vouchers.

4.2 ***Approval of Payment Vouchers***

4.2.1 _____ [SSE / Treasurer] reviews the details of payment items against the supporting documents attached to the payment vouchers. In case of payment in cash instead of cheques, he/she should satisfy that this arrangement is complied with the prevailing policy for cash payment of the Association.

4.2.2 _____ [SSE / Treasurer] checks if the maximum per capita for entertainment expenses is exceeded and whether sufficient justification and proper approval have been given in case the ceiling is exceeded.

4.2.3 _____ [SSE / Treasurer] signs and dates on the payment voucher if the payment is in order.

4.3 ***Effect of Payment***

4.3.1 _____ [AA2] prepares cheques/e-banking transactions with details in the payment vouchers.

4.3.2 Cheque/e-banking signing officer and cheque/e-banking countersigning officer, as specified in Section 7.1 below, check the payment details against the approved payment vouchers and sign on the cheques or autopay instruction forms or authorise the payments via e-banking.

4.3.3 _____ [AA2] sends out the signed cheques to the payees and stamps all paid invoices / receipts and supporting documents with “PAID” immediately after payment. He/she prints and keeps the sets of authorised e-banking records for proper documentation.

4.3.4 In case of payment in person, _____ [AA2] ensures the recipients MUST sign with date to acknowledge receipt of the amount. If another person is authorised to receive payment on behalf of the entitled payee, the supporting document for such authorisation should also be retained.

4.4 ***Payment for Community Sports Club Programmes***

4.4.1 Before the reimbursement of programme expenses to the Community Sports Club (CSC), _____ [AA2] and _____ [SSE / Treasurer] check whether the CSCs have complied with the following requirements:

- a Programme Report (CSC Project), an attendance record of participants and all original receipts relating to the payment of programme expenses should be submitted to the Association within one month after the completion of each subsidised programme;
- the Programme Report (CSC Project) should be affixed with the official seal and certified by the Chairman / Treasurer of CSC;
- all receipts should be affixed with the official seal of CSC. If the payment for certain

items/services exceeds \$3,000, then the receipts, accounts or relevant information should be countersigned by the Chairman and Secretary / Treasurer of CSC for verification purpose;

- the number of sessions for training programmes should not be reduced without justification; and
- pay rate to part-time staff should be no less than the standard pay rate of LCSD.

4.4.2 _____ [AA2] ensures the payment is disbursed to CSCs within 6 weeks after receiving the Programme Report (CSC Project) together with all original receipts from CSCs.

4.4.3 _____ [AA2] should check the return of duly signed acknowledgement receipts from CSCs after _____ weeks [2 weeks] from the payment to CSCs.

5 **Petty Cash**

Responsible Officers

Petty Cash Holder : _____ [Administrative Assistant (AA1)]

Petty Cash Voucher Approving Officer : _____ [Sports Executive (SE)]

Petty Cash Replenishment Preparing Officer : _____ [Administrative Assistant (AA1)]

Petty Cash Replenishment Approving Officer : _____ [Sports Executive (SE)]

Payment Voucher Preparing Officer : _____ [Administrative Assistant 2 (AA2)][#]

Supervisory Cash Count : _____ [Senior Sports Executive / Treasurer]

[#] This officer should be a staff responsible for handling accounting matters of the Association.

5.1 ***Petty Cash Holding and Transaction Limit***

Petty Cash Holding Limit	HK\$_____ [HK\$5,000]
Transaction Limit per purchase	HK\$_____ [HK\$500]

Any amount exceeding the transaction limit should be processed by crossed cheques instead of petty cash. Repeated purchases from the same supplier should not be encouraged. Repeated purchases of the same item in different receipts in order to avoid the transaction limit are NOT allowed.

5.2 ***Submission of Petty Cash Claim***

All claims must be applied to _____ [AA1] within TWO WEEKS after the expenses are incurred.

5.3 ***Preparation of Petty Cash Voucher***

5.3.1 The claimant completes and signs with date on the Petty Cash Voucher (**Annex 5**) after the goods and services have been received in good and satisfactory condition, and attaches

the original receipts / invoices to the voucher. All completed vouchers must have the following details

- Issue date of voucher;
- Name of person issuing the voucher;
- Amount of monies disbursed; and
- Details of expenses (including the event information where applicable).

When claiming “Local Duty Travelling Expense”, the following information should be included in the Petty Cash Voucher:

- Date of travelling;
- Means of transport;
- Purpose and location of the trip; and
- Reason for taking taxi instead of most economical means of transport.

5.4 ***Checking of Petty Cash Voucher***

5.4.1 _____ [SE], who should NOT be the same person as the claimant and Petty Cash Holder, checks the Petty Cash Voucher against invoices, receipts or supporting documents and considers if the claim and prices are reasonable. He/she certifies on the Petty Cash Vouchers and invoices / receipts with initial and date, after the supporting invoices/receipts are stamped “PAID”. _____[SE] is required to certify the supporting invoices/receipts when the documents are provided in the form of faxed copies/photocopies instead of the originals.

5.5 ***Payment of Petty Cash***

5.5.1 _____ [AA1] assigns a unique serial number on each properly authorised Petty Cash Voucher.

5.5.2 The claimant signs on the petty cash voucher upon reimbursement in person as receipt acknowledgement.

5.5.3 _____ [AA1] stamps the Petty Cash Voucher and invoices with ‘PAID’ chop upon settlement of the claim. He/she then enters the transaction into the columnised Petty Cash Book with analysis by different categories of expenditure.

5.5.4 _____ [AA1] keeps all Petty Cash Vouchers and evidence of payment, e.g. invoices and unused petty cash, in lock and key.

5.6 ***Replenishment of Petty Cash***

5.6.1 _____ [AA1] prepares a payment voucher for replenishment of petty cash and submits it together with the paid Petty Cash Vouchers and supporting invoices / receipts to _____ [SE] or designated approving officer for endorsement.

5.6.2 _____ [SE] verifies the replenishment against paid Petty Cash Vouchers and receipts / invoices, and approves the replenishment. He/she ensures that the petty cash holding limit is not exceeded upon replenishment.

5.6.3 _____ [AA2] prepares and obtains signed payment vouchers and cheques (as in Paragraphs 4.2, 7.1 and 7.4) for replenishment to the Petty Cash Holder.

5.6.4 _____ [AA1] acknowledges the cheque for replenishment with signature and date upon receipt of the cheque. He/she then keeps the replenished cash into the petty cash box and records the replenishment to his Petty Cash Book. **Petty cash float should be separated from personal funds of the Petty Cash Holder.**

5.7 ***Surprise Cash Count***

5.7.1 _____ [SSE / Treasurer] conducts surprise cash count at irregular intervals in a year, say at least once every four months:

- counts the petty cash and paid vouchers on hand and checks if the amount matches with the Petty Cash Book;
- checks evidence of payment;
- signs, dates and records the result of the checking on the Petty Cash Book; and
- reports to the Executive Committee if there are any discrepancies identified.

5.7.2 _____ [SSE / Treasurer] or designated inspection officer conducts investigation and reports to the Executive Committee on the findings and course of actions to be taken.

6 **Cash Advance**

Responsible Officers

Cash Advance Approving Officer : _____ [Sports Executive (SE)]

Cash Advance Settlement Approving Officer: _____ [Sports Executive (SE)]

Payment Voucher Preparing Officer : _____ [Administrative Assistant 2 (AA2)][#]

Supervisory Check : _____ [Senior Sports Executive (SSE) / Treasurer]

[#] This officer should be a staff responsible for handling accounting matters of the Association.

6.1 ***Cash Advance Limit***

Per Event	HK\$ _____ [HK\$20,000]
Per Day in respect of travelling for business of the Association	HK\$ _____ [HK\$1,000]

6.2 ***Application for Cash Advance***

6.2.1 The applicant completes the standardised Cash Advance Application Form (**Annex 6**) listing out the expense items and the respective amounts to be covered by the cash advance.

6.2.2 _____ [SE] reviews the application and signs with his decision on the application form. He/she can reduce the amount of cash advance if the payment can be made through direct payments to suppliers or service providers.

6.2.3 _____ [AA2] obtains proper approval on payment vouchers and signed crossed cheques (as in paragraphs 4.2, 7.1 and 7.4) for the advance payment.

6.2.4 The applicant acknowledges the receipt of cash advance on the Cash Advance Application Form.

6.3 ***Settlement of Cash Advance***

6.3.1 Cash advanced should be settled within a reasonable timeframe, say 1 month. The applicant completes the Cash Advance Settlement Statement (**Annex 7**) and hands in:

- original invoices, acknowledgement of receipts by officials / helpers and other supporting documents duly certified by _____ [SE] or designated approving officer; and
- unspent cash or bank pay-in-slips.

6.3.2 _____ [SE] reviews if the expenses are properly supported and in order. Upon review, he/she endorses and initials with dates on all the supporting documents after the supporting invoices/receipts are stamped "PAID". _____[SE] is required to certify the supporting invoices/receipts when the documents are provided in the form of faxed copy/photocopy instead of the original.

6.3.3 _____ [AA2] checks the proper endorsement and banks in unspent balance of cash advance (if any) promptly. He/she should avoid mixing the unspent balance with petty cash.

6.3.4 _____ [AA2] attaches the original pay-in slip of unspent balance to the settlement statement. The respective ledgers should also be updated accordingly.

6.4 ***Supervisory Check***

6.4.1 _____ [SSE / Treasurer], who should not be involved in approving the cash advance application and reviewing the cash advance settlement statement, conducts periodic check on a _____ [half-yearly] basis on the application forms / settlement statements and bank pay-in slips, in particular on the prompt settlement of cash advance. He/she should sign with date on the work done.

7 **Operation of Bank Accounts**

Responsible Officers

Cheque Book Holder: _____ [Administrative Assistant 2 (AA2)][#]

Cheque/e-banking Signing Officer: _____ [refer to para. 7.1.2]

Cheque/e-banking Countersigning Officer: _____ [refer to para. 7.1.2]

Bank Reconciliation Reviewing Officer: _____ [Senior Sports Executive (SSE) / Treasurer]

Supervisory Check: _____ [Senior Sports Executive (SSE) / Treasurer]

[#] This officer should be a staff responsible for handling accounting matters of the Association and should be a different person from the Bank Reconciliation Reviewing Officer.

7.1 ***Authorisation of bank Instructions and Cheques and transactions via e-banking***

7.1.1 All bank instructions and cheques (including autopayment and transactions via e-banking) must bear the signatures of TWO authorised officers. The cheque/e-banking signing officer and cheque/e-banking countersigning officer should be different persons. Any endorsed change of the authorised signatories by the Executive Committee should be notified to the Accounts Office and the respective banks for prompt updating.

7.1.2 Authorisation limits for cheque/e-banking signatories are:

Authorisation Limit	Cheque/e-banking Signing Officer	Cheque/e-banking Countersigning Officer (MUST be different from Signing Officer)
Over HK\$_____ [HK\$150,000]	Group A Officer	Group A Officer
Over HK\$_____ [HK\$20,000] up to HK\$_____ [HK\$150,000]	Group A or B Officer	Group A Officer
HK\$_____ [HK\$20,000] and below	Group A or B Officer	Group A or B Officer

7.2 ***Maintenance of Cheque Book Register***

7.2.1 _____ [AA2] records cheque books received in the Cheque Book Register (**Annex 8**). He/she should also keep the cheque books under lock when they are not in use.

7.2.2 _____ [AA2] updates the Cheque Book Register when the cheque book is completely used up or becomes obsolete.

7.3 ***Preparation of Cheques and e-banking transactions***

7.3.1 _____ [AA2] checks the proper bank accounts to be drawn and prepares cheques in sequential order and e-banking transactions in accordance with the details contained in the approved payment vouchers, petty cash vouchers and cash advance application forms. The respective cheque numbers should also be marked into the approved payment vouchers, or cash advance application forms.

7.3.2 “Crossed” cheques should be issued unless with justifiable reasons. In case “cash” cheques are to be issued, the name of the intended recipients (instead of “cash”) should be entered. The word “bearer” should be struck off.

7.3.3 _____ [AA2] marks on the cheque stub the dates, names of payee and amount.

7.4 ***Issue of Cheques and authorisation of e-banking transactions***

7.4.1 The designated cheque/e-banking signing officer (as stipulated in para. 7.1.2) checks the details stated in the cheque/e-banking transactions against the supporting documents or vouchers. He/she signs the cheques or authorises the payments via e-banking. All cheque stubs should be retained.

7.4.2 The designated cheque/e-banking countersigning officer (as stipulated in para. 7.1.2) checks the details stated in the cheque against the supporting documents or vouchers and the authenticity of the cheque/e-banking signing officer. He/she signs the cheques or authorises the payments via e-banking.

7.4.3 _____ [AA2] stamps “PAID” on paid invoices / receipts. He/she prints and keeps the sets of authorised e-banking records for proper documentation. The cheques are to be sent out to the payee promptly by post or by hand. All spoiled cheques are stamped with “Cancelled” and attached to the cheque stubs.

7.5 ***Monthly Bank Reconciliation***

7.5.1 _____ [AA2] prepares the bank reconciliation on a monthly basis (**Annex 9**) within _____ days [7 days] from receipt of bank statements and sign with date.

7.5.2 The bank reconciliation should also ascertain if any amount is to be transferred between the bank accounts for subvented activities and that for non-subvented activities in order to properly account for the transactions related to subvented activities in the designated bank account.

7.5.3 _____ [SSE / Treasurer] reviews the bank reconciliation statement for each bank account and sign with date after the review.

7.5.4 For dishonoured or returned cheques, _____ [AA2] liaises with the responsible staff / officials to take appropriate follow-up actions (e.g. to check if any replacement cheques have been received or to contact the payee to arrange replacement cheques for payment).

7.5.5 For long outstanding unpresented cheques (such as after six months of issue), _____ [AA2] should investigate the reasons and cancel the cheque if appropriate. If the payment is still to be made, a fresh cheque should be issued, the procedures on issue of cheques should be followed.

7.5.6 If it is concluded that the cheque is stale and no replacement cheque is necessary, e.g. due to failure to contact the payee, proper update to the accounting records should be made. For any payment in connection with subvented programmes reported to LCSD before, the _____ [SE] should inform the responsible officer of LCSD for the relevant adjustments, i.e. reducing the eligible amount of the subvented expenses for the relevant year by the amount concerned, as the amount of the stale cheques had been included as subvented expenses in the Annual Accounts submitted to LCSD.

7.6 ***Supervisory Check***

7.6.1 _____ [SSE / Treasurer] checks the physical stock of cheques against the Cheque Book Register regularly on a _____ [monthly] basis. He/she also checks if any missing cheques in cheque books.

7.6.2 _____ [SSE / Treasurer] initials and dates on the cheque book register or inspection report after the checking. If any discrepancies are identified, he/she should conduct investigation and reports to the Executive Committee on the findings and course of actions to be taken.

8 **Fixed Assets**

Responsible Officers

Fixed Assets Register Holder : _____ [Administrative Assistant 1 (AA1)]

Disposal Reviewing Officer : _____ [Senior Sports Executive (SSE)]

Periodic Supervisory Check : _____ [SSE / Treasurer]

8.1 *Maintenance of Fixed Assets Register (the “FAR”)*

8.1.1 Fixed assets are those property, plant and equipment items which have a useful life of more than one year and an original acquisition cost of HK\$_____ [HK\$2,000] or above, for example, furniture, photocopiers and personal computers.

8.1.2 Every fixed asset shall be recorded in the Fixed Assets Register (the “FAR”) (**Annex 10**). The minimum requirements for information to be contained in FAR are:

- unique asset number;
- description of asset (including model number if applicable);
- classification of asset;
- date of purchase / date of completion;
- cost of purchase / completion;
- useful life;
- source of funding (e.g. LCSD subvention);
- current location;
- written approval of disposal / write-off; and
- date of disposal / write-off.

8.1.3 _____ [AA1] promptly updates the details of the fixed assets received into FAR upon receipt of the fixed assets. Each fixed asset is assigned with a unique asset number.

8.1.4 _____ [AA1] affixes the labels of the assigned unique asset numbers to the fixed assets.

8.1.5 _____ [AA1] updates FAR promptly with all movements of fixed assets, including trade-in and disposal. The approval on disposal / write-off should also be marked on FAR and kept properly on file. The monetary sales / disposal amount should be recorded into the Cash Book, where appropriate.

8.2 *Fixed Assets on Loan*

8.2.1 _____ [AA1] maintains a loan register for fixed assets which are on loan to staff / officials. The borrowers have to acknowledge the loan and specify the period of loan with signature and date as evidence of receipt of the fixed assets.

8.2.2 On return of assets, _____ [AA1] checks if the fixed assets are in satisfactory physical condition and signs the return on the loan register with date.

8.3 *Disposal of Fixed Assets*

8.3.1 Users provide full justifications for disposal of fixed assets which are of no use to the Association and the recommended means of disposal to _____ [SSE] for approval. The disposal procedures as stated in the Procurement Guidelines should be followed.

- 8.3.2 _____ [SSE] reviews and makes his decision in writing.
- 8.3.3 _____ [AA1] updates FAR.
- 8.3.4 In case there are proceeds from disposal, _____ [AA2] prepares the Receipt Voucher and records the income received (as in para. 3.4).
- 8.3.5 No item of fixed asset should be removed from NSA or disposed without proper written approval.

8.4 ***Physical Check***

- 8.4.1 _____ [SSE / Treasurer] conducts physical check on fixed assets including all subvented fixed assets at least once a year. Upon checking, he/she should initial and date on the inspection report or FAR. The inspection report should include the date of physical check, the result of checking and the signature of the physical checking and the reviewing officer, etc.
- 8.4.2 _____ [SSE / Treasurer] investigates discrepancies identified (if any) and reports to the Executive Committee on the findings and courses of action to be taken.

9 **Journal Vouchers**

- 9.1 A double-entry bookkeeping system should be maintained to record all transactions. Entries not belonging to receipts or payments should be effected by journal vouchers (**Annex 11**) and posted to General Ledger.

Sample Official Receipt

NSA should issue Official Receipts (OR) for income collections in cash or by cheque/autopay

The Official Receipt is prepared in a set of two copies:

- Paying party's copy
- NSA's copy – copy to be filed in sequential order

Name of NSA: _____

Serial No.: **OR** _____

OFFICIAL RECEIPT

Received from: _____

Date: _____

Particulars	Amount (HK\$)

Payment Method:

Cash	Cheque			Total in Cash and Cheque (HK\$)
Amount (HK\$)	Bank	Cheque No.	Amount (HK\$)	

Other payment method (please specify) : _____ Amount (HK\$): _____

Cashier: _____ Official Chop: _____

Sample Receipt Voucher

A Receipt Voucher (RV) is used to record the accounting entries in the General Ledger and Cash Book.

Name of NSA: _____

Serial No.: **RV** _____

Date: _____

RECEIPT VOUCHER

Account Code	Particulars	Official Receipt No./ Bank Ref. No. (if applicable)	Debit (HK\$)	Credit (HK\$)
TOTAL				

Prepared by

Approved by

Recorded by

Name/Post: _____ Name/Post: _____ Name/Post: _____

Signature: _____ Signature: _____ Signature: _____

Date: _____ Date: _____ Date: _____

Sample Payment Voucher

A Payment Voucher (PV) is used to record the approval of payment and the accounting entries made in the General Ledger / Cash Book. The original invoices / receipts and purchase orders / service orders should be attached to the PV to support payment.

Name of NSA: _____

Serial No.: PV _____

Date: _____

PAYMENT VOUCHER

Name of Payee: _____

Account Code	Particulars	Debit (HK\$)	Credit (HK\$)
TOTAL			

Paid by:

☐ Cheque Bank Account No. _____

☐ Autopay Bank Account No. _____

Accounts Office Use	
Cheque No.	

Prepared by

Approved by

Recorded by

Name/Post: _____

Name/Post: _____

Name/Post: _____

Signature: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Date: _____

Sample Petty Cash Voucher

The Petty Cash Voucher is used to record checking and payment of petty cash expenditure.

The Petty Cash Voucher is in a set of two copies:

- original copy attached to the application for petty cash replenishment with supporting documents; and
- duplicate copy filed in sequential order by the petty cash holder

Name of NSA: _____

Serial No.: PCV _____

Date: _____

PETTY CASH VOUCHER

Particulars	Account Code	Amount (HK\$)
TOTAL		

Claimant: _____
(Name and Signature) (Date)

Approved by: _____
(Name and Signature) (Date)

Received the sum of _____ (HK\$ _____)

Received by: _____
(Name and Signature) (Date)

Sample Cash Advance Application Form

A Cash Advance Application Form is used to process the application for cash advance to staff / officials for minor programme expenses in order to streamline the business operations. Cash advance should be kept to a minimum as far as practicable.

<u>Name of NSA:</u> _____			
Serial No.: CA _____			
<u>CASH ADVANCE APPLICATION FORM</u>			
Section A Details of Request			
I would to apply for an advance of cash in the amount of \$ _____ for the during the period from _____ to _____ for following purposes:			
Description (including programme name)	Expenses Details	Cash Advance applied (HK\$)	
TOTAL			
Justification: _____			
_____	_____	_____	_____
(Name and Signature)	(Post)	(Contact phone no.)	(Date)
Section B Approval			
The application for cash advance is ☐ approved ☐ approved but reduced to _____ ☐ rejected.			
_____	_____	_____	_____
(Name and Signature)	(Post)	(Contact phone no.)	(Date)
Section C Acknowledgement of Receipt			
I acknowledge that I have received a cheque no. _____ of HK\$ _____. I understand that I have to account promptly and properly for the money advanced to me. I also undertake to return the original invoices/receipts of the expenses paid from the advance and any unspent balance of cash to the Association not later than TEN days after completion of goods or services.			
_____		_____	
(Name and Signature)		(Date)	

Sample Cash Advance Settlement Statement

A Cash Advance Settlement Statement is used to make settlement of unspent cash advanced to the staff / officials. Original copy of the invoices / receipts should be attached as supporting documents for the expenses incurred.

Name of NSA: _____

Serial No.: CAS _____

CASH ADVANCE SETTLEMENT STATEMENT

In respect of the Cash Advance Application No. CA _____, I have incurred expenses of _____ as details below and attach the original invoices and supporting documents duly certified. Besides, I have *repaid the unspent balance of advance of HK\$ _____ in cash / cheque to the Accounts Office for the settlement / *deposited the unspent balance of cash advance of HK\$ _____ to the bank account of the Association on _____ with the original bank pay-in slip attached.

Account Code	Expenses	Cash Advance (HK\$)	Actual Expenses (HK\$)
Total			
* Balance to be returned / Balance already returned			

(Name and Post)

(Signature)

(Date)

Endorsed by:

(Name and Post)

(Signature)

(Date)

Accounts Office Use Only

The unspent balance of cash advance of _____ is received on _____ and *banked in on _____ with the copy of bank pay-in-slip attached. Besides, the respective ledgers have been updated accordingly.

(Name and Post)

(Signature)

(Date)

* Delete as appropriate

Sample Cheque Book Register

A Cheque Book Register is maintained to control the stock of cheque books. Unused or partly used cheque books should be kept under lock and key.

Name of NSA: _____

Cheque Book Register

CBR Page No: _____

Serial No.	Bank	Bank Account Number	Cheque Number From & To	Received Date	Signature	Completely Used / Obsolete Date	Signature

Sample Bank Reconciliation Statement

Name of NSA: _____

Bank: XXX Bank

Account No.: Current Account xxx-xxx-x-xxxxxx

Monthly Bank Reconciliation Statement for Bank Account xxx-xxx-x-xxxxxx
(as at dd-mm-yyyy)

	<u>HK\$</u>	<u>HK\$</u>	<u>Subsequent Clearance</u>
Bank Balance per Bank Statement as at dd-mm-yyyy		X	
Less: Unpresented cheque Cheque Date			
Cheque no. xxxxxx	X		
Cheque no. xxxxxx	X		
Sub-total	_____	X	
Receipts in bank statement but not yet recorded in Cash Book			
Item 1 e.g. Bank interest	X		
Item 2 e.g. Admission fee by autopay	X		
Sub-total	_____	X	
Add: Payments in bank statements but not recorded in Cash Book			
Item 1 e.g. Bank charges	(X)		
Item 2 e.g. Dishonoured cheque no. xxxxxx	(X)		
Sub-total	_____	(X)	
Bank Balance as per Cash Book as at dd-mm-yyyy		<u>X</u>	

We certify the above bank reconciliation statement is correct.

Preparing OfficerReviewing Officer

Signature:

Signature:

Name:

Name:

Post

Post

Date:

Date:

Note: Bank reconciliation should be prepared within ____ days from the date of receipt of bank statements.

Sample Fixed Assets Register

Name of NSA: _____

FIXED ASSETS REGISTER

FAR Page No. _____

Asset No.	Asset Description	Classification	Date of Purchase/ Completion	Cost (HK\$)	Useful Life	Source of Funding (e.g. LCSD Subvention)	Current Location	Written Approval of Disposal/Write-off	Date of Disposal/ Write-off	Disposal Value (HK\$)	Signature & Date

Note: The responsible staff should sign against the record every time after updating the Fixed Assets Register.

Sample Journal Voucher

A Journal Voucher (JV) is used to record the accounting entries in the General Ledger.

Name of NSA: _____

Serial No.: **JV** _____

Date: _____

JOURNAL VOUCHER

Account Code	Particulars	Debit (HK\$)	Credit (HK\$)
TOTAL			

Prepared by

Approved by

Recorded by

Name/Post: _____ Name/Post: _____ Name/Post: _____

Signature: _____ Signature: _____ Signature: _____

Date: _____ Date: _____ Date: _____

6.10

PROCUREMENT POLICIES AND GUIDELINES (ANNEX 12.13 OF CHAPTER XII OF "LCSD SPORTS SUBVENTION SCHEME (BLOCK GRANT) – HANDBOOK FOR NATIONAL SPORTS ASSOCIATIONS" – AS AT SEPTEMBER 2023)

This reference is designed by Leisure and Cultural Services Department to facilitate NSA to set up their procurement policies and guidelines. It is a generic template which will require individual NSA to consider its circumstances and customize for its needs. The guidelines should be set up, reviewed and approved by the Board of Directors of the NSA, and communicated to the Secretariat for execution.

(SAMPLE)

Procurement Policies and Guidelines for**[Name of National Sports Association]***(Effective from _____)***Procurement Policies and Principles**

1. The following principles should be adhered to in the procurement of goods and services:

(a) Fair Competition

[Name of NSA, “the Association”] should treat all bidders with fairness and ensure that they are given the same level of information when preparing quotations or tenders.

(b) Conflict of Interest

Situations of conflict of interest with the business of the Association should be declared to the designated approving authority in accordance with the code of conduct of the Association.

(c) Cost-effectiveness

Quotations and tenders should be evaluated not only on competitiveness in pricing but also factors such as the quality of the products/services and track records of the bidders.

(d) Transparency

To ensure transparency, tender documents should provide all the necessary information to facilitate submission of appropriate and competitive tenders.

(e) Public Accountability

The Association shall be held accountable to the Leisure and Cultural Services Department and the public for any procurement involving the use of public fund.

Authorisation and Approval

2. Written authorisation or approval should be sought from the following designated approving authority (a) for procurement before inviting suppliers to submit tender/quotations and/or selecting suppliers for tendering/seeking quotations; and (b) for acceptance of offer of tender/quotation:

Values of the Materials or Services to be Procured	Procurement Authorized by	Tender/Quotation Approved by
e.g. HK\$200,001 or above	[to be filled by NSA]	EC/Board of Directors

e.g. HK\$50,001 to HK\$200,000	[to be filled by NSA]	[to be filled by NSA]
e.g. HK\$20,001 to HK\$50,000	[to be filled by NSA]	[to be filled by NSA]
e.g. HK\$5,001 to HK\$20,000	[to be filled by NSA]	[to be filled by NSA]
e.g. HK\$5,000 or below	[to be filled by NSA]	[to be filled by NSA]

3. In case the standard procedures are not followed, the reasons should be recorded and an authorised person at a more senior level should be designated for giving special approval with justifications in writing.

Types of Procurement

4. The requesting officers should provide specifications and requirements for the procurement to the procurement officer. The request should then be submitted to the designated approving authority as stated in paragraph 2 above for approval to procure and confirmation of funds. For replacement of goods, the requesting officers should make sure the goods to be replaced are beyond economical repair before making the request for procurement. The types of procurement to be adopted should be in accordance with the amounts and nature of the procurement of goods or services:

- (a) Open Tendering (applicable to procurements of value exceeding _____ [please specify a value e.g. HK\$200,000])

Notice of tender invitations should be advertised in the press for free response by all interested suppliers or service providers. Tender evaluation report (sample at **Appendix 1**) should be submitted to the Executive Committee for approval of tender (i.e. award of contract).

- (b) Restricted or Single Tendering (applicable to procurements of value exceeding _____ [please specify a value e.g. HK\$200,000] with only a limited number of suppliers available)

This type of tendering is applicable to procurements of goods or services that can only be provided by a limited number of suppliers or suppliers who are sole agents or patented distributors. Therefore, only one or several suppliers or service providers will be invited to submit written tenders. Sufficient justification should be made for prior approval by the Executive Committee before proceeding the tendering exercise. The above information should be clearly recorded in the tender evaluation report (Appendix I) for examination and approval by the Executive Committee.

- (c) General Procurement (applicable to procurements of value _____ or below [please specify a value e.g. HK\$200,000])

- (i) Written Quotation (applicable to procurements of value above _____ up to _____) [please specify a range of values e.g. HK\$50,000 upto HK\$200,000] should be sought from **at least five (5)** suppliers, including the successful bidder in the last procurement exercise (whose goods or services meeting the requirements).
- (ii) Written Quotation (applicable to procurements of value above _____ up to _____) [please specify a range of values e.g. HK\$20,000 upto HK\$50,000] should be sought from **at least two (2)** suppliers, including the successful bidder in the last procurement exercise (whose goods or services meeting the requirements)
- (iii) The management and invitation to bid for (i) and (ii) above should follow the procedures as set out in Paragraphs 9 and 10. The procurement officer must make a written record of the quotations invited and responses. The lowest quotation meeting the requirements should be accepted unless there are other factors such as the quality of products/services or track records of the bidders that will affect the offer of the quotation. Should the lowest quotation not be accepted, sufficient justifications should be submitted for endorsement by the designated approving authority.
- (iv) Verbal Quotation (applicable to procurements of value above _____ upto _____) [please specify a range of values e.g. HK\$5,001 upto HK\$20,000]
To enhance administrative efficiency, verbal quotations from **not less than two (2)** suppliers or service providers may be used for procurement of miscellaneous item or service. The responsible officer must make a written record of the verbal quotations for verification and approval. The responsible officer should also state the reasons in case the lowest offer is not accepted.
- (v) Quotations may be dispensed with (applicable to procurements of value _____ or below) [please specify a value e.g. HK\$5,000]
- (vi) Exemption
All procurements must follow and comply with the above procedures. Only in acceptable circumstances should exemption from the above procedures be granted with special approval from the designated approving authority/person holding a higher office. Any exemption

should be supported by full justifications and properly documented on the procurement records.

5. As far as possible, the officer responsible for seeking quotations from the suppliers/service providers should NOT be the approving officer for the acceptance of quotations in the same procurement exercise.

6. The total cost of a purchase of stores or services of similar nature but not the unit price of a product should be used for determining the appropriate procurement method.

7. Supervisors of procurement officers should randomly verify the quotations obtained, for instance, by confirming with the bidders.

8. All staff members and board/Executive Committee members of the Association involved in the procurement process should declare any actual, potential or perceived conflict of interest for all types of procurement. Any declaration and the corresponding action to mitigate the declared conflict should also be properly documented.

Sourcing of Suppliers and Service Providers

9. Procurement officers should compile suppliers/service providers lists (e.g. based on the size of their companies and experience), and categorizing them by the types of goods/services they provide and/or their geographical locations. The lists should be approved by a designated officer for the purpose of sourcing of suppliers/service providers for goods and services frequently required or of high values. Tenders/Quotations should be invited according to the required number of suitable suppliers/service providers on the respective lists to bid on a fair-share basis (e.g. by rotation). The requesting officer may add other suppliers with justification of their nominations.

10. In the absence of approved list, the procurement officer may source suitable suppliers/service providers for invitation to bid, taking into account their company size, experience and past performance record if any, through searching on the Internet, recommendation from requesting officer/user and inclusion of the current suppliers/service providers with satisfactory performance as appropriate.

Tendering Procedures

11. There should be stringent tendering procedures to be followed for open tendering as stipulated in the following paragraphs.

Tender documents

12. Procurement officers should prepare the tender documents and provide all the required information in the documents to facilitate bidding from tenderers. The information should include tender specifications and requirements, conditions of contract, required quantity of items and service and timing of provision, assessment criteria, tender closing date and time, the place for depositing the tender, the contact person, the officer to whom enquiries may be made, and a warning against corrupt offers to the officers of Association and the consequence that the Association may terminate the contract and claim damages if the contract is obtained through bribery or collusion with other bidders. A sample of the warning is at **Appendix 2**.

Submission of Tenders and Opening of Tenders

13. Unless in exceptional circumstance of urgency, tenderers should be allowed sufficient time to submit their tenders. Tenderers must submit their tenders before the tender closing date and time specified in the tender documents. Any tenders received after the tender closing time shall not be considered.

14. Tenders should be deposited in the tender box by tenderers in person. For confidentiality, the tender box should be properly locked with two individual padlocks, and the respective keys should be separately kept by two authorized persons. To ensure fairness of the procedures, the tenders should be taken out of the tender box immediately after the tender closing time. All tenders received after the tender closing time will not be processed. At least two (2) officers shall open the tenders simultaneously and shall each initial beside each quotation figures as confirmation.

Tender Evaluation

15. In general, tender evaluation should be carried out by an assessment panel consisting of at least two (2) members. Evaluation of bids of small amounts may be carried out by one staff member. ALL the assessment panel members should be required to make undertakings and declarations as specified in **Appendix 3** before conducting the tender evaluation. If there is any declared conflict of interest, a designated authority should review the situation and decide whether the concerned panel member should be refrained from the panel. The decision of the designated authority should also be properly documented.

16. A 'two-envelope system' should be used for procurement involving the

technical aspects and service quality. Tenderers should be required to submit price information and technical information in separate envelopes. Appropriate weights should also be given to the two areas. It is normal practice for the assessment panel firstly to evaluate and award an assessment score on technical aspects of the proposals before opening the price envelope to evaluate the price information.

17. The assessment panel should conduct a preliminary evaluation of the tenders based on the required information and documents stipulated in the tender documents. This will ascertain full compliance with the stipulated conditions and requirements.

18. The assessment panel should select the most competitive and cost-effective tender among the eligible tenders by evaluation according to the pre-set assessment criteria. For contracts involving higher construction costs or requiring higher standards in technology and service areas, a scoring system should be adopted for giving scores in terms of tender price, tenderer's reputation, track records and management quality, as well as the professional and technical standard of staff for implementation of the project/service.

19. The assessment panel shall prepare a tender evaluation report (Appendix 1) to state clearly its recommendations and the justifications. Where a scoring system has not been adopted and the successful tenderer is not the lowest bidder, full and sufficient justifications must be stated in the evaluation report.

Acceptance of Tender

20. The assessment panel should submit the tender evaluation report to the Executive Committee for approval in accordance with the guideline. After endorsement and approval of the selection result, the successful tenderer should be officially notified by post and be invited to enter into a contract with the Association. For protection of commercial secrets, it should be ensured that disclosure of the details shall not lead to revelation of any tender information provided in confidence by other tenderers.

21. Should none of the tenders received can fulfill the required specifications and conditions, the tendering exercise should be cancelled. The original specifications and conditions should be amended as necessary for purpose of re-tendering.

Procedure of Handling Complaints

22. The Association should be committed to maintaining a fair and open procurement system. Tenderers who consider themselves being treated unfairly can lodge a complaint with the Association.

Receipt of Goods

23. The Association should assign a staff member as the goods checking officer, preferably one not participating in selecting the supplier (if resources allow), to inspect the goods delivered against the purchase order to ensure that there is no short delivery or substandard goods. For high-value purchases, a supervisor should monitor and counter-sign the receipt of goods. The Association should require the staff to certify acceptance of goods within a reasonable time limit upon delivery and ensure the supplier makes good any shortfall without delay. Testing, if any, of the goods delivered should be undertaken by competent staff (e.g. for specialised sports equipment) before acceptance. The lists of assets (if any) should also be updated where appropriate.

Purchases made by Petty Cash

24. The Association should lay down the procedures for maintaining a Petty Cash Account for small amount purchases. Original invoices or receipts should be produced upon claims of payment. For the essential procedures and the approving authority for replenishment of the petty cash, please refer to the Accounting Procedures and Guidelines.

Procurement Records

25. The Association should keep proper procurement records for all transactions including but not limited to requests for purchases, verbal and written quotations, tender/quotation assessment records, justifications and authorization sought for cases deviated from standard procurement procedures. Executive Committee/Board members and staff members of the Association should ensure, to their best knowledge, that any purchase records they submit to the Association give a true representation of the events or transactions reported in the document. Intentional use of documents containing false information to deceive or mislead the Association may constitute an offence under the Prevention of Bribery Ordinance.

Monitoring Performance of Suppliers/Service Providers

26. Users or goods checking officer as mentioned in Paragraph 23 should inform the procurement officer in writing in case there is adverse performance of the suppliers' or service providers with details of adverse performance such as sub-standard quality of goods/services, delay in goods delivery without reasonable excuse, and unsatisfactory after-sale service. The aforesaid adverse performance record will be taken into account in deciding whether the supplier/service provider is invited to bid in the next round of invitation as mentioned in Paragraphs 9 and 10. Suppliers/service providers with persistent adverse performance should be suspended from bidding as appropriate with proper approval.

Disposal of Assets

27. If the assets are identified to be surplus, obsolete or unserviceable, they can be disposed by means of trade-in or sales quotation/tender. The NSA should ensure that such items are disposed of in the most cost effective and timely manner. The disposal of assets and the means of disposal must be authorised by the designated approving officer approved by the Executive Committee. The means of disposal and the approval authority should depend on the expected saleable values. The sales proceeds received should be properly accounted for in the ledgers. Besides, for fixed assets disposed, the disposal should also be reported on the 'Fixed Assets Register'.

National Security

28. The NSA shall manage their procurement to the extent that it can disqualify a tenderer/terminate a contract upon the occurrence of any of the following events:

- the Tenderer/Contractor has engaged or is engaging in acts or activities that are likely to constitute or cause the occurrence of offences endangering national security or which would otherwise be contrary to the interest of national security;
- the continued engagement of the Contractor or the continued performance of the Contract is contrary to the interest of national security; or
- the NSA reasonably believes that any of the events mentioned above is about to occur.

SAMPLE TENDER EVALUATION REPORT**[Name of National Sports Association]****Reference :** TER – 001/2013**Subject :** Provision of XXX**Brief Description of Contract**_____
[Give a brief description of the goods/services required]**Details of Invitation**

Tender invitation method: *Open tender / *restricted tender

Invitations issued to : _____ *suppliers / *service providers

Tender invitation date: _____

Tender closing date: _____

Tender validity period: _____ days from _____

Composition of Assessment Panel : _____ (Chairperson of the Panel)

_____ (Member of the Panel)

Tenders Received

Number of tenders received: _____

Details of tenders received:

Name of tenderers/suppliers/service providers	Tendered Sums (lowest first)

*Details of non-returning tenderers/suppliers/service providers:

Name of tenderers/suppliers/service providers	Reasons, if known

Compliance with Tender Specifications

Name of tenderers/suppliers/service providers (in ascending order of tendered sum)	Compliance with specifications	Details of any non-compliance
	*Yes / *No	
	*Yes / *No	
	*Yes / *No	
	*Yes / *No	
	*Yes / *No	
	*Yes / *No	
	*Yes / *No	

Note: The Assessment Panel should require the tenderers to withdraw their tender qualifications, or seek legal advice, if in doubt. If the Assessment Panel recommends accepting the tender qualifications which would have material changes to the tender specifications, the Association may consider putting up the contract for re-tendering.

Performance Records of Lowest Three Tenderers/Supplier/Service Providers

		Name of Tenderers		
		[Tenderer A]	[Tenderer B]	[Tenderer C]
		Lowest Bid	2 nd Lowest Bid	3 rd Lowest Bid
(a)	Previous dealings with the Association	*Yes / *No	*Yes / *No	*Yes / *No
(b)	Previous Performance	*Satisfactory / *Unsatisfactory, details: _____ _____	*Satisfactory / *Unsatisfactory, details: _____ _____	*Satisfactory / *Unsatisfactory, details: _____ _____
(c)	Recommendations of Assessment Panel	*Suitable / *Not suitable for contract award	*Suitable / *Not suitable for contract award	*Suitable / *Not suitable for contract award

Recommendations

* The lowest tender/*The _____ lowest tender submitted by _____ [Name] is recommended for contract award. Reasons: _____
[Mandatory if the lowest tender is not recommended].

* To negotiate with the tenderer submitting the lowest conforming tender for a better price with a view for tender award. Other items to be negotiated: _____.

* Other recommendations and reasons: _____

(* Delete as appropriate)

Declaration of Conflict of Interest

I hereby declare that there is no conflict of interest, whether actual, potential or perceived, between my official duties to the Association in relation to the captioned tender exercise, including without limitation those in relation to the preparation of the tender documentation (including tender specifications and marking schemes) and the assessment of tenders, and my financial, professional, commercial, personal or other interests.

I undertake to –

- (a) hold in strict confidence all tender information that I have access to through my official duties to [name of NSA] in relation to the preparation of the tender documentation (including tender specifications and marking schemes) and the assessment of tenders. Tender information includes details of tenders received and any other sensitive, restricted or confidential information relating to a tender;
- (b) refrain from making any unauthorised disclosure or taking advantage of any tender information referred to in paragraph (a) above whether or not for personal gain;
- (c) declare any actual, potential or perceived conflict of interest with my official duties to [name of NSA] in relation to the captioned tender exercise, including without limitation those in relation to the preparation of the tender documentation (including tender specifications and marking schemes) and the assessment of tenders immediately when I become aware of any such conflict; and
- (d) take steps to avoid any conflict of interest with any prospective supplier/service provider or supplier/ service provider by not putting myself in a position of obligation towards any of them; for example, by not accepting any favour or lavish or excessive entertainment, and not over-socialising with any of them.

The undertaking in paragraphs (a) and (b) above shall not apply –

- (a) if and when the disclosure and information therein referred to becomes a matter of public knowledge (other than by reason of a breach of paragraphs (a) and (b) above); or
- (b) to any communications or disclosures caused or permitted by me to fellows in [name of NSA] who are or are expected to be involved in the course of their official duties in the captioned tender exercise or parts thereof.

I understand that I may be subject to disciplinary action and liable to any loss or penalty borne by the Association should I make a false declaration or fail to observe any of my above undertaking.

Signature: _____

Name and Post of
Panel Chairman: _____

Date: _____

Signature : _____

Name and Post of
Panel Member : _____

Date : _____

Sample Warning Clauses in Tender Invitation Documents

1. The tenderer shall not and shall ensure that his agents and employees shall not give or offer any advantages as defined under the Prevention of Bribery Ordinance to any agent or employee of [Name of the NSA, the “Association”]. The tenderer is also prohibited from colluding with other bidders in this tendering exercise in whatever forms (e.g. price rigging). Any breach of or non-compliance with these clauses by the tenderer shall, without affecting the tenderer’s liability for such breach or non-compliance, invalidate his tender.

2. If the supplier/contractor or any employee or agent of the supplier/contractor shall be found to have committed an offence under the Prevention of Bribery Ordinance in relation to the tender or the contract, the Association may terminate the contract without entitling the supplier/contractor to any compensation therefore, and the supplier/contractor shall be liable for all losses and expenses necessarily incurred by the Association as the result of such termination of the contract.

Note: The above warning clauses are meant for samples only. The Association should consult their legal advisor in drawing up tender notices or contract documents.

**Undertakings by Chairperson/Members of
The meeting of assessment panel of tender held on XX (Date)**

1. I undertake
 - (a) to hold in strict confidence all information that I have access to through my position as a Chairperson/Member of the above panel meeting;
 - (b) not to make any unauthorised disclosure or take advantage of any information whether or not for personal gain.
 - (c) to declare immediately any actual or perceived conflict of interest with my official duty as a Chairperson/Member of the assessment panel of tender when I become aware of any such conflict.
 - (d) to take steps to avoid any conflict of interest with any prospective tenderer or tenderer by not putting myself in a position of obligation towards any of them.

2. I understand that I may be subject to disciplinary action and liable to any loss or penalty borne by the Association should I fail to observe any of my above undertakings.

Chairperson : _____
Signature (Name and Post)

Members : _____
Signature (Name and Post)

Signature (Name and Post)

Signature (Name and Post)

Signature (Name and Post)

Signature (Name and Post)

Secretary : _____
Signature (Name and Post)

6.11**PERSONNEL EXPENSES (CHAPTER III OF "LCSD SPORTS SUBVENTION SCHEME (BLOCK GRANT) - HANDBOOK FOR NATIONAL SPORTS ASSOCIATIONS" - AS AT SEPTEMBER 2023)**

This reference is designed by Leisure and Cultural Services Department to facilitate NSA to set up their guidelines on personnel expenses. It is a generic template which will require individual NSA to consider its circumstances and customize for its needs. The guidelines should be set up, reviewed and approved by the Board of Directors of the NSA, and communicated to the Secretariat for execution.

CHAPTER III

PERSONNEL EXPENSES

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PERSONNEL EXPENSES

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I Subvented Full-time Administrative Staff

(A) Introduction

- (1) Administrative staff play a key management role within NSA. The effective management of these staff is an important responsibility for NSA. The purpose of this Chapter is to assist NSA in carrying out this important responsibility, thereby ensuring that an effective human resources management system is established and consistently followed by NSA.

The procedures to be followed in the appointment, management and performance appraisal of subvented staff in NSA are illustrated in **Annex 3.1**.

- (2) Proposals on flexible staffing establishment

Starting from 2011-12, NSA is allowed to determine its own personnel establishment and structure, as well as the salaries of the subvented posts (subject to the minimum salary) so long as the personnel expenses are within the approved subvention for the purpose. The minimum salary and entry requirement of subvented posts are at **Annex 3.2**.

Apart from the established part-time posts approved by LCSD, NSA may employ temporary/part-time staff as an interim measure to meet manpower needs arising from vacant posts, within the available resources at its disposal.

- (3) Recruitment of staff with accounting qualification

Starting from 2011-12, additional resources have been allocated to NSA to strengthen the manpower in order to enhance its accounting capabilities. NSA should use the resources to recruit staff with accounting qualifications not lower than the London Chamber of Commerce and Industry – Level II Bookkeeping & Accounts. Nevertheless, if NSA has an existing staff (either subvented or non-subvented post) with such qualification to take charge of the accounting matters of the Scheme, NSA can use the additional provision to recruit new staff to strengthen its internal control. As an alternative, NSA may seek LCSD's approval for virement of funds from Personnel Expenses to Office Expenses for obtaining the accounting services in the market. From 2022-23, new positions were approved for NSAs to implement new subvented programmes or meet the shortfall of manpower.

- (4) The provision of Personnel Expenses to NSA includes for the following : -

- (i) Minimum Salary and Entry Requirement of Subvented Posts (**Annex 3.2**)
- (ii) Bonus and Benefits (**Annex 3.3**)
- (iii) Salary Top-ups for Slide-down Appointment (**Annex 3.4**)
- (iv) Retirement Benefit Schemes (**Annex 3.5**)

(5) Performance Incentive Pay

Starting from 2022-23, NSAs are required to design their own remuneration package with Bonus and Benefits in which Performance Incentive Pay is a mandatory item.

(B) Advertisement, Selection & Interview

- (1) All appointments of subvented staff including the new positions approved in 2022-23 **MUST** be made by open recruitment through local press advertisements or the Labour Department Channel (www.labour.gov.hk), as the primary requirement. NSA may supplement by webcasting the vacant posts to expand the pool of potential candidates. The recruitment advertisement **MUST** include a statement: "This post is subvented by LCSD". The duration of recruitment advertisement should be posted for a minimum of 7 days to allow sufficient time for potential applicants to submit application. Should the duration need to be shortened due to urgent manpower needs or unforeseen factors, written approval with justification from relevant authorities should be sought and kept for proper record.
- (2) The recruitment advertisement should include a point-form description of the major responsibilities of the position as well as a list of qualifications required. Additional qualifications or requirements other than the standard requirements of subvented post *may be* included in the advertisement. Please comply with the Code of Practice on recruitment advertisement issued by the Office of the Privacy Commissioner for Personal Data and Equal Opportunities Commission. A sample advertisement is at **Annex 3.6**.
- (3) If the NSA is not going to invite all the applicants for selection interview, a shortlisting criteria should be devised and properly recorded.
- (4) Declaration of conflict of interest completed by staff/office bearers concerned should be done before the selection interview. A sample declaration form for staff recruitment is at **Annex 3.7a**.
- (5) A selection interview should be conducted by a selection panel of not less than 2 persons (at least one office bearer). NSAs are recommended to use marking sheet or marking scheme to evaluate the performance of the candidate for the interview to ensure they are assessed in an objective and consistent manner. A sample marking sheet is at **Annex 3.7b** and a sample report on recruitment interview is at **Annex 3.7c**, both of them are required to submit to LCSD within one month after the selection interview.
- (6) All subvented staff being selected should be aged 16 or above and below 65 (w.e.f. 1 April 2019).
- (7) The selected candidate's resume, academic certificates and the personal identity certification document (for the purpose of certifying the candidate is a Hong Kong permanent resident or holder of a valid employment visa issued by the Hong Kong Immigration Department) **MUST** be verified before offer of appointment.

- (8) NSAs **MUST** retain all the recruitment records including the shortlisting criteria for interview, the shortlist, declaration of conflict of interest by staff concerned, and relevant documentary proof of the appointees as well as those shortlisted candidates for interview (including their resume, score sheets of the interview and written deliberation of the selection panel) for a period not less than 7 years to facilitate inspection and audit examination by LCSD or other proper authorities.
- (9) NSA **MUST** provide copies of the relevant documents to LCSD or other proper authorities on demand.

(C) Internal Recruitment / Promotion

Guidelines for the Internal Recruitment of NSA's Subvented Staff is at **Annex 3.8**.

(D) Post Classification and Job Description

Salary subvention to NSA is confined to SIX administrative posts:

- (1) Executive Director (ED)
- (2) Coaching Director (CD)
- (3) Senior Sports Executive (SSE)
- (4) Sports Executive (SE)
- (5) Technical Executive (TE)
- (6) Administrative Assistant (AA)

Job Description of the five administrative posts subvented by LCSD is at **Annex 3.9** (for reference only), NSA may name the positions differently and state the equivalents to the above five subvented full-time posts.

(E) Salary and Conditions

- (1) NSA should adopt a standard contract of employment for each grade of employee. This should cover all necessary matters including salary, leave arrangement, hours of duty, time off in lieu, probationary period, performance review, structure and responsibilities, fringe benefits, etc. A sample contract is at **Annex 3.10**. NSA should use the sample contract as far as practicable and enclose NSA's **Code of Conduct** to the new appointee for compliance. ***NSA should submit to LCSD copy of the appointment contract and appointee's resume within one month from the date of appointment***. Failure in timely submission shall accord LCSD the right to suspend salary subvention for the staff concerned and to offset the advanced salary subvention in the quarterly subvention payments.
- (2) All NSA's subvented staff should be Hong Kong permanent residents or holders of a valid employment visa issued by the Hong Kong Immigration Department. LCSD will not subvent any employment without the above certification.
- (3) The normal retirement age for the full-time administrative staff is 65 (w.e.f. 1 April 2019) years of age. In any case, LCSD will not subvent the employment of staff beyond the age of 65 (w.e.f. 1 April 2019).

- (4) The stipulated minimum salary subvention for each of the 6 subvented posts is at **Annex 3.2**.

(F) Bonus and Benefits

- (1) Additional subvention was allocated to NSAs for designing its own remuneration package with Bonus and Benefits (B&B) at **Annex 3.3** and allocation mechanism in full autonomy and flexibility from 2022-23 onwards.
- (2) By marking reference to the components of remuneration package in the market, LCSD will set aside 15% and 10% of the total amount of personnel expenses as ceiling amount for B&B respectively.
- (3) The B&B should be endorsed by NSAs' Board of Directors / Executive Committee prudently before submission to LCSD. It is recommended that the B&B items should be reviewed or adjusted at least after a year cycle. NSAs should properly document the B&B as NSAs' staff administration policy. NSAs can take reference of ICAC Guidelines on "Best Practice Checklist of Staff Administration" to formulate its own staff administration policy (https://cpas.icac.hk/UploadImages/InfoFile/cate_43/2016/533652e2-ab2b-4381-ab34-a13478ef4908.pdf).
- (4) NSAs can also engage professional service to support the formation of their Staff Administration Policy
- (5) For better utilisation of the additional human resources to enhance governance and efficiency, NSAs are required to include TWO B&B items linking with staff's performance and competency. Other items are to be determined by the NSAs based on its needs on retaining and engagement of talents. Any unspent of subvention under B&B can deposit into a Reserve Fund of not more than 25% of the subvention under Personnel Expenses.
- (6) The Government shall have the right to deduct the bonus in accordance with the Guidelines on Allocation Mechanism of Bonus to National Sports Associations' Performance as set out in **Annex 3.14**. This right may be exercised by the Government if at any time the NSAs fail to duly perform their obligations under Subvention Agreement or in this Handbook or in the sole opinion of the Government commits any malpractices in respect of internal control and corporate governance.

(G) Benefits

- (1) Retirement Benefit Schemes

NSA must arrange a retirement benefit scheme for its staff. The features of the subvented Retirement Benefit Schemes are at **Annex 3.5**. LCSD will fund NSA's contribution for the scheme in respect of the subvented establishment on condition that the scheme is in line with the feature described in **Annex 3.5**.

(2) Medical Insurance Scheme and Self-Contributory Dental Schemes

The features of the subvented medical insurance scheme effectives from *1 April* of respective year. Please note that the duly completed medical enrollment form should be submitted to LCSD within one month of the employment date, according to the date specified in the appointment approval letter. No retrospective payment of medical expenses can be reimbursed if a claim form is not submitted to the Insurance Carrier within 90 days from the date of the medical consultation.

Apart from the Medical Insurance Scheme, a Self-Contributory Dental Scheme is offered to all NSA staff.

(3) Employee Compensation Insurance

NSA should cover their employees by taking out the Employee Compensation Insurance according to the Employees' Compensation Ordinance (Chapter 282). Subvention for this item is included in Office Expenses. For details, NSA can contact the Labour Department.

(4) NSA Professional Training Programme

Subject to availability of funds, LCSD will provide NSA Professional Training Programme to help full-time staff/office bearers acquire and/or reinforce the skills necessary to the successful discharge of their responsibilities and prepare them for future career development. The training programme includes : -

- a. Training Courses/Workshops/Seminars on management skills and international sports trend.
- b. Academic Training Fund subsidises NSA full-time staff/office bearers to further professional development through academic studies in sports and recreation management and coach education. Subject to availability of funds, a maximum subvention of **HK\$40,000** and **HK\$29,000** or at **80%** ceiling of the course fee, whichever is the less will be provided to the eligible candidate for the approved degree and diploma course respectively. Guidelines and application form for the Academic Training Fund is at **Annex 3.11**.
- c. Non-academic Training Fund subsidises NSA full-time staff/office bearers to take up non-academic studies relevant to their work. Subject to availability of funds, the maximum subvention per course is **HK\$2,000** or at **80%** ceiling of the course fee, whichever is the less. Guidelines and application form for the Non-academic Training Fund is at **Annex 3.12**.

(H) Annual Review and Performance Appraisal

- (1) Timely completion of staff performance review is a must to improve communication and relationships between the officials and their staff, and can help timely identification and rectification of performance problems before they become too serious. It will identify areas of strength and areas for improvement and provide appropriate developmental and educational opportunities. This will

help improve performance and also give the employee a feeling of being valued and looked after.

- (2) The related annual performance appraisal report pro forma is at **Annex 3.13**. The direct supervisor of the staff in NSA should act as the Reporting Officer with the office bearer/head coach serving as the Endorsing Officer.
- (3) The appraisal report should be completed by 30 April of the following year and shall be properly kept by NSA for seven years.

(I) Resignation and Staff Changes

- (1) NSA shall conduct formal exit interview with the departing staff as necessary. *NSA shall update LCSD on the staffing position of subvented full-time staff when there is any change within one month.*
- (2) NSA shall prepare staff succession plan and be in constant review / evaluation of the need of staff replacement before proceeding with recruitment exercise.

(J) Salary Tax (Employer's Return)

NSA should report the income of its full-time employees to the Inland Revenue Department. For enquiries, please call the Inland Revenue Department.

II Subvented Part-time Staff

(A) Advertisement, Selection & Interview

NSA should follow the requirement as stipulated in Part I(B) of this Chapter.

(B) Position Classification

Salary subvention to NSA for the established part-time position is confined to TWO administrative posts : -

- (1) Part-time Sports Executive (SE)
- (2) Part-time Administrative Assistant (AA)

NSA may name the posts differently and state the equivalents to the 2 subvented part-time posts.

(C) Salary and Conditions

NSA should follow the requirement as stipulated in Part I(E) of this Chapter.

(D) Benefits

- (1) Part-time subvented staff are not eligible for any fringe benefit provided by LCSD. However, LCSD will subvent the contribution (i.e. the employer's

portion) for the Mandatory Provident Fund Scheme of the eligible staff. For details, please refer to **Annex 3.5**.

- (2) Employees are subject to the protection under the Hong Kong Labour Ordinance and Employees' Compensation Ordinance (Chapter 282) if they are employed in a continuous contract. A continuous contract is defined as the employee who has worked for the same employer continuously for 4 weeks or more and with at least 18 hours in each of the 4 weeks on a continuous basis. LCSD will not be liable to provide any benefits to the part-time subvented staff. For details, NSA can contact the Labour Department.

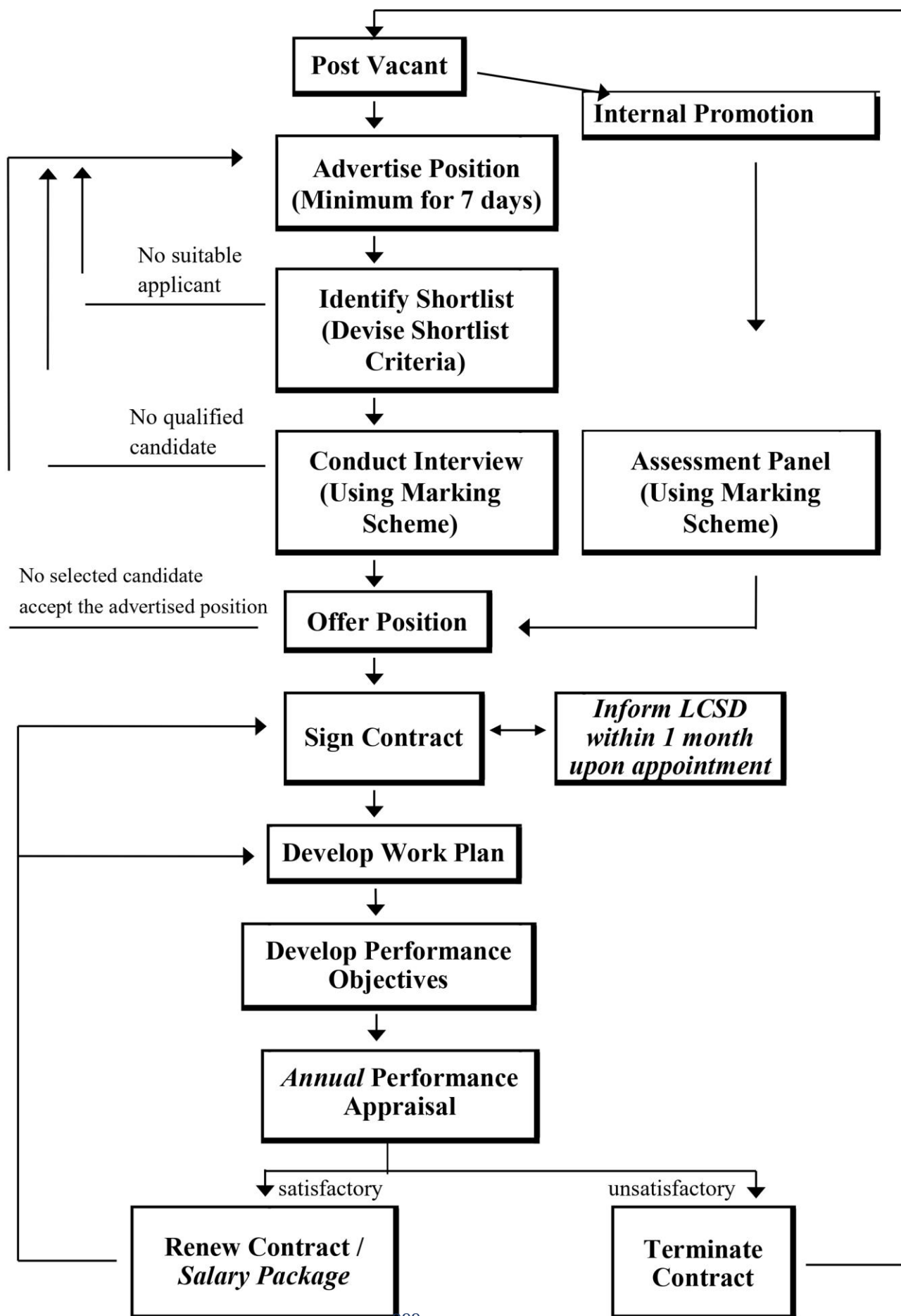
(E) Resignation and Staff Changes

NSA shall update LCSD on the staffing position of subvented part-time staff within one month upon effect of such staff recruitment and movement within one month.

(F) Salary Tax (Employer's Return)

NSA should report the income of its part-time employees to Inland Revenue Department. For enquiries, please call the Inland Revenue Department.

Appointment, Management and Appraisal Performance of Subvented Staff



Minimum Entry Requirement and Salary of Subvented Posts 2024-25

Post	Minimum Entry Requirement	Minimum Salary
Executive Director (ED) / Coaching Director (CD)	Executive Director - An accredited Associate Degree from a Hong Kong tertiary institution/a Higher Diploma from a polytechnic university or polytechnic in Hong Kong or Hong Kong Institute of Vocational Education or equivalent Coaching Director - Academic qualification is same as Executive Director; and - Level III of the Hong Kong Coach Accreditation Programme or equivalent	\$64,031
Technical Executive (TE)	- Secondary education qualification; and - Level II of the Hong Kong Coach Accreditation Programme or equivalent	\$27,677
Senior Sports Executive (SSE)	- An accredited Associate Degree from a Hong Kong tertiary institution/a Higher Diploma from a polytechnic university or polytechnic in Hong Kong or Hong Kong Institute of Vocational Education or equivalent	\$44,667
Sports Executive (SE) (Full-time / Part-time)	- An accredited Associate Degree from a Hong Kong tertiary institution/a Higher Diploma from a polytechnic university or polytechnic in Hong Kong or Hong Kong Institute of Vocational Education or equivalent	Full-time: \$27,677 Part-time: \$131 per hr
Administrative Assistant (AA) (Full-time / Part-time)	- Grade E / Level 2 or above in 5 subjects including English (Syllabus B) and Chinese in the Hong Kong Certificate of Education Examination, or Level 2 or above in five subjects including English and Chinese in the Hong Kong Diploma of Secondary Education Examination, or equivalent Remark: Grade C in English Language (Syllabus A) is recognized as equivalent to Grade E in English Language (Syllabus B)	Full-time: \$17,606 Part-time: \$97 per hr

- Remark:
- At least one staff (subvented or non-subvented) in the NSA should have obtained qualification not lower than the London Chamber of Commerce and Industry (LCCI) – Level II Book Keeping & Account; or equivalent to handle accounting matters relating to the LCSD subvention.
 - NSAs are allowed to set up their own mechanism for staff employment as well as entry requirements for different positions as stipulated in the Staff Administrative Policy endorsed by the Board of Director/Executive Committee or equivalent.

Bonus and Benefits for Subvented Staff

By making reference to the components of remuneration package in the market, LCSD will set aside 15% and 10% of the total amount of the personnel expenses as ceiling amount for Bonus and Benefits (B&B) respectively. For better utilisation of additional human resources to enhance governance and efficiency, NSAs are required to include TWO B&B items linking with staff's performance and competency. Other items are to be determined by the NSAs basing on its needs on retaining and engagement of talents.

BENEFIT GRID (2022-2023)

Name of Association:

Items	ED/CD	SSE	TE	SE	AA	TOTAL
Bonus (15%)						
Bonus						
Performance Incentive Pay (Compulsory)	Y	Y	Y	Y	Y	Compulsory
Gratuity						
Competency Allowance (Compulsory)						Compulsory
Experience Allowance						
Others, please specify:						
Sub-total for Bonus						0.0%
Benefits (10%)						
Allowance						
Overtime Allowance						
Meal Allowance						
Transportation Allowance						
Acting Allowance						
Sub-total for Allowance						0.0%
Medical						
Medical (on top of basic medical insurance to be met by LCSD)						
Annual Physical-Check-up						
Dental						
Sub-total for Medical						0.0%
MPF/Retirement						
MPF (Voluntary Contribution, exclude the 5% Mandatory Contribution of MPF)						
Retirement Plan						
Sub-total for Pension/Insurance						0.0%
Benefits - Recognition						
Loyalty Fund						
Long Service Award						
Sub-total for Benefits - Recognition						0.0%
Others, please specify:						
Sub-total for Benefits						0.0%
Non-monetary Benefits						
Leave						
Regular Day off (e.g. Sat & Sun)						
Statutory Holidays (Day)						
Annual Leave (Day)						
Birthday Leave (Day)						
Full-pay sick leave (Day)						
Study leave (Day)						
Marriage Leave (Day)						
Compassionate Leave (Day)						
Maternity Leave (Week)						
Paternity Leave (Day)						
No-pay Leave (Day)						
Others						
Programme Discount						
Event Tickets						

Salary Top-ups for Posts of Slided-down Appointment

Special prior approval has been granted in previous years to some appointments made to staff whose academic qualification or/and working experience were below the standard entry requirements stipulated for the post, and hence a lower salary was paid to these staff. Such appointment is called a “Slided-down Appointment”. Salary top-ups are provided to this type of staff if these staff have eventually fulfilled the basic entry requirement of the posts during the employment. It aims to bring up the salary of the slide-down appointments to the minimum salary level set to the posts. Split-post appointments are not regarded as slided-down appointment which are not eligible to receiving salary top-ups.

Salary top-ups also serve as back-up resources to facilitate future recruitment of staff to the concerned posts upon the departure of the incumbents. NSA shall receive the approved amounts of salary top-ups only for the posts of slided-down appointment in the Approved Establishment.

The salary top-ups are included in the personnel expenses and disbursed to NSA by quarterly instalments. NSA shall observe the following principles in the use of the salary top-ups:

- (a) It is not a must for NSA to release the approved amounts of salary top-ups to the serving staff despite their slided-down appointment. Where soundly justified and upon meritorious consideration, NSA may decide whether to release the salary top-ups to serving staff of the concerned posts who have attained of the requisite entry qualification with proving documents during the employment. Otherwise, NSA shall retain the salary top-ups as savings in the Personnel Expenses in the current year;
- (b) The slide-down appointment ceases upon departure of serving staff from the concerned posts. The salary top-ups shall form the salary base for offering new appointment to the concerned posts. The salary top-ups shall be provided continuously for the respective posts in the Budget but shall not be treated as a separate provision; and
- (c) As a pre-requisite requirement, NSA shall pay the salary top-ups to serving staff pursuant to (a) above only upon sufficient and satisfactory checking on relevant documentary proof of attainment of the requisite entry qualification. NSA shall retain such records to facilitate examination/audit inspection. In the event of irregularity or disqualification of the credentials being found, any paid amount of the salary top-ups shall be met by NSA at their own expense and shall be offset in the quarterly instalment of the subvention.

Retirement Benefit Scheme

The arrangement of the retirement benefit scheme is a matter between NSA and its subvented staff. LCSD will provide the subvention according to the scheme(s) set up by NSA, option of the subvented staff and the policy as described in this section.

1. Commencement Date

- 1.1 The official commencement date of the ex-Sports Development Board's subvention to the contribution (employer's portion) of the Scheme under the Occupational Retirement Schemes Ordinance (ORSO) was 1 April 1994. No retrospective payment of contribution will be given if NSA's ORSO Scheme was established before 1 April 1994.
- 1.2 Mandatory Provident Fund (MPF) Scheme is Mandatory Retirement Benefits Scheme for all appointment made since 1 December 2000.

2. Eligibility

All full-time, part-time and temporary subvented staff are eligible for the subvention.

3. Contributions

LCSD will provide subvention for the employer's contribution for ORSO or MPF Scheme for the subvented staff.

3.1 ORSO Scheme (applicable to the full-time subvented staff who opted before 1 December 2000)

LCSD will continue the existing subvention policy on the monthly contribution to ORSO Scheme set up by NSA. NSA's contribution (to be funded by LCSD) towards each member's account will be graded according to the member's salary subvention and completed year of continuous service as LCSD subvented staff with NSA as follows : -

Completed Year of Continuous Service as LCSD subvented staff with NSA	NSA's Contribution (from the LCSD's Subvention)
First 10 years	5%
Over 10 years to 15 years	10%
Over 15 years	15%

3.2 MPF Scheme (applicable to the full-time, part-time and temporary subvented staff)

3.2.1 Mandatory Contribution Account (applicable to the full-time, part-time and temporary subvented staff of the scheme)

- (i) The application of subvention should be completed within 90 days from the date of the staff's first appointment with the current NSA (i.e. within one month from the date the staff has been employed for 60 days with the current NSA). LCSD is not responsible for retrospective payment of the subvented contribution if the eligible subvented staff fails to apply subvention from LCSD within the aforesaid period and unable to enrol into the scheme within the period as required by MPF Schemes Ordinance.

- (ii) LCSD will subvent 5% of their monthly salary subvention at the maximum of HK\$1,250 per month before 1 June 2014 and \$1,500 per month on or after 1 June 2014. All subvention features will follow MPF Schemes Ordinance.

3.2.2 Voluntary Contribution Account (applicable to the full-time subvented staff of the account who opted before 1 December 2000)

- (i) Detailed application procedure is the same as point 3.2.1(i). LCSD is not responsible for retrospective payment of the subvented contribution if the eligible staff fails to apply subvention from LCSD and unable to enrol into the Voluntary Contribution Account within the period stated in 3.2.1(i). The relevant working experience will also not be counted for the Voluntary Contribution Account (if applicable).
- (ii) NSA's contribution (to be funded by LCSD) towards each member's voluntary contribution account will be graded according to each member's salary subvention and completed year of continuous service as LCSD subvented staff with NSA after deducting the subvented contribution (i.e. 5% of the monthly salary subvention at the maximum amount of HK\$1,250 before 1 June 2014 and \$1,500 on or after 1 June 2014) for the mandatory contribution account, if applicable.

Completed Year of Continuous Service as LCSD subvented staff with NSA	NSA's Contribution (from LCSD's Subvention)
First 10 years	5% less the mandatory subvented contribution, if applicable
Over 10 years to 15 years	10% less the mandatory subvented contribution, if applicable
Over 15 years	15% less the mandatory subvented contribution, if applicable

4. Benefits

4.1 ORSO Scheme (applicable to the full-time subvented staff who are members of the scheme)

- 4.1.1 Upon normal retirement, ill health retirement, or death, a member shall be entitled to a lump-sum equal to the accrued benefits of his/her and NSAs contribution.
- 4.1.2 Upon termination of employment arising from other grounds than those mentioned in 4.1.1, such as resignation, a member shall be entitled to a lump-sum equals to : -
 - (i) The accrued benefits of his/her contribution, plus
 - (ii) The accrued benefits of NSA's contribution in ORSO Scheme are multiplied by a percentage in accordance with his/her completed year of continuous service as LCSD subvented staff with NSA.

**Completed Year of
Continuous Service
as LCSD subvented
Staff with NSA**

**Percentage of NSA's
Accrued Benefits Payable**

0 – less than 3 years	Nil
3 – less than 4 years	30%
4 – less than 5 years	40%
5 – less than 6 years	50%
6 – less than 7 years	60%
7 – less than 8 years	70%
8 – less than 9 years	80%
9 – less than 10 years	90%
10 years and over	100%

4.1.3 Dismissal

Notwithstanding the above, any member who is being dismissed or resigns in order to avoid dismissal upon any of the following grounds will not be eligible to any part of NSA's contribution : -

- (i) misconduct himself/herself contrary to the Code of Conduct or any administrative guidelines of the Association, or any advices whether oral or in writing as to be given from time to time;
- (ii) willfully disobeying a lawful and reasonable order;
- (iii) misconduct himself/herself, such conduct being inconsistent with the due and faithful discharge of his/her duties;
- (iv) being guilty of fraud or dishonesty;
- (v) being habitually neglectful in his/her duties; or
- (vi) upon any other grounds on which NSA would be entitled to terminate his/her contract of employment without notice at Employment Ordinance.

4.2 MPF Scheme (applicable to the full-time, part-time and temporary subvented staff of the scheme)

4.2.1 Mandatory Contribution Account (applicable to the full-time, part-time and temporary subvented staff of the scheme)

- (i) Mandatory contribution under MPF Scheme will be fully and immediately vested as accrued benefits.
- (ii) Except in the event of death, totally incapacitated or permanently departure from Hong Kong, the accrued benefits of his/her and NSA's contributions in the mandatory contribution account must be preserved until the staff reach the age of 65.
- (iii) NSA will follow the rules under MPF Ordinance for the preservation and withdrawal of benefits.

4.2.2 Voluntary Contribution Account (applicable to the full-time subvented staff of the scheme who opted before 1 December 2000)

- (i) Upon normal retirement, death or permanent disability, a member of MPF Scheme will be entitled to the accrued benefits of his/her and NSA's contribution in the voluntary contribution account.
- (ii) The subvention on the voluntary contribution account will be vested according to the member's completed years of continuous service as LCSD subvented staff with NSA. Detailed vesting schedule is same as point 4.1.2.
- (iii) Notwithstanding the termination of employment with the current NSA under 4.1.1 and 4.1.2, any member being dismissed or resigns in order to avoid dismissal upon any of the grounds listed in 4.1.3. will not be eligible to any accrued benefits of NSA's contribution in the voluntary contribution account.

5. Subvented Contribution Payment

The subvented contribution will be paid to NSA together with the monthly salary subvention by quarterly installment and NSA should keep documentary proof for record purpose.

6. Retirement Age

The normal retirement age for all full-time, temporary *and* part-time subvented staff is 65 years of age (w.e.f. 1 April 2019). In any case, LCSD will not subvent the employment and the contribution for ORSO or MPF Scheme of the subvented staff beyond the age of 65 (w.e.f. 1 April 2019).

7. Forfeitures

The unvested benefits upon a member's dismissal or resignation prior to full vesting in ORSO Scheme or the voluntary contribution account of MPF Scheme will be required to be returned to LCSD in full if NSA's actual monthly contribution to the scheme is the same as the subvention from LCSD. In the case that NSA has topped up the employee's contribution, only the unvested benefits of LCSD's subvention is required to be returned.

8. Withdrawal

A subvented staff member is not allowed to withdraw from the retirement benefit scheme (either ORSO or MPF Scheme) when he/she is still serving his/her respective NSA.

Sample Advertisement

ADMINISTRATIVE ASSISTANT

Salary : HK\$< >per month

Duties

- ~ undertake administrative and clerical duties
- ~ maintain proper filing and accounting records
- ~ provide secretarial support

Qualification

- ~ *Grade E / Level 2 or above in 5 subjects including English (Syllabus B) and Chinese in Hong Kong Certificate of Education Examination; or Level 2 or above in 5 subjects including English and Chinese in the Hong Kong Diploma of Secondary Education Examination, or equivalent*
- ~ *Level II Bookkeeping & Accounts of London Chamber of Commerce and Industry (LCCI) or equivalent*

This post is subvented by LCSD.

Apply in writing before _____ (date) with full resume to:

The Hon. Secretary
Hong Kong ABC Sports Association
Address

“Personal data collected will be used for recruitment purposes only.”

SAMPLE

(Name of Association)

Declaration of Conflict of Interest for Staff Recruitment**Part A – Declaration** *(To be completed by Declaring Staff **before** the Recruitment Interview)*To : (Approving Authority)

I would like to report the following genuine/perceived* conflict of interest situation arising during the discharge of the staff recruitment on (Date) :-

Persons with whom I have official dealings
My relationship with the persons (e.g. relatives, close friends)

I hereby declare that although I know the applicant, I will carry out the above recruitment interview in a fair and impartial manner.

(Date) _____ (Name of Declaring Staff)
(Post Held)

Part B – Acknowledgement *(To be completed by Approving Authority)*To : (Declaring Staff)**Acknowledgement of Declaration**

The information contained in your declaration form of (Date) is noted. It has been decided that :-

- ☐ You should refrain from performing or getting involved in performing the work, as described in Part A, which may give rise to a conflict.
- ☐ You may continue to handle the work as described in Part A, provided that there is no change in the information declared above.
- ☐ Others (please specify) : _____

(Date) _____ (Name of Approving Authority)
(Post Held)

* Please delete as appropriate

SAMPLE
(for reference only)

(Name of Association)
Recruitment for the Post of * ED/SSE/TE/SE/AA
Interview Assessment Form

Name of Candidate: _____ Venue of Interview: _____

Date of Interview: _____ Time of Interview: _____

<u>Items and Scoring Criteria Guideline</u>	<u>#Marking Scheme</u>	<u>Scores Given</u>
1. Knowledge and Interest (20%)		
A. Highly conversant, showing up-to-date knowledge and keen interest;	18-20	
B. Well-informed, showing good knowledge and genuine interest;	14-17	
C. Shows general knowledge and fair interest;	10-13	
D. Shows limited knowledge and little interest;	5-9	
E. Lack of knowledge and interest.	0-4	
2. Verbal Communication and Comprehension Ability (20%)		
A. Able to communicate very effectively with fluency and skills;	18-20	
B. Able to communicate very effectively with ease and understanding;	14-17	
C. Able to communicate effectively but with a few occasional errors and unable to carry on a normal conversation;	10-13	
D. Fail to express himself/herself;	5-9	
E. Poor ability to express.	0-4	
3. Personality and Interpersonal Skills (15%)		
A. Possess a lively and positive personality, with tact and confidence; very good interpersonal skills;	13-15	
B. Poised and self-confident; good interpersonal skills;	10-12	
C. Pleasant and amiable; able to work harmoniously with people;	7-9	
D. Languid and lack of confidence; poor interpersonal skills;	4-6	
E. Unpleasant and ill-mannered; unable to work as a team.	0-3	

Annex 3.7

<u>Items and Scoring Criteria Guideline</u>	<u>#Marking Scheme</u>	<u>Scores Given</u>
4. Qualifications and Relevant Experience (15%)		
A. Highly relevant in the sports marketing/promotion or working experience in liaising with LCSD & other organizations, i.e. NSAs, SF&OC, HKSI, etc.;	13-15	
B. Very relevant in the sports marketing/promotion;	10-12	
C. Relevant in the sports marketing/promotion;	7-9	
D. Little relevant in the sports marketing/promotion;	4-6	
E. Not relevant.	0-3	
5. Motivation and Initiative (10%)		
A. Displays great initiative, creativity and constructiveness in assuming responsibilities;	9-10	
B. Displays some initiative, creativity and constructiveness in assuming responsibilities;	7-8	
C. Shows willingness and readiness to accept responsibilities;	5-6	
D. Shows reluctance in accepting responsibilities and slow response Lacks drive and motivation;	3-4	
E. Lack of initiative and energy.	0-2	
6. Disposition/Appearance (10%)		
A. Smart, comfortable overall appearance which gives a sense of well-being;	9-10	
B. Dressed up appropriately and sensibly for the occasion;	7-8	
C. Casually dressed but looks neat and tidy;	5-6	
D. Casually dressed but looks untidy;	3-4	
E. Disheveled, looking neglected.	0-2	
7. Computer or Accounting Knowledge / Professional Skills (10%)		
A. Excellent;	9-10	
1. Above Average;	7-8	
2. Average;	5-6	
3. Satisfactory;	3-4	
4. Unsatisfactory.	0-2	
Total Score:		

#NSAs may adjust the assessment aspects, rating to suit the requirement of specific posts.

Additional Comment / Remarks:**Recommendation:**☐ Suitable for appointment☐ Waiting List☐ Not suitable for appointment

1. Selection Panel Chairman

Signature: _____

Name: _____

Date: _____

2. Selection Panel Member 1

Signature: _____

Name: _____

Date: _____

3. Selection Panel Member 2

Signature: _____

Name: _____

Date: _____

* Please delete if not applicable.

SAMPLE REPORT**Summary Report on Recruitment Interview by Selection Panel**

Name of Association : _____

Post for recruitment interview : _____

Date of interview : _____

Venue of interview : _____

Selection Panel Members :	_____	Position held in the Association :	_____
	(Chairman)		_____
	(Member)		_____
	(Member)		_____
No. of applicants :	_____	No. of applicants shortlisted for interview :	_____

Advertisement was posted at (1) _____ from _____ to _____
 (Advertising channels) (Period)

Advertisement was posted at (2) _____ from _____ to _____
 (Advertising channels) (Period)

Name of Selected candidate : _____

1. Academic qualification : _____

2. Relevant working experience : _____

3. Overall comments : _____ : _____

4. Other observations / recommendations : _____

5. Scores (Marking Sheet) of Interview : _____

6. If the applicant with the highest scores was not being selected, please provide justifications : _____

Summary of Applicants

	Name	Date of Application Received	Shortlisted for Interview? (Yes/No)	Reason for not be selected for Interview	Attended the Interview (Yes/No)	Final Scores
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

Prepared by : _____ Endorsed by : _____
 (Name & Post) (Chairman of the Selection Panel)

Date : _____ Date : _____

Guidelines for Internal Recruitment of NSA Subvented Staff

Internal recruitment (IR) is to select within the National Sports Association (NSA) the most suitable and meritorious officer in a lower rank to fill a vacancy in the higher rank or from a part-time post to a full time post in the same rank on a substantive basis. It is neither an entitlement of serving officers nor a reward for long service.

(I) Planning for an IR Exercise

NSA should plan the IR exercise as soon as a long term vacancy is foreseen. IR exercise should be conducted in an open and fair manner. NSA should promulgate the coming IR to officers who are in the applicable rank(s) and state clearly : -

- (a) the time of the IR exercise;
- (b) the job requirements of the recruitment rank;
- (c) the eligibility criteria, including qualifications and/or experience required for recruitment; and
- (d) the selection criteria.

In order to enable an IR exercise to be conducted, a proper performance appraisal system must be in place.

(II) Function and Composition of Selection Boards

NSA should convene a selection board to set the selection criteria before the assessment of candidates, assess the suitability of individual eligible officers, and to recommend the most suitable and meritorious officer(s) for promotion or recruitment to the vacant post concerned, having regard to the duties and responsibilities of the rank and appropriate selection criteria.

The key tasks of selection board are to : -

- (a) set and adopt fair and appropriate selection criteria;
- (b) make fair assessments on all eligible candidates, mainly with reference to their performance appraisals over a period of time and their experience and previous exposure. Personal knowledge of the candidates' performance can be a supplemented reference but should not be a dominate consideration; Using a marking sheet or marking scheme for recruitment of staff is recommended to ensure that each candidate is evaluated in an objective and consistent manner; and
- (c) make recommendation with justification.

A selection board should comprise at least two officers including at least one officer bearer who are familiar with the duties and responsibilities of the rank.

(III) Avoidance and Declaration of Conflict of Interest

Persons who sit on a selection board should avoid any genuine or perceived conflict of interest. The designated members of selection board should declare, before the selection board meeting is conducted, whether their relationship with any of the eligible officers has or may be perceived as having conflict of interest, which may include but not limited to relatives and close friends. The President/Chairman should be informed of such case so that he can

determine whether a change of board member is required. In any case, such declaration of interest has to be noted in the selection board report.

(IV) Selection Criteria

IR is not a reward for long service, but to recognise that the selected officer is able and ready to perform the more demanding duties in a higher rank or to be employed on a long-term basis. The selection board should set the selection criteria and promulgate the pre-determined criteria to all potential candidates before the assessment. It should carefully examine the performance appraisals and the promotability and suitability of all eligible officers in each IR exercise and should select an officer for promotion or recruitment on the basis of the following criteria -

- (a) the staff concerned (no matter he/she is a subvented or non-subvented staff) should have gone through an open recruitment process when he/she first joined the NSA;
- (b) the staff should meet the minimum entry requirements of the new post; and
- (c) the staff should have a track record of satisfactory performance in the NSA.

Seniority will be given weight only if no candidate stands out clearly as the most suitable for promotion.

(V) Selection Board Report

A selection board report should be compiled including the following items -

- (a) a list of all eligible officers considered in the order of seniority;
- (b) the selection criteria adopted;
- (c) the officer recommended for IR with assessment and justification;
- (d) assessments on officers not recommended for recruitment;
- (e) record of any disagreement to the recommendation of the board, if any; and
- (f) declaration of interest.

The selection board report should be duly signed by the members, and the recommendation should be endorsed by the President/Chairman. NSA MUST retain all relevant documentations and records of the IR (including written deliberation of the selection panel) for a period of not less than seven years to facilitate inspection and audit examination by LCSD or other appropriate authorities. NSA MUST provide copies of the relevant documents to LCSD or other appropriate authorities on demand.

Job Descriptions of Subvented Posts

(A) Position Classification

Salary subvention to NSAs is confined to SIX administrative positions:

- Executive Director (ED)
- Coaching Director (CD)
- Senior Sports Executive (SSE)
- Sports Executive (SE)
- Technical Executive (TE)
- Administrative Assistant (AA)

NSAs may name the positions differently and state the equivalents to the 5 subvented full-time posts.

(B) Job Description

A job description is a written outline of the functional responsibilities of an officer within NSA. To avoid any misunderstanding, a clear job description reflecting key areas of operation needs to be stated in writing and to be provided to appointees upon offer of appointment. The following are the core functional responsibilities which are required for the five administrative posts subvented by LCSD:

- **Executive Director**
 - manage all activities of NSA office, including supervision and management of all staff
 - make recommendations on and execute policy decisions of NSA
 - attend meetings of the Executive Committee of NSA as required and provide professional advice and administrative support
 - implement professional administration procedures and be responsible for the overall management of the affairs of NSA
 - prepare and submit annual budgets; ensure the keeping of proper financial records and provide regular reports on income and expenditure to the President/Chairman and Executive Management of NSA
 - liaise with LCSD, the Sports Federation & Olympic Committee of Hong Kong, China, other organisations and district bodies on matters relevant to development of the sport
 - develop, review and implement NSA's Two to Four-Year Development Plan
 - oversee local and international programmes to ensure that the national team receives the best preparations for major championships

- arrange or assist in the organisation of competitions, tours and visits of teams, coaches, referees, or umpires
- develop additional and explore sources of funding for NSA including seeking sponsorships and grants from the commercial sector
- ensure timely reporting and conscientious compliance with terms of LCSD Subvention Agreement
- #take charge of the accounting matters of the Scheme

● **Coaching Director / Technical Executive**

- plan, co-ordinate and develop NSA coach accreditation programme
- organise refresher courses and seminars for coaches
- produce coaching-related literature
- oversee coaching activities at junior/regional centres
- establish a coaching structure at district and regional levels
- advise on coaching courses of LCSD
- co-ordinate talent identification programme
- establish and oversee NSA junior development/coaching programmes
- administer all coaching activities of NSA

● **Senior Sports Executive/Sports Executive**

- manage all activities of NSA office, including supervision and management of clerical staff
- prepare and submit annual budgets and providing regular reports on income and expenditure to the Executive Committee
- attend meetings of the Executive Committee and provide administrative support
- ensure tidy and orderly up keeping of all NSA's records and publications
- promote development of the sport discipline and arrange media publicity
- liaise with LCSD and other bodies on funding and other relevant matters
- maintain proper administration of NSA office
- organise and execute the programmes approved by the Executive Committee of NSA
- assist in the preparation and implementation of the Two to Four-Year Development Plan of NSA with a view to raising the standards and broadening the participation base of the sport discipline
- ensure timely reporting and conscientious compliance with terms of LCSD Subvention Agreement

- #take charge of the accounting matters of the Scheme

- **Administrative Assistant**

- undertake administrative and clerical duties in NSA office
- maintain proper filing and accounting records
- provide secretarial support to the office-bearers and executives of NSA
- # take charge of the accounting matters of the Scheme

#Optional

Starting from 2011-12, NSA should recruit at least one staff with accounting qualifications not lower than the London Chamber of Commerce and Industry – Level II Bookkeeping & Accounts to take charge of the accounting matters of the Scheme.

SAMPLE EMPLOYMENT CONTRACT

(for Executive Director/Coaching Director/Technical Executive/ Senior Sports Executive/Sports Executive/Administrative Assistant)

PRIVATE & CONFIDENTIAL

[date]

[name & address of appointee]

Dear [surname of appointee],

_____ (Name of Association) is pleased to offer you appointment as [post] with effect from [effective date of appointment]/for a period of [no.]* years from [effective date of appointment] to [contract expiry date]* on the terms and conditions briefly set out below and particularised in the attached memorandum.

There will be a probationary period of [no. of months]* months with effect from [effective date of appointment] to assess your suitability for the post. Your entitlements with effect from the same date will include the following:

- (a) A base salary of [HK\$] per month
- * (b) A thirteenth month payment equivalent to one month's base salary
- (c) [No. of days]* working days of annual leave per annum
- (d) Medical benefits
- * (e) Travel insurance benefits
- # (f) Death and Disability benefits
- (g) Retirement Benefit Scheme

I would be grateful if you would complete and return the attached reply form within 10 days from the date of this letter to indicate whether you accept the offer of appointment on the terms and conditions offered.

Yours sincerely,

President/Chairman/Hon. Secretary

Encl.

(Note : Items marked with an asterisk (*) are at the discretion of the Association while marked with a hash (#) is insured by the Association under the Employers' Compensation Ordinance. The related expenses is included in the subvention for office expenses.)

CONFIDENTIAL

Memorandum on Conditions of Service for the Post of [post]

1. Employment Status

- 1.1 You will become an employee of the _____
_____ (Name of Association).

2. Engagement Terms

- 2.1 You will be employed as [post] with effect from [effective date of appointment]/for a period of [no.]* years from [effective date of appointment] to [contract expiry date]*. The job description of the [post] post is at Attachment I.
- 2.2 There will be a probationary period of [no. of months]* months with effect from [effective date of appointment] to assess your suitability for the post.
- 2.3 You are eligible to join the Scheme under the Occupational Retirement Schemes Ordinance (ORSO)/Mandatory Provident Fund (MPF) Scheme* with retrospective effect to [date of appointment]. Both you and the Association shall each contribute an amount equals to [%]* of your base salary/relevant income* each month into the ORSO/MPF Scheme*. (Please refer to Annex 4 under the section of Personnel Expenses for details).

3. Conditioned Working Hours

- 3.1 You will be required to work a total of [no. of hours] hours including lunch-breaks in each period of four consecutive weeks.
- 3.2 The Association will from time to time require you to work outside the normal working hours as stated in 3.1. In such occasion, you will/will not* be entitled to time off in lieu/overtime allowance* at the rate of []*.

4. Base Salary

- 4.1 A base salary of [HK\$] per month will be payable to you with effect from [effective date of appointment].
- 4.2 The base salary will be paid in Hong Kong dollars monthly.

5. Thirteenth Month Payment *

- 5.1 You will be given a thirteenth month payment in [month] each year provided that you have not less than six months' continuous service with the Association. The thirteen month payment will be equivalent to one month's base salary as at [month]

if you have served twelve months in that calendar year or a pro-rata amount of one month's base salary as at [month] if you have been employed by the Association for more than six months but less than twelve months in that calendar year.

6. Annual Leave

- 6.1 Subject to satisfactory service, you are entitled to [no. of days]* working days of annual leave within each 12-month period subject to the approval of your supervisor. Your annual leave is calculated on a calendar year basis (ending 31 December)*.
- 6.2 You are/are not* entitled to any annual leave or annual leave payment in lieu should your employment with the Association be terminated (initiated by either party) within the first 3 months from your date of appointment.

7. Medical Benefits

- 7.1 Medical insurance will be provided to you. Details on your medical benefits have been set out in the relevant handout.

8. Travel Insurance Benefits *

- 8.1 Travel insurance may be provided to you if you are required to perform your duties abroad.

9. Death and Disability Benefits #

- 9.1 You or your beneficiaries will be compensated under the Employees' Compensation Ordinance (Chapter 282), if you die or become totally or permanently disabled as a result of work-related accidents.

10. Termination of Employment *

- 10.1 Either you or the Association may terminate your employment by giving the following notice:
 - 10.1.1 First month: No notice is required.
 - 10.1.2 Second and third month: Seven days' notice in writing or payment of seven days base salary in lieu of notice.
 - 10.1.3 Fourth month onwards: One month's notice in writing or payment of one month base salary in lieu of notice.

The payment of salary in lieu of notice is confined to base salary alone and does not include ORSO/MPF Scheme* contribution, thirteenth month payment*, annual leave payment in lieu* and overtime in lieu/allowance* etc..

- 10.2 Upon your termination of employment with the Association (initiated by either party), you will be required to refund to the Association the outstanding balance of any advances of salary or other sums which you may have received, and which may be deemed to be outstanding to the Association, including payment for any unearned annual leave.
- 10.3 You are entitled/not entitled* to take your outstanding annual leave and overtime time-off in lieu* during the termination notice period after obtaining the prior approval from the Association. In the event that you are unable to take your outstanding annual leave/overtime time-off in lieu* during the termination notice period, payment in lieu will be offered by the Association.
- 10.4 In the event that the Association considers any act done by you to be prejudicial to the interests of the Association, the Association may terminate your employment without notice or payment in lieu of notice, upon which termination, all rights and advantages of your employment will be forfeited.

11. Discipline

- 11.1 You shall not disclose to any unauthorised person any confidential information or information which may create embarrassment of the Association.
- 11.2 You shall be subject to the provisions of the Prevention of Bribery Ordinance (Chapter 201).
- 11.3 You shall be subject to the provisions of the Code of Conduct and administrative guidelines of the Association, and all advices whether oral or in writing as to be given from time to time.
- 11.4 You must report to the Association any criminal proceedings instituted against you. This requirement does not extend to fixed penalties for traffic offences, but it does apply if a summons is served.

12. Outside Work

- 12.1 You must report to the Association in writing and to obtain the prior and written permission before undertaking any outside work.

13. Resolution of Employment Contract by Mutual Consent

- 13.1 Only in very exceptional circumstances where adequate and reasonable (compassionate or personal) grounds are found acceptable to the Association, the employment agreement may be discharged by mutual resolution with or without loss of accrued benefits in respect of the service completed.

14. Changes in Terms of Appointment and Conditions of Services

- 14.1 The Association may from time to time amend, add to or delete the terms and conditions of your appointment. However, no such changes would be made without your prior consent.

15. Governing Law

- 15.1 This contract will be governed and construed in all respects in accordance with the laws of the Hong Kong Special Administrative Region.

[Date]

(Note : Items marked with an asterisk (*) are *expenses* at the discretion of the Association while marked with a hash (#) is insured by the Association under the Employers' Compensation Ordinance. The related *insurance* expenses is included in the subvention for office expenses.)

JOB DESCRIPTION OF THE [POST] POST

Reporting to the [supervisor], the [post] will be responsible for the following duties :

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
9. To perform any other appropriate duties as assigned by senior officers and / or office-bearers of the Association.

PRIVATE & CONFIDENTIAL

REPLY FORM

[name of President/Chairman/Hon. Secretary]

[name & address of Association]

Dear

I accept/do not accept[★] the offer of the _____
(name of Association) for appointment as [post] with effect from [effective date of appointment] /for a period of [no.]* years from [effective date of appointment] to [contract expiry date]* on the terms and conditions as set out in your letter of [date] and in the memorandum attached.

Yours sincerely,

Name of Appointee

Date

[★] *Delete whichever is inappropriate*

(Note : Items marked with an asterisk (*) are at the discretion of the Association)

**NATIONAL SPORTS ASSOCIATION
PROFESSIONAL TRAINING PROGRAMME
ACADEMIC TRAINING FUND
FOR OFFICER BEARER / SUBVENTED FULL-TIME STAFF**

1. TRAINING FUND

The Academic Training Fund is a subvention provided to office-bearers / full-time staff of National Sports Association (NSA) who wish to further develop themselves professionally through taking up academic studies in sports and recreation management or coach education up to university degree level (studies leading to a bachelor's degree / diploma offered by a recognised tertiary institution). However, Post-graduate studies (such as those leading to a post-graduate diploma or master's degree) are not subsidised by the Leisure and Cultural Services Department (LCSD).

2. ELIGIBILITY

Office bearers / full-time staff who have a minimum of 2 years' consecutive service with NSA(s) is eligible to apply (documentary proof is required). The applicant may serve more than one NSA.

3. APPLICATION PROCEDURE

When making an application, the eligible applicant is required to submit an application form (Appendix) with the following documents for LCSD's consideration at least two months prior to the commencement of the course.

- a written recommendation from the endorsing NSA;
- a copy of the institute's course prospectus (including course contents, duration and fee); and
- proof of course registration / enrolment (if available).

4. ASSESSMENT CRITERIA

4.1 Local part-time courses / subjects on sports and recreation management or coach education offered by a recognised tertiary institution up to the level of a bachelor's degree.

4.2 Fulfilment of minimum qualifications required for the course.

4.3 A written recommendation from the endorsing NSA.

4.4 Priority will be given to office bearers / full-time staff who : -

- have served NSA(s) continuously for more than three years; and
- have not received subvention for other similar academic programmes from LCSD or Hong Kong Sports Development Board in the past 5 years.

4.5 No retrospective subvention will be granted for courses taken before approval of subvention by LCSD.

5. SUBVENTION LEVEL

- 5.1 Degree course: 80% of the total course fee or HK\$40,000, whichever is the less.
- 5.2 Diploma course: 80% of the total course fee or HK\$29,000, whichever is the less.
- 5.3 In the event that a degree course is taken after the completion of a subvented diploma course, the subvention of degree course will be 80% of the total course fee or HK\$11,000 (i.e. the net difference between the maximum subvention of a degree course and that of a diploma course), whichever is the less.

6. REIMBURSEMENT

- 6.1 All the required documents, namely examination result slips, a copy of the certificate / diploma (duly certified by the endorsing NSA), original receipts of the course fees and a confirmation letter from the endorsing NSA concerned certifying completion of the course by the successful applicant, should be submitted to LCSD within six months upon completion of the course.
- 6.2 LCSD will not reimburse any expenses relating to course registration, examination fees and purchase of books.
- 6.3 Reimbursement will only be made to the successful applicant within an agreed course term (e.g. a term of 3 years for a 2-year course or 6 years for a 5-year course) provided that they are still employed by the NSA during their course of study up to the time when the reimbursement is released by LCSD.
- 6.4 Reimbursement will be paid to the successful applicant through his/her serving NSA within six months upon his / her completion of the course and submission of the required documents stated in 6.1.

7. UNDERTAKING

The successful applicant is required to serve the endorsing NSA as office bearers or full-time staff throughout the whole period of the approved course and up to the time when the reimbursement is released by LCSD (details as stated in 6.3). The applicant is also required to sign an undertaking, which will be sent to him / her in due course upon approval of his / her application, as a confirmation of his / her acceptance of the above conditions.

8. REPORT ON THE PROGRESS OF STUDY

In order to keep LCSD informed the progress of study by the successful applicant, he/she is required to submit a 'Report on the Progress of Study' to LCSD by the end of each school year whenever requested.

**NATIONAL SPORTS ASSOCIATION
PROFESSIONAL TRAINING PROGRAMME
ACADEMIC TRAINING FUND
FOR OFFICER BEARER / SUBVENTED FULL-TIME STAFF**
Application Form

PART I (To be completed by the Applicant)

1. Personal Particulars of Applicant:

Name: _____ Name of Endorsing NSA: _____
Present Position: _____ Date of Joining the Endorsing NSA: _____

2. Details of the Course:

Name of the Course: _____
Institute: _____
Duration of the Course : From _____ To _____
Course Fee: _____
Signature of Applicant: _____ Date: _____

* Please submit the course prospectus (details should include course contents, duration and fee) together with this application form to LCSD.

PART II (To be completed by the President/Chairman of the Endorsing NSA)

The above application of Academic Training Fund is recommended. Yes ☐ No ☐

Remarks: _____

Name: _____ Position in Endorsing NSA: _____ President/Chairman
Signature: _____ Date: _____

In the case of NSA President/Chairman being the applicant for the training fund, a joint name recommendation by any two key office-bearers is required.

Name: _____ Position in Endorsing NSA: _____ (officer bearer)

Signature: _____ Date: _____

Name: _____ Position in Endorsing NSA: _____ (officer bearer)

Signature: _____ Date: _____

**NATIONAL SPORTS ASSOCIATION
PROFESSIONAL TRAINING PROGRAMME
NON-ACADEMIC TRAINING FUND
FOR OFFICER BEARER / SUBVENTED FULL-TIME STAFF**

1. TRAINING FUND

The Non-academic Training Fund is a subvention provided to office-bearers/full-time staff of National Sports Association (NSA) for them to take up work-related non-academic studies on a short-term basis.

2. ELIGIBILITY

All office-bearers and full-time staff who have successfully completed their probationary period with satisfactory performance may apply, regardless of the duration of his/her employment contract (documentary proof is required).

3. APPLICATION PROCEDURE

When making an application, the eligible applicant is required to submit an application form (Annex II) with the following documents to the Leisure and Cultural Services Department (LCSD) for consideration at least two months prior to the commencement of the course/seminar.

- a copy of the institute's course/seminar details (including course/seminar contents, duration and fee); and
- proof of course registration/enrolment (if available).

4. ASSESSMENT CRITERIA

- 4.1 Training subvention will only be granted to office-bearers/full-time staff who are attending courses/seminars directly related to their present duties.
- 4.2 Applicant's seniority (the position held and the number of years of service with the endorsing NSA) will also be taken into consideration.
- 4.3 Priority will be given to the applicants who have not received any subvention for Non-Academic Training Fund in the past 2 years.
- 4.4 Each applicant will receive subvention for only one training course in each financial year.
- 4.5 No retrospective subvention will be granted for courses taken before approval of subvention is given by LCSD.

5. SUBVENTION LEVEL

The amount of subvention for each successful applicant is HK\$2,000 or 80% of the total course/seminar fee, whichever is the less.

6. REIMBURSEMENT

- 6.1 To be eligible for reimbursement, the applicant must : -

- complete the course/seminar successfully;
- obtain at least a passing mark or its equivalent if a grade/mark is given at the end of the course/seminar ; and
- show a record of at least 70% attendance if no grade/mark is given at the end of the course/seminar.

6.2 LCSD will not reimburse any expenses relating to course registration, examination fee and purchase of books.

6.3 All the required documents, namely a certificate of attendance, examination result slip/copy of the certificate (duly certified by the endorsing NSA), original receipt of course/seminar fee together with a confirmation letter from the endorsing NSA certifying completion of the course/seminar by the successful applicant, should be submitted to LCSD within six months upon completion of the course.

6.4 Reimbursement will be paid to the successful applicant through his/her endorsing NSA within six months upon his/her completion of the course/seminar and submission of the required documents stated in 6.3.

7. NON-REIMBURSEMENT

Any of the following circumstances will justify a case of non-reimbursement by LCSD:

- the applicant submits a notice of resignation to his/her endorsing NSA on or before the completion of the course/seminar;
- the applicant receives a notice of termination from his/her endorsing NSA on or before the completion of the course/seminar;
- the applicant has terminated his/her service with his/her endorsing NSA when the LCSD releases the reimbursement; and
- the applicant fails to fulfill any one of the requirements stated in 6.1.

8. SPECIAL NOTES

This guideline and the procedures stated herein are not applicable to any courses, seminars or workshops sponsored or organised by LCSD, e.g. the Community Sports Club Management Development Programme.

**NATIONAL SPORTS ASSOCIATION
PROFESSIONAL TRAINING PROGRAMME
NON-ACADEMIC TRAINING FUND
FOR OFFICER BEARER / SUBVENTED FULL-TIME STAFF**
Application Form

PART I (To be completed by the Applicant)

1. Personal Particulars of Applicant:

Name: _____ Name of Endorsing NSA: _____
Present Position: _____ Date of Joining the Endorsing NSA: _____

2. Details of the Course//Seminar:

Course/ Seminar Title: _____
Organiser: _____
Duration of the Course/Seminar : From _____ To _____
Course/ Seminar Fee: _____
Signature of Applicant: _____ Date: _____

*Please submit the course/ seminar details (including the contents, duration and fee) together with this application form to LCSD.

PART II (To be completed by the President/Chairman of the Endorsing NSA)

The above application for Non-Academic Training Fund is recommended. Yes ☐ No ☐

Remarks: _____

Name: _____ Position in Endorsing NSA: President / Chairman

Signature: _____ Date: _____

In the case of NSA President/Chairman being the applicant for the training fund, a joint name recommendation by any two key office-bearers is required.

Name: _____ Position in Endorsing NSA: (office-bearer)

Signature: _____ Date: _____

Name: _____ Position in Endorsing NSA: (office-bearer)

Signature: _____ Date: _____

SAMPLE**CONFIDENTIAL**

Performance Appraisal Report
(for staff who has completed the probation period and
continuously served NSA for six months or more)

Name of Association: _____

for the Appraisal Period from _____ to _____

Note: The Appraising Officer should be the one who directly supervises the work of the staff being appraised. If the Appraising Officer is the paid staff of the Association, the report will then need to be endorsed by an office-bearer of the Association.

PART I

(To be completed by the Appraisee)

1. PERSONAL PARTICULARS

Full name : _____

Position : _____

Date of joining the Association : _____

Date of appointment to present position : _____

Training course attended and/or qualification obtained during the reporting period :

2. MAIN RESPONSIBILITIES DURING THE APPRAISAL PERIOD

Please list the main tasks and objectives during the appraisal period, and make clear how many people you manage, how many of them report to you directly and what other resources you are concerned with.

Indicate the percentage (%) of
total time spent on each item

SIGNATURE OF APPRAISEE _____ DATE _____

PART II

(To be completed by the Appraising Officer)

1. OVERALL PERFORMANCE

Please give an overall assessment of the performance of the Appraisee during the Appraisal Period by ticking one of the boxes below. The rating must reflect the performance actually achieved and should not make allowance for any special factors such as age, ill-health or inexperience.

OVERALL PERFORMANCE GRADING:	Outstanding 	Very Effective 	Effective 	Moderate 	Poor
AVERAGE* SCORE	3.6 - 4	2.6 - 3.5	2 - 2.5	1 - 1.9	0 - 0.9
EXPLANATION	Very exceptional performance. Far exceeds normal requirements of the job.	Performance consistently better than is normally required.	Performance consistently meets normal requirements of the job.	Performance sometimes acceptable. However, needs some improvement to meet normal requirements of the job.	Unacceptable performance. Generally fails to meet normal requirements of the job.

$$* \text{ Average Scores } = \frac{\text{Total scores obtained in Item 2 of Part II}}{\text{Total no. of aspects of performance assessed under Item 2 of Part II}}$$

2. ASPECTS OF PERFORMANCE (For AA only)

Please assess the following aspects of performance during the Appraisal Period. The five ratings range from Outstanding (4 scores) to Very Poor (0 score). If an aspect has not been tested, please say so. If you wish to add any more aspects of performance, please do so at the end of this item.

**Additional
comments, if any**

- | | | | |
|-----|--|---|--|
| 2.1 | Application of Technical Knowledge and Skill :
Has applied his/her professional/ technical knowledge and skill in the performance of duties very effectively. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Has displayed serious shortcomings or limitations in the practical application of his/her professional/ technical knowledge and skill. |
| 2.2 | Quality of Work :
Extremely accurate and thorough, able to complete assigned duties before the deadline, and maintains high productivity consistently. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Work quality is unacceptable and fails to meet deadlines. |
| 2.3 | Output :
Produces a lot of excellent work before the deadline all the time. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Does far less than expected and unable to meet deadlines most of the time. |
| 2.4 | Knowledge of Work :
Has a very thorough understanding of his/her duties and is able to improve his/her work standard. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Has deficient job knowledge and is not able to meet the minimum job requirement. |
| 2.5 | Acceptance of Responsibility :
Has sought and accepted responsibility very readily, and whose supervisor is able to delegate to him/her readily and with confidence. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Does not take responsibility, or is ready to blame others when things get difficult. |
| 2.6 | Organisation of Work :
Organises his/her work outstandingly whilst able to observe priorities and maintain quality. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Organises his/her work badly. |
| 2.7 | Common Sense :
Consistently sensible and well Thought out. | 4 3 2 1 0
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Does not have any common sense. |

- 2.8 **Reliability :**
Can be trusted to work at outstanding standard with no supervision.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Totally unreliable.
- 2.9 **Problem Solving and Initiative :**
Very good at getting things done, highly constructive in thought and action, displays excellent foresight, and seeks and accepts responsibility readily.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- At a loss for ideas, generally negative in thought and action, fails to look ahead, or avoids responsibility.
- 2.10 **Management of Resources :**
Extremely economical and outstanding in getting good value for money in the resources managed.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Wasteful, or is inclined to leave resources for others to manager.
- 2.11 **Attendance and Punctuality :**
Very punctual and with good attendance throughout the year.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- A very poor time-keeper.
- 2.12 **Relations with Colleagues :**
Commands respects and is able to appreciate the colleagues' difficulties and suggest useful solutions to them.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Tactless, inconsiderate, impolite, or insensitive to colleagues.
- 2.13 **Relations with Clients, the Public and the Media :**
Treats contacts outside the organisation with promptness, courtesy, tact and expertise.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Does not take account of others' problems, ignores, or belittles the needs of those he/she deals with.
- 2.14 **Oral Expression in English And Chinese :**
(an appraisee should not be penalised for a particular accent)
extremely fluent in verbal communication and is confident, clear, concise and able to convince people.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- English
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Chinese
- Has great difficulty in expressing himself/ herself.

2.15 **Written Work in English
And Chinese :** English

4	3	2	1	0

 Chinese

--	--	--	--	--

 The written work is not to the point, or not well presented.
Understands the needs of the reader, and the written work is clear and convey its message plainly and concisely.

2.16 **Personal Appearance and Tidiness :**

4	3	2	1	0

 Untidy, or inefficient in his/her appearance or behaviour.
Neatly dressed and well presented at all times.

2.17 **Manners :**

4	3	2	1	0

 Poor manners.
Excellent manners.

Others (please specify)

4	3	2	1	0

2.18

2. ASPECTS OF PERFORMANCE (For ED/CD/SSE/SE/TE)

Please assess the following aspects of performance during the Appraisal Period. The five ratings range from Outstanding (4 scores) to Poor (0 score). If an aspect has not been tested, please say so. If you wish to add any more aspects of performance, please do so at the end of this item.

**Additional
comments, if any**

- | | | | |
|-----|---|---|---|
| 2.1 | Knowledge of Work :
Has a very thorough understanding of his/her duties and is able to improve work standard. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Has deficient job knowledge and is not able to meet the minimum job requirement. |
| 2.2 | Application of Professional/ Technical Knowledge and Skill :
Has applied his/her professional/ technical knowledge and skill in the performance of duties very effectively. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Has displayed serious shortcomings and limitations in the practical application of his/her professional/ technical knowledge and skill. |
| 2.3 | Organisation of Work :
Has organised his/her work outstandingly whilst able to observe priorities and maintain quality. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Has organised his/her work badly. |
| 2.4 | Management of Resources :
Extremely economical and outstanding in getting good value for money in the resources managed. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Wasteful, or is inclined to leave resources for others to manage. |
| 2.5 | Staff Management :
Always organises and inspires subordinates to give off their best. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Does not know the strengths or weaknesses of the subordinates, de-motivates them, or intervenes too much or too little. |
| 2.6 | Relations with Colleagues :
Commands respect, and is able to appreciate the colleagues' difficulties and suggest useful solutions to them. | 4 3 2 1 0
<div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Tactless, inconsiderate, impolite, or insensitive to colleagues. |

**Additional
comments, if any**

- 2.7 **Relations with Athletes :**
Always organises and inspires the athletes to give off their best.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Does not know the strengths nor weaknesses of the athletes, de-motivates them, or intervenes too much or too little.
- 2.8 **Relations with Clients, the Public and the Media :**
Treats contact outside organisation with promptness, courtesy, tact and expertise.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Does not take account of others' problems, ignores or belittles the needs of those he/she deals with.
- 2.9 **Judgement and Foresight :**
Conclusions are consistently sound and well thought out, and will not let problems overtake him/her but will anticipate.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Tends to produce superficial, impractical or illogical proposals, does not consider opinions before giving them, or is often caught out.
- 2.10 **Reasoning and Perception :**
Can analyse complex problems with a clear perception.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Frequently misunderstands and misses the point, or shows muddled thinking.
- 2.11 **Problem Solving and Initiative :**
Very good at getting things done, highly constructive in thought and action, displays excellent foresight, and seeks and accepts responsibility readily.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- At a loss for ideas, generally negative in thought and action, fails to look ahead, or avoids responsibility.
- 2.12 **Drive, Determination and Decisiveness :**
Consistently keen and whole-hearted about getting results.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Does not work energetically, cannot focus on what has to be done, and indecisive.
- 2.13 **Performance under Pressure:**
Can cope successfully under heavy or prolonged pressures.
- | 4 | 3 | 2 | 1 | 0 |
|---|---|---|---|---|
| | | | | |
- Wilt or become flustered even with a normal workload.

- 2.14 **Acceptance of Responsibility :** 4 3 2 1 0
 Has sought and accepted responsibility very readily, and whose supervisor is able to delegate to him/her readily and with confidence. ☐ ☐ ☐ ☐ ☐ Does not take responsibility, or is ready to blame others when things get difficult.
- 2.15 **Leadership :** 4 3 2 1 0
 Leads and wins the respect of others at all times by setting exemplary standards of work and behaviour. ☐ ☐ ☐ ☐ ☐ Unable to lead nor command any respect from others.
- 2.16 **Reliability :** 4 3 2 1 0
 Can be trusted to work at outstanding standard with no supervision. ☐ ☐ ☐ ☐ ☐ Totally unreliable.
- 2.17 **Self Development :** 4 3 2 1 0
 Always keep current/informed about new demand/service line developments, seek out and act on constructive feedback and additional professional training. ☐ ☐ ☐ ☐ ☐ Cannot keep current/informed about new demand/service line developments, seek out and act on constructive feedback and additional professional training.
- 2.18 **Self Demonstration :** 4 3 2 1 0
 Always demonstrate a desirable level of self-confidence, appropriate writing skills in English and Chinese, oral communication skills, including understanding the listener's frame of reference, ability to lead small group meetings and exhibit an appropriate level of curiosity that can lead to discovering opportunities and asking the right questions. ☐ ☐ ☐ ☐ ☐ Cannot demonstrate a desirable level of self-confidence, lack of appropriate writing skills in English and Chinese, oral communication skills, including understanding the listener's frame of reference, lack of ability to lead small group meetings and cannot exhibit an appropriate level of curiosity that can lead to discovering opportunities and asking the right questions.

**Additional
comments, if any**

- 2.19 **Professional Competence :** 4 3 2 1 0
 Excellent in professional knowledge, able to expand his/her professional knowledge and keep abreast of current thinking, and has applied his/her professional knowledge and skill in the performance of duties outstandingly. Professional knowledge is inadequate, outdated, or unable to meet the minimum job requirement, or has displayed serious shortcomings in the practical application of his/her professional knowledge and skill.
- 2.20 **Written Work in English and Chinese :** 4 3 2 1 0
 Understands the needs of the reader, and the written work is clear and convey its message plainly and concisely. English

--	--	--	--	--

 Chinese

--	--	--	--	--

 The written work is not to the point, or not well presented.
- 2.21 **Oral Expression in English and Chinese :** 4 3 2 1 0
 (an appraiser should not be penalised for a particular accent) English

--	--	--	--	--

 Chinese

--	--	--	--	--

 Has great difficulty in expressing himself/herself.
 Extremely fluent in verbal communication and is confident, clear, concise and able to convince people.
- 2.22 **Attendance and Punctuality :** 4 3 2 1 0
 Very punctual and with good attendance throughout the year.

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 A very poor time-keeper.
- Others (please specify)** 4 3 2 1 0
 2.23

--	--	--	--	--

3. **OVERALL COMMENTS**

Please give an overall assessment of the Appraisee, explaining how the identified strengths and weaknesses have affected his or her performance. Please also give your views on the Appraisee's need for training and suitability for advancement to higher position, if applicable.

I am satisfied/not satisfied with the performance and conduct of the Appraisee in the year under review. I recommend/do not recommend* that an annual adjustment, if any, be granted to the Appraisee.*

SIGNATURE OF APPRAISING OFFICER: _____

NAME OF APPRAISING OFFICER: _____

POST: _____

DATE: _____

*(*Delete whichever is inappropriate)*

PART III

(To be completed by the Appraising Officer)

RECORD OF PERFORMANCE APPRAISAL INTERVIEW

Please compare achievements against expectations, and discuss areas of under-achievement and their improvement, and how to build on areas of over-achievement. You should also discuss and agree future goals and targets. Any points made by the Appraisee should be recorded below.

SIGNATURE OF APPRAISING OFFICER: _____

NAME OF APPRAISING OFFICER: _____

SIGNATURE OF APPRAISEE: _____

NAME OF APPRAISEE: _____

DATE: _____

PART IV

(To be completed by an office-bearer, if the Appraising Officer is a paid staff)

OFFICE-BEARER'S COMMENTS

I endorse/do not endorse[★] the Appraising Officer's assessment.

NAME & SIGNATURE OF OFFICE-BEARER: _____
(_____)

TITLE: _____

DATE: _____

([★]Delete whichever is inappropriate)

PART V

HEAD COACH'S COMMENTS (APPLICABLE TO THE APPRAISAL FOR THE TECHNICAL EXECUTIVE) EMPLOYED BY THE NSA RECEIVING ELITE VOTE SUPPORTS

I endorse/do not endorse[★] that an annual adjustment, if any, be granted to the Appraisee.

HEAD COACH'S SIGNATURE: _____

NAME: _____

DATE: _____

([★]Delete whichever is inappropriate)

CONFIDENTIAL

**Performance Appraisal Report
(for staff with six months' or less employment with NSA)**

Name of Association: _____

for the Appraisal Period _____ to _____

Note: 1. The Appraising Officer should be the one who supervises the work of the staff being appraised. If the Appraising Officer is the paid staff of the Association, the report will then need to be endorsed by an office-bearer /head coach of the Association.

2. The completed report should be properly kept by NSA in a confidential registry.

PART I

(To be completed by the Appraisee)

PERSONAL PARTICULARS

Full name: _____

Position: _____

Date of joining the Association: _____

Date of appointment to present position: _____

Training course attended and/or qualification obtained during the reporting period :

PART II

(To be completed by the Appraising Officer)

OVERALL COMMENTS

Please give an overall assessment of the Appraisee, explaining how the identified strengths and weaknesses have affected his or her performance. Please also give your views on the Appraisee's need for training and suitability for advancement to higher position, if applicable.

I am satisfied/not satisfied⁺ with the performance and conduct of the Appraisee in the year under review. I recommend/do not recommend⁺ that an annual adjustment, if any, be granted to the Appraisee.

SIGNATURE OF APPRAISING OFFICER : _____

NAME OF APPRAISING OFFICER : _____

POST : _____

DATE : _____

(⁺Delete whichever is inappropriate)

PART III

(To be completed by the Appraising Officer)

RECORD OF PERFORMANCE APPRAISAL INTERVIEW

Please compare achievements against expectations, and discuss areas of under-achievement and their improvement, and how to build on areas of over-achievement. You should also discuss and agree future goals and targets. Any points made by the Appraisee should be recorded below.

SIGNATURE OF APPRAISING OFFICER : _____

NAME OF APPRAISING OFFICER : _____

SIGNATURE OF APPRAISEE : _____

NAME OF APPRAISEE : _____

DATE : _____

PART IV

(To be completed by an office-bearer, if the Appraising Officer is a paid staff)

OFFICE-BEARER'S COMMENTS

I endorse/do not endorse^{} the Appraiser's assessment.*

NAME & SIGNATURE OF OFFICE-BEARER : _____
(_____)

TITLE : _____

DATE : _____

(^{}Delete whichever is inappropriate)*

PART V

HEAD COACH'S COMMENTS (APPLICABLE TO THE APPRAISAL FOR THE TECHNICAL EXECUTIVE) EMPLOYED BY THE NSA RECEIVING ELITE VOTE SUPPORT

I endorse/do not endorse⁺ that an annual adjustment, if any, be granted to the Appraisee.

HEAD COACH'S SIGNATURE: _____

NAME: _____

DATE: _____

(⁺Delete whichever is inappropriate)

Allocation Mechanism of Bonus to National Sports Associations’ (“NSAs”) Performance

Workflow

In accordance with the *Guidelines on Allocation Mechanism of Bonus to National Sports Associations’ Performance* as set out in Annex C to the Agreement, the Government may exercise the right, if at any time the Grantee fails to duly perform its obligations under the Agreement or in this Handbook or in the sole opinion of the Government commits any malpractices in respect of internal control and corporate governance, to deduct the bonus specified in the column of “Bonus and Benefit” at Appendix to Annex B to the Agreement. The deduction is accorded to the Severity-Frequency Grid at Figure 1 in Annex C to the Agreement. The detailed arrangements are as follows:

- (1) To formulate the “Severity-Frequency Grid” (hereinafter referred to as the “Grid”) to classify disputes/malpractices so that the Government can make reference to it when allocating the “bonus” to the Subvented staff. There are 9 levels in the Grid according to the severity and frequency of occurrence of disputes/malpractices. After the assessment/appeal panel determines the level of the case, the corresponding percentage of the bonus will be deducted according to the level of case / issue a letter of advice.
- (2) The Government will review the NSA performance against the Grid every year, usually in conjunction with the Mid-year Assessment, and the assessment/appeal panel will determine the level of the case, thus the deduction percentage. If the disputes/malpractices involves more than one level, the deducted percentage of the subvention year will be the sum of the deduction percentages of each of the levels, but the maximum deduction of bonus in total is capped at 10% of the total amount of Personnel Expenses (excluding Mandatory Provident Fund / the Occupational Retirement Schemes Ordinance) for the Subvention Period.
- (3) The assessment panel will be chaired by a senior leisure service manager, and composed of leisure service managers and an executive officer. It is responsible for assessing the case to determine the level of the case and the deduction percentage.

- (4) Once the deduction percentage was determined, the Government will notify the NSA of the decision. If the NSA disagrees with the assessment result, it can appeal within 14 days after receiving the government's notification. All appeals are considered and finalized by an appeals panel chaired by the chief leisure manager.
- (5) Refer to Appendix I for the "Flowchart".
- (6) Refer to Appendix II for The calculation method of deduction can be referred to Appendix II.
- (7) The criteria for determining the level of disputes/malpractices are listed below:

(Remark: The determination of the level of individual cases is made by the assessment/appeal panel after thorough consideration. The following example is for reference only.)

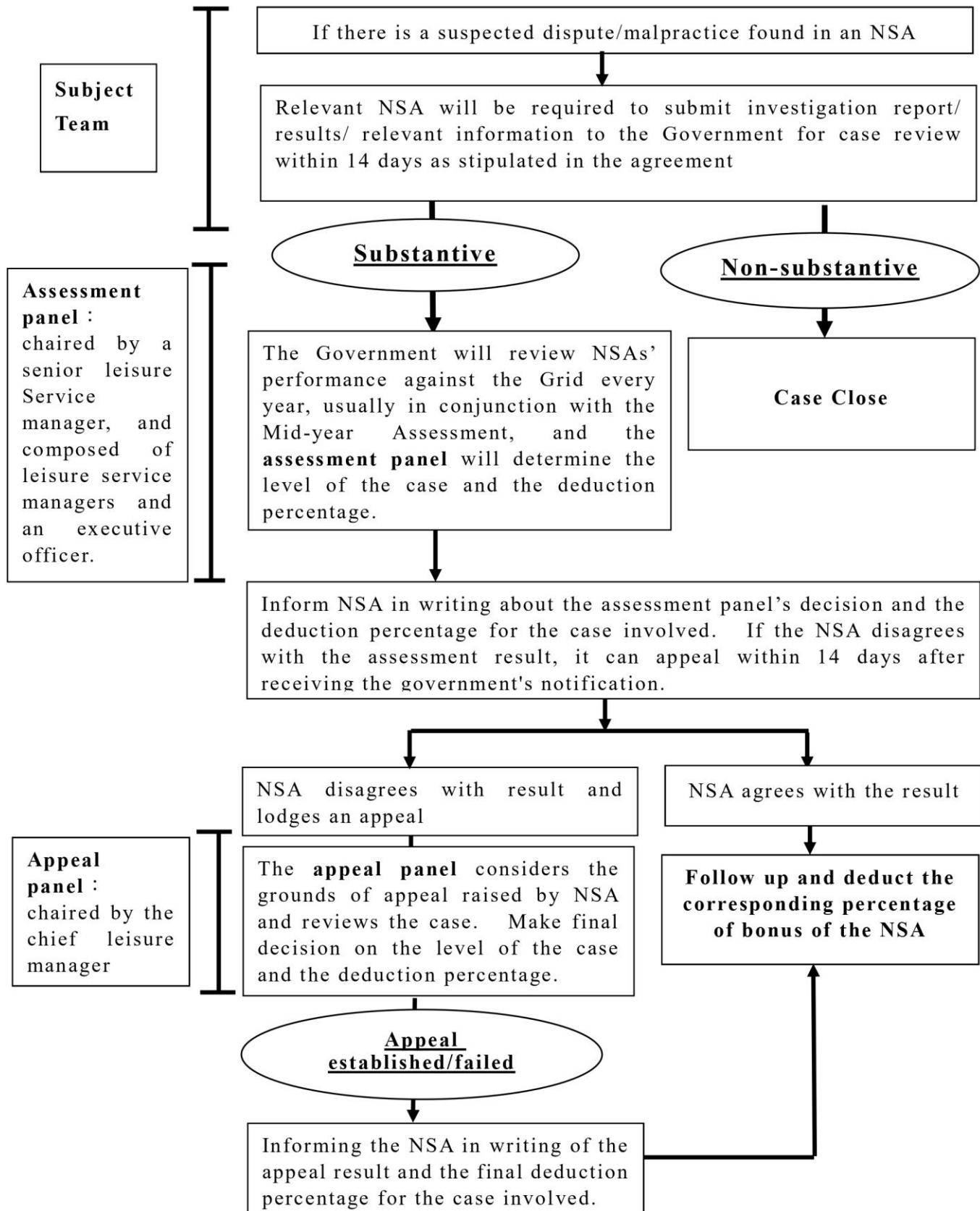
Level (Severity)	Criteria (for reference only)	Example (for reference only)
(a)Procedural Risk (minor) Level I : No deduction is required. Issue of letter of advice. Level II : Deduct 1% of bonus Level III : Deduct 2% of bonus	Levels I to III are generally related to the unsatisfactory/negligent daily administrative procedures of NSAs, which are minor negligence; including but not limited to irregularities discovered during regular inspections by the Service Quality Inspection Team of the department. If the same incident is found to occur repeatedly in three consecutive service quality inspection reports, the severity will be increased according to the number of repetitions, from level I to level III.	Example 1: Failure to comply with government audit guidelines in handling day-to-day financial reporting (e.g. refunding money without receipt). Example 2: Complaints were not handled according to the guidelines (e.g. failure to reply to the complainant within 10 days).

Level (Severity)	Criteria (for reference only)	Example (for reference only)
(b)Operational Risk (moderate) Level IV : Deduct 3% of bonus Level V : Deduct 4% of bonus Level VI : Deduct 5% of bonus	Levels IV to VI are generally related to the malpractice/ misconduct of NSAs, including but not limited to malpractice/misconduct in organizing events, recruiting staff, making purchases, using subvention funding/ reserve fund, accepting donations/ sponsorship, etc. which are the matters related to moderate level. If more than one incident of moderate level malpractice/ misconduct is found within the same year, the severity will be increased according to the number of times, from Level IV to Level VI.	Example 1: Failure to hire qualified personnel in accordance with the entry requirements stipulated in the handbook or the staff administration policy formulated by the NSA. Example 2: Use of reserve fund without written government approval.

Level (Severity)	Criteria (for reference only)	Example (for reference only)
(c) Organisational Risk (serious) Level VII : Deduct 6% of bonus Level VIII : Deduct 7% of bonus Level IX : Deduct 8% of bonus	Level VII to IX are matters of serious malpractice/ misconduct in the corporate governance of the NSA, generally including but not limited to the corporate governance of the NSA, the Articles of Association, the laws and regulations implemented in Hong Kong and amended from time to time, etc. If more than one malpractice/ misconduct is found in the same year, the severity will be increased according to the number of times, from Level VII to Level IX. The assessment/appeal panel may also consider the seriousness of individual matters and decide the level directly according to the case nature.	Example 1: Violating the "Articles of Association" of the NSA in the conduct of business and affairs. Example 2: Violates all laws, statutes, ordinances, rules and regulations, etc., currently in force in Hong Kong and as amended from time to time.

**Allocation Mechanism of Bonus to National Sports Associations’
 (“NSAs”) Performance**

Flowchart



**Allocation Mechanism of Bonus to National Sports Associations’
 (“NSAs”) Performance**
The calculation method

(1) Personnel Expenses

Personnel expenses include (a) salaries, (b) the Mandatory Provident Fund (MPF)/ the Occupational Retirement Schemes Ordinance (ORSO), as well as (c) Bonus and Benefits.

(2) The maximum deduction of bonus in total

Capped at 10% of the total amount of Personnel Expenses (excluding Mandatory Provident Fund / the Occupational Retirement Schemes Ordinance) for the Subvention Period.

The calculation method for the maximum 10% deduction of bonus in total:

$((a) \text{Total annual salary} + (c) \text{ Bonus and Benefits}) \times 10\%$

Example:

- (a) Total annual salary = \$750,000
- (c) Bonus and Benefits = \$250,000
- The maximum deduction = $((a) + (c)) \times 10\%$
= $(\$750,000 + \$250,000) \times 10\%$
= \$100,000

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