

Four charged with \$1.5m bribery and false accounting over loan applications

7 January 2015

A former senior executive of a bank and a property investor have been charged by the ICAC with accepting and offering about \$1.5 million worth of advantages, including baby gifts, a discounted sale of a sports car, a watch, free accommodation, free use of a private car and a payment of renovation fee in relation to applications for credit facilities.

In addition, the property investor and two other persons were charged with false accounting for concealing the payment of renovation fee.

Jimmy Lau Yau-wai, 41, former senior vice-president of The Bank of East Asia (BEA), who was charged yesterday (January 6), faces seven counts of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance (POBO).

Also charged yesterday was Tam Pak-wing, 66, director-cum-shareholder of Wai Woo Brothers Industrial Company Limited (WWB), who faces seven counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the POBO.

Tam Pak-wing, Kenny Tam Hiu-kit, 32, staff member of WWB, and Chan Shing-yip, 40, operator of Ka Shun Decoration Construction Limited (KSDCL), have been jointly charged with one count of conspiracy to falsify an account, contrary to Section 159A of the Crimes Ordinance and Section 19(1)(a) of the Theft Ordinance.

The defendants will appear in the Eastern Magistracy tomorrow (January 8) for transfer to the District Court for plea.

At the material time, Lau was a senior vice-president of the Private Banking Department of BEA. Among his clients was Tam Pak-wing, who was a property investor and owned a number of companies, including WWB. His nephew Kenny Tam worked at WWB.

Chan Shing-yip was the operator of Ka Shun Decoration Construction Limited (KSDCL), which provided renovation service to the properties held by Tam Pak-wing and his companies.

Seven of the charges allege that between June 2011 and August 2013, Lau accepted advantages as rewards for processing the applications for credit facilities in relation to companies owned by Tam Pak-wing.

The advantages allegedly accepted by Lau amounted to about \$1.5 million, including baby gifts worth over \$12,600, a discounted sale of a sports car worth \$1.35 million, a watch worth over \$57,000, free accommodation at a house in Stanley, free use of a private car and the payment of a renovation fee of \$266,850 for Lau's home.

Seven other charges allege Tam Pak-wing of having offered the above advantages to Lau for the same purpose.

The remaining charge alleges that between June 2013 and August 2013, Tam Pak-wing, Kenny Tam and Chan conspired together with a then assistant general manager of WWB to falsify an invoice of KSDCL for an accounting purpose, purporting to show that KSDCL had conducted renovation works for the ground floor lobby of a commercial building in Tsim Sha Tsui, so as to conceal the payment of renovation fee for Lau.

BEA has rendered full assistance to the ICAC during its investigation.

The defendants have been released on ICAC bail, pending their court appearance tomorrow.

廉署起訴四人疑就信貸申請貪污一百五十萬元及偽造帳目

2015年1月7日

廉政公署起訴一名銀行前高層人員及一名物業投資者，控告他們涉嫌就信貸申請收受及提供總值約一百五十萬元的利益，包括嬰兒禮品、一輛獲折扣銷售的跑車、一隻錶、免費住宿、免費使用一輛私家車及一筆裝修費用。

此外，該名物業投資者及另外兩名人士同被控偽造帳目，以隱瞞有關的裝修費用。

劉有為，四十一歲，東亞銀行(香港)有限公司(東亞銀行)前高級副總裁，昨日(一月六日)被控七項代理人接受利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條。

同在昨日被起訴的譚伯榮，六十六歲，惠和兄弟實業有限公司(惠和)董事及股東，被控七項向代理人提供利益罪名，涉嫌違反《防止賄賂條例》第9(2)(a)條。

譚伯榮；譚曉杰，三十二歲，惠和職員；陳成業，四十歲，嘉信裝修工程有限公司(嘉信)負責人，同被控一項串謀捏改帳目罪名，涉嫌違反《刑事罪行條例》第159A條及《盜竊罪條例》第19(1)(a)條。

各被告將於明日(一月八日)在東區裁判法院應訊，以待案件轉介區域法院答辯。

劉有為於案發時是東亞銀行私人銀行部的高級副總裁。譚伯榮是劉的其中一名客戶，他是一名物業投資者並擁有包括惠和在內的多間公司，而其姪兒譚曉杰在惠和任職。

陳成業是嘉信的負責人，嘉信專為譚伯榮及其公司持有的物業提供裝修服務。

其中七項控罪指劉涉嫌於二〇一一年六月至二〇一三年八月期間接受多項利益，作為處理有關譚伯榮所擁有公司的信貸申請的報酬。

劉涉嫌收受的利益總值約一百五十萬元，當中包括價值逾一萬二千六百元的嬰兒禮品、以折扣銷售價值一百三十五萬元的跑車、一隻價值逾五萬七千元的手錶、在赤柱一個住宅單位的免費住宿、免費使用一輛私家車，以及劉本身寓所裝修而支付的一筆二十六萬六千八百五十元費用。

另外七項控罪指譚伯榮涉嫌以相同目的，向劉提供上述利益。

餘下一項控罪指譚伯榮、譚曉杰及陳成業涉嫌於二〇一三年六月至二〇一三年八月期間，與惠和當時的一名助理總經理一同串謀捏改一份作為會計用途的嘉信發票，顯示嘉信曾為尖沙咀一幢商業樓宇的地下大堂進行裝修工程，以隱瞞為劉支付的裝修費用。

東亞銀行在廉署調查案件期間提供全面協助。

各被告已獲廉署准予保釋，以待明日應訊。

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