



Press Releases

Manager jailed for offering illegal commission of Euro 50,000 to bank staff

2017-11-22

A manager of a web services company, charged by the ICAC, was today (November 22) sentenced to three months' imprisonment at the Eastern Magistracy for having offered an illegal commission of Euro 50,000 to an assistant vice president of a bank for assisting him in handling a remittance of Euro five million.

Samuel Alexandre Nicolas Bongard, 29, manager of Web Marketing 26 Limited (Web 26), yesterday pleaded guilty to one count of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance.

In sentencing, Principal Magistrate Ms Bina Chainrai said there were no exceptional circumstances in the case that warranted a non-custodial sentence.

The principal magistrate said she reduced the defendant's jail term to three months from the starting point of four and a half months after taking into account his guilty plea.

Upon the defendant's application, the principal magistrate allowed him to extend his cash bail of HK\$100,000 pending an appeal against sentence. He was also ordered to abide by other bail terms, including surrendering all travel documents, not to leave Hong Kong, and residing at the reported address.

The court heard that at the material time, the defendant was a manager of Web 26, a web services company in Hong Kong. He was the sole signatory of its business integrated account with The Hongkong and Shanghai Banking Corporation Limited (HSBC).

In mid-November 2016, the defendant was expecting a remittance of Euro five million sent by telegraph transfer to his account by a client for the purpose of investment.

The defendant made enquiries at the HSBC Central and Western Business Centre (business centre), but the remittance had yet to be received in the account of Web 26 with HSBC.

On December 13, 2016, the defendant sent an email to a female assistant vice president of the business centre. In the email, he said he wanted to know if he could tell his client to contact her over the remittance, and that if the assistant vice president could help him, he would give her one per cent of the remittance, which was equivalent to Euro 50,000. The assistant vice president reported the matter to her supervisors.

The court heard that the defendant was arrested by the ICAC on October 22, 2017 when he came to Hong Kong.

Under caution, the defendant admitted that on December 13, 2016, he sent the email to the assistant vice president offering to give her one per cent of the remittance, hoping that she would spend more time or efforts in checking the status of the remittance for him.

The defendant also said he regarded the one per cent of the remittance as a commission for the assistant vice president, the court was told.

The management of HSBC had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Acting Senior Public Prosecutor Anthea Kwok, assisted by ICAC officer Rosita Lee.

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新聞公佈

經理向銀行職員提供五萬歐元非法佣金判囚三個月

2017年11月22日

一名網上服務公司經理向一名銀行助理副總裁提供五萬歐元非法佣金，以協助他處理一筆五百萬歐元的匯款，被廉政公署拘控。被告今日（十一月二十二日）在東區裁判法院被判入獄三個月。

Samuel Alexandre Nicolas Bongard，二十九歲，Web Marketing 26 Limited (Web 26) 經理，昨日承認一項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條。

主任裁判官錢禮判刑時表示，基於案件不涉及任何特殊情況，非監禁刑罰並不適合。

主任裁判官稱，判刑起點為四個月，考慮到被告認罪，因此扣減其刑期至三個月。

主任裁判官批准被告提出的申請，准許他繼續以現金港幣十萬元保釋外出，等候就刑期提出上訴。被告亦受命須遵守其他保釋條件，包括交出所有旅遊證件、不准離開香港，以及在報住的地址居住。

案情透露，被告於案發時為香港一間網上服務公司Web 26的經理。他是該公司在香港上海滙豐銀行有限公司(滙豐銀行)一個商業綜合戶口的唯一簽署人。

被告於二〇一六年十一月中正等候一名客戶將一筆五百萬歐元款項透過電匯轉賬至Web 26在滙豐銀行的戶口，以作投資之用。

被告多次向滙豐銀行中西區中小企業中心（中小企業中心）查詢，惟Web 26的戶口仍未收到有關匯款。

被告於二〇一六年十二月十三日向中小企業中心一名女助理副總裁發出一封電郵。被告在電郵中要求由他的客戶直接聯絡她，以跟進有關匯款事宜，並指出如該助理副總裁答允協助，他將向她提供匯款百分之一的金額，即相等於五萬歐元。該助理副總裁向上司匯報有關事件。

案情透露，被告於二〇一七年十月二十二日回港時被廉署拘捕。

被告在警誡下承認他於二〇一六年十二月十三日曾向該助理副總裁發出電郵，提出會向她提供匯款百分之一的金額，希望她能花更多時間或努力為他核實匯款的狀況。

案情指，被告又表示，有關匯款百分之一的金額是他給予該助理副總裁的佣金。

滙豐銀行管理層在廉署調查案件期間提供全面協助。

控方今日由署理高級檢控官郭嘉婷代表出庭，並由廉署人員李麗瑩協助。

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