



Press Releases

Two former insurance agents charged by ICAC jailed for \$750,000 commission fraud

2022-3-17

Two former insurance agents, charged by the ICAC, were today (March 17) respectively jailed for 37 months and 12 months for conspiracy to defraud an insurance company of commissions totalling over \$750,000 by falsely representing that one of them had handled 10 insurance policies.

Tin Tak-ho, 47, former senior branch manager of Manulife (International) Limited (Manulife), was sentenced to 37 months' imprisonment, while Alvin Tam Man-chan, 56, former insurance agent of Manulife, received a jail term of 12 months.

The duo pleaded guilty to one count of conspiracy to defraud, contrary to Common Law. Tin earlier further pleaded guilty to five counts of forgery, contrary to Section 71 of the Crimes Ordinance.

In sentencing, District Court Judge Mr Isaac Tam Sze-lok said the court had to impose deterrent custodial sentences on the defendants as the duo had breached the trust placed on them and caused financial loss to the insurer concerned.

The ICAC investigation arose from a corruption complaint. Subsequent enquiries revealed the above offences.

The court heard that at the material time, Tin was a senior branch manager of Manulife and Tam was his down-line agent. When an insurance product of Manulife was sold, the handling agent would receive a commission while his up-line managers would receive overriding commissions and/or bonuses from Manulife.

In December 2017, Manulife received 10 insurance policy application forms submitted by Tin. The application forms were purportedly signed by nine persons as applicants and Tam as the handling agent. Manulife subsequently released commissions totalling over \$470,000 to Tam as the handling agent, and overriding commissions totalling about \$280,000 to Tin in respect of those insurance policies.

ICAC inquiries revealed that the duo had reached an agreement for Tam to falsely represent as the handling agent of insurance policy applications handled by Tin. Tam did not procure the 10 insurance policies or meet the applicants concerned. The relevant initial premiums were arranged by Tin to pay to Manulife and Tam returned the commissions received from the company to Tin.

Had Manulife known that the 10 application forms contained false information, it would not underwrite and issued the insurance policies, nor would it paid the commissions and overriding commissions to Tam and Tin respectively.

Five of the relevant applicants confirmed that they had not applied for the insurance policies concerned and it was revealed that the relevant application forms were forged by Tin without their knowledge.

Manulife had rendered full assistance to the ICAC during its investigation into the case.

The prosecution was today represented by Senior Public Prosecutor Paggie Lee, assisted by ICAC officers Jeff Chow and Romeo Chu.

Over the years, the ICAC has been actively providing corruption prevention services to insurance organisations and arranging ethics training for practitioners. For details, please visit the Ethics Promotion Website for the Insurance Industry (hkbedc.icac.hk/insurance/en/).

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新聞公佈

遭廉署起訴兩名前保險代理詐騙佣金75萬元判囚

2022年3月17日

廉政公署早前落案起訴兩名前保險代理，訛稱10份保單由其中一人處理，串謀詐騙一間保險公司佣金共逾75萬元。兩名被告今日(3月17日)分別被判入獄37個月及12個月。

田德浩，47歲，宏利人壽保險(國際)有限公司(宏利)前高級分行經理，被判入獄37個月，而譚文燦，56歲，宏利前保險代理，則被判囚12個月。

二人早前承認一項串謀詐騙罪名，違反普通法。田德浩另承認五項偽造罪名，違反《刑事罪行條例》第71條。

區域法院法官譚思樂判刑時稱，二人違反誠信，導致保險公司經濟損失，必須判處具阻嚇性的監禁刑罰。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，田德浩案發時任職宏利高級分行經理，譚文燦為其下線代理。若保險代理售出宏利產品，經辦保單者會獲發佣金，而其上線經理則會獲發上線經理管理佣金及 / 或獎金。

宏利2017年12月接獲10份由田德浩提交的保單申請表，申請表看來由九名人士簽署為投保人，並由譚文燦簽署為經辦代理。宏利其後就有關保單向譚文燦發放經辦代理佣金共逾47萬元，並向田德浩發放上線經理管理佣金共約28萬元。

廉署調查發現，二人曾協議在田德浩經辦的保單申請中，訛稱譚文燦為經辦代理。譚文燦並沒有銷售該10份保單或與相關投保人會面。涉案首期保費均由田德浩安排向宏利支付，而譚文燦則將他從該公司收取的佣金轉交予田德浩。

若宏利知悉該10份申請表載有虛假資料，則不會承保及發出該等保單，亦不會向譚文燦及田德浩分別發放佣金及上線經理管理佣金。

相關保單投保人中有五人確認從未申請有關保單，而田德浩在他們不知情下偽造相關申請表。

宏利在廉署調查案件期間提供全面協助。

控方今日由高級檢控官李佩璣代表出庭，並由廉署人員周雲龍及朱俊軒協助。

廉署一直積極向保險機構推廣防貪服務，並為從業員安排誠信培訓，詳情可瀏覽「保險業道德資源網站」(hkbedc.icac.hk/insurance/tc/)。

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