

## Two months' jail for bribing driving examiner

13 February 2015

A young man, charged by the ICAC, was today (Friday) sentenced to two months' imprisonment at the Kowloon City Magistracy after admitting that he had offered a bribe of \$500 to a driving examiner of the Transport Department (TD) so as to get a pass in a driving test.

Leung Kin-ming, 22, a container depot worker, today pleaded guilty to one count of offering an advantage to a public servant, contrary to Section 4(1)(a) of the Prevention of Bribery Ordinance.

Deputy Magistrate Lam Tsz-kan ordered that the \$500 offered by the defendant to the driving examiner be confiscated.

In passing the sentence, the deputy magistrate said as bribing a public servant was a very serious offence, the court had to mete out an immediate custodial sentence to the defendant so as to serve as a deterrent.

The deputy magistrate reprimanded the defendant for undermining the driving examination system and causing unfairness to other candidates and safety risks to road users should his corrupt deal have succeeded.

The deputy magistrate added that after taking into account various factors, including the defendant's guilty plea and his young age, he reduced the starting point of three months in jail to two months.

The court heard that the defendant took a light goods vehicle driving test at the Tin Kwong Road Driving Test Centre of the TD in the morning of February 11 this year.

After a random allotment exercise, a Driving Examiner II of the TD was assigned to be the defendant's driving examiner.

When the vehicle stopped at a red traffic light about three minutes after the start of the driving test, the defendant took out a \$500 banknote and gave it to the driving examiner by saying: "Sir, for you to have tea."

Despite the driving examiner's refusal to accept the banknote, the defendant repeated the offer by reiterating: "Sir, for you to have tea." The driving examiner asked the defendant to withdraw the banknote, and told the defendant that he would call the Police, the court heard.

The defendant then put the banknote into his rear pant pocket and was told to drive the vehicle back to the driving centre. Upon arrival at the centre, the driving examiner called the Police to make a report, and told his supervisor of the matter.

The defendant was then arrested by the Police, with the \$500 banknote seized from him. Subsequently, the case was referred to the ICAC on the same day, the court was told.

The TD and the Police had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by ICAC officer Billy Cheng.

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## 男子行賄考牌官判囚兩個月

2015年2月13日

一名年輕男子向一名運輸署考牌主任提供五百元賄款，以求取得駕駛考試及格，被廉政公署拘控。被告今日(星期五)在九龍城裁判法院承認控罪，被判入獄兩個月。

梁建明，二十二歲，貨櫃站工人，今日承認一項向公職人員提供利益罪名，違反《防止賄賂條例》第4(1)(a)條。

暫委裁判官林子勤下令將被告行賄考牌主任的五百元充公。

暫委裁判官判刑時稱，行賄公職人員是十分嚴重的罪行，故此法庭必須判被告即時入獄，以示阻嚇。

暫委裁判官又斥責被告衝擊運輸署的駕駛考試制度，倘若被告的貪污勾當成功，會對其他考生造成不公，並危害道路使用者的安全。

暫委裁判官續稱，量刑起點為監禁三個月，但考慮到多項因素，包括被告認罪及年紀輕，故此扣減刑期至兩個月。

案情透露，被告於本年二月十一日早上在運輸署天光道駕駛考試中心參加輕型貨車駕駛考試。

運輸署經過隨機分配之後，一名二級考牌主任獲派擔任被告的考牌主任。

被告於駕駛考試開始約三分鐘後，將車輛駛至紅色交通燈前停下，取出一張五百元紙幣交給考牌主任，並說：「阿Sir，擺去飲茶。」

雖然考牌主任拒絕接受該紙幣，被告再次遞上紙幣並重覆：「阿Sir，擺去飲茶。」考牌主任要求被告收回紙幣，並向被告表示會向警方報案。

被告遂將該張五百元紙幣放入其褲的後袋，並按考牌主任指示把車輛駛回駕駛考試中心。回到中心後，考牌主任隨即致電警方報案，並向其上司匯報事件。

案情透露，被告隨後被警方拘捕，該張五百元紙幣從被告身上檢獲。案件於同日轉介廉署。

運輸署及警方在廉署調查案件期間提供全面協助。

控方今日由廉署人員鄭龍栢代表出庭。

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