

Businessman in court for bribing policeman

22 May 2015

A businessman appeared in the Fanling Magistracy today (Friday) after being charged by the ICAC with offering an advantage to a Police Constable (PC), and aiding and abetting the latter to conduct unauthorised checks on personal particulars and/or criminal records from the government computer database.

Cheng Kai-tung, Teddy, 35, who was charged on Wednesday (May 20), faced one count of offering an advantage to a public servant, contrary to Section 4(1)(a) of the Prevention of Bribery Ordinance.

The defendant further faced four counts of aiding and abetting, counselling and procuring a person to obtain access to a computer with a view to dishonest gain for himself or another, contrary to Section 161(1)(c) of the Crimes Ordinance.

No plea was taken today. Principal Magistrate Ms Woo Huey-fang transferred the case to the District Court for plea on June 12 this year.

At the material time, the defendant was a director cum shareholder of a garage who also engaged in debt collection business.

The bribery charge alleged that the defendant, without lawful authority or reasonable excuse, released or discharged of an obligation or liability, in whole or in part, to pay \$10,000 to a PC as a reward for the PC to obtain personal particulars and/or criminal records of a number of persons from the computer database of the Hong Kong Government for divulging them to the defendant.

Three other charges alleged that the defendant aided and abetted, counselled and procured the PC to obtain access to the computer system of the Hong Kong Police Force (HKPF) on three occasions with a view to dishonest gain for the defendant.

The remaining charge alleged the defendant of aiding and abetting, counselling and procuring the said PC to obtain access to information of the Transport Department (TD) through the HKPF system for the same purpose.

The above alleged offences took place between November 6, 2012 and January 16, 2013.

The defendant was granted cash bail of \$20,000. He was ordered not to interfere with any prosecution witnesses and not to leave Hong Kong.

The case arose from a corruption complaint referred by the HKPF. The HKPF and the TD had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by ICAC officer Murphy Chan.

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廉署起訴商人行賄警員今提堂

2015年5月22日

廉政公署落案起訴一名商人，控告他涉嫌向一名警員提供利益，並協助和教唆該名警員在未獲授權的情況下，在政府電腦資料庫查取個人資料詳情及/或刑事紀錄。被告今日(星期五)在粉嶺裁判法院應訊。

鄭啓東，三十五歲，於星期三(五月二十日)被控一項向公職人員提供利益罪名，涉嫌違反《防止賄賂條例》第4(1)(a)條。

被告另被控四項協助和教唆、慫使和促致一人取用電腦，目的在於使其本人或他人不誠實地獲益，涉嫌違反《刑事訴訟程序條例》第161(1)(c)條。

被告今日毋須答辯。主任裁判官吳蕙芳將案件押後至本年六月十二日轉介區域法院答辯。

被告於案發時是一間車房的董事兼股東，並從事追收欠債活動。

貪污控罪指被告涉嫌無合法權限或合理辯解，免卻或解除一名警員須支付的一萬元的全部或部分義務或法律責任，作為該警員向被告泄露從香港政府電腦資料庫取得，多名人士的個人資料詳情及/或刑事紀錄的報酬。

另外三項控罪指被告涉嫌協助和教唆、慫使和促致該名警員三次取用香港警務處(警務處)的電腦系統，目的在於使被告不誠實地獲益。

餘下控罪指被告涉嫌以相同目的，協助和教唆、慫使和促致該名警員透過警務處系統取用運輸署的資料。

上述涉嫌罪行於二〇一二年十一月六日至二〇一三年一月十六日期間發生。

被告獲准以現金二萬元保釋，並受命不得騷擾控方證人及不准離開香港。

廉署早前接獲警務處轉介的貪污投訴。在調查有關案件期間，廉署獲得警務處及運輸署提供全面協助。

控方今日由廉署人員陳德輝代表出庭。

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