

Trio in court for alleged bribery over referral of loan applicants and fraud

4 September 2015

Three former employees of a licensed money lender appeared in the Kowloon City Magistracy today (Friday) after being charged by the ICAC with offering, accepting and soliciting illegal commissions amounting to about \$50,000 in relation to referral of two loan applicants, and defrauding the money lender of wages.

The defendants, who were charged on Tuesday (September 1), were Koon Chung-lin, 57 and Chan Ying-chi, 32, both former senior supervisors of United Asia Finance Limited (UA Finance); and Tse Shuk-fan, 29, a former telesales executive of UA Finance.

Koon faced two counts of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance (POBO).

Chan faced two counts of aiding and abetting an agent to solicit an advantage, contrary to Section 9(1)(a) of the POBO and Section 89 of the Criminal Procedure Ordinance, while Tse faced one count of offering an advantage to an agent, contrary to Section 9(2)(a) of the POBO. Chan and Tse further jointly faced one count of conspiracy to defraud, contrary to Common Law.

The defendants today pleaded not guilty to the charges. Principal Magistrate Peter Law Tak-chuen adjourned the case until November 6 this year for a pre-trial review.

At the material time, the defendants worked in the Mongkok office of the direct sales department of UA Finance, a licensed money lender in Hong Kong. Koon acted up as head of the Mongkok office supervising all divisions of the direct sales department, while Chan was responsible for managing the telesales division.

One of the charges alleged that on November 7, 2013, Koon accepted \$4,000 from another telesales executive as a reward for referring a loan applicant to Tse and the telesales executive.

Another charge alleged that between January 6 and 10, 2014, Koon accepted around \$17,000 from the telesales executive as a reward for referring another loan applicant to the telesales executive.

Chan faced one charge of having aided and abetted Koon to solicit from the telesales executive \$4,000 between August 1 and November 7, 2013 as a reward for referring a loan applicant to Tse and the telesales executive.

The other charge alleged that between November 19, 2013 and January 6, 2014, Chan aided and abetted Koon to solicit from the telesales executive another sum of money consisting of 2% of the loan amount applied by another loan applicant as a reward for referring him to the telesales executive. The 2% of the loan amount was said to amount to \$20,000.

Another charge alleged Tse of having offered \$6,000 to Koon on November 8, 2013 as a reward for referring a loan applicant to Tse and the telesales executive.

The remaining charge alleged that between October and November 2013, Chan and Tse conspired together with the telesales executive to defraud UA Finance by falsely representing that Tse was on duty at the Mongkok office during the time as shown on the attendance records, thereby inducing UA Finance to pay Tse wages of over \$8,300 as claimed.

Koon was granted cash bail of \$10,000, while Chan and Tse were on cash bail of \$5,000 each.

UA Finance had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by ICAC officer Joan Wong.

廉署起訴三人就轉介貸款人涉嫌貪污及詐騙工資今提堂

2015年9月4日

廉政公署落案起訴三名持牌放債人公司前僱員，控告他們就轉介兩名貸款申請人，涉嫌分別提供、收受及索取非法回佣共約五萬元，以及詐騙該放債人公司工資。三名被告今日（星期五）在九龍城裁判法院應訊。

三名於星期二(九月一日)被檢控的被告為官松年，五十七歲，陳盈芝，三十二歲，同為亞洲聯合財務有限公司(亞洲聯合財務)前高級主管，及謝淑芬，二十九歲，亞洲聯合財務前電話營業主任。

官被控兩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。

陳被控兩項協助和教唆代理人索取利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條及《刑事訴訟程序條例》第89條，而謝則被控一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。陳及謝另同被控一項串謀詐騙罪名，涉嫌違反普通法。

各被告今日否認控罪。主任裁判官羅德泉將案件押後至本年十一月六日進行預審。

三名被告於案發時在香港持牌放債人公司亞洲聯合財務的直銷部工作，派駐旺角辦公室。官署任旺角辦公室主理人，負責監督直銷部所有分部，而陳則負責管理電話銷售分部。

其中一項控罪指官涉嫌於二〇一三年十一月七日接受另一名電話營業主任四千元，作為轉介一名貸款申請人給謝及該電話營業主任的報酬。

另一項控罪指官涉嫌於二〇一四年一月六日至十日期間，接受該電話營業主任約一萬七千元，作為轉介另一名貸款申請人給該電話營業主任的報酬。

陳被控一項罪名，指她涉嫌於二〇一三年八月一日至十一月七日期間，協助及教唆官向該電話營業主任索取四千元，作為轉介一名貸款申請人給謝及該電話營業主任的報酬。

另一項控罪指陳涉嫌於二〇一三年十一月十九日至二〇一四年一月六日期間，協助及教唆官向該電話營業主任索取另一筆金錢，即相等於另一名貸款申請人申請貸款額的百分之二，作為轉介該貸款申請人給該電話營業主任的報酬。該筆申請貸款額的百分之二據報為二萬元。

另一項控罪指謝涉嫌於二〇一三年十一月八日向官提供六千元，作為轉介其中一名貸款申請人給謝及該電話營業主任的報酬。

餘下控罪指陳及謝涉嫌於二〇一三年十月至十一月期間，一起與該電話營業主任串謀欺詐亞洲聯合財務，向該公司偽稱謝於出勤記錄顯示的時間確有在旺角辦公室值勤，致使亞洲聯合財務根據記錄向謝支付八千三百多元工資。

官獲准以現金一萬元保釋，而陳及謝則各獲准以現金五千元保釋。

亞洲聯合財務在廉署調查案件期間提供全面協助。

控方今日由廉署人員黃妯瑩代表出庭。

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