

Manager guilty of accepting \$300,000 illegal kickbacks

8 October 2015

A manager of a company selling various brands of digital video cameras (DVCs), charged by the ICAC, was today (Thursday) convicted at the Kowloon City Magistracy of accepting up to \$300,000 in illegal kickbacks from a supplier for placing purchase orders for DVCs with it.

Paul Chan Tsz-wai, 44, a manager of Marcello (Tax Free) International Department Store Corporation Limited (Marcello), was found guilty of one count of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance.

Magistrate Veronica Heung Shuk-han adjourned the case until October 28 for sentence, pending a background report. The defendant was remanded in custody of the Correctional Services Department.

The court heard that at the material time, the defendant was employed by Marcello as a manager tasked to promote the sale of DVCs and place purchase orders with suppliers, including Yurendis Japan Corporation Limited (Yurendis), and that the defendant had been accepting kickbacks from the operator of Yurendis for a long period of time.

The defendant was arrested by ICAC officers on February 17, 2014. When interviewed under caution, the defendant admitted that he started to accept kickbacks from the operator of Yurendis after his promotion to the post of manager in early 2011.

The defendant also said at the beginning, he received \$10 per DVC he sold, and it was later raised to \$15 or \$20 per DVC. He estimated that he had accepted about \$250,000 to \$300,000 in total from the operator of Yurendis between July 1, 2011 and August 31, 2013.

The defendant further admitted that after receiving the kickbacks from the operator of Yurendis, he had put more effort to promote its DVCs, and placed more purchase orders with Yurendis, the court was told.

Marcello had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Terry Kan, assisted by ICAC officer Jill Law.

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經理收受三十萬元非法回佣罪成候判

2015年10月8日

一間售賣多個品牌數碼攝錄機的公司一名經理，收受一間供應商的非法回佣達到三十萬元，以向該供應商發出數碼攝錄機購貨訂單，被廉政公署拘控。被告今日（星期四）在九龍城裁判法院被裁定罪名成立。

陳子維，四十四歲，馬仙奴(免稅品)國際百貨集團有限公司(馬仙奴)經理，被裁定一項代理人接受利益罪名成立，違反《防止賄賂條例》第9(1)(a)條。

裁判官香淑嫻將案件押後至本月二十八日判刑，以待被告的背景報告。被告暫時還押懲教署看管。

案情透露，被告於案發時獲馬仙奴聘任為經理，負責推銷數碼攝錄機及向悠迪斯(日本)股份有限公司(悠迪斯)等供應商發出訂單，而被告已有一段長時間向悠迪斯營運者收取回佣。

被告於二〇一四年二月十七日被廉署人員拘捕。被告於警誡下接受會見，承認自己於二〇一一年初獲晉升為經理後開始收取悠迪斯營運者回佣。

被告又表示，起初他每賣一部數碼攝錄機就收取十元，其後每部數碼攝錄機所收取的金額加至十五元或二十元。他估計自己於二〇一一年七月一日至二〇一三年八月三十一日期間，收取了該悠迪斯營運者共約二十五萬元至三十萬元回佣。

被告又承認他向該悠迪斯營運者收取非法回佣後，會更盡力推銷其數碼攝錄機，向悠迪斯發出的訂單因而增加。

馬仙奴在廉署調查案件期間提供全面協助。

控方今日由簡永輝代表出庭，並由廉署人員羅凱盈協助。

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