

C&E officer jailed for accepting \$530,000 car without authorisation

9 November 2015

An officer of the Customs and Excise Department (C&E), charged by the ICAC, was today (Monday) sentenced to three months' imprisonment at the Fanling Magistracy after he was convicted of having accepted a car worth over \$530,000 from a businessman without authorisation.

Lam Yui-keung, 46, Senior Customs Officer of the C&E, was today found guilty of one count of prescribed officer accepting an advantage, contrary to Section 3 of the Prevention of Bribery Ordinance.

In convicting the defendant, Magistrate Raymund Chow Chi-wei said he did not accept the contradictory testimony given by a defence witness, who claimed that the cheque for over \$530,000 used by the defendant to purchase the car was the proceeds from a land transaction.

The magistrate also ordered the defendant to pay over \$530,000 as restitution to the Hong Kong Government by instalments within a year.

Upon an application from the defendant, the magistrate granted him cash bail of \$20,000, pending his appeal against conviction.

The court heard that at the material time, the defendant was a Senior Customs Officer posted to the Syndicate Crimes Investigation Bureau of the C&E.

In early August 2013, the defendant purchased a second-hand car of a German brand from an auto car company. On August 6, 2013, the defendant accepted from a businessman an advantage, namely a sum of over \$530,000, to discharge his obligation or liability to pay the auto car company for the purchase of the car.

The defendant had never sought or obtained any approval from the C&E for accepting any form of advantage from the businessman, the court was told.

The C&E had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Senior Public Prosecutor Samantha Chiu, assisted by ICAC officer James Cheng.

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海關人員未經許可收受五十三萬元 汽車罪成判囚

2015年11月9日

一名香港海關(海關)人員未經許可從一名商人收受一輛價值五十三萬多元的汽車，早前被廉政公署拘控。被告今日(星期一)在粉嶺裁判法院被裁定罪名成立，判囚三個月。

林銳強，四十六歲，海關高級關員，今日被裁定一項身為訂明人員接受利益罪名成立，違反《防止賄賂條例》第3條。

裁判官周至偉裁定被告罪名成立時稱，他並不接受一名辯方證人前後矛盾的證供。該辯方證人曾聲稱，被告用以支付買車的五十三萬多元支票乃來自土地交易的收益。

裁判官又命令被告須於一年內分期向香港政府賠償五十三萬多元。

裁判官批准被告的申請，准許他以現金二萬元保釋外出，等候就定罪提出上訴。

案情透露，被告於案發時是隸屬海關有組織罪案調查科的高級關員。

被告於二〇一三年八月初向一間汽車公司購買一輛德國品牌二手汽車。他於二〇一三年八月六日接受一名商人提供的利益，即一筆五十三萬多元款項，將被告就購買該輛汽車而須向有關汽車公司支付該筆款項的義務或法律責任予以解除。

被告從沒有向海關申請或取得批准而接受該名商人提供任何形式的利益。

海關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招秉茵代表出庭，並由廉署人員鄭祝儂協助。

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