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Former Chief Secretary and four others face ICAC charges of bribery and misconduct

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A former Chief Secretary for Administration (CS) of the Hong Kong Government, three senior members of a listed company in Hong Kong and a businessman have been charged by the ICAC today (Friday) with a total of eight alleged offences including conspiracy to offer advantages to a public servant and misconduct in public office, and will appear in Eastern Magistracy at 2:30 pm today for mention.

The defendants are Hui Rafael Junior, also known as Hui Si-yan, Rafael, 64, former CS of the Government of the Hong Kong Special Administrative Region and former Managing Director of the Mandatory Provident Fund Schemes Authority (MPFA); Thomas Kwok Ping-kwong, 60, Raymond Kwok Ping-luen, 59, both joint Chairmen of Sun Hung Kai Properties Limited (SHKP); Chan Kui-yuen, 65, Executive Director of SHKP; and Francis Kwan Hung-sang, 61, businessman.

The eight charges include two of misconduct in public office and three of conspiracy to commit misconduct in public office, contrary to Common Law; two of conspiracy to offer advantages to a public servant, contrary to Section 4(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance; and one of furnishing false information, contrary to Section 19(1)(b) of the Theft Ordinance.

Hui alone faces two misconduct charges, which allege him of, in the course of or in relation to his public office, namely Managing Director of MPFA and CS, having wilfully misconducted himself by accepting the rent free use of two flats and two unsecured loans, failing to disclose or declare such matters to the MPFA and the Hong Kong Government, and involving himself in matters in his official capacities.

Hui and Thomas Kwok face a joint charge of conspiracy to commit misconduct in public office, while Hui and Raymond Kwok jointly face a similar conspiracy charge.

Hui, Thomas Kwok, Chan and Kwan are also charged with one count of conspiracy to commit misconduct in public office, which alleges them of having conspired together for Hui to receive a series of payments from Thomas Kwok, Chan and Kwan.

Hui and Raymond Kwok face one count of conspiring together to offer Hui the annual extensions of another unsecured loan advanced by a subsidiary of SHKP as a reward for Hui to remain favourably disposed to Raymond Kwok and/or his interests.

Hui, Chan and Kwan are also jointly charged with one count of conspiring together to offer Hui a series of payments from Chan and Kwan as a reward for Hui to remain favourably disposed to Chan and/or his interests.

Hui and Raymond Kwok also jointly face one count of furnishing false information on an invoice for settlement of consultancy fees.

The above offences allegedly took place between June 2000 and January 2009.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the above alleged offences.

The defendants have been released on ICAC bail, pending their court appearance this afternoon.

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