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Ex-Minor Works Contractors Registration Committee member jailed for bribery

27 September 2012

A former member of the Minor Works Contractors Registration Committee (MWCRC), charged by the ICAC, was today (Thursday) sentenced to six months' imprisonment at Kowloon City Magistracy for soliciting and accepting bribes totalling \$70,000 in relation to the registration of an engineering company as a minor works contractor.

Law Hiu-man, 31, a director of a construction engineering company, earlier pleaded guilty to one count of conspiracy for a public servant to solicit an advantage, contrary to Section 4(2)(a) of the Prevention of Bribery Ordinance (POBO) and Section 159A of the Crimes Ordinance. He also admitted another charge of public servant accepting an advantage, contrary to Section 4(2)(a) of the POBO.

In sentencing, Deputy Magistrate Jonathan Wong Kwok-ho said Hong Kong's success relied on clean and sound systems, but the misdeeds of the defendant defeated the purpose of establishing the MWCRC to maintain the safety of minor works.

The court heard that since December 2009, the Buildings Department (BD), the executive arm of Building Authority (BA), has implemented a Minor Works Control System.

Under the system, companies registered as minor works contractors are allowed to carry out minor works through simplified procedures without the prior approval of BA.

To register as a Class I minor works contractor, a company has to pass an assessment interview before a MWCRC.

The MWCRC consists of three members selected on a random basis from a panel, members of which are professionals nominated from the construction sector upon the invitation of BD. The MWCRC is a statutory public body under Schedule I of the POBO.

The court heard that at the material time, the defendant was a member of the panel. He was appointed by BD to sit on a MWCRC to consider an application from a director of an engineering company for registration as a Class I minor works contractor.

At a meeting on July 16, 2011, the defendant told the director that the MWCRC decided to reject his application as he had completed the application in a wrong way. The defendant, however, indicated that he could fix up the matter for him.

On the evening of that day, a man who identified himself as "Ray" called the director. Over the phone, "Ray" said he was asked by someone to tell the director that he had to pay \$30,000 for registration as a Class I minor works contractor. But the director did not give any reply to "Ray".

On November 10, 2011, the director met with the defendant at a restaurant in Mongkok, the court heard.

During the meeting, the defendant told the director that he had to pay \$70,000 instead of \$30,000 for a successful registration, and that \$40,000 would be refunded to him if he failed in it.

The director then paid the defendant \$5,000 cash as a deposit. After receiving the money, the defendant was arrested by ICAC officers, the court was told.

BD had rendered full assistance to the ICAC during the investigation.

The prosecution was today represented by Acting Senior Public Prosecutor Felix Tam, assisted by ICAC officer Zoe Lau.

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