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Policeman in court over failure to comply with POBO notice

19 September 2013

A Police Constable today (Thursday) appeared in the Eastern Magistracy after being charged by the ICAC with failing to comply with a notice served on him under the Prevention of Bribery Ordinance (POBO) requiring him to declare all his properties, expenditures and liabilities.

Chung Hin-lok, 39, who was charged on Tuesday (September 17), pleaded not guilty to one count of failing to comply with a notice issued under Section 14(1)(a) of the POBO, contrary to Section 14(4) of the POBO.

Principal Magistrate Ms Bina Chainrai adjourned the case until October 17 this year for a pre-trial review.

Under Section 14(1)(a) of the POBO, where there are reasonable grounds for suspecting that a person has committed an offence under the POBO, the ICAC Commissioner, on an application to the Court of First Instance, may be authorised to serve a notice to require such person to furnish a statutory declaration enumerating all his properties, expenditures and liabilities.

Any person who fails to comply with a notice served under the provision is liable to prosecution under Section 14(4) of the POBO.

The charge alleged that on March 25, 2013, the defendant, having been served with a notice under Section 14(1)(a) of the POBO on February 4, 2013 and having been granted an extension of 21 days, failed to comply with the notice without reasonable excuse.

The defendant was alleged to have failed to enumerate all properties belonging to him, his agents or trustees during the three years immediately preceding the date of the notice, and other information concerning those properties as requested in the notice.

He was also alleged to have failed to enumerate all expenditures incurred by him, his spouse, his parents or children and all liabilities incurred by him, his agents or trustees during the period commencing three years prior to the date of the notice and ending on the date of the notice.

The defendant was granted cash bail of \$10,000, and ordered to reside at the reported address.

The case arose from a corruption complaint referred by the Police. In the course of the ICAC investigation into the complaint, the defendant had allegedly committed the above offence.

The prosecution was today represented by ICAC officer Allen Leung.

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