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Senior salesman guilty of offering \$140,000 illegal rebates

16 October 2013

A senior salesman of an authorised dealer of a Japanese brand of trucks, charged by the ICAC, was today (Wednesday) convicted at the Kowloon City Magistracy of conspiracy to offer over \$140,000 in illegal rebates to an employee of a client in relation to the sale of trucks.

Mak Kin-kon, 61, a senior sales executive of Triangle Motors Limited (TML), was found guilty of one count of conspiracy to offer an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

Deputy Magistrate Ms Kelly Shui adjourned the case until October 29 this year for sentence, pending background and community service order reports. The defendant was remanded in the custody of the Correctional Services Department.

The court heard that at the material time, the defendant was a senior sales executive of TML, a subsidiary of the listed Dah Chong Hong Holdings Limited and an authorised dealer of a Japanese brand of trucks.

In early 2009, a director of a transportation company approached the defendant for discussion on the purchase of 10 trucks of the Japanese brand from TML.

During the discussion, the transportation company director demanded a personal rebate of over \$10,000 per truck as a reward for placing the purchase order.

With a view to securing the purchase order worth over \$5 million, the defendant agreed to give the rebates to the transportation company director.

The defendant proposed that he would ask the operator of a car body building factory to inflate the truck compartment installation fee, and the inflated amounts would be given to the director as rebates.

The court heard that in March 2009, TML entered into a contract with the transportation company for the sale and purchase of 10 trucks at a unit price of \$541,800.

The unit price included \$55,000 as the installation fee for each truck, which was inflated by \$15,000 or \$17,000.

Ten trucks affixed with car compartments were delivered to the transportation company between July 2009 and March 2010.

After receiving cheque payments totalling \$550,000 for settling the installation fees for 10 trucks, the factory operator gave the inflated sums totalling \$145,507 to the defendant for subsequent offering to the director of the transportation company, the court was told.

The prosecution was today represented by prosecuting counsel Thomas Lu, assisted by ICAC officer Edwin Tsang.

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