

## **Duo charged for alleged \$365,000 bribery over trading in securities**

7 April 2014

A former licensed representative and a client of a securities firm have been charged by the ICAC today (Monday) with accepting and offering a total of over \$365,000 in illegal commissions respectively in relation to trading in securities.

Ching Yim-har, 60, a former licensed representative of Philip Securities (Hong Kong) Limited (PSL), faces two counts of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance (POBO).

Co-defendant Yip Ying-lai, 56, a client of PSL, has been charged with two counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the POBO.

The defendants, currently on ICAC bail, will appear in the Eastern Magistracy at 9:30 am on Wednesday (April 9) for plea.

The case arose from a corruption complaint referred by the Securities and Futures Commission (SFC).

At the material time, Ching was a licensed representative accredited to PSL to deal in securities and advise on securities under the Securities and Futures Ordinance on behalf of clients of PSL. Yip was a client of PSL.

The first two charges allege that on January 10, 2007 and January 11, 2008, Ching, without lawful authority or reasonable excuse, accepted \$99,688 and \$265,688 in illegal commissions respectively from Yip as rewards for providing services as a licensed representative in respect of the investment account of Yip held with PSL.

The remaining two charges allege Yip of having offered the above two sums of illegal commissions to Ching for the same purpose.

The SFC and the PSL have rendered full assistance to the ICAC during its investigation.

## 廉署起訴兩人就證券買賣涉嫌行賄 受賄三十六萬五千元

2014年4月7日

廉政公署今日(星期一)落案起訴一名證券行前持牌代表及一名客戶，控告他們就證券買賣，涉嫌分別接受及提供非法佣金合共逾三十六萬五千元。

程焯霞，六十歲，輝立證券(香港)有限公司(「輝立證券」)前持牌代表，被控兩項代理人接受利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條。

同案另一被告葉影麗，五十六歲，「輝立證券」客戶，則被控兩項向代理人提供利益罪名，涉嫌違反《防止賄賂條例》第9(2)(a)條。

兩名被告獲廉署准予保釋，將於星期三(四月九日)上午九時三十分在東區裁判法院答辯。

廉署早前接獲證券及期貨事務監察委員會(「證監會」)轉介的貪污投訴。

程於案發時是「輝立證券」受託的持牌代表，專責在《證券及期貨條例》下為「輝立證券」的客戶，進行證券交易及就證券提供意見。葉則是「輝立證券」一名客戶。

首兩項控罪指程於二〇〇七年一月十日及二〇〇八年一月十一日，無合法權限或合理辯解，涉嫌分別接受葉提供九萬九千六百八十八元及二十六萬五千六百八十八元的非法佣金，作為程以持牌代表身分，替葉在「輝立證券」所持投資帳戶提供服務的報酬。

餘下兩項控罪指葉涉嫌以相同目的，向程提供上述兩筆非法佣金。

「證監會」及「輝立證券」在廉署調查案件期間提供全面協助。