

Ex-bank managers charged with bribery and fraud

17 February 2015

Two former wealth management managers of a bank have been charged by the ICAC with offering up to \$215,000 in bribes to a former associate relationship manager of the bank for referring clients, while the trio is also accused of deceiving commissions from the bank by fraudulent means.

Chau Hang-yu (formerly known as Aixingero Chat-yung), 29, former associate relationship manager of the Hongkong and Shanghai Banking Corporation Limited (HSBC); Steve Chow Chun-ying, 31, and Li Lee, 27, both former wealth management managers of HSBC, who were charged yesterday (Monday), face a total of 13 charges.

Chau and Chow face a joint charge of fraud, contrary to Section 16A of the Theft Ordinance. Chau and Chow further face three counts and one count of fraud respectively, while Li alone faces five similar offences.

Chow has been charged with one count of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance, while Li faces two similar offences.

The defendants will appear at the Eastern Magistracy tomorrow (Wednesday) for transfer to the District Court for plea.

At the material time, Chau, Chow and Li were employed by HSBC. Among other duties, they were responsible for promoting and selling various investment and insurance products of HSBC to its clients.

One of the charges alleges that Chau and Chow falsely represented to HSBC that Chow was the sales staff in respect to a unit trust subscription order made by a client of Chau, and with intent to defraud, induced HSBC to release commissions by way of sales incentives to Chow.

Another charge alleges that Chau, with intent to defraud, induced another client to subscribe a unit trust investment fund with \$499,999 by falsely claiming that HSBC only allowed its client to subscribe a unit trust product with the investment amount of less than \$500,000, causing him to pay a higher rate of subscription fee at 2.75 per cent.

Two other charges allege Chau of falsely representing to HSBC that the client had subscribed for the unit trust investment fund with a total sum of over \$6.4 million by 14 subscription orders, and with intent to defraud, induced HSBC to release commissions by way of sales incentives to her.

Chow faces one count of falsely representing to HSBC that he was the sales staff in respect of the unit trust subscription order made by the client of Chau, and with intent to defraud, induced HSBC to release commissions by way of sales incentives to Chow.

Li faces a similar offence of falsely representing to HSBC that she was the sales staff in respect of five unit trust subscription orders made by the client of Chau, and with intent to defraud, induced HSBC to release commissions by way of sales incentives to Li.

Four other charges allege Li of falsely representing to HSBC that she was the sales staff in respect of an insurance policy application and six unit trust subscription orders made by four other clients of Chau, and with intent to defraud, induced HSBC to release commissions by way of sales incentives to Li.

As a result of the above false representation, HSBC was allegedly induced to release commissions totalling over \$55,000, \$72,000 and \$118,000 to Chau, Chow and Li respectively.

Chow also faces one count of offering \$100,000 in bribes to Chau as rewards for referring clients to Chow, while Li alone faces two counts of offering \$55,000 and around \$30,000 to \$60,000 as bribes

to Chau for the same purpose.

The above alleged offences of fraud and bribery took place between March and November 2012.

The case arose from a corruption complaint. HSBC has rendered full assistance to the ICAC during its investigation.

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

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廉署起訴三名前銀行經理涉嫌貪污 及詐騙佣金

2015年2月17日

廉政公署落案起訴一間銀行的兩名前財富管理經理，控告他們涉嫌就轉介客戶向該銀行一名前客戶經理行賄高達二十一萬五千元，而三人另被起訴涉嫌以欺詐手法向該銀行詐騙佣金。

周倬如(前稱愛新覺羅札蓉)，二十九歲，香港上海匯豐銀行有限公司(匯豐銀行)前客戶經理；周俊彥，三十一歲，及李莉，二十七歲，同為匯豐銀行前財富管理經理，於昨日(星期一)被控共十三項罪名。

周倬如及周俊彥同被控一項欺詐罪名，涉嫌違反《盜竊罪條例》第16A條。周倬如及周俊彥又分別被控三項及一項欺詐罪名，而李莉則被控五項相類罪名。

周俊彥另被控一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，而李莉則被控兩項相類罪名。

三名被告將於明日(星期三)在東區裁判法院應訊，以待案件轉介區域法院答辯。

各被告於案發時同受僱於匯豐銀行，他們的其中一項職責是向客戶推廣及銷售該銀行的投資及保險產品。

其中一項控罪指周倬如及周俊彥涉嫌向匯豐銀行虛假地表示，周俊彥是周倬如一名客戶的單位信託基金認購委託單的銷售職員，並意圖詐騙而誘使匯豐銀行向周俊彥發放銷售獎金作為佣金。

另一項控罪指周倬如涉嫌向另一名客戶虛假地表示，匯豐銀行只容許客戶認購少於五十萬元的單位信託產品，並意圖詐騙而誘使該客戶以四十九萬九千九百九十九元認購單位信託投資基金，導致該客戶支付了以較高比率計算的認購費，即百分之二點七五。

另外兩項控罪指周倬如涉嫌向匯豐銀行虛假地表示，有關客戶已藉十四份認購委託單，以共六百四十多萬元認購有關單位信託投資基金，並意圖詐騙而誘使匯豐銀行向她發放銷售獎金作為佣金。

周俊彥另被控一項罪名，指他涉嫌向匯豐銀行虛假地表示，他是上述周倬如客戶的單位信託基金認購委託單的銷售職員，並意圖詐騙而誘使匯豐銀行向周俊彥發放銷售獎金作為佣金。

李莉被控一項相類罪名，指她涉嫌向匯豐銀行虛假地表示，她是五份由上述周倬如客戶所作的單位信託基金認購委託單的銷售職員，並意圖詐騙而誘使匯豐銀行向李莉發放銷售獎金作為佣金。

另外四項控罪指李莉涉嫌向匯豐銀行虛假地表示，她是周倬如其他四名客戶所作的一份保險計劃申請及六份單位信託基金認購委託單的銷售職員，並意圖詐騙而誘使匯豐銀行向李莉發放銷售獎金作為佣金。

匯豐銀行因上述涉嫌虛假陳述而向周倬如、周俊彥及李莉分別發放共五萬五千多元、七萬二千多元及十一萬八千多元佣金。

周俊彥又被控一項罪名，指他涉嫌向周倬如提供賄款共十萬元，作為轉介客戶予周俊彥的報酬；而李莉則另被控兩項罪名，指她涉嫌以相同理由，向周倬如分別提供賄款五萬五千元及約三萬元至六萬元。

上述涉嫌欺詐及貪污罪行於二〇一二年三月至十二月期間發生。

廉署早前接獲貪污投訴，調查後揭發上述涉嫌罪行。匯豐銀行在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋，以待明日應訊。

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