

Ex-insurance brokers jailed for \$600,000 fraud

16 September 2015

Two former insurance brokers of two broker firms, who were charged by the ICAC, were today (Wednesday) sentenced to jail terms up to 20 months at the District Court for defrauding an insurance company of commissions totalling over \$600,000 in relation to four policies.

Anthony Fan Ming-kei, 39, a former technical representative of Convoy Financial Services Limited (Convoy), received a jail term of 20 months, while Lai Kwok-hing, 37, a former technical representative of GET Wealth Management Limited (GET), was jailed for 14 months.

Judge Mr Frankie Yiu Fun-che said he meted out immediate custodial sentences to the defendants as their fraud offences, which involved a calculated plan, were serious in nature and constituted a serious breach of trust.

Fan and Lai were earlier each found guilty of four counts of fraud, contrary to Section 16A of the Theft Ordinance.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the above fraud offences.

The court heard that at the material time, Convoy and GET were broker firms registered with Hong Kong Professional Insurance Brokers Association (PIBA) and The Hong Kong Confederation of Insurance Brokers (CIB) respectively.

In August 2000 and October 2007, Zurich International Life Limited (Zurich) entered into broker agreements with Convoy and GET respectively, and entrusted to promote its investment-linked insurance policies.

Zurich would pay Convoy and GET commissions in accordance with the rate stipulated in the broker agreements. The commission rate offered by GET to its technical representatives was higher than that offered by Convoy.

Fan was registered with PIBA as a technical representative of Convoy, while Lai was registered with CIB as a technical representative of GET.

The court heard that between March 28 and May 8, 2012, Fan falsely represented to four policyholders that they had taken out investment-linked insurance policies through Convoy, with him named as their handling technical representative.

However, the policies were in fact taken out through GET, and Lai was named as the handling technical representative. Neither did the four policyholders know that the policies were taken out via GET nor they know Lai at all.

Lai falsely represented to Zurich that the policies were taken out via GET and he was the handling technical representative. Believing that the information on the policy applications received from GET was true and the applications concerned were handled by Lai, Zurich released over \$600,000 in commissions to GET, the court was told.

Convoy and Zurich had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Leslie Parry, assisted by ICAC officer Bernard Kam.

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兩名前保險經紀涉六十萬元詐騙案 今判刑

2015年9月16日

兩名分別隸屬兩間經紀公司的保險經紀，就四份保單詐騙一間保險公司佣金合共六十多萬元，早前被廉政公署拘控。被告今日(星期三)在區域法院被判入獄最高二十個月。

范銘基，三十九歲，康宏理財服務有限公司(康宏理財)前業務代表，被判入獄二十個月，而賴國興，三十七歲，智易財富管理有限公司(智易財富)前業務代表，則被判囚十四個月。

法官姚勳智判刑時表示，被告所干犯的罪行經過精心策劃，性質嚴重，而且嚴重違反誠信，因此必須判處即時監禁。

范及賴早前各承認四項欺詐罪名，違反《盜竊罪條例》第16A條。

廉署早前接獲貪污投訴，調查其後揭發上述欺詐罪行。

案情透露，康宏理財及智易財富於案發時分別在香港專業保險經紀協會及香港保險顧問聯會註冊為經紀公司。

蘇黎世人壽保險有限公司(蘇黎世)於二〇〇〇年八月及二〇〇七年十月分別與康宏理財及智易財富達成經紀合約，委託該兩間公司為其推廣投資相連保險產品。

蘇黎世會按照經紀合約內所列明的比率向康宏理財及智易財富支付佣金。智易財富支付予其業務代表的佣金比率較康宏理財為高。

范在香港專業保險經紀協會註冊為康宏理財的業務代表，而賴則在香港保險顧問聯會註冊為智易財富的業務代表。

案情透露，范於二〇一二年三月二十八日至五月八日期間，虛假地向四名投保人表示他們的投資相連保單乃透過康宏理財購買，而范是負責的業務代表。

不過，有關保單事實上乃透過智易財富購買，並由賴作為負責的業務代表。該四名投保人並不知道有關保單是向智易財富購買，而且他們亦不認識賴。

賴虛假地向蘇黎世表示，有關保單乃透過智易財富購買，而他是負責的業務代表。由於相信由智易財富提交相關保單申請的資料為真確，而有關申請由賴負責，蘇黎世向智易財富發放六十多萬元的佣金。

康宏理財及蘇黎世在廉署調查案件期間提供全面協助。

控方今日由大律師柏偉利代表出庭，並由廉署人員甘穎鏘協助。

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