

Ex-Chief Executive Donald Tsang Yam-kuen faces charges of misconduct

5 October 2015

Former Chief Executive (CE) of the Hong Kong Special Administrative Region (HKSAR) Donald Tsang Yam-kuen was charged by the ICAC this (Monday) morning with two counts of misconduct in public office, and will appear in Eastern Magistracy at 2:30 pm today for mention.

Tsang, aged 70, faces two charges of misconduct in public office, contrary to Common Law.

The first charge alleges that between November 2, 2010 and January 20, 2012, Tsang, in the course of or in relation to his public office, namely CE of the HKSAR, without reasonable excuse or justification, wilfully misconducted himself by failing to declare or disclose to, or by concealing from the Executive Council (“ExCo”) during ExCo meetings in which various licence applications by Wave Media Limited (“WML”), subsequently renamed as Digital Broadcasting Corporation Hong Kong Limited, were discussed and approved, his negotiations with a major shareholder of WML in respect of a lease for a three-storey residential property situated at East Pacific Garden in Shenzhen (“the flat”), and the related payment of RMB800,000 to a company of the major shareholder of WML in November 2010.

The second charge alleges that between or about December 2010 and July 2011, Tsang, in the course of or in relation to his public office, namely CE of the HKSAR, without reasonable excuse or justification, wilfully misconducted himself by failing to disclose to, or by concealing from then Permanent Secretary for the Chief Executive’s Office, the Development Bureau and the Honours and Non-official Justices of the Peace Selection Committee, his interest in the lease of the flat and the engagement of an architect for interior design work of the flat when he proposed that the aforementioned architect be referred for consideration for nomination under the HKSAR honours and awards system.

The case arose from corruption complaints. Subsequent ICAC enquiries revealed the above alleged offences.

Tsang has been released on ICAC bail, pending his court appearance this afternoon.

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廉署起訴前行政長官曾蔭權行為失當罪名

2015年10月5日

廉政公署今日 (星期一)早上落案起訴香港特別行政區前行政長官曾蔭權兩項公職人員行為失當罪名。被告將於今日下午二時半在東區裁判法院提堂。

曾蔭權，七十歲，被控兩項公職人員行為失當罪名，涉嫌違反《普通法》。

首項控罪指曾蔭權涉嫌於二〇一〇年十一月二日至二〇一二年一月二十日期間，在擔任公職期間或在與擔任公職有關的情況，即香港特別行政區行政長官，無合理辯解或理由，故意作出失當行為，即在行政會議舉行會議商討及批准雄濤廣播有限公司(雄濤) — 其後更名為香港數碼廣播有限公司 — 提交的多項申請期間，沒有向行政會議申報或披露，他與雄濤的一名主要股東就一個位於深圳東海花園的三聯式住宅物業(該物業)的租賃所進行的商議，以及於二〇一〇年十一月向雄濤該名主要股東的公司所支付一筆金額為八十萬元人民幣的相關款項。

第二項控罪指曾蔭權涉嫌於約二〇一〇年十二月至二〇一一年七月期間，在擔任公職期間或在與擔任公職有關的情況，即香港特別行政區行政長官，無合理辯解或理由，故意作出失當行為，即當他建議將一名建築師轉交考慮根據香港授勳及嘉獎制度予以提名時，沒有向當時的行政長官辦公室秘書長、發展局和授勳及非官守太平紳士遴選委員會披露或隱瞞他在該物業的租賃，及該名建築師獲聘用負責該單位的室內設計。

廉署早前接獲貪污舉報，調查後揭發上述涉嫌罪行。

曾蔭權已獲廉署准予保釋，以待下午應訊。

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