

Insurance agent admits breach of POBO by disclosing ICAC probe

3 November 2015

An insurance agent admitted at the Eastern Magistracy today (Tuesday) that she had breached the Prevention of Bribery Ordinance (POBO) by disclosing details of an ICAC investigation to a car dealer.

Kong Fu-mee, 53, pleaded guilty to one count of disclosing details of an ICAC investigation, contrary to Section 30(1)(b) of the POBO.

Magistrate Mr Lee Siu-ho adjourned the case to November 17 this year for further mitigation and sentence, pending background and community service order reports. The defendant was granted cash bail of \$5,000.

The court heard that at the material time, the defendant was an insurance agent of an insurance company, to whom a car dealer sometimes referred clients.

In March 2014, the ICAC received a corruption complaint against a police officer alleging that he might have accepted advantages from a chef working at a restaurant in a disciplined services quarters as a reward for assisting the chef in obtaining a parking permit of the quarters.

ICAC enquiries revealed that the police officer applied for a parking permit for two cars registered in his name in 2014 and 2015 respectively. Through the referral of the car dealer, the defendant handled the car insurance policies of the two cars concerned.

In September 2014, an ICAC officer contacted the defendant to enquire about the insurance premium payment details of the two cars, and explained to her that the Commission was investigating into a corruption allegation.

The ICAC officer reminded the defendant that the investigation had to be kept confidential or she would be liable to prosecution under Section 30 of the POBO.

During the investigation, the ICAC officer contacted the defendant five times between September 1 and December 10, 2014. On each occasion, the defendant was reminded of the provision of confidentiality under Section 30 of the POBO.

The call records showed that on November 10, 2014, there were call contacts among the police officer, the chef, the defendant and the car dealer.

The court heard that in an operation mounted on February 26, 2015, ICAC officers seized the mobile phones of the police officer and the chef.

Examination of the messages stored in their mobile phones revealed that the police officer and the chef had some message exchanges concerning the enquiry made by the ICAC with the defendant.

The defendant was arrested on July 24, 2015. When interviewed under caution, she admitted that she had disclosed the ICAC investigation to the car dealer as she was curious if the latter was approached by the ICAC, the court was told.

The prosecution was today represented by Public Prosecutor Kasmine Hui, assisted by ICAC officer Kenix Poon.

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保險代理承認披露廉署調查違反 《防止賄賂條例》候判

2015年11月3日

一名保險代理向一名汽車經紀披露廉政公署調查的細節，違反《防止賄賂條例》，早前被廉署拘控。被告今日(星期二)在東區裁判法院承認控罪。

江富美，五十三歲，承認一項披露廉政公署調查細節罪名，違反《防止賄賂條例》第30(1)(b)條。

裁判官李紹豪將案件押後至本月十七日作進一步求情及判刑，以待被告的背景及社會服務令報告。被告獲准以現金五千元保釋外出。

案情透露，被告於案發時為一間保險公司的保險代理，一名汽車經紀間中將客戶轉介給她。

廉署於二〇一四年三月接獲貪污投訴，指一名警務人員可能從某紀律部隊宿舍餐廳一名廚師接受利益，作為替該廚師取得該宿舍泊車證的報酬。

廉署調查發現，該名警務人員於二〇一四年及二〇一五年分別為兩部以自己的名義登記的汽車申請泊車證。被告透過該汽車經紀轉介而處理該兩部汽車的保單。

一名廉署人員於二〇一四年九月接觸被告，以調查該兩部汽車保險費的繳付詳情，並向被告解釋廉署正在調查一宗貪污投訴。

該名廉署人員提醒被告調查內容必須保密，否則她會因為觸犯《防止賄賂條例》第30條而被檢控。

二〇一四年九月一日至十二月十日期間，該名廉署人員進行調查時五次接觸被告，每次均有提醒被告《防止賄賂條例》第30條有關保密的條款。

電話通話紀錄顯示，有關警務人員、廚師、被告及汽車經紀曾於二〇一四年十一月十日多次互相通話。

案情透露，廉署人員於二〇一五年二月二十六日進行一項行動，檢取了有關警務人員及廚師的手提電話。

經檢驗儲存於兩人手提電話的訊息，發現有關警務人員及廚師的對話內容涉及廉署向被告進行的調查。

被告於二〇一五年七月二十四日被拘捕。她於警誡下接受會見時承認，因好奇廉署有否接觸該汽車經紀而向他披露廉署的調查。

控方今日由檢控官許熙晴代表出庭，並由廉署人員潘康盈協助。

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