

Ex-bank managers jailed for bribery and fraud

23 February 2016

Two former managers of a bank, charged by the ICAC, were today (Tuesday) sentenced to jail terms up to 18 months at the District Court for their respective roles in offering a bribe of \$100,000 in relation to referral of clients and deceiving about \$117,000 in commissions from the bank.

Chau Hang-yu (formerly known as Aixingero Chat-yung), 30, a former Associate Relationship Manager of the Hongkong and Shanghai Banking Corporation Limited (HSBC), received a jail term of 12 months.

Co-defendant Steve Chow Chun-yin, 32, a former Wealth Management Manager of HSBC, was jailed for 18 months, while another co-defendant Li Lee, 28, also a former Wealth Management Manager of HSBC, had her sentencing adjourned to April 19, 2016.

In sentencing, Judge Frankie Yiu Fun-che said the defendants had seriously breached the trust placed on them and put the financial interest of their clients as well as HSBC's reputation at risk. The offences committed by them were serious and custodial sentences were inevitable.

Chau earlier pleaded guilty to two counts of fraud, contrary to Section 16A of the Theft Ordinance, while Li admitted seven charges – five of fraud, and two of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance (POBO). Chow was found guilty after trial of three charges – two of fraud and one of offering an advantage to an agent, contrary to Section 9(2)(a) of the POBO.

The court heard that at the material time, Chau, Chow and Li were employed by HSBC to promote and sell its investment and insurance products to clients.

In April and September 2012, Chau respectively submitted five and nine unit trust subscription orders of a client to HSBC without his authorisation. As a result, HSBC was induced to release commissions totalling over \$47,000 to her.

The court heard that in April and July 2012, Chow falsely represented to HSBC that he handled two unit trust subscription orders made by two clients in Hong Kong respectively, hereby inducing HSBC to release about \$70,000 in commissions to him.

Chow offered a bribe of \$100,000 in cash to a colleague on one occasion in November 2012 as a reward for referring clients to him.

The court heard that between September and October 2012, Li falsely represented to HSBC that she was the sales staff of 11 unit trust subscription orders and one insurance policy made by five clients. As a result, HSBC was induced to release about \$118,000 in commissions to her.

Li offered a bribe of \$30,000 to \$60,000 in cash to a colleague in November 2012 as a reward for referring clients to her. Li also agreed to offer another bribe of \$55,000 to that colleague for the same purpose, the court was told.

HSBC had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Francis Lo, assisted by ICAC officer Berek Fung.

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兩名前銀行經理分別就轉介客戶行賄十萬元，並詐騙該銀行共約十一萬七千元的佣金，早前被廉政公署拘控。被告今日(星期二)在區域法院被判入獄最高十八個月。

周倖如(前稱愛新覺羅札蓉)，三十歲，香港上海滙豐銀行有限公司(滙豐銀行)前客戶經理，被判囚十二個月。

同案被告周俊彥，三十二歲，滙豐銀行前財富管理經理，被判入獄十八個月，而餘下被告李莉，二十八歲，滙豐銀行前財富管理經理，則會於本年四月十九日判刑。

法官姚勳智判刑時表示，被告嚴重違反誠信，損害客戶的財務利益及滙豐銀行的聲譽。被告干犯的罪行嚴重，故此判處監禁是無可避免。

周倖如早前承認兩項欺詐罪名，違反《盜竊罪條例》第16A條，而李莉則承認罪名，即五項欺詐，以及兩項向代理人提供利益，違反《防止賄賂條例》第9(2)(a)條。周俊彥則被裁定三項罪名成立，即兩項欺詐及一項向代理人提供利益違反《防止賄賂條例》第9(2)(a)條。

案情透露，各被告於案發時同受僱於滙豐銀行，負責向客戶推廣及銷售該銀行的投資及保險產品。

周倖如於二〇一二年四月及九月，在未獲一名客戶授權下，向滙豐銀行分別呈交五張及九張該客戶的單位信託基金認購委託單，因而誘使滙豐銀行向周倖如發放共逾四萬七千多元的佣金。

案情透露，周俊彥於二〇一二年四月及七月，向滙豐銀行虛假地表示，他在香港處理了兩名客戶的兩張單位信託基金認購委託單，誘使滙豐銀行向他發放約七萬多元的佣金。

周俊彥於二〇一二年十一月向一名同事提供一筆十萬元的賄款，作為該名同事轉介客戶予他的報酬。

案情透露，李莉於二〇一二年九月至十月期間，向滙豐銀行虛假地表示，她是五名客戶的十一份單位信託基金認購委託單和一份保險單的銷售職員，因而誘使滙豐銀行向她發放約十一萬八千元的佣金。

李莉於二〇一二年十一月向一名同事提供一筆三萬元至六萬元的賄款，作為該名同事轉介客戶予她的報酬。李莉又以相同目的，承諾向該同事提供另一筆五萬五千元的賄款。

滙豐銀行在廉署調查案件期間提供全面協助。

控方今日由大律師盧慶祥代表出庭，並由廉署人員馮志健協助。