

## Company proprietor admits offering illegal rebates to secure business

22 November 2016

A proprietor of a food trading company, charged by the ICAC, today (November 22) admitted at the Kowloon City Magistracy that he had offered illegal rebates totalling over \$15,000 to a former supervisor of a Japanese restaurant to secure business.

Wong Kai-wai, 28, sole proprietor of Ocean Star Food Trading Company (Ocean Star), pleaded guilty to one count of offering an advantage to an agent, contrary to Sections 9(2)(a) of the Prevention of Bribery Ordinance.

Magistrate Miss Veronica Heung Shuk-han adjourned the case to December 21 this year for mention, pending a background report. The defendant was granted cash bail of \$10,000.

The court heard that at the material time, Ocean Star supplied seafood to restaurants. Among them was Daixija Japanese Buffet (Daixija), a Japanese restaurant in Jordan, Kowloon.

In July 2015, the operator of Daixija found that the profit margin of the sashimi section was declining. The restaurant also received complaints from customers against the poor quality of seafood.

In reviewing purchase orders, the operator found that its sashimi section started placing orders with Ocean Star, a new seafood supplier, in June 2015.

Between June and September 2015, Daixija ordered a total of \$250,000 worth of seafood from Ocean Star, ranging from about \$4,000 to about \$6,000 per day.

The court heard that on September 8, 2015, a supervisor and three staff members of Daixija's sashimi section tendered their resignations without reason. Since then, Daixija had not ordered seafood from Ocean Star.

Nine days later, the operator called the defendant for a quotation of raw seafood supply. The defendant said he would offer rebates ranging from eight to 10 per cent of the orders placed with Ocean Star.

The defendant was arrested by ICAC officers on February 23, 2016. Under caution, the defendant admitted that he offered monthly rebates of \$15,813 in total to the supervisor of Daixija's sashimi section between June and September 2015, the court was told.

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

The prosecution was today represented by ICAC officer Wayman Leung.

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## 公司東主承認提供非法回佣以取得生意

2016年11月22日

一名食品貿易公司東主向一名日式食肆前主管提供共逾一萬五千元的非法回佣以取得生意，被廉政公署起訴。被告今日(十一月二十二日)在九龍城裁判法院承認控罪。

黃佳偉，二十八歲，海星食品貿易公司(海星)獨資東主，承認一項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條。

裁判官香淑嫻將案件押後至本年十二月二十一日再訊，以待被告的背景報告。被告獲准以現金一萬元保釋外出。

案情透露，海星於案發時供應海鮮予多間食肆，包括位於九龍佐敦的日式食肆大喜家日式放題(大喜家)。

大喜家經營者於二〇一五年七月發現刺身部的利潤率下降，同時該食肆亦收到顧客投訴海鮮質素低劣。

在檢視購貨訂單時，大喜家經營者發現刺身部於二〇一五年六月起向新供應商海星訂購海鮮。

大喜家於二〇一五年六月至九月期間，向海星每天訂購約四千元至約六千元的海鮮，總值二十五萬元。

案情透露，大喜家刺身部的主管及三名員工於二〇一五年九月八日無故請辭，自此之後，該食肆再沒有向海星訂購海鮮。

大喜家經營者於九天後致電被告索取海鮮的報價，被告回覆指海星將按訂單總值提供百分之八至十的回佣。

廉署人員於二〇一六年二月二十三日拘捕被告。被告在警誡下承認他於二〇一五年六月至九月期間每月向大喜家刺身部主管提供共一萬五千八百一十三元的回佣。

大喜家在廉署調查案件期間提供全面協助。

控方今日由廉署人員梁煒明代表出庭。

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