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## Press Releases

### **Ex-vice president of bank jailed for soliciting HK\$920,000 illegal commissions**

**2017-4-7**

A former vice president of a bank, charged by the ICAC, was today (April 7) sentenced to 15 months' imprisonment at the Eastern Magistracy after being convicted of soliciting illegal commissions of about HK\$920,000 in total from a client for handling securities transactions conducted in her accounts with the bank.

Jeff Ye Feng, 41, a former vice president of Bank of Communications Company Limited Hong Kong Branch (BOCM Hong Kong Branch), was found guilty of two counts of soliciting an advantage as an agent, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance.

In sentencing, Magistrate Jason Wan Siu-ming said the defendant had breached the trust placed on him by the bank.

The magistrate also ordered the defendant to make about HK\$637,000 as restitution to the bank.

The court heard that at the material time, the defendant was a vice president of BOCM Hong Kong Branch. His duties included providing private banking clients with banking services and handling their securities transactions.

On April 30, 2014, the defendant became a relationship manager of a Mainland client who maintained accounts with BOCM Hong Kong Branch. Since then, the defendant had assisted the client in making investments in the Hong Kong stock market through her accounts.

Later in September 2014, the defendant told the client that it was a usual practice in Hong Kong for a relationship manager to receive 20 per cent of the profit made by a client as extra commission.

The client believed that BOCM Hong Kong Branch allowed the defendant to receive the extra commission.

On October 5, 2014, the defendant sent an email to inform the client that her shares had made a profit and solicited an extra commission of about RMB112,000 (about HK\$142,000) from the client. The defendant asked the client to pay the money into his bank account maintained in the Mainland.

On October 20, 2014, the client paid the money into the bank account accordingly, the court heard.

On April 9, 2015, the defendant sent another email to the client informing that her shares had made another profit. He solicited an extra commission of about RMB620,000 (about HK\$775,000) from the client. Five days later, the client paid the money into the defendant's bank account in the Mainland.

The client later discovered that she had suffered a substantial loss in her shares account. Upon request, the defendant returned about RMB230,000 (about HK\$280,000) to the client, the court was told.

BOCM Hong Kong Branch had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Newman Wong, assisted by ICAC officers William Leung and Chris Chan.

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## 新聞公佈

# 銀行前副總裁索取九十二萬港元非法佣金判囚十五個月

2017年4月7日

一名銀行前副總裁向一名客戶索取非法佣金共約九十二萬港元，以處理該客戶在有關銀行的帳戶所進行的證券交易，早前被廉政公署起訴。被告今日(四月七日)在東區裁判法院被裁定罪名成立，判囚十五個月。

葉鋒，四十一歲，交通銀行股份有限公司香港分行(香港交行)前副總裁，被裁定兩項代理人索取利益罪名，違反《防止賄賂條例》第9(1)(a)條。

裁判官溫紹明判刑時稱，被告的行為違反銀行對他的信任。

裁判官又命令被告須向香港交行歸還約六十三萬七千港元作為賠償。

案情透露，被告於案發時為香港交行副總裁，其職責包括為私人銀行客戶提供銀行服務及處理其證券交易。

被告於二〇一四年四月三十日成為香港交行一名內地客戶的客戶經理，而該客戶在銀行開設了戶口。自此之後，被告協助該客戶透過其戶口投資香港股市。

被告其後於二〇一四年九月某天告訴該客戶，香港的一貫做法是客戶經理收取客戶所得利潤的百分之二十作為額外佣金。該客戶相信香港交行准許被告收取額外佣金。

被告於二〇一四年十月五日發電郵予該客戶，報稱其所持股票獲利，並向她索取約十一萬二千元人民幣(約十四萬二千港元)作為額外佣金。被告要求該客戶將款項存入他在內地的銀行戶口。案情透露，該客戶於二〇一四年十月二十日將款項存入被告的銀行戶口。

被告於二〇一五年四月九日再發電郵予該客戶，報稱其所持股票獲利。被告向該客戶索取約六十二萬元人民幣(約七十七萬五千港元)作為額外佣金。該客戶於五天後將款項存入被告在內地的銀行戶口。

案情透露，該客戶其後發現其股票戶口承受巨大虧損。被告應該客戶的要求，向她歸還約二十三萬元人民幣(約二十八萬港元)。

香港交行在廉署調查案件期間提供全面協助。

控方今日由大律師王興偉代表出庭，並由廉署人員梁立威及陳國豪協助。  
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