



[Home](#) > Press Releases

Press Releases

Three months' jail for accepting \$15,000 illegal rebates to place seafood orders

2017-4-28

A former supervisor of a Japanese restaurant, charged by the ICAC, was today (April 28) sentenced to three months' imprisonment at the Kowloon City Magistracy after admitting his charge of accepting illegal rebates of over \$15,000 in total from a food supplier for placing seafood orders with the latter.

Lai Ka-fat, 31, former supervisor of Daixija Japanese Buffet (Daixija) under Funny Castle Limited (Funny Castle), today pleaded guilty to one count of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance.

In sentencing, Deputy Magistrate Mr Leung Lai-yin said he reduced the starting point of four months in jail by one-fourth to three months after taking into account the defendant's guilty plea before the commencement of the trial.

The deputy magistrate also ordered the defendant to make over \$15,000 as restitution to Funny Castle.

The court heard that at the material time, the defendant was employed by Funny Castle as supervisor of the sashimi section of Daixija, a Japanese restaurant in Jordan, Kowloon.

Among other duties, the defendant was responsible for placing orders with food suppliers, including a food trading company.

In late May 2015, the sole proprietor of the food trading company contacted the defendant after a friend told him that the defendant wanted to place seafood orders.

The court heard that at a first meeting, the defendant told the sole operator that he was working with Daixijia. The sole operator then supplied the quotations of the food trading company to the defendant.

When they met again, the defendant said the quotations of the food trading company were alright, and asked the sole operator if he had "that thing" to give him.

Having made a gesture of counting money, the defendant told the sole operator to "give him eight". It meant that if the defendant ordered goods worth \$100 from the sole operator, the sole operator had to give him \$8. The sole operator understood that the defendant was asking for a rebate.

One or two days later, the sole operator called the defendant to express his willingness to offer the rebate. Between June and September 2015, Daixija placed \$250,000 worth of seafood orders with the food trading company.

The court heard that in July 2015, the operator of Daixija found that the profit margin of the sashimi section was declining, while Daixija received complaints about the poor quality of seafood from customers.

On September 8, 2015, the defendant and other staff members of the sashimi section suddenly tendered their resignations without reasons.

Investigation revealed that the sole operator offered rebates of \$15,813 in total to the defendant between June and September 2015, the court was told.

Funny Castle had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Kenny Chan, assisted by ICAC officer Ming Lee.

[Back to Index](#)



主頁 > 新聞公佈

新聞公佈

食肆前主管收受一萬五千元非法回佣以訂購海鮮判囚三個月

2017年4月28日

一名日式食肆前主管收受一名食品供應商共逾一萬五千元的非法回佣，以向有關供應商發出海鮮訂單，早前被廉政公署起訴。被告今日(四月二十八日)在九龍城裁判法院承認控罪，判囚三個月。

黎家發，三十一歲，樂庭有限公司(樂庭)旗下大喜家日式放題(大喜家)前主管，今日承認一項代理人接受利益罪名，違反《防止賄賂條例》第9(1)(a)條。

暫委裁判官梁禮賢判刑時稱，量刑起點為監禁四個月，但考慮到被告在案件開審前認罪，故將他的刑期扣減四分之一至三個月。

暫委裁判官又命令被告須向樂庭歸還逾一萬五千元作為賠償。

案情透露，被告於案發時受僱於樂庭，在九龍佐敦大喜家任職刺身部主管。他的其中一項職責是向食材供應商訂貨，當中包括一間食品貿易公司。

該食品貿易公司獨資東主於二○一五年五月底獲朋友告知被告想訂購海鮮，於是聯絡被告。

案情透露，兩人首次會面時，被告表示他於大喜家工作。獨資東主遂向被告提供該食品貿易公司的報價。

兩人再次會面時被告指該食品貿易公司的報價沒有問題，並詢問獨資東主是否有「該東西」給他。

被告做出數錢的手勢，指獨資東主須「給他八」，即表示若被告向獨資東主訂購一百元的貨品，他須給被告八元。獨資東主理解到被告在向他索取回佣。

一至兩日後獨資東主致電被告表示願意支付回佣。大喜家於二○一五年六月至九月期間合共向獨資東主訂購總值二十五萬元的海鮮。

案情透露，大喜家經營者於二○一五年七月發現刺身部的利潤率下降，而大喜家亦收到顧客投訴海鮮質素低劣。

被告和其他刺身部員工於二○一五年九月八日突然無故辭職。

調查顯示，獨資東主於二○一五年六月至九月期間向被告提供共一萬五千八百一十三元的回佣。

樂庭在廉署調查案件期間提供全面協助。

控方今日由大律師陳永淦代表出庭，並由廉署人員李麗明協助。

[返回目錄](#)