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## Press Releases

### Freelance agent admits offering \$4.5m illegal commissions to secure business

2017-5-10

A freelance agent of two companies, charged by the ICAC, admitted at the District Court today (May 10) that he had offered illegal commissions totalling over \$4.5 million to a then manager of a toy manufacturing firm to secure business.

Ricky Ho Po-wah, 45, pleaded guilty to three charges of offering advantages to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance. Another similar charge against him was ordered to be left on court file.

Judge Fred Sham Siu-man adjourned the case to July 19 this year for mention. The defendant was remanded in the custody of the Correctional Services Department.

The court heard that at the material time, the defendant was a freelance agent of various suppliers of Fotorama (Hong Kong) Limited (Fotorama Hong Kong), a toy manufacturing firm, which placed orders with different suppliers on behalf of its parent company in Mexico and subsidiaries.

Through the defendant's introduction, a printing company and a toy manufacturing company became Fotorama Hong Kong's suppliers.

In 2011, a manager of Fotorama Hong Kong told the defendant that he would place orders with the printing company if he could receive a commission equivalent to eight per cent of the transaction amount of each order.

The defendant agreed and relayed the solicitation to the director-cum-shareholder of the printing company, who agreed to pay a commission of 12 per cent to the defendant, four per cent of which would be given to the defendant as his share and the remaining eight per cent would be passed to the manager of Fotorama Hong Kong.

Between January 2012 and March 2015, the defendant collected from the printing company illegal commissions of about \$1.13 million in total. The defendant then paid those commissions to the manager of Fotorama Hong Kong.

The court also heard that on September 15, 2015, the defendant deposited a cheque issued by the toy manufacturing company in the amount of over \$245,000 into his personal bank account.

A day later, he withdrew \$248,000 from his personal bank account and put \$245,000, being the illegal commissions, into an envelope and passed it to the manager of Fotorama Hong Kong at the latter's office.

Between September 2012 and July 2015, the defendant collected 23 cheques for over \$3.5 million in total issued by the toy manufacturing company, and deposited them into his personal bank account.

Apart from the \$245,000, the defendant further withdrew over \$3.2 million from his personal bank account and passed the monies, being illegal commissions, to the manager of Fotorama Hong Kong for securing its orders, the court was told.

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

The prosecution was today represented by Senior Public Prosecutor Winnie Mok, and assisted by ICAC officer Peter Chow.

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## 新聞公佈

### 特約經紀承認提供四百五十萬元非法佣金以取得生意候判

2017年5月10日

一名代表兩間公司的特約經紀，向一間玩具生產商當時一名經理提供共逾四百五十萬元非法佣金以取得生意，被廉政公署起訴。被告今日(五月十日)在區域法院承認控罪。

何寶華，四十五歲，今日承認三項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條。被告另一項相類控罪則紀錄在案。

法官沈小民將案件押後至本年七月十九日再提訊。被告暫時還押懲教署看管。

案情透露，被告於案發時是代表豐圖(香港)有限公司(豐圖香港)多間供應商的特約經紀。豐圖香港是一間玩具生產商，負責為其在墨西哥的母公司及附屬公司向不同的供應商發出訂單。

經由被告的轉介，一間印刷公司及一間玩具生產公司分別成為豐圖香港的供應商。

豐圖香港一名經理於二〇一一年向被告表示，如收到相當於每張訂單交易金額百分之八的款項作為佣金，他便會向該印刷公司發出印刷訂單。

被告答應該豐圖香港經理並把其要求轉告有關印刷公司的董事兼股東。有關董事兼股東同意向被告支付百分之十二佣金，其中百分之四會給予被告，其餘百分之八則會給予該豐圖香港經理。

被告於二〇一二年一月至二〇一五年三月期間向有關印刷公司收取共約一百一十三萬元非法佣金，並將有關佣金支付予該豐圖香港經理。

案情又透露，被告於二〇一五年九月十五日把一張由上述玩具生產公司開出的二十四萬五千多元支票存入他的個人銀行戶口。

被告一日後從其銀行戶口提取現金二十四萬八千元，並把作為非法佣金的二十四萬五千元放入一個公文袋內，然後在豐圖香港經理辦公室把款項交給對方。

被告於二〇一二年九月至二〇一五年七月期間向該玩具生產公司收取二十三張總金額為三百五十多萬元的支票，並將有關支票存入他的個人銀行戶口。

案情透露，除了上述二十四萬五千元外，被告從其個人銀行戶口另提取逾三百二十萬元，並把款項作為非法佣金交給該豐圖香港經理以獲取訂單。

豐圖香港在廉署調查案件期間提供全面協助。

控方今日由高級檢控官莫韻妍代表出庭，並由廉署人員鄧文浩協助。

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