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## Press Releases

### Ex-chefs jailed for \$200,000 bribes-for-employment

2017-6-28

Two then chefs of a hotel, charged by the ICAC, were today (June 28) sentenced to jail terms up to eight months at the District Court for soliciting, accepting and offering bribes up to over \$200,000 in relation to the employment of one of the two then chefs and another then chef with the hotel.

Tsang Hung-tak, 59, then Chinese head chef of The Park Lane Hong Kong (The Park Lane), received a jail term of eight months, while Chan Kei-cheong, 58, then assistant Chinese head chef of The Park Lane, was jailed for four months.

In sentencing, Deputy Judge Ms June Cheung Tin-ngan said immediate custodial sentence had to be meted out to serve as a deterrent as corruption was not to be tolerated then or now.

The deputy judge also ordered Tsang to pay \$172,000 as compensation to the hotel.

Tsang earlier pleaded guilty to six charges – two of agent soliciting an advantage and four of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance (POBO), while Chan admitted four counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the POBO.

The court heard that at the material time, Tsang was employed by Victoria Park Hotels Limited to work as the Chinese head chef of The Park Lane, a hotel in Causeway Bay. Through Tsang's referral, Chan was hired as the assistant Chinese head chef of the hotel.

When Chan attended a job interview on a day held between January and June 2006, Tsang told him that if he wanted to work as the assistant Chinese head chief of the hotel, he had to pay Tsang "tea money" of \$3,000 monthly after receiving his salary of around \$24,000 each month.

In order to secure the employment, Chan acceded to Tsang's request. Upon Tsang's referral, Chan started to work at the hotel under Tsang's supervision in July 2006.

Between July 2006 and July 2008, Chan paid Tsang \$3,000 each month or \$72,000 in total to maintain his employment with the hotel.

The court heard that on a day in mid 2008, Tsang was in financial difficulties and requested Chan to apply for a personal loan of \$50,000 from a bank for him. Chan acceded to the request, and applied for the

personal loan from the bank.

Tsang and Chan agreed that Chan would repay the loan to the bank by monthly instalments in lieu of paying \$3,000 to Tsang per month until the loan was fully repaid in two years so as to maintain his employment with the hotel.

After deducting a charge of \$1,500, the bank paid the loan proceeds of \$48,500 to Chan. Subsequently, Chan transferred the loan proceeds to Tsang.

The court heard that around Chinese New Year in 2012, Tsang and Chan agreed that Chan would pay \$30,000 to Tsang after Chan received his year-end bonus so as to maintain his employment with the hotel. By doing so, Chan was not required to make the monthly payment of \$3,000 to Tsang in that year.

After receiving his year-end bonus in January 2015, Chan paid \$30,000 to Tsang so as to maintain his employment with the hotel. After Chan was dismissed by the hotel in March 2015, he did not pay any money to Tsang.

Tsang admitted that between July 2006 and January 2015, he accepted \$152,000 from Chan as rewards for maintaining the latter's employment with the hotel.

The court heard that when another then chef attended a job interview on a day between April and September 2012, Tsang told him if he wanted to work as the chef de partie of the hotel at a monthly salary of about \$20,000, he had to pay \$1,000 monthly to Tsang.

Between September 2012 and April 2014, Tsang accepted \$1,000 each month or \$20,000 in total from that chef, the court was told.

Victoria Park Hotels Limited had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Juliana Chow, assisted by ICAC officer Jenny Chan.

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## 新聞公佈

### 兩名酒店前廚師就聘任涉賄賂二十萬元判囚最高八個月

2017年6月28日

兩名酒店前廚師就聘任其中一人及當時一名廚師在該酒店工作索取、收受及提供賄款高達逾二十萬元，被廉政公署起訴。兩人今日(六月二十八日)在區域法院判囚最高八個月。

曾鴻德，五十九歲，柏寧酒店前中菜總廚，被判入獄八個月；而陳其昌，五十八歲，柏寧酒店前助理中菜總廚，則判監四個月。

暫委法官張天雁判刑時表示，貪污行為在不同年代均不能容忍，她必須判處被告即時監禁以示阻嚇。

暫委法官又命令被告須向有關酒店歸還十七萬二千元作為賠償。

曾鴻德早前承認六項罪名，即兩項代理人索取利益及四項代理人接受利益，違反《防止賄賂條例》第9(1)(a)條，而陳其昌則承認四項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(b)條。

案情透露，曾鴻德於案發時獲Victoria Park Hotels Limited聘用為銅鑼灣柏寧酒店的中菜總廚。陳其昌透過曾鴻德推薦獲僱用為該酒店助理中菜總廚。

當陳其昌於二〇〇六年一月至六月期間某日參與招聘面試時，曾鴻德向他表示若他想獲受聘為該酒店助理中菜總廚，必須在每月收到約二萬四千元月薪後，給予曾鴻德三千元作為「茶錢」。

陳其昌為了獲聘而答應曾鴻德的要求。在曾鴻德的推薦下，陳其昌於二〇〇六年七月起在其監督下在該酒店工作。

陳其昌於二〇〇六年七月至二〇〇八年七月期間，每月給予曾鴻德三千元或合共七萬二千元，以維持他在該酒店的職位。

案情透露，曾鴻德於二〇〇八年年中某日，因財困而要求陳其昌為他向一間銀行申請一筆五萬元的私人貸款。陳其昌答應並向銀行申請私人貸款。

雙方同意由陳其昌於兩年內分期每月還款，取代他每月給予曾鴻德的三千元，以維持他在該酒店的職位。

該銀行在扣除一千五百元費用將四萬八千五百元貸款發放予陳其昌。陳其昌其後將款項轉帳給曾鴻德。

案情透露，雙方約於二〇一二年農曆新年同意陳其昌收取年終花紅後給予曾鴻德三萬元現金，以維持他在該酒店的職位，而陳其昌當年無須每月支付曾鴻德三千元。

此外，陳其昌於二〇一五年一月收取年終花紅後給予曾鴻德三萬元現金，以維持他在該酒店的職位。陳其昌於二〇一五年三月遭該酒店辭退後，再沒有給予曾鴻德任何金錢。

曾鴻德承認於二〇〇六年七月至二〇一五年一月期間，從陳其昌收取十五萬二千元作為維持其在該酒店的職位的報酬。

案情又透露，當時另一名廚師於二〇一二年四月至九月期間某日參加招聘面試時，曾鴻德向他表示若他想獲受聘在該酒店擔任部門主廚，必須在每月收到約二萬元月薪後，給予曾鴻德一千元。

曾鴻德於二〇一二年九月至二〇一四年四月期間，每月收取該名廚師一千元或合共二萬元。

Victoria Park Hotels Limited在廉署調查案件期間提供全面協助。

控方今日由大律師周凱靈代表出庭，並由廉署人員陳淑珍協助。

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