



## Press Releases

### Six months' jail for bribing driving examiner

2017-8-8

A man, charged by the ICAC, was today (August 8) sentenced to six months' imprisonment at the Kwun Tong Magistracy for offering a bribe of a red packet containing \$5,000 to a driving examiner of the Transport Department (TD) so as to secure a pass in a driving test.

Cheung Yan, 41, unemployed, earlier pleaded guilty to one count of offering an advantage to a public servant, contrary to Section 4(1)(a) of the Prevention of Bribery Ordinance.

In sentencing, Deputy Magistrate Mr Gary Chu Man-hon said bribing a public servant was a very serious offence. He also reprimanded the defendant for causing unfairness to other candidates taking driving tests and potential safety risks to road users should the corrupt deal have succeeded.

The deputy magistrate also said he reduced the starting point of nine months in jail by one-third to six months after taking into account the defendant's guilty plea.

The deputy magistrate ordered that the bribe of \$5,000 offered by the defendant to the driving examiner be confiscated.

The court heard that the defendant attended Yau Tong Driving Test Centre of the TD for his second attempt at a private car driving test on April 5 this year. A Driving Examiner II of the TD was randomly allotted to be the driving examiner.

The defendant boarded a car after registration. When the driving examiner entered the car, the defendant offered a red packet to him and said: "Sir, this is a greeting gift for you."

The defendant repeated his offer despite the driving examiner's refusal to accept the red packet.

While the driving examiner was checking the defendant's Hong Kong Identity Card and Learner's Driving Licence, the defendant placed the red packet on the driving examiner's clipboard and reiterated the offer.

The driving examiner opened the red packet and found a few \$1,000 banknotes in it, the court heard.

The examiner immediately reported the matter to the officer-in-charge of the centre, and a report was subsequently made to the ICAC.

The defendant was arrested by the ICAC on the same day and the red packet was seized from him. The red packet, marked with “Yan OK \$5,000”, was found to contain five \$1,000 banknotes, the court was told.

The case arose from a corruption complaint referred by the TD, which had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by ICAC officer David Ng.

[Back to Index](#)



## 新聞公佈

### 男子行賄考牌官判囚六個月

2017年8月8日

一名男子向運輸署一名考牌主任提供一封內有五千元賄款的紅包，以求取得駕駛考試及格，被廉政公署拘控。被告今日(八月八日)在觀塘裁判法院被判入獄六個月。

張欣，四十一歲，無業，早前承認一項向公職人員提供利益罪名，違反《防止賄賂條例》第4(1)(a)條。

暫委裁判官朱文瀚判刑時稱，行賄公職人員是十分嚴重的罪行，並斥責被告倘若其貪污勾當成功，會對其他參加駕駛考試的考生造成不公，並危害道路使用者的安全。

暫委裁判官續稱，量刑起點為監禁九個月，但考慮到被告認罪，故將他的刑期扣減三分之一至六個月。

暫委裁判官下令將被告向考牌主任提供的五千元賄款充公。

案情透露，被告於本年四月五日到運輸署油塘駕駛考試中心第二次參加私家車路試。一名二級考牌主任獲隨機分配為該路試的考牌主任。

被告登記後登上一輛私家車。當考牌主任上車時，被告向他提供一個紅包，並說：「阿Sir，見面禮，請收下。」

雖然考牌主任拒絕接受，但被告再次向他提供紅包。

當考牌主任查核被告的香港身份證及學習駕駛執照時，被告將紅包放在考牌主任的寫字夾板上，並重覆有關說話。

案情透露，考牌主任打開紅包，發現內裡有數張一千元鈔票。考牌主任隨即向中心主管報告事件，廉署其後接獲舉報。

廉署於同日拘捕被告，並從其身上檢獲該紅包。紅包載有「欣OK五千元」字樣，內裡有五張一千元鈔票。

廉署早前接獲運輸署轉介的貪污投訴，遂展開調查。運輸署在廉署調查案件期間提供全面協助。

控方今日由廉署人員吳偉權代表出庭。

[返回目錄](#)