



## Press Releases

### **Duo in \$142,000 wages exploitation scam each jailed for four months**

**2017-10-26**

A former site supervisor and a former worker of a metal works company, charged by the ICAC, were today (October 26) each sentenced to four months' imprisonment at the Eastern Magistracy for conspiracy to accept illegal wage rebates of over \$142,000 in total from four other workers in relation to their employment at various construction sites.

Ng Wai-hang, 46, former site supervisor of Empire (HK) Engineering Co. Limited (Empire HK), and Tam Tat-man, 29, former general worker of Empire HK, earlier pleaded guilty to four joint charges of conspiracy for an agent to accept an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

In sentencing, Deputy Magistrate Mr Winston Leung Wing-chung said the court must not tolerate the corrupt acts of the defendants as they were serious in nature.

The deputy magistrate also ordered the defendants to pay over \$142,000, or over \$71,000 each, being the illegal wage rebates shared among themselves, as restitution to Empire HK.

The court heard that at the material time, Ng Wai-hang was employed by Empire HK as a site supervisor to recruit general workers for Empire HK and two other companies (the three companies) to work at 10 construction sites. The three companies, which were set up by the same proprietor, were contractors specialising in metal works.

In December 2014, Ng introduced Tam to work for two of the three companies, including Empire HK, as a general worker.

Upon Ng's introduction, three other persons started to work as general workers at various construction sites. At the end of each month, they were required to report their actual number of working days to Tam, who would provide the records to Ng.

Ng told the three general workers that they had to refund part of their wages to Ng's supervisor as it was a trade practice. Believing that their employment would be terminated if they did not do so, the trio respectively paid \$40,075, \$24,650 and \$18,050 to Ng between April and December 2015.

The court also heard that Tam asked another general worker who he introduced to work at various construction sites to refund part of his wages to Ng.

Between April and November 2015, that general worker paid \$59,380 to Ng as he believed that if his did not do so, Tam would not have introduced him to the job.

Empire HK had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Marco Li, assisted by ICAC officer Chacha Chan.

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## 新聞公佈

### 二人剝削他人工資十四萬二千元各判囚四個月

2017年10月26日

一名五金工程公司前地盤主管及一名前工人，串謀向其他四名工人收受共逾十四萬二千元非法工資回佣，以維持僱用他們在多個建築地盤工作，被廉政公署起訴。兩名被告今日(十月二十六日)在東區裁判法院各判入獄四個月。

伍威行，四十六歲，Empire (HK) Engineering Co. Limited (Empire HK)前地盤主管，及譚達汶，二十九歲，Empire HK前普通工人，早前承認四項串謀代理人接受利益罪名，違反《防止賄賂條例》第9(1)(a)條及《刑事罪行條例》第159A條。

暫委裁判官梁榮宗判刑時稱，被告的貪污行為性質嚴重，法庭絕對不能姑息。

暫委裁判官又命令被告須向Empire HK歸還共逾十四萬二千元，或各自歸還逾七萬一千元，即他們攤分的非法工資回佣。

案情透露，伍威行於案發時受僱於Empire HK為地盤主管，負責為Empire HK及另外兩間公司(三間公司)招聘普通工人在十個建築地盤工作。該三間公司為五金工程承辦商，由同一名東主成立。

伍於二〇一四年十二月介紹譚為包括Empire HK在內的其中兩間公司任職普通工人。

另外三名人士經伍介紹在多個建築地盤任職普通工人。他們每月月底須向譚匯報實際工作日數，而譚則會把記錄交給伍。

伍向該三名普通工人表示，他們須把部分工資退還給伍的上司，並說這是行規。三人相信如果他們不付款便會遭停止僱用，遂於二〇一五年四月至十二月期間，分別向伍支付四萬零七十五元、二萬四千六百五十元及一萬八千零五十元。

案情又透露，譚要求另一名由他介紹在多個建築地盤任職普通工人的人士退還其部分工資。

該普通工人相信如果他不付款，譚不會介紹工作給他，遂於二〇一五年四月至十一月期間向伍支付五萬九千三百八十元。

Empire HK在廉署調查案件期間提供全面協助。

控方今日由大律師李國威代表出庭，並由廉署人員陳雅瑜協助。

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