



Press Releases

Ex-associate director of investment bank gets three and a half years for \$1.46m bribery

2017-11-16

A former associate director of a foreign investment bank, charged by the ICAC, was today (November 16) sentenced to three and a half years' imprisonment at the District Court for accepting bribes of about \$1.46 million in total for managing the investment portfolio of a client with the bank.

Tu Bing, 40, former associate director of UBS AG Hong Kong Branch (UBS Hong Kong Branch), was earlier found guilty of one count of conspiracy for an agent to accept advantages, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

In sentencing, Judge Gary Lam Kar-yan said the starting point for the bribery offence was three and a half years' imprisonment and there were no exceptional circumstances that warranted any reduction.

The court heard that at the material time, the defendant was an associate director of Global Wealth Management and Business Banking of UBS Hong Kong Branch. He was responsible for managing investment portfolios of clients.

In May 2007, the defendant convinced a client of UBS Hong Kong Branch to invest in Hong Kong stocks. The client, a Mainlander living in Shenzhen, relied entirely on the defendant to manage his investments.

At a meeting at a hotel in Shenzhen, the defendant told the client that it was a trade practice for the latter to pay him 20 per cent of the realised profits from investments. The client understood that the 20 per cent was "handling and intelligence fees", and acceded to the defendant's request.

Between June and July 2007, the defendant sent the client two emails together with trading summaries detailing a profit of over \$3,090,000 earned from trading in stocks. At the end of the trading summaries, there was a remark indicating "20 per cent" or over \$618,000.

After the defendant reminded the client of the "handling and intelligence fees", the client signed a blank cheque for over \$610,000 and gave it to him. The cheque was deposited into the bank account of the defendant's younger brother, the court heard.

In September 2007, the defendant further sent the client two other emails together with trading summaries detailing another profit of about \$4.25 million earned from trading in stocks.

Although the defendant did not make a remark of “20 per cent” on the trade summaries, the client understood that he had to pay about \$850,000 to the defendant.

One month later, the client gave a signed blank cheque for that amount to the defendant when they met at the hotel in Shenzhen. The cheque was deposited into the bank account of the defendant’s younger brother.

In December 2007, two sums of money, namely \$1 million and \$400,000, were transferred from the bank account of the defendant’s younger brother to that of the defendant, the court was told.

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

The prosecution was today represented by prosecuting counsel Flora Cheng, assisted by ICAC officer Angel Ng.

[Back to Index](#)



新聞公佈

投資銀行前副董事串謀收賄一百四十六萬元判囚三年半

2017年11月16日

一名外國投資銀行前副董事，串謀收受共約一百四十六萬元賄款，以管理一名客戶在該銀行的投資組合，早前被廉政公署起訴。被告今日(十一月十六日)在區域法院被判入獄三年半。

涂冰，四十歲，瑞士銀行香港分行(瑞銀香港)前副董事，早前被裁定一項串謀使代理人接受利益罪名成立，違反《防止賄賂條例》第9(1)(a)條及《刑事罪行條例》第159A條。

法官林嘉欣判刑時稱該貪污罪行的量刑起點為監禁三年半，而本案並無涉及特殊情況值得扣減刑期。

案情透露，被告於案發時是瑞銀香港全球財富管理及商業銀行業務副董事，負責管理客戶的投資組合。

被告於二〇〇七年五月游說瑞銀香港一名客戶投資香港股票。該客戶是一名居於深圳的內地人士，完全依賴被告管理其投資。

被告有次在深圳一間酒店與該客戶見面時，告訴對方根據行規需要支付從其投資所賺取實際利潤的百分之二十款額予他。該客戶明白該百分之二十款額為「手續及情報費」，並答應了被告的要求。

被告於二〇〇七年六月及七月期間向該客戶發出兩封電郵，當中連同買賣摘要，詳述其股票買賣賺取逾三百零九萬元利潤。有關摘要的末端附註顯示「百分之二十」或逾六十一萬八千元。

案情透露，被告提醒該客戶有關「手續及情報費」後，對方簽署一張銀碼逾六十一萬的空白支票交給被告。該支票後來被存入被告弟弟的銀行戶口。

被告於二〇〇七年九月向該客戶發出另外兩封電郵，當中連同買賣摘要，詳述其股票買賣賺取另一筆約四百二十五萬元利潤。

雖然被告沒有在買賣摘要註明「百分之二十」，但該客戶明白他要向被告支付約八十五萬元。

該客戶於一個月後在深圳一間酒店與被告見面，並把一張寫有上述款額的空白支票交給被告。該支票後來被存入被告弟弟的銀行戶口。

案情透露，二〇〇七年十二月有兩筆分別為一百萬元及四十萬元的款項，由被告弟弟的銀行戶口轉

賬至被告的銀行戶口。

瑞銀香港在廉署調查案件期間提供全面協助。

控方今日由大律師鄭淑儀代表出庭，並由廉署人員吳婉玲協助。

[返回目錄](#)