



Press Releases

Chief Technical Officer and subcontractor of HyD jailed for bribery

2018-5-14

A Chief Technical Officer (CTO) and a subcontractor of the Highways Department (HyD), charged by the ICAC, were today (May 14) each sentenced to six months' imprisonment at the Kwun Tong Magistracy after being convicted respectively of accepting and offering a bribe of \$50,000 in relation to maintenance works.

Chan Yiu-wai, 60, CTO of the HyD, was found guilty of one count of public servant accepting an advantage, contrary to Section 4(2)(a) of the Prevention of Bribery Ordinance (POBO).

Co-defendant Cheng Cho-ye, 58, director-cum-shareholder of Win Union Engineering Limited (WUEL) and Wai Fuk Engineering Limited (WFEL), was convicted of one count of offering an advantage to a public servant, contrary to Section 4(1)(a) of the POBO.

In convicting the duo, Deputy Magistrate Mr Andrew Mok Tze-chung said the bribe, offered by Cheng and accepted by Chan, could be regarded as a general sweetener.

Upon the applications from the defendants, the deputy magistrate granted them each cash bail of \$35,000, pending their appeals.

The court heard that at the material time, Chan was a CTO of the HyD posted to its Structures Maintenance Section of Urban Region. He was responsible for supervising and monitoring the maintenance works of public roads, slopes, highways and highways structures in Kwun Tong District, including the recommendation and approval of maintenance works orders.

Cheng was the director-cum-shareholder of WUEL and WFEL, which were subcontracted by a term contractor of the HyD to provide labour and materials for the road works in Kwun Tong District and Wong Tai Sin District. The term contractor also appointed him as site agent to oversee those road works sites.

Between June 8, 2012 and September 8, 2015, the term contractor received works orders for road maintenance works in Kowloon East District, namely Kwun Tong, Wong Tai Sin, Kowloon City, Kowloon Bay and Hung Hom, for a total sum of about \$210 million.

On or about September 8, 2015, Chan submitted the application for a repair project in the Tseung Kwan O Tunnel Road at about \$2 million to his supervisor. The project, if approved, would be carried out by the

companies of Cheng.

The court heard that Chan and Cheng left Hong Kong for Mainland China through the Lo Wu Terminal at around 6pm on September 8, 2015.

Chan was arrested by ICAC officers when he returned to Hong Kong at about 2:30am the following day. An envelope containing 50 \$1,000 banknotes in five wads tied up with a rubber band, totalling \$50,000, was seized from Chan.

Tests by the Government Laboratory confirmed that Cheng's DNA was found on the envelope, the rubber band and some of the banknotes, the court was told.

The HyD has rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Acting Senior Assistant Director of Public Prosecutions David Chan and Senior Public Prosecutor Andrew Cheng, assisted by ICAC officer Hazel Wong.

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新聞公佈

路政署總工程監督及分判商貪污各判囚六個月

2018年5月14日

路政署一名總工程監督及一名分判商，就該署的維修工程分別受賄行賄五萬元，早前被廉政公署起訴。兩名被告今日(五月十四日)在觀塘裁判法院被裁定罪名成立，各判入獄六個月。

陳耀威，六十歲，路政署總工程監督，被裁定一項公職人員接受利益罪名成立，違反《防止賄賂條例》第4(2)(a)條。

同案被告鄭祖頤，五十八歲，惠聯工程有限公司(惠聯)及惠福工程有限公司(惠福)董事兼股東，則被裁定一項向公職人員提供利益罪名成立，違反《防止賄賂條例》第4(1)(a)條。

暫委裁判官莫子聰裁定兩名被告罪名成立時稱，鄭提供而陳接受的賄款可以視之為甜頭。

暫委裁判官接納兩名被告的申請，准許他們以現金三萬五千元保釋外出等候上訴。

案情透露，陳於案發時為路政署總工程監督，被派駐市區結構維修組工作。他負責督導和監察觀塘區的道路、斜坡、公路及道路構築物的維修工程，包括推薦及批出維修工程訂單。

鄭是惠聯及惠福的董事兼股東。路政署的定期合約承建商把觀塘區及黃大仙區道路工程的工人及材料供應外判予惠聯及惠福，並委任鄭為地盤總管負責監督該等道路工程地盤。

該定期合約承建商於二〇一二年六月八日至二〇一五年九月八日期間收到有關九龍東區域，即觀塘、黃大仙、九龍城、九龍灣及紅磡的道路維修工程的工程訂單，總金額約為二億一千萬元。

陳於或約於二〇一五年九月八日向其上司遞交一份有關將軍澳隧道公路維修工程的申請，總金額約為二百萬元。如申請獲得批核，有關工程將會由鄭的公司負責進行。

案情透露，陳及鄭於二〇一五年九月八日約下午六時經羅湖管制站離港前往中國大陸。

陳於翌日零晨約二時半返港後遭廉署人員拘捕，並從他身上搜獲一個信封，內裡載有五疊以橡筋綑綁的五十張合共五萬元的一千元紙幣。

案情透露，政府化驗所化驗證實該信封、橡筋以及部份紙幣上有鄭的基因。

路政署在廉署調查案件期間提供全面協助。

控方今日由署理高級助理刑事檢控專員陳大偉及高級檢控官鄭致行代表出庭，並由廉署人員黃露琴協助。

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