



## Press Releases

### Three months' jail for bribing debt collector

2018-7-20

A debtor of a licensed money lender, charged by the ICAC, was today (July 20) sentenced to three months' imprisonment at the Kwun Tong Magistracy for conspiracy to offer bribes of \$3,000 in total to a debt collector for helping him evade making debt repayments to the money lender.

Shung Ming-kai, 50, earlier pleaded guilty to one count of conspiracy to offer an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

Citing a sentencing guideline, Magistrate Mr Raymund Chow Chi-wei said an immediate custodial sentence was inevitable in view of no exceptional circumstances involved in the case and the seriousness of the offence committed by the defendant.

The magistrate said he reduced the starting point of four months in jail to three months after taking into account the defendant's guilty plea.

The court heard that at the material time, the defendant was a debtor of a licensed money lender in Hong Kong.

In January 2013, the defendant obtained a loan of \$5,000 from the licensed money lender and was required to make repayment by four monthly instalments. He defaulted on the remaining instalments after repaying the first instalment.

In March 2016, the licensed money lender engaged a debt collection agency to demand repayment from the defendant for an outstanding debt of over \$9,500, the court heard.

In June 2016, the defendant falsely claimed to the debt collection agency that he had filed for bankruptcy. The debt collection agency then stopped demanding the defendant for repayment of his debt.

Upon enquiry by the debt collection agency in August 2016, the defendant admitted that between April and May 2016, he offered \$3,000 in total to its debt collector upon the latter's solicitation as rewards for ceasing to demand repayment of debt owed by him.

The defendant then deposited the \$3,000 to the account of the debt collector with the Hong Kong Jockey Club on three occasions, the court was told.

The prosecution was today represented by prosecuting counsel Stephen Ma, and assisted by ICAC Officer

Benny Chang.

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## 新聞公佈

### 欠債人賄賂收數人判囚三個月

2018年7月20日

一名持牌放債人公司欠債人，串謀向一名收數人提供共三千元賄款以協助他逃避向該放債人公司償還債項，早前被廉政公署落案起訴。被告今日(七月二十日)在觀塘裁判法院被判入獄三個月。

宋明佳，五十歲，早前承認一項串謀向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條及《刑事罪行條例》第159A條。

裁判官周至偉判刑時表示，根據判刑指引，基於案件並不涉及任何特殊情況，而且被告的罪行性質嚴重，他必須判處被告即時監禁。

裁判官續稱，量刑起點為監禁四個月，但考慮到被告認罪，故此將刑期減至三個月。

案情透露，被告於案發時是香港一間持牌放債人公司的欠債人。

被告於二〇一三年一月從該持牌放債人公司取得一筆五千元貸款，並須在其後四個月分四期償還款項。他在第一期還款後便拖欠了餘下的分期還款。

案情透露，該持牌放債人公司於二〇一六年三月聘用一間收數公司向被告追討一筆逾九千五百元的未付債項。

被告於二〇一六年六月向收數公司訛稱他已提出破產申請，而該收數公司其後停止向被告追討債項。

收數公司於二〇一六年八月向被告查詢時，被告承認他曾於二〇一六年四月至五月期間應該公司一名收數人的要求提供共三千元，作為停止要求他償還債項的報酬。

案情透露，被告其後將三千元分三次存入該收數人的香港賽馬會戶口。

控方今日由控方大律師馬明德代表出庭，並由廉署人員鄭志偉協助。

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