



Press Releases

Ex-worker jailed for illegal referral fees scam

2018-8-14

A former worker of a construction engineering company, charged by the ICAC, was today (August 14) sentenced to six weeks' imprisonment at the West Kowloon Magistracy for soliciting and accepting illegal referral fees of \$7,000 in total from two fellow workers in relation to their employment with the company.

Resham Singh, 41, former driver cum worker of Grand Top Construction Engineering Limited (GTC), was earlier found guilty of three charges – two of agent soliciting an advantage and one of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance.

In sentencing, Deputy Magistrate Ms Lau Suk-han said bribery was an evil in business and was not tolerated, and reprimanded the defendant for showing no remorse.

The deputy magistrate said the court should not give a wrong signal to members of the public, and hence an immediate custodial sentence was a norm for the bribery offences.

The deputy magistrate also ordered the defendant to make a restitution of \$1,000 being the referral fee he had received from his fellow worker.

The court heard that at the material time, the defendant was a driver cum worker of GTC, which was granted a drainage work project in South Kowloon area by its parent company.

On April 4, 2016, a fellow worker phoned the defendant for seeking help in securing a job. Later on the same day, the defendant referred the fellow worker to work as a labourer for the drainage work project and solicited \$3,000 from him as a referral fee. The fellow worker agreed to pay the fee as he needed a job at that time.

The defendant then led the fellow worker to see a then foreman of GTC for a job interview. After passing the interview, the fellow worker was employed as a worker of GTC at a daily wage of \$560 on April 7, 2016.

Two days later, the defendant asked the fellow worker to pay him the referral fee. The fellow worker gave the defendant two \$500 banknotes, and told the defendant that he would pay him the remaining \$2,000 once he got wages from GTC.

The court heard that on June 4, 2016, the defendant met another fellow worker, and asked him for \$3,000 as a referral fee for helping him get a job. The fellow worker declined his solicitation twice.

GTC had rendered full assistance to the ICAC during its investigation into the case.

The prosecution was today represented by prosecuting counsel Henry Ma, assisted by ICAC officer Paul Lau.

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新聞公佈

前工人索取收受非法介紹費判囚六個星期

2018年8月14日

一名建築工程公司前工人向另外兩名工人索取及收受共七千元非法介紹費，以協助他們取得該公司的僱傭工作，早前被廉政公署起訴。被告今日(八月十四日)在西九龍裁判法院被判入獄六個星期。

Resham Singh，四十一歲，廣昇建築工程有限公司(廣昇)前司機兼工人，早前被裁定三項罪名成立，即兩項代理人索取利益及一項代理人接受利益，違反《防止賄賂條例》第9(1)(a)條。

暫委裁判官劉淑嫻判刑時表示，貪污是商業社會的禍害，公眾不會容忍它，並斥責被告沒有悔意。

暫委裁判官表示，法庭不應向公眾傳遞錯誤信息，故此觸犯貪污罪行的人應知道判處即時監禁是必然的後果。

暫委裁判官亦命令被告須歸還他從一名工人收取的一千元介紹費。

案情透露，被告於案發時是廣昇的司機兼工人。廣昇獲其母公司批出一個南九龍區的渠務工程項目。

一名工人於二〇一六年四月四日致電被告要求幫忙介紹工作，被告於當日稍後介紹他為該渠務工程項目的工人，並索取三千元作為介紹費。該工人當時需要一份工作，遂答應繳付有關費用。

被告其後帶領該工人與一名廣昇時任管工見面及面試。該工人通過面試並獲廣昇於二〇一六年四月七日起僱用為工人，日薪為五百六十元。

兩日後，被告要求該工人繳付介紹費，該工人給予被告兩張五百元紙幣，並表示待廣昇支薪後會繳付餘下的二千元。

案情透露，被告於二〇一六年六月四日與另一名工人見面，並向他索取三千元，作為協助他取得工作的介紹費。該工人兩次拒絕其要求。

廣昇在廉署調查案件期間提供全面協助。

控方今日由控方大律師馬家驊代表出庭，並由廉署人員劉鉅鏘協助。

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