



## Press Releases

### Director of ASTRI charged with MIPO over purchase orders

2019-3-29

A director of the Hong Kong Applied Science and Technology Research Institute Company Limited (ASTRI) has been charged by the ICAC today (March 29) with misconduct in public office (MIPO) for failing to disclose his interests in two vendor companies when endorsing over \$535,000 worth of purchase orders issued to the companies in seven procurement exercises.

Lau Man-kin, 49, Research & Development Director of ASTRI, faces a charge of MIPO, contrary to Common Law.

The defendant will appear at the Shatin Magistracy next Tuesday (April 2) for plea.

The case arose from a corruption complaint referred by ASTRI. Subsequent ICAC enquiries revealed the above alleged offence.

At the material time, the defendant was a Research & Development Director of ASTRI, a public body set up by the Government in 2000. He was appointed by ASTRI as the project coordinator of three research and development projects which received funding totalling over \$9.4 million from the Innovation and Technology Fund established by the Government and managed by the Innovation and Technology Commission.

The charge alleges that between March 1, 2016 and October 30, 2017, the defendant, in the course of or in relation to his public office, without reasonable excuse or justification, wilfully misconducted himself by:

- (i) falsely declaring to ASTRI that he did not have a conflict of interest with the recommended vendors when he endorsed seven procurements conducted by ASTRI between August 2016 and October 2017, in which quotations issued in the name of Globalactive Technology Limited (Globalactive) and Broadlearning Education (Asia) Limited (Broadlearning Asia) were submitted to ASTRI in support of the seven procurements;
- (ii) failing to declare to ASTRI the shareholdings his wife held in Globalactive and Golden Commence Limited (Golden Commence) when he endorsed the seven procurements;
- (iii) failing to declare to ASTRI his close personal relationship with the director of Broadlearning Asia when he endorsed the seven procurements; and
- (iv) thereby benefiting himself, his wife and the director of Broadlearning Asia.

ICAC enquiries revealed that in the seven procurements the defendant had endorsed the issue of over \$535,000 worth of purchase orders for computer hardware and software to Globalactive and Broadlearning Asia, of which the defendant's wife had financial interests, either in her name or through

### Golden Commence.

Had ASTRI known that Globalactive or Broadlearning Asia was directly or indirectly owned by or under the control of the defendant, his wife or his close friend, ASTRI would not have approved the procurements in question.

ASTRI has rendered full assistance to the ICAC during its investigation into the case.

The defendant has been released on ICAC bail, pending his court appearance next Tuesday.

[Back to Index](#)



## 新聞公佈

### 廉署起訴應科院總監就批核訂單時涉嫌公職人員行為失當

2019年3月29日

廉政公署今日(三月二十九日)落案起訴一名香港應用科技研究院有限公司(應科院)總監，控告他涉嫌公職人員行為失當，在七項採購中沒有披露他在兩間供應商的權益而批核總值逾五十三萬五千元的採購訂單予有關供應商。

劉文建，四十九歲，應科院研究及發展總監，被控一項公職人員行為失當罪名，違反普通法。

被告將於下星期二(四月二日)在沙田裁判法院答辯。

廉署早前接獲應科院轉介的貪污投訴，調查後揭發上述涉嫌罪行。

被告於案發時為應科院研究及發展總監，應科院是政府於二〇〇〇年成立的公共機構。他獲應科院委任為三個研究及發展項目的項目統籌人，有關項目獲創新科技基金撥款共逾九百四十萬元資助。該基金由政府成立，並由創新科技署管理。

控罪指被告涉嫌於二〇一六年三月一日至二〇一七年十月三十日期間，在執行公職的過程或在與其公職有關的情況下，無合法權限或合理辯解，蓄意作出失當行為，即：

- (i) 當他批核應科院於二〇一六年八月至二〇一七年十月期間進行共七項採購時(當中以始動科技有限公司(始動)及博文教育(亞洲)有限公司(博文)名義發出的報價單被遞交給應科院以支持該七項採購)，向應科院虛假地申報他與被推薦的供應商並沒有利益衝突；
- (ii) 當他批核該七項採購時沒有向應科院申報其妻子持有始動及Golden Commence Limited (Golden Commence)的股份；
- (iii) 當他批核該七項採購時沒有向應科院申報他與博文的董事有密切的私人關係；及
- (iv) 因而使他本人、其妻子及該博文董事得益。

廉署調查發現，被告在該七項採購中批核採購總值逾五十三萬五千元電腦硬件及軟件的訂單予始動及博文，而其妻子以她的名義或透過Golden Commence在始動及博文中擁有財務權益。

如應科院知悉始動或博文是由被告、其妻子或其好友直接或間接擁有或控制，應科院是不會批核有關採購。

應科院在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋，以待下星期二應訊。

[返回目錄](#)