



Press Releases

Ex-guesthouse operator charged by ICAC jailed for six months for bribery over tenancy agreement

2022-1-11

A former guesthouse operator, charged by the ICAC, was today (January 11) sentenced to six months' imprisonment at the Eastern Magistrates' Courts for offering bribes in cash, travel packages and reimbursements worth totalling over \$30,000 to an agent of his landlord to resolve tenancy matters.

Sze Ching-lok, 54, was earlier found guilty of two counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance.

In sentencing, Magistrate Mr Jacky Ip Kai-leung said bribery was a serious offence which should not be tolerated, adding that imposing an immediate custodial sentence on the defendant was inevitable.

The court heard that in April 2013, the defendant rented a flat in Yaumatei for a fixed term tenancy of five and a half years for operating a guesthouse. The landlord was a couple and the younger brother of the wife was entrusted to handle its leasing matters. Before leasing out the flat, the brother had to seek instructions from his elder sister.

As the defendant did not make rental payments on time and had occasionally made payments in split sums by different bank accounts, the landlord subsequently decided not to renew the tenancy.

In early 2016, the defendant negotiated with a potential investor for transferring the guesthouse business while he himself would remain its manager. Since then, the defendant had been trying to terminate his tenancy so that the new operator could sign a new agreement with the landlord.

After negotiation, the landlord only agreed to lease the flat to the potential buyer on the condition that the defendant would no longer be involved in the guesthouse business.

On December 13, 2016, the defendant sought assistance from the younger brother in persuading his elder sister to accept the new tenancy unconditionally, and offered free travel packages and reimbursements which amounted up to several thousand dollars to the younger brother.

The court heard that the defendant reiterated the offer on several occasions in 2017 but the younger brother declined to accept it.

On June 9, 2017, the defendant further offered "tea money" of \$30,000 to the younger brother for the same purpose. The offer was also declined.

The prosecution was today represented by prosecuting counsel Stephen Ma, assisted by ICAC officer Franki Law.

[Back to Index](#)



新聞公佈

前賓館營運者遭廉署起訴就租賃協議事宜行賄判囚半年

2022年1月11日

廉政公署早前落案起訴一名前賓館營運者，為解決租賃問題向業主的代理人提供總值逾三萬的現金、免費旅遊套票及發還款項。被告今日(1月11日)在東區裁判法院被判入獄半年。

施政樂，54歲，早前被裁定兩項向代理人提供利益罪名成立，違反《防止賄賂條例》第9(2)(a)條。

裁判官葉啓亮判刑時指，貪污屬嚴重罪行，不為社會容忍，須判予即時監禁。

案情透露，被告於2013年4月承租油麻地一個單位以經營賓館，租約為期五年半。該單位的業主為一對夫婦，該妻子的弟弟受委託處理單位的租賃事宜，並須於出租單位前請示其姐。

因被告沒有準時繳交租金，偶爾又會經不同銀行戶口分數筆款項繳付租金，業主其後決定不與被告續租。

被告於2016年初與一名潛在買家商討轉讓賓館，並同意由被告繼續擔任賓館經理。被告自始嘗試終止租約，以便新營運者能與業主簽訂新協議。

經商議後，業主同意可與潛在買家簽訂租約，惟被告不可再參與賓館業務。

被告於2016年12月13日要求該弟弟幫助游說其姐無條件地接受新租賃協議，並表示會向他提供價值數千元的免費旅遊套票及發還款項。

案情透露，被告於2017年數度向該弟弟提供上述免費旅遊套票及發還款項，但對方拒絕接受。

被告於2017年6月9日再以相同目的向該弟弟提供現金三萬元作為「茶錢」，同樣遭對方拒絕。

控方今日由控方大律師馬明德代表出庭，並由廉署人員羅君傑協助。

[返回目錄](#)