



## Press Releases

# Assistant General Manager of HKPost charged by ICAC sentenced for MIPO over conflict of interest in \$4.2m contract

**2024-1-5**

A then Assistant General Manager of the Hongkong Post (HKPost), charged by the ICAC, was sentenced at the District Court today (January 5) after being convicted of misconduct in public office (MIPO) for concealing his conflicting interest when handling the tendering exercise of an online platform redevelopment project worth about \$4.2 million which was subsequently awarded to a contractor operated by his cousin and cousin-in-law.

Cheng Chun-kit, 45, then Assistant General Manager of the HKPost, was today found guilty of one count of MIPO, contrary to the Common Law, by Deputy Judge Ms Merinda Chow Yin-chu, and was sentenced to six months' imprisonment, suspended for 18 months.

In sentencing, the Deputy Judge remarked that Cheng had an apparent conflict of interest in the present case. Having considered that the defendant had no monetary gain and the low risk of reoffending, a suspended sentence was imposed on him.

The court heard that in around mid-2016, the HKPost launched a "Redevelopment of On-line Shopping Platform Project" (the Project) to integrate its various online shopping platforms. At the material time, Cheng was an Assistant General Manager of the HKPost who headed its e-Services Development Section. He was responsible for assessing the estimated cost and overseeing the implementation of the Project.

When the e-Services Development Section was conducting market research on the budget proposal of the Project, Cheng asked his subordinate to approach Intimex Business Solutions Company Limited (Intimex) to discuss the requirements of the Project. Chow Oi-yee, shareholder cum Chief Executive Director of Intimex, was Cheng's cousin, and Cheung Kin-hang, Chief Operating Officer of Intimex, and the Business Development Director of Intimex, were respectively Cheng's cousin-in-law and cousin. Based on Cheng's advice, Intimex subsequently gave a preliminary quotation for the Project.

In June 2017, the HKPost conducted a tendering exercise for the Project. Chow and Cheung attended a tender briefing hosted by Cheng and his subordinate. After submitting a tender, the couple attended the presentation and demonstration session to present the tender content of Intimex to the HKPost, while Cheng was present in the session.

The HKPost awarded the Project to Intimex at a contract sum of about \$4.2 million in late September 2017. Afterwards, Cheng continued to oversee the implementation of the Project.

The HKPost required its staff to avoid and report any conflict of interest. An officer should refrain from taking part in the deliberation or decision-making process of a project if the officer's private interest was involved, the court heard.

The ICAC investigation arose from a complaint. Enquiries revealed that Cheng had never declared to the HKPost that the three operators of Intimex were his relatives. Had the HKPost known of Cheng's relationship

with the trio, it would not allow Cheng to participate in the Project.

Co-defendants Chow and Cheung earlier pleaded guilty to one count of obtaining pecuniary advantage by deception. They were respectively sentenced to eight months and six months in jail, suspended for two years.

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

The prosecution was today represented by prosecuting counsel Alex Ng, assisted by ICAC officer Matt Cheung.

The ICAC reminds government officers who are responsible for handling government tendering exercises to uphold integrity in discharging their duties and properly handle conflict of interest, in order to safeguard the fairness of the tendering process. Concealing any conflict of interest in relation to one's official duties to benefit himself or his associates may contravene the criminal law. It may constitute a breach of the Prevention of Bribery Ordinance if offering and accepting of bribes are involved.

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## 新聞公佈

# 香港郵政助理總經理隱瞞利益衝突判授420萬元合約予親戚 遭廉署起訴公職人員行為不當罪成判刑

2024年1月5日

廉政公署早前落案起訴香港郵政一名時任助理總經理，在招標重建網上平台時隱瞞利益衝突，而其表姐夫婦經營的外判商最終獲判授價值約420萬元的合約。被告今日(1月5日)在區域法院被裁定公職人員行為不當罪名成立及判刑。

鄭俊傑，45歲，香港郵政時任助理總經理，今日被暫委法官周燕珠裁定一項藉公職作出不當行為罪名成立，違反普通法，判囚六個月，緩刑18個月。

暫委法官判刑時表示，鄭俊傑在事件中明顯有利益衝突，但考慮到他重犯機會低，在事件中無金錢得益，遂判他緩刑。

案情透露，香港郵政約於2016年中推出「重建香港郵政網上購物平台」項目，以整合數個網上購物平台。鄭俊傑當時為香港郵政助理總經理，主管電子服務發展組，負責為項目評估成本預算以及監督項目推行。

電子服務發展組就項目的預算進行市場研究期間，鄭俊傑吩咐下屬聯絡泰美商業科技有限公司(泰美)商討項目要求。泰美的股東兼行政總裁周靄儀是鄭俊傑的表姐，而泰美的營運總裁張健恒及業務發展總監則是鄭俊傑的表姐夫及表妹。泰美其後更按鄭俊傑的建議就項目提供了初步報價。

香港郵政於2017年6月就項目招標，周靄儀及張健恒有出席由鄭俊傑及其下屬主持的投標簡介會。泰美入標後，周靄儀及張健恒曾出席示範及簡介會向香港郵政講解其標書內容，鄭俊傑亦有代表香港郵政出席會議。

香港郵政於同年9月底將項目判授予泰美，合約總金額約420萬元。鄭俊傑於合約批出後，繼續負責監察項目的執行情況。

案情透露，香港郵政規定其人員須避免並申報利益衝突，如人員於某項目牽涉私人利益，則不應參與相關的審議或決策工作。

廉署接獲投訴展開調查，發現鄭俊傑從沒有向香港郵政申報泰美三位經營者是其親戚。如香港郵政知悉他們的關係，便不會讓被告參與該項目的工作。

同案被告周靄儀及張健恒，早前承認一項以欺騙手段取得金錢利益罪名，分別判囚八個月及六個月，緩刑兩年。

香港郵政在廉署調查案件期間提供全面協助。

控方今日由大律師吳政煌代表出庭，並由廉署人員張銘延協助。

廉署提醒負責處理政府招標工作的政府人員，在履行職務時必須持廉守正，妥善處理利益衝突，以確保招標過程公正。在處理職務上隱瞞利益衝突使自己或親友從中獲利，有可能觸犯刑事罪行；若當中涉及行賄受賄，便可能違反《防止賄賂條例》。

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