



香港特別行政區
廉政公署

Independent Commission Against Corruption
Hong Kong Special Administrative Region

Press Releases

Trio charged by ICAC with conspiracy to commit MIPO for using confidential information to make \$11m investment profits

2024-11-29

A then manager of the Securities and Futures Commission (SFC) and two personal friends of him were charged by the ICAC today (November 29) with conspiracy to commit misconduct in public office (MIPO). It is alleged that the then SFC manager had divulged confidential information in relation to a rights issue exercise of a real estate investment trust to the two personal friends for making investment profits totalling over \$11 million.

Kenneth Leung Po-hin, 30, then Manager of the SFC posted to the Investment Products Division (IPD); and Lai Lit-wai, 34, Registered Nurse of the Hospital Authority (HA), jointly face one count of conspiracy to commit MIPO, contrary to the Common Law and section 159A of the Crimes Ordinance.

Leung and Cheung Tsz-kin, 35, Senior Government Counsel of the Department of Justice (DoJ), jointly face another count of conspiracy to commit MIPO.

The trio were released on ICAC bail, pending their appearance at the Kwun Tong Magistrates' Courts tomorrow (November 30) for mention.

The case stemmed from an internal investigation of the SFC which revealed the suspected misconduct of Leung. The case was subsequently referred to the ICAC for joint criminal investigation.

Leung was a manager of the IPD of SFC at the material time. The IPD was responsible for performing regulatory function on investment products offered to the public. Its

staff members could have access to stock price sensitive confidential information but they were not allowed to divulge such confidential information to unauthorised parties.

At the material time, Link Real Estate Investment Trust (Link REIT) intended to conduct a rights issue exercise by late March 2023, and submitted the relevant stock price sensitive confidential information, including the timeline of the exercise and the subscription price, to a team of the IPD of SFC. Leung was posted to the IPD but he was not a member of the team, nor was he responsible for handling any matter in relation to Link REIT.

The charges allege that between January 30 and February 15, 2023, Leung, in his public office at the SFC, acquired stock price sensitive confidential information in relation to the rights issue exercise of Link REIT; secretly divulged the confidential information to Lai and Cheung respectively; and facilitated the duo to use the confidential information in various derivatives trading transactions.

The ICAC investigation revealed that Lai and Cheung used the confidential information provided by Leung to buy and sell put options and made profits amounted to nearly \$4.5 million and about \$7 million respectively. Lai and Cheung subsequently shared part of the profits with Leung.

The SFC, DoJ and HA rendered full assistance to the ICAC during its investigation into the case.

The ICAC attaches grave importance to upholding the integrity of Hong Kong's financial market and has zero tolerance against individuals undermining the fair operation of the market. When it comes to corrupt practices and misconduct involving any public officers, the ICAC will take resolute enforcement actions to uphold justice.

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新聞公佈

廉署起訴三人串謀觸犯公職人員行為失當 涉嫌利用機密資料投資獲利逾1,100萬元

2024年11月29日

廉政公署今日(11月29日)落案起訴一名證券及期貨事務監察委員會(證監會)時任經理及其兩名友人，控告三人涉嫌串謀觸犯公職人員行為失當罪名。涉案證監會時任經理涉嫌在職時分別向兩名友人泄露一隻房地產投資信託基金的供股機密資料，並投資獲利共逾1,100萬元。

梁譜軒，30歲，證監會投資產品部時任經理，及賴列偉，34歲，醫院管理局註冊護士，被控一項串謀觸犯公職人員行為失當罪名，違反《普通法》及《刑事罪行條例》第159A條。

梁譜軒亦與張梓健，35歲，律政司高級政府律師，另被控一項串謀觸犯公職人員行為失當罪名。

三名被告已獲廉署准予保釋。案件明日(11月30日)在觀塘裁判法院提訊。

案件源於證監會內部調查揭發梁譜軒的懷疑不當行為，個案其後轉介廉署並進行聯合刑事調查。

梁譜軒於案發時是證監會投資產品部經理。該部門負責監管向公眾發售的投資產品，其職員均因工作而可取得股價敏感機密資料，但不得向未經授權人士泄露該等機密資料。

案發時，領展房地產投資信託基金(領展)籌備於2023年3月底前進行一項供股計劃，並向證監會投資產品部一個小組呈交相關股價敏感機密資料，包括供股計劃的時間表及認購價等。梁譜軒雖隸屬投資產品部，但並非該小組的成員，亦沒有負責處理任何與領展有關的事宜。

控罪指梁譜軒涉嫌於2023年1月30日至2月15日期間藉其證監會公職，獲取上述有關領展供股的股價敏感機密資料，並分別向賴列偉及張梓健私下泄露該等機密資料，及利便二人使用該等機密資料多次進行衍生工具交易。

廉署調查發現，賴列偉及張梓健獲梁譜軒提供的機密資料，買賣其認沽期權而分別獲利近450萬元及近700萬元，其後各自將部份所得利潤分予梁譜軒。

證監會、律政司及醫院管理局在廉署調查案件期間提供全面協助。

廉署一直致力維護香港金融市場廉潔，絕不姑息任何人士破壞市場公平運作。廉署面對任何公職人員的貪腐及失當行為，必定堅定執法，維護公義。

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