

Duo admits bribery and criminal intimidation over computer sale at university

6 September 2016

A marketing manager of an events organiser and a then representative of a computer distributor, charged by the ICAC, today (Tuesday) admitted conspiring to offer a bribe of \$100,000 and a quantity of computer products to a then president of the Students' Union (SU) of the Hong Kong Polytechnic University (PolyU), and to criminally intimidate the president in relation to the sale of computers at PolyU.

Chak Hok-ming, 33, a marketing manager of Celebrity Limited (CL), and Wong Ka-ming, 26, a then representative of Sunlite Computronics Limited (Sunlite), pleaded guilty at the Kowloon City Magistracy to two joint charges of conspiracy to offer an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

Chak and Wong also admitted a joint charge of conspiracy to commit criminal intimidation, contrary to Section 24(b)(ii) and Section 159A of the Crimes Ordinance.

Principal Magistrate Mr Peter Law Tak-chuen remanded Chak in the custody of the Correctional Services Department until September 19 this year for mitigation and sentence, pending a background report.

Wong had his sentencing adjourned to October 18 this year. He was granted cash bail of \$5,000, and ordered to surrender his travel documents, not to leave Hong Kong and to report to the Police once a week.

The court heard that each year, PolyU and its SU jointly organised a Notebook Ownership Programme (the Programme). Under the Programme, selected brands of computer products were offered to students, staff members and alumni of PolyU to purchase at discount prices through the respective computer brand distributor.

In mid-March 2015, the president of the SU of PolyU received a cold call from Wong, who introduced himself as a representative of CL, an events organiser.

Chak and Wong claimed at a meeting held on March 27, 2015 with the SU president that they were engaged by Sunlite to secure business in the 2015 Programme. They asked the SU president to arrange for Sunlite to be the distributor in the event and promised to offer him a sum of \$100,000 in return.

The court heard that at a second meeting held on April 1, 2015 with the SU president, Chak elaborated that Sunlite was the distributor of two computer brands in Hong Kong.

At the meeting, Chak and Wong asked that the two brands be selected for the 2015 Programme, and reiterated to offer \$100,000 to the SU president as a reward. The duo also suggested sponsoring PolyU and/or its SU with computer products worth \$200,000 or \$200,000 cash.

The court heard that after the SU president declined the offers in a subsequent phone call, he met with Chak and Wong again on April 10, 2015.

Chak claimed that he was in possession of materials showing that persons previously holding the office of the SU had had under-the-table dealings with a competitor of Sunlite, and threatened to publish those materials if the two brands mentioned were not selected for the 2015 Programme.

Chak and Wong warned that as a result, the reputation of the SU would be undermined, the court was told.

PolyU has rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Bernard Yuen, assisted by ICAC officer Monica Lo.

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二人承認就大學電腦銷售活動串謀 行賄及刑事恐嚇候判

2016年9月6日

一名活動策劃公司市場經理及一名電腦分銷商前代表，就香港理工大學(理大)的電腦銷售活動，串謀向理大學生會時任會長提供十萬元賄款及某數量的電腦產品，以及串謀刑事恐嚇該會長，被廉政公署起訴。被告今日(星期二)在九龍城裁判法院承認控罪。

翟學明，三十三歲，Celebrity Limited (CL) 市場經理，及黃嘉銘，二十六歲，新暉電腦有限公司(新暉)前代表，同承認兩項串謀向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條及《刑事罪行條例》第159A條。

翟學明及黃嘉銘另同承認一項串謀刑事恐嚇罪名，違反《刑事罪行條例》第24(b)(ii)條及第159A條。

主任裁判官羅德泉將翟學明暫時還押懲教署看管，並押後案件至本年九月十九日，以待被告的背景報告，以及聽取被告求情後判刑。

黃嘉銘的判刑則押後至本年十月十八日。他獲准以現金五千元保釋外出，並受命交出旅遊證件，不准離開香港，以及每星期須向警方報到一次。

案情透露，理大及其學生會每年均會合辦手提電腦優惠計劃，讓學生、職員及校友透過個別品牌的分銷商，以折扣價購買特選品牌的電腦產品。

理大學生會時任會長於二〇一五年三月中接到黃嘉銘的來電，自我介紹為活動策劃公司CL代表。

翟學明及黃嘉銘與該學生會會長於同年三月二十七日會面時，自稱他們獲新暉委託為二〇一五年手提電腦優惠計劃爭取生意，並要求學生會會長讓新暉成為該活動的分銷商，及答應會提供一筆十萬元予他為報酬。

案情透露，翟學明於同年四月一日與學生會會長進行第二次會面時，解釋新暉是兩個電腦品牌的香港分銷商。

翟學明及黃嘉銘在會上要求讓該兩個電腦品牌在二〇一五年手提電腦優惠計劃中獲選，並重申會提供十萬元予該學生會會長作為報酬。二人又提議贊助理大及/或其學生會價值二十萬元的電腦產品或一筆二十萬元的現金。

案情透露，該學生會會長其後在電話中拒絕相關提議，三人並於同年四月十日再會面。

翟學明於會面時聲稱持有材料顯示過往曾擔任學生會職位的人士曾與新暉的商業競爭對手進行枱底交易，又表示若上述兩個電腦品牌在二〇一五年手提電腦優惠計劃中落選，便會公開有關材料。

案情亦透露，翟學明及黃嘉銘又警告，若材料公開，學生會的聲譽會受損。

理大在廉署調查案件期間提供全面協助。

控方今日由大律師袁國華代表出庭，並由廉署人員盧弦協助。

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