



Press Releases

Forty months' jail for offering \$600,000 bribes over small house projects

2018-8-17

A developer and his associate, charged by the ICAC, were today (August 17) each sentenced to 40 months' imprisonment at the District Court of conspiracy to offer bribes totalling \$600,000 to a village resident representative for not opposing small house development projects of the developer in a village in Tai Po.

Developer Chan Kam-biu, 63, director-cum-shareholder of Rockent Development Limited (Rockent), and his associate Ho Nin-sung, 59, retired, were yesterday found guilty of 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.

In sentencing, Judge Mr Stanley Chan Kwong-chi described the case, which involved a huge amount of bribes, as the tip of an iceberg.

The judge said the bribery offences committed by the defendants were serious in nature. He had to mete out deterrent custodial sentences to them, otherwise it would give a wrong signal to members of the public.

The judge also ordered that \$60,000 out of the \$600,000 bribes, which was already paid to the village resident representative by the defendants, be confiscated.

The court heard that at the material time, Chan was a director-cum-shareholder of Rockent, a property and land developer. He intended to build 10 small houses in Lai Chi Shan Village in Tai Po.

In December 2014, a resident representative of the village wrote on behalf of villagers to the Lands Department (LD) to object to one of the small house applications after consulting them.

The LD wrote to Chan informing him that the resident representative objected to the small house application. As a result, the LD was yet to decide whether to approve the application.

The court heard that on September 29, 2016, the resident representative and Ho met at a restaurant. Ho asked the resident representative how much he wanted for not opposing the small house application.

On several other occasions, Ho told the resident representative that Chan would pay him \$60,000 if he wrote to the LD to withdraw the objection to the small house application. Ho further promised that the

resident representative would be paid \$60,000 on January 19, 2017.

In the afternoon on that day, the resident representative met Ho at a restaurant. Later on, Ho handed over the cash bribe of \$60,000 to the resident representative.

At the restaurant, Ho also reiterated that Chan would pay the resident representative a total of \$540,000, or \$60,000 each, for refraining from raising any objection on behalf of the villagers to the applications for building nine other small houses in the village, the court was told.

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

The prosecution was today represented by prosecuting counsel Flora Cheng, assisted by ICAC officer Ming Lee.

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新聞公佈

兩人行賄六十萬元以發展「丁屋」 各判囚四十個月

2018年8月17日

一名發展商及其相關人士串謀向一名鄉村居民代表提供共六十萬元賄款，以換取對方不反對該發展商在大埔一個鄉村的「丁屋」發展項目，被廉政公署起訴。兩名被告今日(八月十七日)在區域法院各被判入獄四十個月。

發展商陳金標，六十三歲，樂健發展有限公司(樂健)董事兼股東，及其相關人士何年宋，五十九歲，退休人士，昨日同被裁定兩項串謀向代理人提供利益罪名成立，違反《防止賄賂條例》第9(2)(a)條及《刑事罪行條例》第159A條。

法官陳廣池判刑時指本案涉及大額賄款，並形容本案只屬冰山一角。

法官稱，被告所犯的貪污罪行性質嚴重，他必須向被告判處阻嚇性的監禁刑罰，否則會給公眾傳遞錯誤信息。

至於被告已將六十萬元賄款其中六萬元交給該鄉村居民代表，法官亦下令充公有關款項。

案情透露，陳金標於案發時是物業及土地發展商樂健的董事兼股東。他計劃在大埔荔枝山村興建十間「丁屋」。

一名鄉村居民代表於二〇一四年十二月，在諮詢該村居民後，代表他們去信地政總署，反對其中一項興建「丁屋」的申請。

地政總署發信通知陳金標指該居民代表反對其興建「丁屋」的申請，因此該署還沒有決定是否批准有關申請。

案情透露，該居民代表與何年宋於二〇一六年九月二十九日在一間酒樓見面，何年宋問該居民代表想要多少錢，才不會反對陳金標興建「丁屋」的申請。

何年宋其後多次向該居民代表說，如他肯去信地政總署撤回有關「丁屋」申請的反對，陳金標會向他支付六萬元。何年宋更承諾，該居民代表會於二〇一七年一月十九日獲付該筆六萬元的款項。

該居民代表於當日下午在一間酒樓與何年宋見面。何年宋稍後將六萬元現金賄款交給該居民代表。

案情透露，在酒樓會面期間，何年宋重申，陳金標會向該居民代表支付共五十四萬元或每間「丁屋」六萬元，以換取對方不會代表村民就在該村興建其餘九間「丁屋」的申請提出反對。

地政總署在廉署調查案件期間提供全面協助。

控方今日由控方大律師鄭淑儀代表出庭，並由廉署人員李麗明協助。

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