



Press Releases

Two ex-insurance agents charged by ICAC sentenced for \$700,000 commission and compensation fraud

2022-8-5

Two former insurance agents, charged by the ICAC, were respectively sentenced to 18 months' jail and 160 hours of community service at the District Court today (August 5) for deceiving an insurer into releasing commissions and compensation totalling about \$700,000 by making false representations on the occupations and incomes of nine insurance policy applicants, and falsely representing that they were injured after the insurance policies were successfully taken out.

Leung King-kei 36, former insurance agent of AIA International Limited (AIA), was sentenced to 18 months' imprisonment. He earlier pleaded guilty to five counts of fraud, contrary to Section 16A of the Theft Ordinance; and four counts of conspiracy to defraud, contrary to Common Law.

Co-defendant Yu Shing-yin, 36, former insurance agent of AIA, who earlier pleaded guilty to one count of conspiracy to defraud jointly charged with Leung, was today ordered to perform 160 hours of community service.

Judge Mr Gary Lam Kar-yan reprimanded the defendants for their breach of trust. In sentencing Leung, the judge said he took a starting point of 30 months' imprisonment and reduced the jail term to 18 months having considered Leung's guilty plea and repayment to his former employer. A community service order was imposed on Yu in view of the relatively minor role he played in the scam.

The court heard that AIA provided different insurance products to its clients. When processing an application for taking out an insurance policy, AIA would consider the client's occupation, annual income and medical history, etc.

The offences took place between July 2016 and July 2018. At the material time, Leung was an insurance agent of AIA. After being promoted to unit manager in December 2017, he was entitled to receive overriding commissions. Yu was Leung's down-line insurance agent.

The court heard that Leung had alone or conspired together with Yu, another down-line insurance agent and four policyholders to defraud AIA by making false representations on the occupations of the policyholders and monthly incomes of nine policyholders in nine insurance policy applications.

AIA approved the nine insurance policy applications and paid commissions totalling about \$95,000 to Leung and his down-line insurance agents.

ICAC investigation revealed that false representations were made on the policyholders' injuries in the relevant insurance claims, causing AIA to release insurance compensations totalling about \$600,000 to the policyholders.

The investigation arose from a corruption complaint filed with the ICAC. Upon completion of the investigation, the ICAC sought legal advice from the Department of Justice, which advised charging Leung

and Yu. Some of the above policyholders and down-line insurance agents were earlier charged by the ICAC in separate cases and pleaded guilty to their respective charges. Their cases are adjourned to mid-August for sentence.

AIA had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Public Prosecutor Caddy Mo, assisted by ICAC officer Keaton Ma.

The ICAC will continue to join hands with the industry to promote integrity and anti-corruption messages to insurers and insurance practitioners. In collaboration with the industry, the Commission had produced a guidebook which assisted insurers to strengthen their corruption prevention capabilities in key operational areas such as verification of commissions and claims.

ICAC's dedicated webpage tailor-made for the insurance industry: hkbedc.icac.hk/insurance/en.

“Corruption Prevention Guide for Insurance Companies”: cpas.icac.hk/EN/Info/Lib_List?cate_id=3&id=2568.

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新聞公佈

遭廉署起訴兩前保險代理人詐騙佣金及賠償70萬元判刑

2022年8月5日

廉政公署早前落案起訴兩名前保險代理人，控告他們虛報九名投保人的職業及收入，並於對方成功投保後訛稱他們受傷，詐騙一間保險公司發放佣金及賠償共約70萬元。兩名被告今日(8月5日)在區域法院分別判監18個月及160小時社會服務令。

梁景麒，36歲，友邦保險(國際)有限公司(友邦保險)前保險代理人，被判入獄18個月。他早前承認五項欺詐罪名，違反《盜竊罪條例》第16A條；及四項串謀詐騙罪名，違反普通法。

同案被告余勝賢，36歲，友邦保險前保險代理人，與梁景麒同被控一項串謀詐騙罪名。他早前認罪，今被判處須履行160小時社會服務。

法官林嘉欣斥責被告違反誠信，並在向梁景麒判刑時稱，決定以監禁30個月為量刑起點，考慮到他認罪及已向前僱主歸還涉案款項，故將刑期扣減至18個月。法官又考慮余勝賢在案中扮演較輕角色，故向他判處社會服務令。

案情透露，友邦保險為客戶提供不同保險產品，在處理投保申請時，會考慮客戶的職業、年薪及病歷等。

本案於2016年7月至2018年7月期間發生。梁景麒當時任職友邦保險的保險代理人，他於2017年12月獲晉升為小組經理後可獲取上線佣金。余勝賢是梁景麒的下線保險代理人。

案情透露，梁景麒曾獨自或串謀余勝賢、另一名下線保險代理人及四名投保人詐騙友邦保險，在九份保單申請中虛報投保人職業及每月收入。

友邦保險批准該九份保單申請，以及向梁景麒及其下線保險代理人支付佣金共約95,000元。

廉署調查發現，有關人士在相關保險索償中虛報該等投保人受傷，導致友邦保險向投保人支付保險賠償共約600,000元。

廉署早前接獲貪污投訴遂展開調查，完成調查後向律政司徵詢法律意見，並按有關法律意見落案起訴梁景麒及余勝賢。上述部份投保人及下線保險代理人早前亦被廉署分案起訴並承認控罪，案件將於8月中判刑。

友邦保險在廉署調查案件期間提供全面協助。

控方今日由檢控官毛倩倩代表出庭，並由廉署人員馬健文協助。

廉署將繼續與業界合作，向保險公司及保險從業員推廣誠信及防貪信息，並編製指南以協助保險公司加強防貪能力，內容涵蓋主要營運範疇例如核實代理人佣金及理賠。

廉署為保險業特設的網站專頁：hkbedc.icac.hk/insurance/tc。

《保險公司防貪指南》：cpas.icac.hk/Info/Lib_List?cate_id=3&id=2568。

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