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The abstract graphic features several large, semi-transparent triangles layered over each other. The colors include shades of blue, teal, orange, yellow, and grey, creating a modern, architectural feel.

廉政
公署
ICAC

Independent Commission Against Corruption
Hong Kong Special Administrative Region

" 執法人員定必積極進取，專業
執法，銳意根查，剷除貪污 "

*"By enforcing the law vigilantly and
professionally, we are determined to
seek out and eradicate corruption
wherever it exists"*

編輯的話 *Editorial*

「我認為有需要成立一個嶄新的機構，由德高望重的人員領導，以全力打擊貪污……因此，我們已決定接納行政局的建議，成立獨立的反貪專員公署……公眾對一個與任何政府部門，包括警務處，毫無連繫而完全獨立的組織明顯較具信心。」1973年10月，當時的港督在立法局會議上發表這番講話。其後，廉政公署終於在1974年2月15日成立，直至37年後的今天，仍在奮力抗擊貪污。多年以來，廉署謹循一貫執法、教育和預防「三管齊下」的反貪方略，賴以成就不少佳績，使香港一再受到多個國際獨立機構推崇，譽為世界最廉潔的都會之一。

今期年報力求在以下篇幅內，描繪廉署執行處工作的輪廓，羅列反貪調查員2011年內偵破的眾多形形色色案件，以及呈現本處人員專業生涯的一瞥，以饗讀者。

各界讀者細閱本刊之餘，可登入廉署網站 www.icac.org.hk，抒發讀後感想或意見。

"I think the situation calls for an organisation, led by men of high rank and status, which can devote its whole time to the eradication of this evil... We have therefore decided, on the advice of the Executive Council, to set up a separate Anti-Corruption Commission... clearly the public would have more confidence in a unit that was entirely independent, and separate from any department of the Government, including the Police..." so said the Governor of Hong Kong when addressing the Legislative Council in October 1973. The Independent Commission Against Corruption was subsequently established on 15th February 1974 and, some 37 years later, is still combating the evils of corruption. Through our adherence to the three-pronged approach of enforcement, education and prevention, we have had many successes during this period and remain one of the least corrupt cities in the world as ranked by independent international agencies. This Review is intended to give readers a flavour of the work of the Operations Department of the Commission and to provide examples of the many and varied cases that corruption investigators uncovered in 2011, as well as offer a glimpse of our professional lives within the Department.

Please enjoy this Review and we welcome any comments that you may have about it. Feel free to visit us at www.icac.org.hk.

使命宣言 *Mission Statement*

廉政公署致力維護本港公平正義，安定繁榮，務必與全體市民齊心協力、堅定不移，以執法、教育、預防三管齊下，肅貪倡廉。

廉政公署人員無論何時都致力維護本署的良好聲譽，並嚴格遵守以下的專業守則：

- 堅守誠信和公平的原則
- 尊重任何人的合法權利
- 不懼不偏，大公無私執行職務
- 絕對依法行事
- 不以權位謀私
- 根據實際需要嚴守保密原則
- 為自己的行為及所作的指示承擔責任
- 言行抑制而有禮
- 在個人及專業修養上力求至善

With the community, the ICAC is committed to fighting corruption through effective law enforcement, education and prevention to help keep Hong Kong fair, just, stable and prosperous.

Officers of the ICAC will at all times uphold the good name of the Commission and:

- adhere to the principles of integrity and fair play
- respect the rights under the law of all people
- carry out their duties without fear or favour, prejudice or ill will
- act always in accordance with the law
- not take advantage of their authority or position
- maintain necessary confidentiality
- accept responsibility for their actions and instructions
- exercise courtesy and restraint in word and action
- strive for personal and professional excellence

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李銘澤，IDS，
副廉政專員兼執行處首長
Daniel LI Ming-chak, IDS,
Deputy Commissioner and
Head of Operations

序言 Foreword

隨著新一輪選舉在2011年揭開序幕，村代表及區議會選舉已相繼舉行，當中以後者引發的投訴尤其眾多。截至2012年1月中，廉署共接獲1,182宗有關區議會選舉的投訴，其中涉及懷疑「種票」的指控有730宗。鑒於選舉舞弊的個案大增，廉署於2011年12月成立「選舉專責小組」徹查這類指控。

從較宏觀的貪污情況來說，是年私營機構引發的舉報數字創下歷史新高。香港既為國際金融中心，自然有不少舉報均與財經上的失當行為有關。涉及建造業、金融及保險業以及樓宇管理業的舉報，亦見持續上升。此外，為解決財務調查及檢取非法資產工作日益殷切的需求，廉署新設了「法證會計組」專責處理，本年報亦有詳細介紹。

在公營機構方面，針對食物環境衛生署的貪污投訴由131宗增加47%至193宗，升勢令人擔憂。這些投訴的內容，大多指控該署對阻街小販實行選擇性執法，以及外判承辦商的舞弊行為。另外，有關警隊的貪污舉報於上年出現升勢後，2011年內涉及警隊的投訴已回落4%，並只佔整體投訴8%，情況令人欣慰。

在公營機構內，多宗觸犯普通法「公職人員行為失當」罪的案件陸續曝光，正正顯示有些貪污罪行已由過往直接的行賄受賄方式，演變為現時不同程度的以權謀私或利益衝突的情況。我們尤其關注，某些政府高官與商界巨賈過從甚密，令人感到這種備受非議的交往牽涉官商勾結。誠然，任何公職人員，如憑其公職身分故意作出舞弊及失當行為，必須接受法律的嚴正制裁。

2011年的個案量全年居高不下，對執行處造成極大壓力。幸而，憑著靈活的資源調配，調查人員的共同努力，我們尚能應付這工作重擔。展望2012龍年，儘管身處瞬息萬變的科技年代，廉署還是會始終如一秉持宗旨。為信守《聯合國反腐敗公約》下的承諾，我們會不斷致力加強與各地執法機構的合作，並以大眾的最佳利益為依歸，服務香港社會。由於新一輪選舉現已進入第二年，當中的行政長官及立法會選舉亦分別定於三月及九月舉行，我相信2012年對執行處來說又會是緊張繁忙、考驗重重的一年，但我們已厲兵秣馬，準備全力迎戰。


最後一提，這篇要算是我為執行處年報撰寫的「臨別序言」，因為到了2012年8月，我便會正式退下火線。在此，衷心祝願我的繼任人及公署內諸位同胞戰友，在未來的反貪大業中事事成功。

2011 marked the first year of the current round of elections, involving the District Council (DC) and Village Representative Elections. The former in particular, attracted numerous complaints and by the middle of January 2012, we had received 1,182 complaints concerning the 2011 DC Elections; 730 of which alleged vote planting offences. This increase in election malpractices necessitated the formation of an Election Task Force in December 2011 to cope with the investigation of these allegations.

On the wider corruption scene, the private sector attracted a record high number of complaints, many of which involved financial misconduct due to Hong Kong's status as an international financial centre, and allegations involving the Construction Industry, the Finance and Insurance sectors, and Building Management continued to rise. To help cope with the ever increasing demands being placed upon us in relation to financial investigations and the seizure of illicitly obtained assets, we created a new Forensic Accounting Group, details of which are in this year's Review.

In the public sector, a worrying trend emerged in allegations of corruption against the Food and Environmental Hygiene Department with complaints rising from 131 to 193, a 47% increase. The majority of these complaints involve alleged selective enforcement action against street hawkers and corrupt conduct by contractors working for the department. After the rise in reports of corruption against the police in 2010, I am pleased to note that in 2011 complaints against the force dropped by 4% and that these only made up 8% of the total complaints received.

Breaches of the common law offence of misconduct in public office continue to be revealed within the



public sector. These offences are indicative of a change from straightforward quid pro quo bribery to scenarios which encompass varying degrees of abuse of office for personal gain or conflict of interest situations. We are especially concerned about some senior government officials who maintain too close a relationship with prominent business people, and the perceptions of collusion that may arise through undesirable associations. Any public officers who wilfully and corruptly misconduct themselves in their official capacity will be subject to the full force of the law.

The workload throughout 2011 remained very high and put tremendous pressure on the Department. However, through redeployment and hard work of our investigators, we managed to cope with this heavy caseload. Looking forward to the Year of the Dragon in 2012, we will remain steadfast in this fast-paced technological era. Keeping in mind our international commitments under the United Nations Convention Against Corruption, we will continue to work with our international partners in the law enforcement community, as well as to serve the best interests of Hong Kong people. I have no doubt that 2012 will be another hectic and demanding time for the Department, given that we have already entered into the second year of the current round of elections, involving the Chief Executive Election in March and the Legislative Council Election in September, but we are prepared and ready to face those challenges.

On a final note, this will be my last foreword in the Operations Department Review as I am due to retire in August 2012. I wish my successor, and the many friends and colleagues that I have in the Commission, every success for the future.

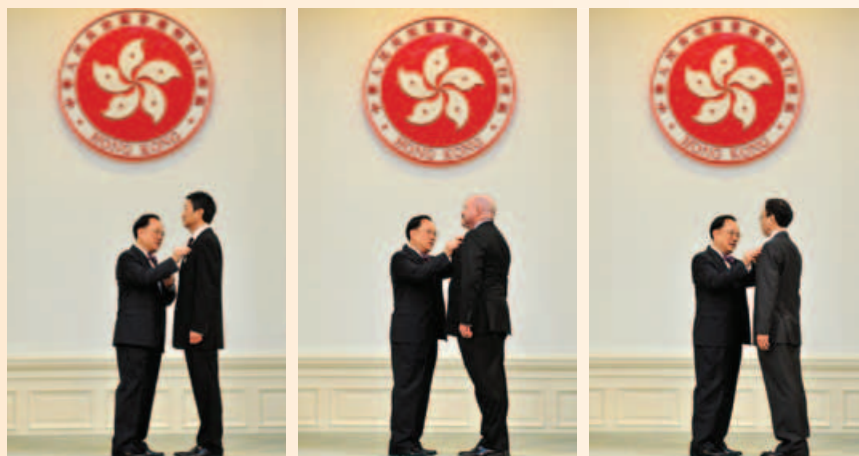
第一章 Chapter 1

職員

Staff

獎章及獎狀 *Honours and Awards*

2011年，助理處長蘇炳雄先生獲行政長官頒授香港廉政公署卓越獎章，首席調查主任沈禮恆先生和總調查主任謝熾明先生則同獲行政長官頒授香港廉政公署榮譽獎章。



In 2011, the Chief Executive awarded the Hong Kong ICAC Medal for Distinguished Service to Assistant Director Mr. Daniel SO Ping-hung and the Hong Kong ICAC Medal for Meritorious Service to Principal Investigator Mr. John Shanahan and Chief Investigator Mr. TSE Chi-ming.

執行處人員中，有八位獲頒香港廉政公署長期服務獎章加敘第三勳扣（服務33年或以上）、四位獲頒加敘第二勳扣（服務30年或以上）、八位獲頒加敘第一勳扣（服務25年或以上）及10位獲頒廉政公署18年長期服務獎章。此外，亦有10位一般職系人員獲頒政府優良服務獎狀及13位執行處人員獲頒廉政公署十年服務紀念牌。

Eight Operations Department officers were awarded the 3rd Clasp to the Hong Kong ICAC Long Service Medal (for 33 years or more of service), four officers the 2nd Clasp (30 years or more service) and eight officers the First Clasp (25 years or more). Ten officers were presented with the ICAC Long Service Medal for 18 years or more service. Additionally, 10 general grades staff received Government Meritorious Service Certificates and 13 Operations Department staff were awarded the 10 years ICAC Service Plaque.

廉政專員及執行處首長級人員向多名調查員頒授廉政專員、處長及助理處長嘉許狀，以表揚他們傑出的專業表現。2011年，總調查主任謝旭昇先生及林雪珊女士因調查兩宗案情複雜的私營機構貪污案時，展現卓越的調查能力、鍥而不捨的精神及極高度的專業才能，獲頒廉政專員嘉許狀；另外12人獲頒處長嘉許狀，35人獲頒助理處長嘉許狀。

In recognition of outstanding professionalism, the Commissioner and Operations Department Directorate reward investigating officers commendations at Commissioner, Directorate and Assistant Director levels. In 2011, Chief Investigators Mr. Martin TSE Yuk-sing and Ms. Daphne LIM Suet-san were awarded the Commissioner's Commendation for outstanding investigative ability, perseverance and professionalism of an exceptionally high order in the investigation of two complex private sector corruption investigations. Twelve officers received Directorate Commendations and a further 35 officers were recognised by the award of Assistant Director Commendations.

晉升 *Promotions*

林健明先生獲擢升為助理處長；高迪龍先生、徐賢鋒先生及貝律先生同晉升為首席調查主任；葉麗蓮女士則晉升為總調查主任。此外，有八名人員晉升為調查主任。

Mr. Steven LAM Kin-ming was promoted to Assistant Director and Messrs. Dale KO, Ricky TSUI Yin-fung and Michael Burley were promoted to Principal Investigator. Ms. Wendy YIP Lai-lin was promoted to Chief Investigator, whilst a further eight officers were promoted to Investigator.

職員活動 Staff Activities

社區及體育活動 Social and Sporting Events

廉署不但鼓勵員工保持體格強健，更支持他們積極參與社區工作及慈善籌款活動。

ICAC officers are encouraged to not only keep physically fit but to also involve themselves in community work and raising funds for charity.



2011年執法人員火炬慈善跑
Disciplined Services Torch Run 2011



三人籃球賽
3 on 3 Basketball Competition



廉署內部每年都會舉辦多項聯誼活動，但凡佳節慶典，如聖誕和新春，職員均積極籌辦聯歡會，藉以共聚慶祝。體育運動方面，職員亦踴躍組隊參加羽毛球、籃球等各類比賽。由廉署職員康樂會主辦的活動則包括瑜珈、舞蹈、自衛術訓練班等。

There is also an active social calendar in the Commission, with parties organised by staff to celebrate festivals such as Christmas and the Spring Gathering. Sporting teams such as badminton and basketball play in various competitions. Other activities under the auspices of the ICAC Staff Club include yoga, dancing and self-defence classes.



新春聯歡會
Spring Gathering



聖誕聯歡會
Christmas Party

悼 念

七月間，執行處前助理處長梁令行先生（Mr. C. A. Lenehan）在英國溘然離世。前高級調查主任李得利先生與前調查主任文國威先生兩人，則先後於七月及十月在香港與世長辭。十一月時，前總調查主任黃國樑先生亦不幸去世。

以上諸位生前均為盡忠職守、秉持專業精神的反貪人員，廉署仝人謹此向他們的家屬及親友致以深切慰問。



In Memoriam

Former Operations Department Assistant Director Mr. C. A. Lenehan passed away in July in the United Kingdom. Former Senior Investigator Mr. LEE Tak-li also passed away in July in Hong Kong, as did former Investigator Mr. MAN Kwok-wai in October. Former Chief Investigator Mr. WONG Kwok-leung passed away in November.

They were all professional and dedicated officers and our heartfelt sympathies go to their families and friends.

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公營機構 Public Sector

香港公營服務以效率高且組織佳見稱，這點無庸置疑。在公營機構內，廉署成立初期存在的集團式貪污，並沒有死灰復燃的跡象。然而，這卻不表示貪污舞弊已經杜絕，因為仍常有個別人員或小集團隨時乘虛而入，不當地使用及濫用職權，又或陷入利益衝突的情況。下文選錄作為例子的個案，全部源自公營機構的貪污調查，足可反映年內調查員揭發的濫權行為所屬的類型。

The Hong Kong public service is undoubtedly efficient and well-organized. There is no indication of a resurgence of the organized corruption that existed when the ICAC was originally established. This does not mean that corruption has been eradicated within the public sector however. There are always individuals or small groups that exploit opportunities that come their way and misuse and abuse their authority or place themselves in conflict of interest situations. The following cases all stemmed from corruption investigations in the public sector and are examples of the types of abuse that were exposed by our investigators.

警長勾結他人一同販毒

Police Sergeant and Others Drug Trafficking

廉署調查一宗警務人員涉嫌貪污案時，發現一名警長與另外四人串謀販賣海洛英。調查發現，警長招攬一名相識的罪犯，要求他購買海洛英作販賣用途。兩人將購入的海洛英包裝成粒狀，然後交予另外三名毒販出售。在九個月期間，警長安排同謀每日平均出售40至60粒海洛英，每粒售價150元。廉署人員搜查警長的宿舍時，檢獲50粒海洛英及用作包裝海洛英的工具。最後，警長被判入獄四年零四個月，各同謀的刑期則由兩年零八個月至三年半不等。法官在判刑時表示，案中警長令警隊蒙羞。

While conducting an investigation into police corruption, ICAC investigators discovered that a Police Sergeant had conspired with four other persons to traffick in heroin. The investigation disclosed that the Sergeant had approached a criminal known to him and asked him to buy heroin for trafficking. After the heroin was purchased, the duo packed it into pellet form and passed the pellets to three other traffickers to sell. During a nine-month period, the Sergeant arranged the sale of 40 to 60 pellets of heroin per day on average through his co-conspirators. The heroin pellets were sold for HK\$150 each. During a search of the Sergeant's quarters, 50 pellets of heroin and equipment used for packing the heroin were recovered by the ICAC. The Sergeant was sent to prison for four years and four months, whereas his co-conspirators received prison terms of between two years eight months and three and a half years. The sentencing Judge stated that the Sergeant had brought disgrace on the police.



高級警務人員與毒販朋比為奸 *Senior Police Officer Aided Drug Trafficker*

一名高級偵緝督察，因協助及教唆一名毒販在越南製造名為甲基安非他命又稱「冰」的毒品，藉以從賺取的利潤分一杯羹，最後在區域法院被判監三年零九個月。法官斥責涉案高級督察毫無悔意，兼且身為警務人員知法犯法，實在罪加一等。

廉署調查高級督察涉嫌貪污一案時，揭發有關罪行。廉署人員發現他與一名毒販數次會面，其間兩人討論如何搜購在越南製造「冰」毒所需的原材料，包括碘及其他化學品。高級督察從未遵照警隊規例的要求，申報自己與毒販相識。廉署人員搜查高級督察的住所時，發現一盒名為《World's Most Dangerous Drugs》（中譯《超級毒品》）的錄影帶，又從其個人電腦找到多份關於如何製造「冰」毒的參考資料。案中毒販在較早前接受分案審訊，已被判入獄。

(等候上訴)

A Detective Senior Inspector of Police was jailed for three years and nine months at the District Court for aiding and abetting a drug trafficker in the manufacture of a dangerous drug in Vietnam called methamphetamine, also known as "ice", in return for a share of the profits. The judge reprimanded the officer for showing no remorse, adding that it was more serious for him, as a police officer, to commit the crime.

The offence was discovered by ICAC investigators whilst conducting a corruption investigation into the officer. ICAC investigators found that the police officer had several meetings with a drug trafficker during which they discussed sourcing raw materials, including iodine and other chemicals, for the manufacture of the "ice" in Vietnam. The Senior Inspector had never declared his acquaintance with the drug trafficker as required by police regulations. A search of his residence found a video on the "World's Most Dangerous Drugs", and numerous research materials on his personal computer about how to manufacture the dangerous drug. The drug trafficker had been sentenced to imprisonment in a separate, earlier trial.



(Pending Appeal)

警員行為失當判囚九個月

Policeman Sentenced to Nine Months for Misconduct

某高級警員因調查涉及一名女疑犯的盜竊案時，觸犯公職人員行為失當罪，最終在區域法院被判監九個月。廉署調查一宗貪污案時，揭發警員於案發期間被指派調查一宗盜竊案，案中女子涉嫌於某百貨公司高買。由於百貨公司一名護衛員目擊案發經過，警員遂於當日向他錄取供詞。其後，女疑犯在警誡下接受警員會見，其間表示想前往內地，擔心因該案耽誤行程。

警員向女疑犯表示將落案檢控的程序延後，以便她能如期起程。其後，雖然護衛員的供詞已於早前錄取，警員卻向上司訛稱護衛員尚未有空給予一份口供，因而獲准讓女疑犯保釋外出至較後的日期。之後，他更改護衛員供詞的日期，並捏改自己的記事冊及調查報告內的記錄，以虛假資料顯示供詞是他在另一日錄取。女子獲釋當日的凌晨時分，警員在未獲授權下私自到她家中，以案件主管身份向她提供意見，同時慫恿她承認盜竊罪，以減輕本身的工作量。

A Senior Police Constable was sentenced to nine months' imprisonment at the District Court for misconduct in public office in relation to a police investigation into a theft case involving a woman suspect. ICAC investigation into a corruption allegation revealed that at the time of the offence, the officer was assigned to investigate a theft case, in which a woman was suspected to have been shoplifting in a department store. As a security guard of the department store witnessed the theft, the officer took a statement from him the same day. The officer later conducted a cautioned interview with the woman suspect. During the interview, the suspect told the officer that she intended to visit Mainland China and was worried that the case would delay her trip.

The officer told the woman that he would defer charging her so that she could proceed with the trip. He then falsely told his supervisor that the security guard was unavailable to give a statement, although he had already provided one. As a result of his pretence, he was allowed to release the suspect on bail to a later date. He then altered the date of the security guard's statement and falsified records in his notebook and investigation report purporting to show that the statement was taken by him on a different day. In the early hours of the morning when the woman was released from custody, the officer paid an unauthorized private visit to her at her home and offered advice to her in his capacity as the case officer, while at the same time persuading her to plead guilty to the theft charge in order to reduce his workload.

警長行為失當罪成

Police Sergeant Guilty of Misconduct

一名警長處理一宗販毒案時，身為公職人員行為失當，最終在區域法院被裁定罪名成立，判處入獄一年零九個月。廉署是於調查一宗貪污案時，揭發有關罪行。事緣案中警長隸屬某區反三合會行動組，曾拘捕一名男子，指他涉嫌管有危險藥物。男子被捕時，警務人員從他身上搜出一個住宅單位的門匙，其後又在單位內發現若干數量的危險藥物，因此將他拘留。他被拘留期間，父母曾到警署探訪。探訪完畢，兩人隨即被警長邀請到酒樓見面。其間，警長表示該案性質輕微，兩人無須擔憂。

涉案男子被控以販運危險藥物罪名，獲准保釋等候下次出庭。保釋期間，警長向男子父親表示，可給他介紹一名曾任高級警務人員的大律師。警長其後對大律師說想向他介紹客戶，並安排他與男子父母晚膳，讓兩人向他發出指示。晚膳後，警長向兩人說大律師是案件主管的前上司，又說案件主管處理該案時會對兩人的兒子予以優待。兩人聘用大律師後，警長向男子父親索取一筆五千元貸款，但遭拒絕。

A Police Sergeant was sentenced to 21 months' imprisonment at the District Court after being convicted of misconduct in public office in relation to the handling of a drug trafficking case. The offence was disclosed during a corruption investigation. The Sergeant was attached to a District Anti-triad Squad who arrested a man on suspicion of possession of dangerous drugs. When being searched, the officers recovered a door key from him which belonged to a flat where a quantity of dangerous drugs was found. As a result, the man was detained in police custody. Whilst in custody, he was visited by his parents. After the visit, the Sergeant invited the parents to a meeting at a restaurant where he told them not to worry about the case since it was of a minor nature.

After the man was charged with trafficking in a dangerous drug, he was granted bail pending his next court appearance. Whilst on bail, the Sergeant told the man's father that he could introduce him to a barrister, who was a former senior police officer. He later told the barrister that he intended to introduce a client to him and arranged a dinner meeting with the parents so that they could give instructions to the barrister. After the dinner, the Sergeant told the parents that the barrister was a former supervisor of the police case officer and that the case officer would show favour to their son in handling the case. After the barrister was employed by the couple, the Sergeant solicited a loan of HK\$5,000 from the father, which was refused.

政府醫生騙取房屋津貼

Medical Officer in Housing Allowance Fraud

一名政府醫生利用虛假文件，向政府詐騙自行租屋津貼共逾225萬元，被控五項代理人意圖欺騙其主事人而使用文件罪名，違反《防止賄賂條例》，最後在區域法院被裁定全部罪名成立，判處入獄年半，另須向政府歸還225萬元。

作為高級公務員，涉案醫生享有權利，可以為本身租住的物業申請自行租屋津貼。然而廉署調查發現，他曾與一名同事就購買位於元朗的某物業達成協議，同事應其要求，答允充當該物業的名義業主，並以自己名義向銀行申請按揭。其後，醫生訛稱向同事租住該物業，以申領自行租屋津貼，然後將按揭還款存入同事的銀行戶口。為符合申領自行租屋津貼的資格，他必須聲明該物業並非由他或其親屬擁有，而他或其親屬亦沒有該物業的財務權益。基於他申報的虛假資料，政府向他批出自行租屋津貼共逾225萬元。他後來售出該物業，並從中獲利。

A Medical and Health Officer was convicted at the District Court of using false documents to deceive the government in respect of a claim for a Private Tenancy Allowance (PTA) involving over HK\$2.25 million. He was found guilty of five counts of using documents with intent to deceive, contrary to the Prevention of Bribery Ordinance, and sentenced to 18 months' imprisonment. He was also ordered to pay HK\$2.25 million restitution to the government.

As a senior civil servant, he was entitled to claim a PTA for an apartment that he was renting. However, the ICAC investigation revealed that he had made an agreement with a colleague in relation to the purchase of the property in Yuen Long. At his request, the colleague agreed to be the nominal owner of the property and his name was used to obtain a mortgage from a bank. The Officer then falsely claimed to be renting the property from his colleague, whilst at the same time claiming PTA and then depositing the mortgage payments into his colleague's bank account. In order to qualify for PTA he was required to state that the property was not owned by him or his relatives, and that neither he nor his relatives had a financial interest in it. As a result of his fraudulent claims, the government granted him PTA amounting to over HK\$2.25 million. He subsequently sold the property at a profit.

政府職員貪賄入獄

Government Staff Accepted Bribes

兩名康樂及文化事務署（康文署）票務助理，就購買演唱會門票非法收受利益，包括多張演唱會門票、信用卡現金回贈及紅利積分，最後各被判監八個月。為對所有想觀看演唱會的市民公平起見，康文署訂有售票政策，限定顧客可購買的門票數目，並嚴禁職員當值時為自己預留或購買門票。香港體育館內一名小食亭監督經常購買大批門票，因而認識案中兩名票務助理，於是要求兩人協助他預留大量演唱會門票。兩人答允，然後多次以自己親屬的信用卡購買逾千張演唱會門票，涉款共達21.5萬元，更從中接受小食亭監督提供的免費演唱會門票多張、信用卡現金回贈6,200元及紅利積分逾51.2萬分，作為協助他預留演唱會門票的報酬。

Two ticketing assistants of the Leisure and Cultural Services Department (LCSD) were each sentenced to eight months' imprisonment for accepting illegal advantages that included concert tickets,

credit card cash rebates and bonus points in relation to the purchase of concert tickets. LCSD maintains a ticket issuing policy on the number of tickets that may be bought by customers to ensure fairness to all members of the public wishing to attend concerts. This policy includes prohibiting

their own staff from reserving and purchasing tickets for themselves whilst on duty. The two LCSD staff came to know a supervisor of a kiosk at the Hong Kong Coliseum who made bulk ticket purchases. At the supervisor's request, the two ticketing assistants assisted him to reserve large numbers of concert tickets by using credit cards of their close relatives to purchase over 1,000 concert tickets at a total cost of HK\$215,000. In return, they received free concert tickets, HK\$6,200 in credit card cash rebates and over 512,000 bonus points as rewards for assisting the kiosk supervisor.

十一名當舖經營者行賄罪成

Eleven Pawnshop Operators Sentenced for Bribery

十一名當舖經營者在農曆新年期間，向兩名負責巡查當舖找尋贓物的高級警員提供利益，款額每次由20元至500元不等。法例規定任何人，包括涉案經營者在內，一概不得向與其有公事往來的政府人員餽贈禮物。他們因而被控向警務人員非法提供利益，違反《防止賄賂條例》，最後被裁定罪名成立，各被判監三個月，緩刑一年。

Eleven operators of pawnshops offered “laissez” packets, ranging from HK\$20 to HK\$500, during the Lunar New Year to two Senior Police Constables responsible for inspecting the pawnshops for stolen goods. The operators were prohibited from offering gifts to any government officer that they had official dealings with. The operators were each sentenced to three months’ imprisonment, suspended for 12 months, after being found guilty of offering illegal advantages to the police, contrary to the Prevention of Bribery Ordinance.



鄉事委員會候選人賄選案

Rural Committee Candidate Offered Bribe for Votes

一名參加上水區鄉事委員會執行委員會選舉的退休練馬師，在選舉中作出舞弊行為，被裁定違反《選舉（舞弊及非法行為）條例》罪名成立。執行委員會選舉於2011年3月15日舉行，以選出一名主席、兩名副主席及14名執行委員。該候選人於2011年2月到訪區內一名村代表所經營的「士多」，要求對方在選舉中支持他。村代表回應說稍後才決定支持與否，候選人隨即說已在房間桌上留下13萬元現款給對方。

村代表即時要求候選人取回現款，但他沒有理會便離開上址，留下整筆現款。村代表遂向廉署舉報，指候選人企圖行賄他，並將13萬元現款全數交給廉署。經審訊後，案中候選人被裁定罪名成立，判監三個月零兩星期。裁判官判刑時表示，選舉制度是本港社會發展的重要基石，法庭有責任確保選舉過程廉潔公正。

(等候上訴)



A retired horse trainer, who was seeking election to the Executive Committee of the Sheung Shui District Rural Committee, was found guilty of engaging in corrupt conduct at an election, contrary to the Elections (Corrupt and Illegal Conduct) Ordinance. The Executive Committee election was held on 15th March 2011 to elect the chairman, two vice-chairmen and 14 executive members. In February 2011, the candidate visited a Village Representative (VR) in the District and met him at his store. He asked the VR to support him in the election. When the VR replied that he would decide on whether to support the candidate or not at a later date, the candidate said he had left HK\$130,000 for the VR on a table in the room.

The VR immediately asked the candidate to take the money back, but he was ignored and the candidate left the premises and the money. The VR reported the attempt to bribe him and handed over the HK\$130,000 in cash to the ICAC. After trial, the candidate was convicted and sentenced to three months and two weeks' imprisonment. In sentencing, the Magistrate said that as elections were the cornerstone of social development in Hong Kong, the court had the responsibility to ensure that they were conducted in a clean and fair manner.

(Pending Appeal)

五人賄選被判囚

Five Jailed for Bribing Electors

一名醫生參加沙田區議會補選，獲四名街坊福利會的職員支持參選。福利會曾舉行12場花費逾100萬元的晚宴，招待1,578名會員，當中981人為登記選民。參加的會員每人只需付出20元費用，而晚宴的飲食娛樂消費，則全數由候選人及四名職員提供及支付，藉此誘使有關選民投票予候選人。直至投票日為止的一段時期內，他們再於不同場合向選民提供飲食、免費流感疫苗注射、38個本地一日遊旅行團或適用於候選人診所的100元醫療贈券。此外，他們又發布不符合法例規定的選舉廣告印刷品。其間候選人招致的選舉開支共逾200萬元，遠超4.8萬元的法定上限，但他卻向選舉事務處虛報選舉開支僅為3.4萬元。

上述五人被控以十項違反《選舉（舞弊及非法行為）條例》的罪名，包括串謀行賄登記選民，最後分別被判監一年至一年零九個月不等。區域法院主審法官表示，各被告精心策劃及部署犯案，故須判處即時監禁以收阻嚇作用，維護選舉公平廉潔。

(等候上訴)

A doctor who was standing for election as a councilor in the Shatin District Council by-election was supported by four officers of a Community Association in his bid for election. The Association organized 12 dinner banquets costing over HK\$1 million for its 1,578 members; 981 of whom were registered electors. While the Association only charged each member HK\$20, the candidate and the four officers provided and met all the costs of entertainment, food and drinks consumed at the banquets in an attempt to induce the electors to vote for the doctor. On separate occasions leading up to polling day, they also offered electors food and drink, free anti-flu injections, 38 one-day local tours or HK\$100 coupons for medical expenses at the candidate's clinic. Furthermore, they published printed election advertisements which failed to meet legal requirements. In the process of doing this, the candidate incurred election expenses totaling over HK\$2 million, which vastly exceeded the statutory limit of HK\$48,000. He falsely reported spending only HK\$34,000 in election expenses to the Registration and Electoral Office.

The five were charged with 10 offences under the Elections (Corrupt and Illegal Conduct) Ordinance, including conspiracy to bribe registered electors. They received prison terms ranging between 12 months and 21 months. The District Court stated that the offences were premeditated and organized and jail terms had to be imposed as a deterrent in order to maintain fair and clean elections.

(Pending Appeal)

色情場所經營者鋌鐺入獄

Vice Establishment Conspirators Jailed

在調查一宗警務人員涉嫌包庇色情場所的貪污案時，廉署與警方採取聯合行動，掃蕩四間位於九龍的色情場所，拘捕多名妓女、淫媒及淫窟經營者。然而，案中一名主要同謀卻不知所蹤，及後調查發現他原來被兩名同黨窩藏在某租住單位內。兩名同黨均被裁定妨礙司法公正罪名成立，判處入獄四個月。至於該案涉及警務人員貪污的可能，最終已被排除。四名主要同謀因串謀經營色情場所及洗黑錢罪名，被判入獄八個月至三年不等。

In the course of a corruption investigation into alleged police protection of vice establishments, the ICAC conducted a joint operation with the Hong Kong Police and raided four vice establishments in Kowloon. A number of prostitutes, pimps and the operators of the brothels were arrested. One of the main conspirators could not be found and later enquiries found that he had been hidden away by two associates in a rented flat. The two associates were both convicted of perverting the course of justice and sentenced to 4 months in prison. Having ruled out police corruption, the four main conspirators were jailed for between eight and 36 months for conspiracy to keep a vice establishment and money laundering offences.

訛稱行賄警務人員小販向夫婦騙財 *Hawker Deceived Couple with False Police Bribe*

一名小販的友人因涉嫌觸犯與槍械有關的罪行，被警方拘捕。小販向友人夫婦表示認識一名律師及一名大律師，而兩人均與負責該案的督察相熟，可施加影響，令督察撰寫對友人有利的報告，讓他獲得輕判；但他須向督察支付15萬元賄款，又須向一名參與該案的警員及大律師分別支付一萬元及兩萬元。友人其後交給小販15萬元，他卻用來償還自己的欠債。廉署調查證實，有關警務人員及律師均無涉及任何不當行為，而小販則因欺騙友人，使對方向他支付該筆款項，被裁定欺詐罪名成立，判監一年零三個月。

A friend of a hawker was arrested by the police for suspected firearms offences. The hawker told the friend and his wife that he knew a solicitor and barrister who were familiar with the police inspector in charge of the case and that the lawyers could influence the officer to write a favourable report and get the friend a lenient sentence. However, he needed to pay HK\$150,000 to the police inspector as a bribe, HK\$10,000 to a police constable involved in the case and HK\$20,000 to the barrister. The friend subsequently gave HK\$150,000 to the hawker who used the money to settle his personal debts. ICAC enquiries established that neither the police officers nor the lawyers were implicated in any wrongdoing and that the hawker had deceived his friend into paying him the money. He was convicted of fraud and sentenced to imprisonment for 15 months.

盜版玩具店東與頂包者妨礙司法公正

Scapegoats and Owner of Counterfeit Toy Shop Perverted Justice

廉署人員調查一宗涉及香港海關（海關）的貪污指控時，發現一間盜版玩具店的東主與兩名同黨串謀，安排其中一名同黨在海關掃蕩該店時冒認店東。三人早前已經合謀，由其中一名同黨冒充及註冊為該店的東主。海關掃蕩該店時，冒充店東的同黨收到消息後趕至，以店東身分向海關自首。其後他更承認管有及販賣盜版玩具，被判罰款一萬二千元。真正店東除向他提供全數款額以繳付罰款外，另又給他三千元作為頂替罪名的報酬。最後，三人被裁定串謀妨礙司法公正罪名成立，真正店東被判入獄八個月，兩名同謀則分別被判監半年及兩個月。

(等候上訴)

Whilst undertaking a corruption investigation into an allegation of corruption against the Customs and Excise Department (C&E), ICAC investigators discovered that the owner of a shop selling counterfeit toys had conspired with two associates for one of them to pose as the owner of the shop if it was raided by C&E. The trio falsely registered the ownership of the shop in the name of one of the associates. When C&E raided the shop, the associate was contacted and turned up at the shop to surrender himself to the C&E officers as the owner. He later pleaded guilty to possession and trading in pirated toys and was fined HK\$12,000. This money was provided to him by the real owner of the shop to pay the fine and he was also given a reward of HK\$3,000 for accepting blame for the offence. The trio was convicted of conspiracy to pervert the course of justice. The real owner of the shop was sent to prison for eight months, whereas the two other conspirators were jailed for six and two months respectively.

(Pending Appeal)



囚犯誤導廉署

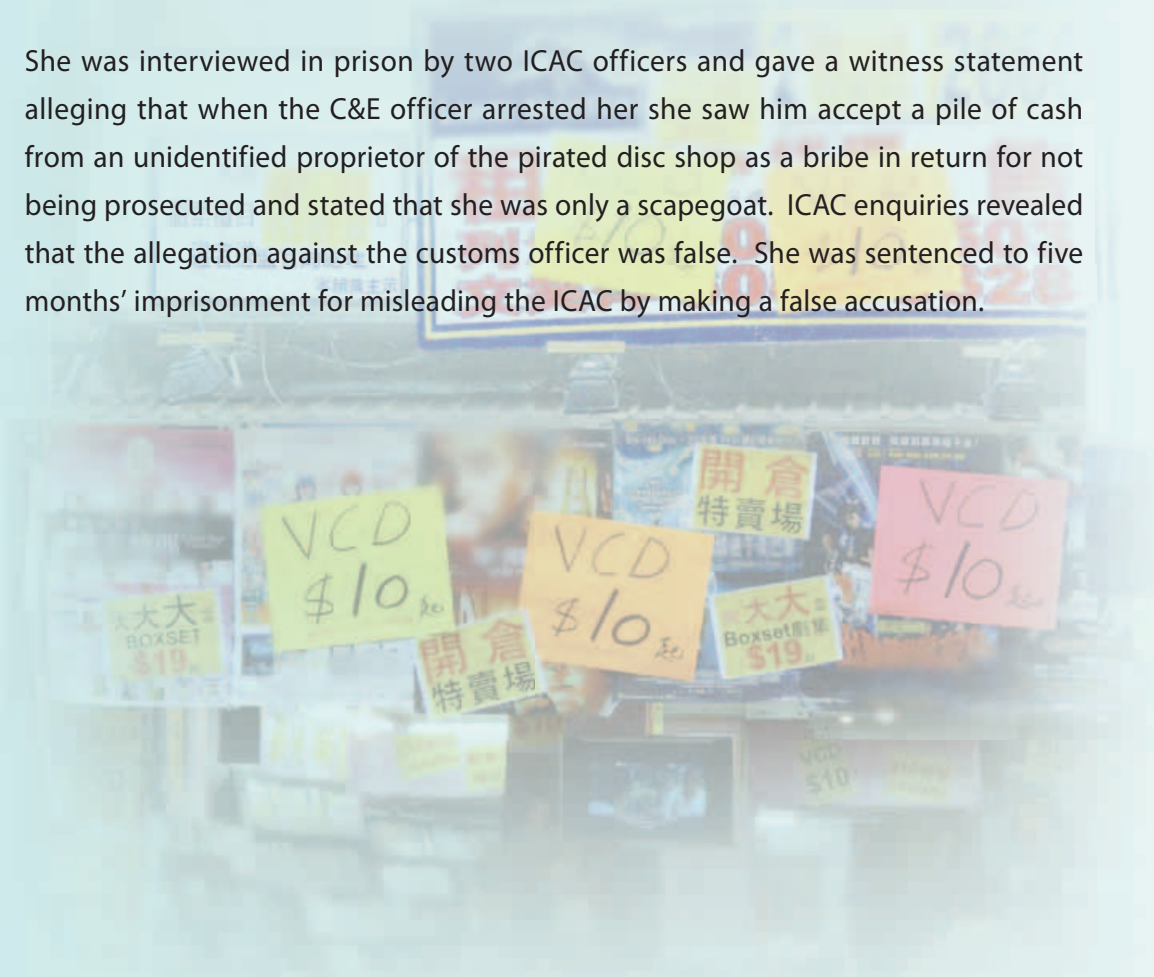
Prisoner Misled ICAC

一名女子在盜版光碟店販賣盜版光碟，被一名香港海關（海關）人員拘捕。其後，她被控以未獲特許而管有版權作品的侵犯版權複製品罪名，經審訊後被裁定罪名成立，判處入獄九個月。她在獄中去信廉署，指控拘捕她的海關人員涉嫌貪污，又堅稱自己是無辜被定罪。

她在獄中接受兩名廉署人員會見，並作出一份證人供詞，指稱她被該海關人員拘捕時，目睹他向盜版光碟店的一名不知名東主收取一疊現金作賄款，換取該東主免被檢控。她又表示，自己不過是代罪羔羊。廉署調查發現，上述針對該海關人員的指控純屬虛構。該女子因作出虛假指控藉以誤導廉署，最後被判入獄五個月。

A woman was arrested by a Customs and Excise (C&E) officer for selling counterfeit optical discs at a pirated disc shop. She was subsequently charged with possession of infringing copies of copyright works without a licence and convicted after trial. She was jailed for nine months. While in prison, she wrote a letter to the ICAC accusing the arresting customs officer of being involved in corruption, whilst maintaining her innocence in the case for which she had been convicted.

She was interviewed in prison by two ICAC officers and gave a witness statement alleging that when the C&E officer arrested her she saw him accept a pile of cash from an unidentified proprietor of the pirated disc shop as a bribe in return for not being prosecuted and stated that she was only a scapegoat. ICAC enquiries revealed that the allegation against the customs officer was false. She was sentenced to five months' imprisonment for misleading the ICAC by making a false accusation.



社署人員招搖撞騙遭收監

Social Welfare Department Officer Jailed for Fraud

一名社會福利署社區幹事，因涉嫌冒充廉署人員而受調查，其間卻被發現曾託詞代父償還賭債，向友人索取並收受14萬元貸款。其後，他又訛稱在交通意外中撞毀一部政府車輛，須支付維修費用，再向該友人索取並收受16,800元貸款。事實上，騙得的金錢全部被他用來償還自己的債項。結果，他被裁定欺詐罪成，判監六個月。

During an investigation into a Community Work Organizer of the Social Welfare Department suspected of having impersonated an ICAC officer, it was revealed that he solicited and accepted loans from a friend of HK\$140,000 on the pretext that he had to pay off his father's gambling debts. He later solicited and accepted a further HK\$16,800 from this friend after falsely claiming to have damaged a government vehicle in a traffic accident for which he had to cover the cost of repairs. The money obtained was used by him for settling his own financial liabilities. He was sentenced to six month's imprisonment for fraud.

技術員及公司東主同被收監 *Technician and Company Owner Imprisoned*

一所大學一名高級技術員與電腦設備公司董事，為總值170萬元的購貨訂單，不惜干犯貪污、詐騙及清洗黑錢罪，被區域法院判處監禁。案發時，技術員不誠實地致使大學向董事控制的兩間公司，批出13張總值逾170萬元的訂單，為新聞與傳播學院購買影音設備。當中部分交易雖有報價單，卻無貨物供應，因有關貨品其實由技術員另行搜購。

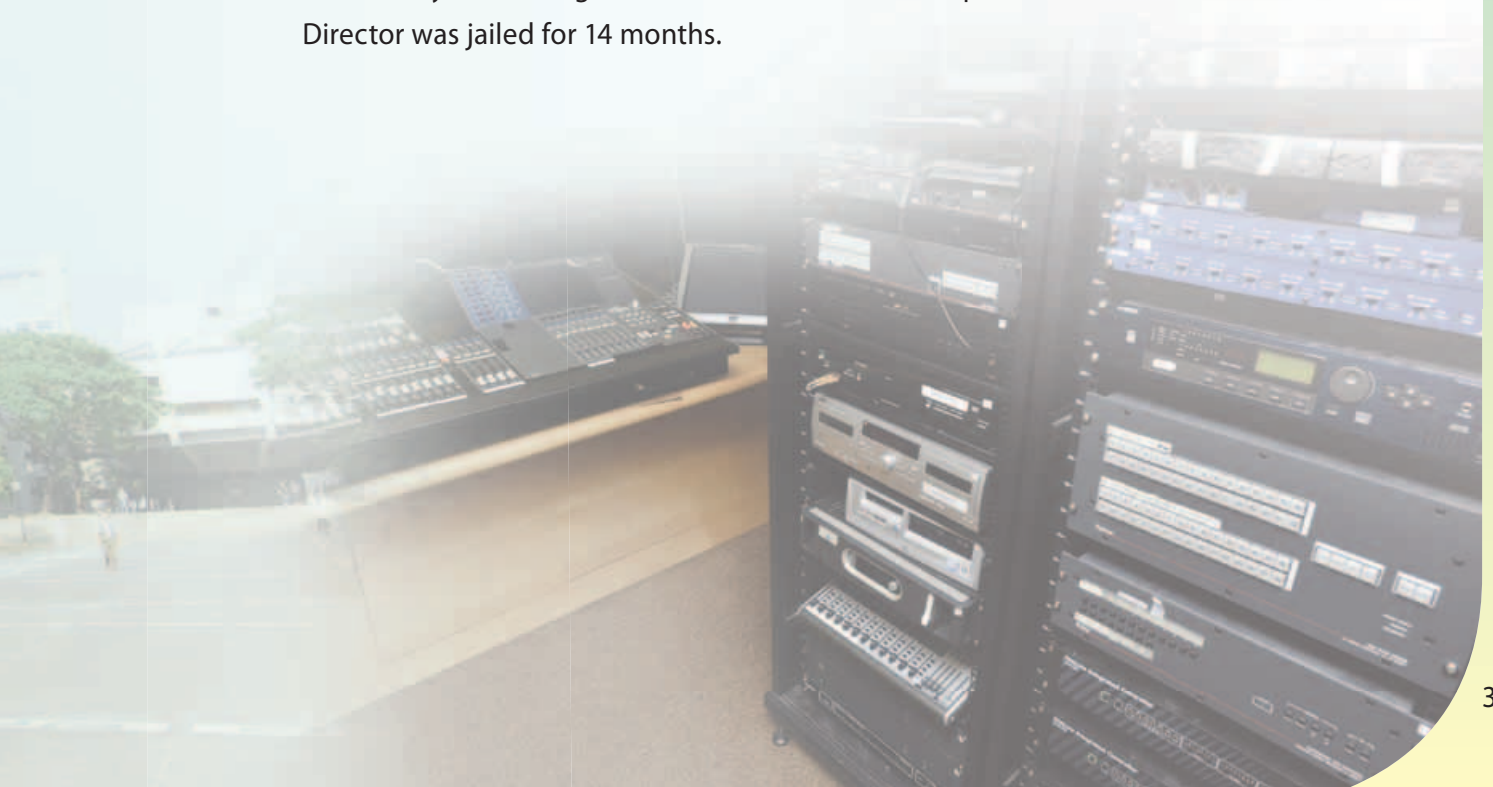
董事收到大學支付其中12張訂單的貨款後，先扣起當中百分之五至八，作為製備文件的「佣金」，再將餘額給予技術員。在另一宗交易，董事以30萬元取得貨品，然後按技術員指示，將提交大學的報價誇大至48.2萬元。結果，董事獲判訂單，並從中獲利18.2萬元，並向技術員支付五萬元作為報酬。案發期間，技術員又透過自己的銀行戶口清洗非法得來的款項，曾處理的犯罪得益逾55萬元。

二人被裁定多項罪名成立，包括行賄受賄、串謀詐騙及清洗黑錢。結果，技術員被判監一年零十一個月，董事則被判監一年零兩個月。

A Senior Technician of a university and the Director of a computer equipment company were both sent to prison by the District Court for their roles in bribery, fraud and money laundering in relation to HK\$1.7 million worth of purchase orders. During the material time, the Technician dishonestly caused the university to award 13 orders worth over HK\$1.7 million to two companies controlled by the Director for the purchase of audio and visual equipment for the School of Journalism and Communication. In some cases, quotations were submitted but no goods supplied as they were sourced elsewhere by the Technician.

After receiving payments from the university for 12 of the purchase orders, the Director deducted five to eight per cent as "commission" for the preparation of documents. The remaining proceeds were paid to the Technician. In another transaction, the Director obtained goods for HK\$300,000 and, on the instructions of the Technician, submitted an inflated quotation for HK\$482,000 to the university. He was awarded the purchase order, thereby making a profit of HK\$182,000. The Director paid HK\$50,000 to the Technician as a reward. During the same period, the Technician dealt with crime proceeds of over HK\$550,000 from their conspiracy by laundering the illicitly acquired money through his bank accounts.

They were both convicted of various offences of bribery, conspiracy to defraud and money laundering. The Technician was sent to prison for 23 months, while the Director was jailed for 14 months.



私營機構 Private Sector

廉署自成立以來，為抗擊私營機構的貪污，一向嚴陣以待，程度不遜於公營機構的反貪工作，力求透過執行反貪法例，維護各行各業公平的營運環境。綜觀貪污案的調查結果，犯案者常被起訴其他相關罪行，如盜竊、詐騙及清洗黑錢等，而非貪污罪。貪污罪在舉證上本來就出名難纏，並往往牽涉其他實質的刑事罪行。有時，這類其他實質罪行的證據，卻能更確切地反映所涉及的貪污行為。從本章內容可見，廉署人員所調查的私營機構案件，涉及多個不同範疇。

Since the inception of the Commission, we have always treated private sector corruption just as seriously as public sector corruption, in other words, a level playing field for all where enforcement of the corruption laws is concerned. On many occasions, the end product of a corruption investigation involves charging people with other related crimes such as theft, fraud, money laundering, etc., rather than a corruption offence. Corruption offences are notoriously difficult to prove and often involve other substantive criminal offences. Sometimes evidence of this other criminality can better reflect the true extent of the corrupt behaviour involved. The following pages show the range of investigations undertaken in the private sector by our officers.

三人涉購股權及上市詐騙案

Trio in Share Options and Listing Fraud

兩間上市公司（A公司及B公司）的女主席與A公司的一名董事及B公司的行政總裁就購股權及公司上市涉及詐騙。廉署就該兩間上市公司涉嫌違規事件進行貪污調查時，發現另一間公司宣布有意收購A公司前數天，主席與董事串謀發出虛假公告，指董事局已批准向十名職員，授予2,388萬股購股權。然而，該等獲授予購股權人士均為基層職員，包括主席的私人司機、一名人事行政主任，以及附屬公司的三名內地員工。他們在主席指使下，代她持有該等購股權，從而繞過上市規則，欺騙香港聯合交易所（聯交所）和證券及期貨事務監察委員會。收購完成後，他們將購股權讓予該另一間公司，而主席則向他們收取約300萬元。

主席亦就B公司的上市事宜，與該公司行政總裁串謀發出招股章程，內載有關該公司的失實陳述，指一名與B公司並無關連的行政經理，已獲配8,844,880股。該行政經理，其實是主席的私人助理，並受行政總裁指使，以代理人身分持有該批股份。B公司上市後，私人助理將800萬股轉讓予由主席朋友控制的公司，並沽售餘下股份，獲得37萬元，全數為主席收取作利潤，然而上述交易並無在B公司的招股章程中披露。若聯交所知道該等股份的真正持有人身分，該等股份便須按照上市規則，受到12個月禁售期的限制。

三人被控串謀詐騙、欺詐及授權發出載有失實陳述的招股章程罪名。結果，主席被判監三年半，而董事及行政總裁則分別被判監兩年及一年零七個月。

(等候上訴)

The Chairwoman of two listed companies (Company A and Company B) was involved in a listing fraud and share options scam with a Director of Company A and the Chief Executive Officer (CEO) of Company B. An ICAC corruption investigation into alleged irregularities involving the two listed companies revealed that a few days before another company announced its intention to acquire Company A, the Chairwoman and the Director conspired to falsely announce that the board of directors had approved the granting of 23,880,000 share options to 10 employees. However, these grantees were all junior staff, including the Chairwoman's personal driver, a personnel and administration officer, and three Mainland Chinese staff of a subsidiary. Under the Chairwoman's instructions, the junior staff were told to hold the share options on her behalf to circumvent the listing rules and deceive the Stock Exchange and Securities and Futures Commission. After the takeover, they surrendered the share options to that other company and the Chairwoman received about HK\$3 million from them.

The Chairwoman also conspired with the CEO of Company B in connection with the listing of that company and issued a prospectus containing an untrue statement in connection with the company. This statement purported to show that 8,844,880 shares had been allotted to an administration manager not connected with Company B. In fact, the administration manager was the personal assistant of the Chairwoman and was asked by the CEO to hold the shares as a nominee. After the listing of Company B, the personal assistant transferred 8 million shares to another company controlled by a friend of the Chairwoman and sold the remaining shares for HK\$370,000, which the Chairwoman received as profits from the sale. These dealings were concealed in Company B's prospectus. Had the Stock Exchange been aware of the real owner of the shares, they would have required them to have been locked up for a 12-month moratorium under the listing rules.

The trio was charged with conspiracy to defraud, fraud and authorizing the issue of a prospectus containing an untrue statement. The Chairwoman was imprisoned for three and a half years, while the Director and the CEO were jailed for two years and 19 months respectively.

(Pending Appeal)

上市公司高層人員被囚

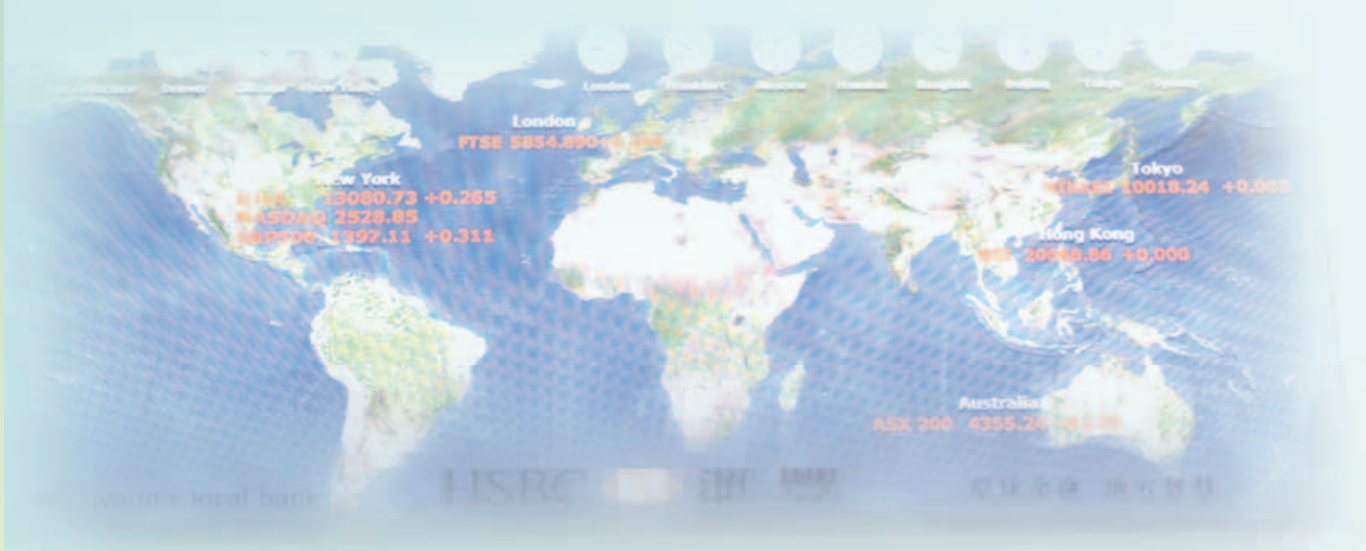
Senior Executives of Listed Company Jailed

一間新加坡上市公司的行政總裁及執行主席互相勾結，串謀詐騙新加坡交易所有限公司（新交所）及公司股東有關公司的真正財務狀況，而行政總裁更詐騙六間本港銀行逾750萬元貸款。該上市公司從事創意產品的設計、開發和推廣工作，在香港設有辦事處。公司申請在新交所主板上市，並獲批准。

廉署在港調查涉及該公司的貪污案時，揭發兩名高層人員捏改一間附屬公司的貨物認收單、商業發票、送貨單及會計記錄，以誇大公司的營業額及利潤超過890萬元。在新交所及新加坡貪污調查局協助下，廉署亦發現二人編製和發布公司年報時，誇大營業額及利潤數字，致使新交所相信公司已履行責任，發布內容真確的年報。案發期間，行政總裁更串同他人，利用多張虛假發票，詐騙本港六間銀行合共超過750萬元的貸款。

行政總裁被判囚三年零兩個月，而執行主席則被判監兩年；二人同被取消在任何香港公司擔任董事的資格，為期五年。法官判刑時稱，兩名被告嚴重違反誠信，他們的行為亦對計劃到海外上市的香港公司造成負面影響，故須判處監禁。

(等候上訴)



The Chief Executive Officer (CEO) and Executive Chairman (EC) of a listed company in Singapore entered into a conspiracy to defraud the Singapore Exchange Limited (SGX) and the shareholders of the company as to the true financial position of the company, and the CEO also deceived six Hong Kong banks who had advanced loans of over HK\$7.5 million. The listed company was engaged in the design, development and marketing of innovative products and had its operating office in Hong Kong. The company made an application to be listed on the main board of SGX, which was approved.

During a corruption investigation in Hong Kong into the company, it was discovered that the two executives had falsified goods receipts, commercial invoices, delivery notes and accounting records of a subsidiary to inflate the turnover and profit figures of the company by over HK\$8.9 million. With the assistance of SGX and the Corrupt Practices Investigation Bureau of Singapore, ICAC also found that the duo had compiled and published the annual report of the company which contained the inflated turnover and profit figures, thereby inducing SGX to believe that the company had complied with its obligation to publish a true and accurate annual report. During the same period, the CEO conspired with other persons to defraud six banks in Hong Kong of loans of over HK\$7.5 million by the use of fictitious invoices.

The CEO was sentenced to imprisonment for three years and two months, while the EC was jailed for two years. They were also disqualified from being a director of any Hong Kong companies for five years. In sentencing, the Judge said the court had to impose custodial sentences on the defendants in view of their serious breach of trust and that their acts had an adverse impact on Hong Kong companies planning to seek a listing in overseas countries.

(Pending Appeal)

主席及高層人員騙取巨款

Chairman and Executives in Massive Fraud

上市公司主席及兩名執行董事，串同附屬公司一名職員，以大量虛假文件詐騙巨額資金。法官指各被告所犯的罪行，不但破壞香港的金融體系，亦損害上市公司的廉潔誠信。廉署調查一宗貪污案時，揭發這宗涉及巨額資金的詐騙勾當。案中兩名執行董事及該名職員，被裁定13項罪名成立，包括串謀詐騙、串謀偷竊、盜竊及發布虛假陳述。主席承認六項控罪，並為控方出庭作證，最終被判監三年，以及被取消擔任公司董事資格，為期八年。兩名執行董事各被判囚六年，亦被禁擔任公司董事十年。至於涉案職員，則被判監三年零九個月。

調查發現，上市公司出售某合資項目後，本應收取逾1,100萬元銷售得益，但款項卻被匯到由主席控制的一間香港公司，供他作個人用途。涉案被告更以不同藉口，包括訛稱購買流動電話和電腦產品，及／或貸款予附屬公司，合謀盜用公款達860萬元。此外，由上市公司支付的一筆1,000萬元款項，亦被揭發存入了主席的多個銀行戶口，用以償還其私人債項。各被告為掩飾盜用公款的勾當，再以欺詐手段，另外調動資金超過5,100萬元。

(等候上訴)

The Chairman and two Executive Directors of a publicly listed company, along with an employee of a subsidiary of the listed company, used a large number of false documents in a massive fraud which the court stated had undermined the financial system of Hong Kong and put the integrity of listed companies at risk. The two Executive Directors and the employee were found guilty of 13 charges of conspiracy to defraud, conspiracy to steal, theft and publishing a false statement after a corruption investigation revealed the extent of the fraudulent scheme. The Chairman was jailed for three years after pleading guilty to six charges and testifying for the prosecution. He was also disqualified from being a company director for eight years. The Executive Directors were sentenced to six years' imprisonment and banned from acting as company directors for 10 years. The employee was jailed for three years and nine months.

The corruption investigation found that over HK\$11 million in the sale proceeds of a joint venture which was due to the listed company had been remitted to a company in Hong Kong controlled by the Chairman for his own purposes. The conspirators had also embezzled HK\$8.6 million from the company by falsely representing that the funds were used to purchase mobile phones and computer goods and/or were a loan to the subsidiary company. Furthermore, a payment of HK\$10 million was transferred from the listed company to various bank accounts of the Chairman to meet his personal liabilities. Other funds of over HK\$51 million were fraudulently diverted to cover up the embezzlements.

(Pending Appeal)



銀行高層受賄批出貸款判囚

Bankers Imprisoned for Bribery over Loan Applications

兩名銀行高層人員收受合共逾580萬元賄款、紅酒和名貴手錶，以批核貸款申請及延遲還款到期日。一名於內地從事發展分層住宅及酒店項目的企業客戶，向銀行申請兩筆分別為6,500萬美元及二億港元的貸款。銀行根據一名涉案高層人員批核的放款建議書，批出兩筆貸款。其後兩名高層人員再就另一筆20億港元的貸款申請作出批核。此外，二人更先後六次批核首兩筆貸款的延遲還款到期日申請。其中一名高層人員收受兩筆分別為100萬元及230萬元的現金，作為向客戶提供協助的報酬。客戶及該名高層人員在酒店交收230萬元現金時，當場被捕，該筆賄款亦被廉署人員從該名高層人員身上檢回。另一名高層人員亦被揭發在不同場合收受多瓶貴價紅酒、一枚名貴手錶，以及兩筆分別為50萬元及200萬元的現金賄款。

案中檢回的230萬元賄款、16瓶貴價紅酒及四枚名貴手錶，全部被法庭下令充公。兩名銀行高層人員最終被判入獄，刑期分別為兩年及三年。由於涉案的客戶未有出庭應訊，法庭已發出手令緝捕他歸案，並充公其80萬元保釋金。

(等候上訴)

Two Senior Executives of a bank accepted bribes totaling over HK\$5.8 million, bottles of red wine and expensive watches for approving applications for loans and extending repayment due dates. A corporate client of the bank who was engaged in developing apartments and hotels in Mainland China applied for two loans of US\$65 million and HK\$200 million respectively from the bank. The loans were approved after favourable credit proposals endorsed by one of the Senior Executives. Later, a further loan of HK\$2 billion was applied for and endorsed by the two Executives. The repayment due dates of the two loans were extended on six occasions after endorsement by the Executives. One of the Executives accepted HK\$1 million and HK\$2.3 million in cash as rewards for the assistance he rendered to the client. When accepting the HK\$2.3 million in cash at a hotel, the client and the Executive were both arrested by ICAC officers and the money recovered from the Executive. On other occasions, the other Executive was found to have accepted bottles of expensive red wine and a watch as well as two sums of HK\$500,000 and HK\$2 million in cash in bribes.

Bribe monies of HK\$2.3 million, 16 bottles of expensive red wine and four valuable watches seized from the men were ordered to be confiscated by the court. The Executives were also imprisoned for two years and three years respectively. The client absconded from court bail. A warrant has been issued for his arrest and his bail money of HK\$800,000 has been estreated.

(Pending Appeal)

銀行經理盜取公司客戶二千萬

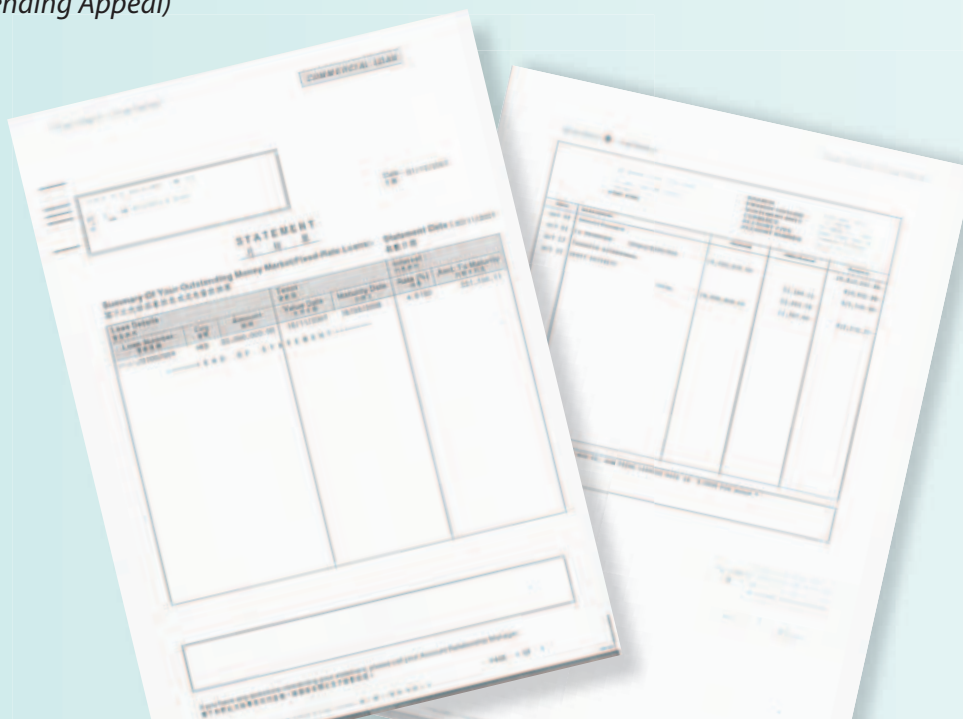
Bank Manager Stole HK\$20 Million from Corporate Clients

廉署人員調查一宗貪污案時，揭發一名銀行客戶經理捏改文件及銀行記錄，涉及多個公司客戶的資金轉帳額共3,450萬元，包括一筆以欺詐手段，從某公司客戶銀行戶口盜取的二千萬元貸款。經審訊後，他被裁定22項罪名成立，包括使用虛假文書、使用虛假文書副本、以欺騙手段在銀行記錄內促致記項、盜竊及清洗黑錢，被判入獄六年。法官在判刑時稱，被告在案中擔當主動及主要角色，其行為嚴重違背銀行對他的信任，並且破壞香港的銀行體制。

(等候上訴)

During the course of a corruption investigation, ICAC officers discovered that a Bank Relationship Manager had been falsifying documents and banking records involving fund transfers of corporate clients amounting to HK\$34.5 million, which included a loan of HK\$20 million that had been fraudulently drawn down from the bank account of a corporate client. He was found guilty after trial of 22 charges, including using false instruments, using a copy of a false instrument, procuring the making of an entry in a record of a bank by deception, theft and money laundering. He was sentenced to six years' imprisonment. In sentencing, the trial Judge said the defendant played an active and major role in the case and his acts constituted a serious breach of trust placed in him by the bank, as well as undermining the banking system in Hong Kong.

(Pending Appeal)



登機手續賄賂案

Airline Check-In Bribes

兩名客戶服務主任，利用所屬航空公司的電腦系統，協助人蛇集團為內地旅客辦理登機手續，以加快他們在香港國際機場登機的程序，並且於遇有保安檢查時向集團通風報信。另兩名涉案人士，則負責陪同經由機場偷渡的內地旅客，協助他們登上飛往美國及歐洲的航機。兩名客戶服務主任就發出登機證予偷渡的內地旅客，收取每張登機證500或600元的賄款作為報酬。最後，兩人分別被判監一年零八個月及一年零四個月；至於兩名陪同偷渡客的人士，則各被判入獄一年零兩個月。全部被告亦須向政府歸還合共六萬元。

區域法院法官判刑時稱，案件牽涉嚴重貪污罪行，不但破壞航空公司的保安系統，也損害香港國際機場的聲譽。

Two Customer Service Officers of an airline assisted a people smuggling syndicate by carrying out check-in procedures for Mainland travelers through the airline computer system so as to expedite the check-in procedures for them at Hong Kong International Airport and alert the syndicate to any security checks taking place. Two other persons acted as escorts for the Mainland travelers being smuggled through the airport and assisted them in boarding flights for destinations in the US and Europe. In return, the Customer Service Officers received bribes of HK\$500 or HK\$600 for each boarding pass issued to a Mainland traveler. The two Customer Service Officers received jail terms of 20 months and 16 months, whereas the two escorts were each sentenced to 14 months' imprisonment. The offenders were also ordered to pay a total of HK\$60,000 in restitution to the government.

In sentencing, the District Court Judge said the case involved serious bribery offences which had impaired the security system of the airline and undermined the image of Hong Kong International Airport.



離港 Departures

假卡賄賂案兩人被囚

Duo Jailed for Bribery in Credit Card Scam

一名酒店助理餐廳經理收受賄賂，串同另外一名男子盜取顧客的信用卡資料以製造假卡。助理經理以名為「磁碼轉換機」的電子儀器，套取信用卡資料，然後每套資料收取400元。廉署人員拘捕二人時，在該名男子身上搜獲「磁碼轉換機」，當中儲存了複製所得的信用卡資料，以供造假卡之用。他又承認意圖以每套800元的價錢，出售已套取的信用卡資料。助理經理受賄罪成，被判入獄兩個月；而該名男子則承認行賄及管有用作製造虛假文書的設備，被判監一年零五個月。

The Assistant Restaurant Manager of a hotel conspired with another man to steal data from the credit cards of customers in order to produce counterfeit credit cards in return for bribes. He received HK\$400 for each set of credit card data that he obtained by using an electronic device known as a "skimmer". When they were arrested by the ICAC, the other man was found in possession of the "skimmer" with captured credit card data electronically copied onto it which was to be used for making counterfeit credit cards. He admitted that he intended to sell the captured credit card data for HK\$800 per set. The Assistant Manager received a jail term of two months for bribery and the other man was jailed for 17 months after pleading guilty to bribery and possessing equipment for making false instruments.



採購經理受賄濫發訂單

Merchandising Manager Took Bribes for Placing Orders

負責向供應商落單的一名成衣貿易公司採購經理，兩年內持續向同一供應商落單，涉及訂單總值約1,800萬元。供應商誇大成衣價格，然後將實價與經誇大價格之間的差額，暗中給予經理作為非法回佣，以繼續取得訂單。經理從中受賄約60萬元。她承認多項受賄罪名，被判監兩年零兩個月，並須將收受的賄款歸還僱主。

The Merchandising Manager of a garment trading company was responsible for placing orders with suppliers. Over a period of two years, she placed orders worth about HK\$18 million with one particular supplier. This supplier falsely inflated the prices it was charging for garments supplied and paid the difference between the actual cost and the inflated price to the Manager as a secret, illegal commission in return for continued business. The Manager received about HK\$600,000 in bribes through this scheme. After pleading guilty to charges of bribery, she was sentenced to imprisonment for 26 months and ordered to pay the bribe money she had received as restitution to her employer.

The image shows two overlapping screenshots of a 'PURCHASE ORDER 2026247' form. The form is titled 'PURCHASE ORDER 2026247' and 'REVISED 1'. It includes fields for 'Received Date', 'Supplier', 'Order No.', 'Order Date', 'Order Qty', 'Unit Price', and 'Amount'. It also features a table with columns for 'Quantity', 'Unit', 'Price', 'Total', 'Qty', 'Unit', and 'Total'. The form is titled 'PURCHASE ORDER 2026247' and 'REVISED 1'.

翻新工程合約串謀賄賂案

Bribery in Renovation Contracts Conspiracy

兩名承辦商與一名珠寶公司職員，就珠寶零售店和辦公室翻新維修工程合約的判授，合謀進行貪污勾當。該職員收受兩名承辦商的賄款逾215,443元，作為將合約判給他們的報酬。他承認兩項收受利益罪名，違反《防止賄賂條例》，被判入獄七個月，另須歸還15萬元。

該職員負責就公司零售店和辦公室的翻新維修工程，向承辦商索取報價，並判授合約。案中兩名承辦商是一間裝修及維修公司的主事人，他們同意向職員提供賄款，金額相等於獲判合約價值的若干百分比。當中一人被判囚半年，而其生意夥伴則被判監三個月。裁判官判刑時表示，法庭不會容忍他們的貪污行為，故須判處即時監禁。

Two contractors and a jewellery company employee entered into a corrupt agreement in relation to the award of renovation and maintenance contracts for jewellery shops and an office. The jewellery company employee accepted over HK\$215,443 in bribes from the contractors for awarding contracts to them. He was jailed for seven months and ordered to pay restitution of HK\$150,000 after pleading guilty to two counts of accepting bribes contrary to the Prevention of Bribery Ordinance.

He was responsible for obtaining quotations from contractors and awarding contracts for the renovation and maintenance works for the company retail shops and office premises. The two contractors were the principals of a renovation and maintenance company who agreed to offer bribes to him based on a percentage of the value of the contracts awarded to them. One contractor was sentenced to a jail term of six months, while his business partner was jailed for three months. In sentencing, the Magistrate stated that the court would not tolerate their corrupt acts, and immediate custodial sentences were unavoidable.



呈交虛假合約惹牢獄之災

False Contracts Attracted Jail Sentence

一名動畫公司董事以多份虛假合約，詐騙公司44萬元，被判入獄年半，另須向公司歸還44萬元。法官判刑時稱，該名董事觸犯嚴重罪行，而且違反誠信，故須判處他即時監禁。他被裁定12項罪名成立，包括三項意圖欺騙主事人而使用文件罪，違反《防止賄賂條例》，以及九項使用虛假文書罪，違反《刑事罪行條例》。

該名董事為一齣動畫電影的製作負責人，以董事身分代表公司分別與電影導演、美術指導及武術指導簽署三份僱用合約。電影製作期間，他向公司呈交三份虛假合約，聲稱是導演及指導三人的續聘合約，涉及額外支出44萬元。他又指示公司一名會計人員，就有關支出簽發多張不記名支票，其後更向公司會計部呈交九張虛假的支票收據。

A Director of an animation company was sentenced to 18 months' imprisonment for using false contracts to deceive HK\$440,000 from his company. He was also ordered to pay HK\$440,000 as restitution to the company. Upon sentencing, the court said it had to mete out an immediate custodial sentence to the Director in view of his serious offences as well as his breach of trust. The Director was found guilty of 12 offences after trial; three of using documents with intent to deceive his principal, contrary to the Prevention of Bribery Ordinance, and nine of using a false instrument, contrary to the Crimes Ordinance.

The Director was in charge of the production of an animated movie. As a Director, he represented the company when signing three employment contracts to engage a film director, art director and a martial arts director. Whilst the film was still in progress, he submitted three false contracts to the company claiming that they were extensions of the contracts for hiring the animation directors which required additional payments of HK\$440,000. He also instructed the company accountant to issue bearer cheques for these payments. He subsequently submitted nine forged receipts for the cheques to the accounts department of his company.

採購員受賄案 *Purchasing Officer Bribed*

兩家經營多間餐廳的公司，需採購大量紙製品，包括貼紙、餐巾及紙杯等。該兩間公司屬下一名採購員與一名供應商合謀，由採購員定期向供應商落單，然後一同瓜分所得的利潤。案發期間，供應商獲判23張總值逾160萬元的購貨訂單，當中貨品的單價較市價高出二至五倍。採購員從中收受的賄賂，總金額逾22.4萬元。他又使用六張虛假的購貨申請表訂貨，意圖欺騙僱主。涉案供應商承認提供利益，並出庭指證採購員，最終被判入獄八星期。採購員則因為受賄及使用虛假文件欺騙其主事人，被判監九個月，另須向僱主歸還八萬元。

Two companies which operated a number of restaurants were required to procure a substantial volume of paper products, including stickers, napkins and paper cups. The Purchasing Officer of the two companies conspired with a supplier to split the profits the supplier made in return for regular orders. In the relevant period, the supplier was awarded 23 purchase orders valued at over HK\$1.6 million, in which the unit price of the goods was two to five times more expensive than the market price, and for which the Purchasing Officer received over HK\$224,000 in bribes. He also used six false purchase requisition forms for ordering products with intent to deceive his employer. The supplier pleaded guilty to offering bribes and testified against the Purchasing Officer. He was sentenced to eight weeks' imprisonment. The Purchasing Officer was sentenced to nine months' imprisonment for bribery and using false documents to deceive his principal and ordered to pay his employer HK\$80,000 in restitution.

金銀業貿易場成員行賄被判囚

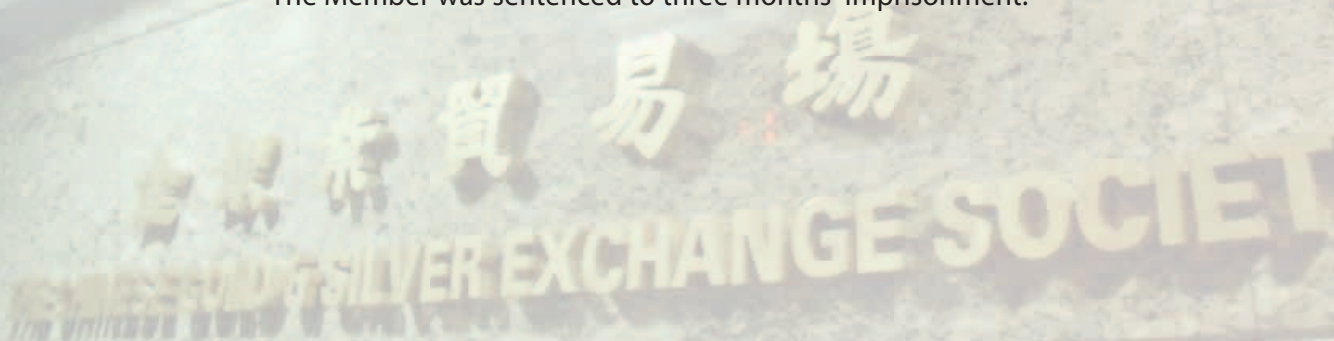
Gold and Silver Exchange Member Jailed for Bribery

金銀業貿易場是在香港註冊的社團，其宗旨是為會員提供黃金、白銀及貴金屬買賣的交易場所。貿易場一名理監事會成員，在處理一宗金集團會籍轉讓交易時，向一名公司董事行賄。

持有貿易場金集團會籍的會員，即成為香港的認可黃金煉鑄商。要取得金集團會籍，須由現有會員轉讓會籍，而會籍申請亦須獲兩名理監事會成員支持。一家黃金煉鑄商從某理監事會成員開設的公司，購入金集團會籍，代價為70萬元。約兩年後，煉鑄商打算向準買家出售會籍，並要求之前向其出售會籍的理監事會成員支持轉讓交易。然而，理監事會成員回應，由於之前以低於市價出售會籍，遂要求煉鑄商旗下一名公司董事，替他向煉鑄商索取十萬元作償，更提出如董事成功取得賠償，可得到三萬元賄款，但董事拒絕受賄。最後，涉案的理監事會成員被判監三個月。

A Member of the executive and supervisory committee of The Chinese Gold and Silver Exchange Society, a registered society in Hong Kong operating a marketplace for its members trading in gold, silver and precious metals, offered a bribe to a director of another company in connection with the sale of a Bullion Group (BG) membership under the control of the Society.

A holder of the Society's BG membership is recognized as an accredited bullion refinery in Hong Kong. Such a membership can only be acquired from a BG member who resigns and the application requires the support of two members of the executive and supervisory committee of the Society. A bullion refinery acquired a BG membership for HK\$700,000 from a company owned by one of the executive committee members. About two years later, the bullion company sought to sell the BG membership to another buyer and requested the Member from whom they bought the membership to support the transaction. He replied that he had sold the BG membership to them at below market price and asked a director of the company to obtain HK\$100,000 for him as compensation. In return, he offered the director a bribe of HK\$30,000 if he was successful. The offer was turned down by the director. The Member was sentenced to three months' imprisonment.



足球員行賄隊友試圖打假波

Footballer Offered Bribes to Fix Match

一名職業足球員因行賄隊友，要求對方協助在一場對俄羅斯國家青年隊的賽事中「打假波」，最終被判入勞教中心。該球員被犯罪集團招攬，因而試圖行賄兩名隊友，指使他們在賽事中故意令球隊落敗。香港足球總會從甲組足球聯賽的十支參賽職業球隊中，選出20名未滿21歲的足球員，與俄羅斯隊對壘。球隊在觀塘進行集訓期間，該球員要求包括守門員在內的兩名隊友，在賽事中多輸幾球，以換取高達四萬元的報酬。兩名隊友拒絕受賄，並將事件告發。裁判官判刑時，對兩名隊友堅拒利誘予以讚揚。

A professional football player was sentenced to detention centre for offering bribes to his teammates for assistance in fixing a match against Russia's national youth team. The footballer had been recruited by a crime syndicate and tried to influence two of his teammates to lose the match in return for bribes. The Hong Kong Football Association had selected 20 football players under 21 years old from the 10 professional football teams participating in the First Division to play in the match against Russia. While the team was attending a residential training camp in Kwun Tong, the footballer asked two of his teammates, including the goalkeeper, to deliberately lose the match by conceding goals, in return for up to HK\$40,000. Both teammates refused the offer and reported the incident. When sentencing him, the Magistrate praised the teammates for resisting the temptation of corruption.



保安部主管索取利是

Security Guard Supervisor Solicited "Laisee"

某私人屋苑保安部主管，於農曆新年期間向一名下屬索取20封利是，作為給她優待的報酬，最終受賄罪名成立，被判入獄三個月。該主管負責監督保安工作，以及編排屋苑所有保安員的更表。農曆年初二，原本在戶外崗位值班的一名日更女保安員，被主管調派至屋苑某座樓宇的電梯大堂，其間收到住戶給她的利是，即合法的傳統農曆新年禮物。主管向她索取20封收到的利是，作為安排較舒適崗位的報酬，否則會調派她至露天廣場的崗位，但遭保安員拒絕。公司另一名員工聽到主管索取利益，於是向廉署舉報。

A security guard Supervisor of a private residential estate was sentenced to three months' imprisonment for bribery after soliciting 20 packets of "laisee" (small gifts of money) from a subordinate during the Lunar New Year in return for giving preferential treatment to her. The Supervisor was responsible for overseeing the security operation and arranging duty rosters for all security guards at the private estate. On the second day of the Lunar New Year, a day-shift woman security guard, who was stationed at an outdoor guard post, was re-assigned by the Supervisor to a post in the lift lobby of one of the residential blocks. In return for giving her a more comfortable post, the Supervisor solicited 20 packets of "laisee" from her that she had legitimately received from residents of the estate as a traditional Lunar New Year gift. She was told that she would be re-deployed to a post at an open-air plaza if she did not comply. She refused the solicitation and the Supervisor was reported by another employee who overheard the demand for payment.



保安崗位
GUARD POST

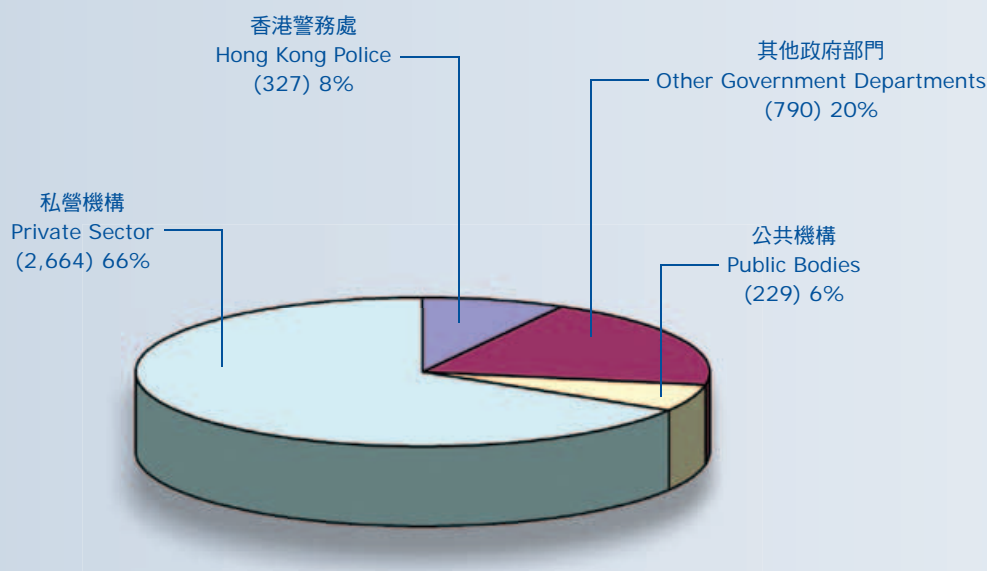
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第三章 Chapter 3

趨勢、統計及反貪措施

Trends Statistics & Initiatives

貪污情況及統計數字 Corruption Scene & Statistics

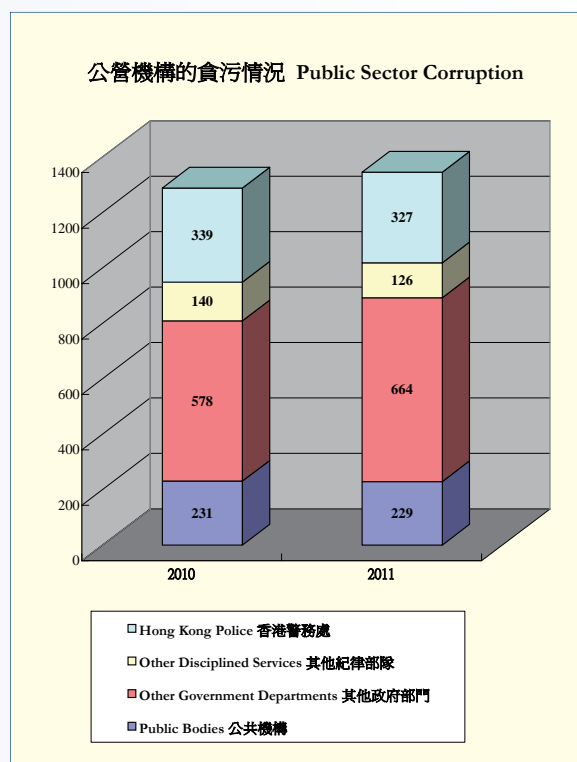


2011年的貪污投訴總數由3,535宗增至4,010宗，錄得13%的升幅。其中可追查的投訴數目由2,733宗增至3,072宗，上升12%。就整體數字而言，涉及私營機構的投訴佔66%，而涉及政府部門及公共機構的投訴則分別佔28%及6%。

有關政府部門的投訴上升6%（由1,057宗增至1,117宗），其中可追查投訴增加2%（由747宗增至761宗）。涉及警隊的投訴下跌4%（由339宗減至327宗），佔接獲投訴總數的8%。至於其他紀律部隊，涉及消防署的投訴有所增加（由27宗增至33宗）；而數字同見下跌的部門有懲教署（由54宗減至43宗）、香港海關（由33宗減至31宗）及入境事務處（由26宗減至19宗）。有關其他政府部門的投訴，則上升15%（由578宗增至664宗）。

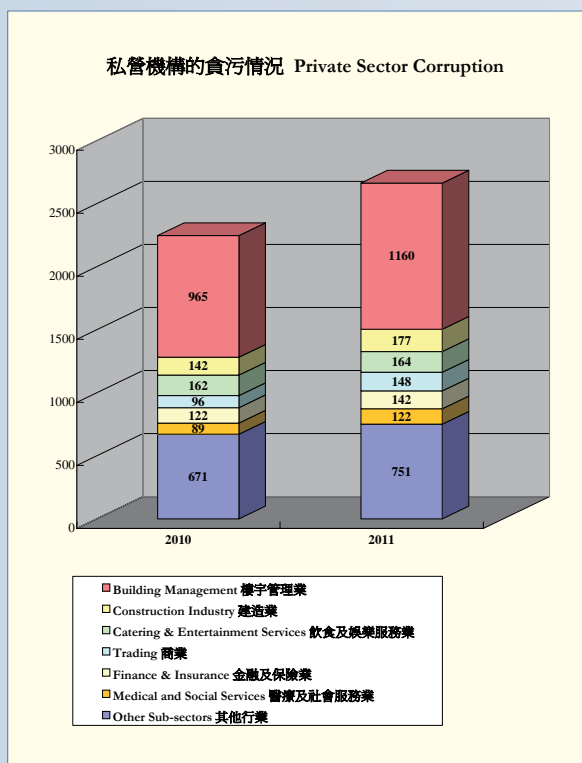
就其他範疇而言，涉及食物環境衛生署的投訴大幅上升（由131宗增至193宗）。有關公共機構的投訴，則較2010年輕微下降1%（由231宗減至229宗）；當中涉及區議會的投訴由19宗增至55宗，數字高踞首位。

2011 saw an increase of 13% in the total number of corruption complaints from 3,535 to 4,010. From this total, the number of pursuable complaints increased by 12% from 2,733 to 3,072. Overall, 66% of corruption complaints received concerned the private sector; 28% related to government departments and 6% involved public bodies.



Complaints against government departments were up by 6% (from 1,057 to 1,117). In terms of pursuable complaints, there was an increase of 2% (from 747 to 761). Complaints against the Police were down by 4% (from 339 to 327) and accounted for 8% of the total complaints received. In so far as the other disciplined services were concerned, there was an increase in complaints against the Fire Services Department (from 27 to 33), whereas decreases were observed against the Correctional Services Department (from 54 to 43), Customs and Excise Department (from 33 to 31) and Immigration Department (from 26 to 19). As for other government departments, there was an increase in complaints of 15%, from 578 to 664.

In other areas, there was a large rise in complaints against the Food and Environmental Hygiene Department (from 131 to 193). Complaints against public bodies dropped by 1% (from 231 to 229), compared with 2010. Topping the list were complaints against the District Councils (DC), which were up from 19 to 55.



涉及私營機構的投訴由2,247宗增至2,664宗。樓宇管理業仍是問題充斥的範疇，有關投訴由965宗增至1,160宗。其次為建造業，由142宗增至177宗。有關飲食及娛樂服務業的投訴與2010年錄得的數字相約，由162宗微升至164宗。貿易業的投訴由96宗上升至148宗，而金融保險業亦由122宗上升至142宗。至於投訴數字出現下跌的界別，則包括教育服

務業（由109宗減至88宗）及大眾傳媒業（由30宗減至21宗）。

2011年內，曾舉行多個選舉。至年底時，廉署共接獲608宗與選舉有關的投訴。其中483宗涉及2011年區議會選舉，83宗涉及2011年村代表選舉。這608宗投訴均涉及違反《選舉（舞弊及非法行為）條例》的罪行，其中553宗屬可追查投訴。踏入2012年，廉署繼續接獲大量有關種票的舉報，因而有必要成立專責小組處理投訴個案。

年內，因各類非選舉罪行而被檢控者共275人，涉及案件140宗。以人數及案件數目計算，定罪率分別為81%及84%。因《防止賄賂條例》第9條及相關罪行而被檢控者有205人，涉及案件110宗。因涉及公營機構貪污而被檢控者，有19名政府人員、14名公共機構僱員及36名市民。經審查貪污舉報諮詢委員會建議，廉署將涉及78名政府人員的個案轉介有關當局或部門，以考慮採取紀律或行政處分，人數較2010年的139名減少44%。當中最常見的個案類別為濫用職權（36人）、未經許可接受貸款（19人）及疏忽職守（9人）。

Private sector complaints went up from 2,247 to 2,664. Building Management (BM) continued to be a problematic area with complaints rising from 965 to 1,160, followed by the Construction Industry (from 142 to 177). The Catering and Entertainment Services sector attracted a similar number of complaints to 2010, from 162 to 164, whereas complaints in the Trading sector rose from 96 to 148 and in Finance and Insurance from 122 to 142. Areas which showed a decline in the number of complaints against them included Education Services (from 109 to 88) and Mass Media (from 30 to 21).

There were a number of elections held in 2011. In total, 608 election-related complaints were received by the end of the year, of which 483 related to the 2011 DC Elections and 83 to the 2011 Village Representative Elections. All these 608 complaints involved violations against the Elections (Corrupt and Illegal Conduct) Ordinance and 553 of them were pursuable. As we enter 2012, numerous complaints of vote-rigging continue to be received, necessitating the formation of a task force to deal with these complaints.

Altogether 275 persons in 140 cases were prosecuted for various non-election offences in 2011. The person-based and case-based conviction rates for non-election offences were 81% and 84% respectively. 205 persons in 110 cases were prosecuted for Section 9 Prevention of Bribery Ordinance and related offences. 19 government servants, 14 employees of public bodies and 36 civilians were prosecuted in respect of public sector corruption. On the recommendation of the Operations Review Committee, 78 government servants were referred to relevant bureaux or departments for consideration of disciplinary or administrative action; a decrease of 44% compared to the 139 referred in 2010. The most common areas of referral related to misuse of authority (36 persons), acceptance of unauthorized loans (19 persons) and neglect of duty (9 persons).

公營機構的貪污情況依然受控，並無跡象顯示集團式貪污死灰復燃。然而，政府人員執行公務時濫用職權的問題，仍然備受關注。其他必須持續注意的範疇，則包括未經許可索取及／或接受貸款，以及疏忽職守，尤以初級人員為甚。另外，一些政府人員仍有無力償債的問題，以致易受貪污誘惑。

樓宇管理方面的貪污調查，仍然佔用大量資源。有關數字於過去一年持續上升，接獲的投訴共1,160宗，升幅達20%；可追查的投訴為961宗，升幅達21%。樓管個案中，61%與業主立案法團的運作及管理有關。當中大多涉及具揣測成分的指控，可見法團缺乏透明度，令人對其運作瞭解不足。至於性質較嚴重的個案，則顯示有法團成員與不良樓管顧問、承判商及其他專業人員，在價值數以百萬元計的翻新工程中進行貪污勾當。另外，政府為資助舊樓業主翻新維修物業而推行的「樓宇更新大行動」計劃，由於牽涉範圍廣大，潛在的貪污風險依然高企。有關計劃的首輪申請已於2010年底結束，共1,900多幢日久失修樓宇的業主獲得資助，進行維修保養。次輪申請於2011年初展開，資助目標為500多幢合資格樓宇。

藉貪污手段進行上市及商業詐騙活動的問題仍然存在，當中以牽涉公司高層如主席、董事、專業顧問等的案件尤為嚴重。金融及保險業內其他值得關注的範疇，包括銀行職員與商業客戶串謀騙取銀行貸款及其他信貸項目、保險代理藉虛假陳述向其主事人騙取佣金，以及衍生權證交易中的串謀欺詐行為。

年內，明顯有不少個案涉及暢銷貨品零售商的僱員，例如有電器店職員收受水貨客的賄賂，作為通知對方智能電話及平板電腦的供貨情況及協助大量購貨的報酬。另外，調查亦顯示，內地傳出奶粉受污染的醜聞，導致質量可靠的奶粉需求急增，有水貨客因而趁機與超級市場職員進行貪污勾當，炒賣嬰兒奶粉。

Corruption in the public sector remains under control without any sign of a resurgence of syndicated corruption. Nevertheless, we remain concerned about some instances where government officers were found to have abused their authority when discharging their public duties. Other areas requiring ongoing attention included solicitation and/or acceptance of unauthorized loans and neglect of duty, particularly by junior government officers. Unmanageable debt is still a problem and can lead to government officers being vulnerable to corruption.

BM corruption continued to take up a substantial amount of investigative resources. The rising trend continued over the past year where the number of complaints received rose by 20% to 1,160, with pursuable complaints up by 21% to 961. 61% of the BM cases involved the operation and management of Owners Corporations (OC). Most of these involved speculative allegations and displayed a lack of understanding of the operation of the OC due to a lack of transparency by the OC. The more serious cases revealed corrupt collusion between OC members and unscrupulous BM consultants, contractors and other professionals over renovation projects which involved millions of dollars. The potential risk of corruption arising from Operation Building Bright, a government scheme to subsidize the owners of aging buildings to renovate and improve their premises, remains high because of the extensive scope of the scheme. During the first round of applications which ended in late 2010, the scheme had provided assistance to the owners of some 1,900 ageing and dilapidated buildings in carrying out maintenance and repairs. The second round was rolled out in early 2011 and has targeted some 500 eligible buildings.

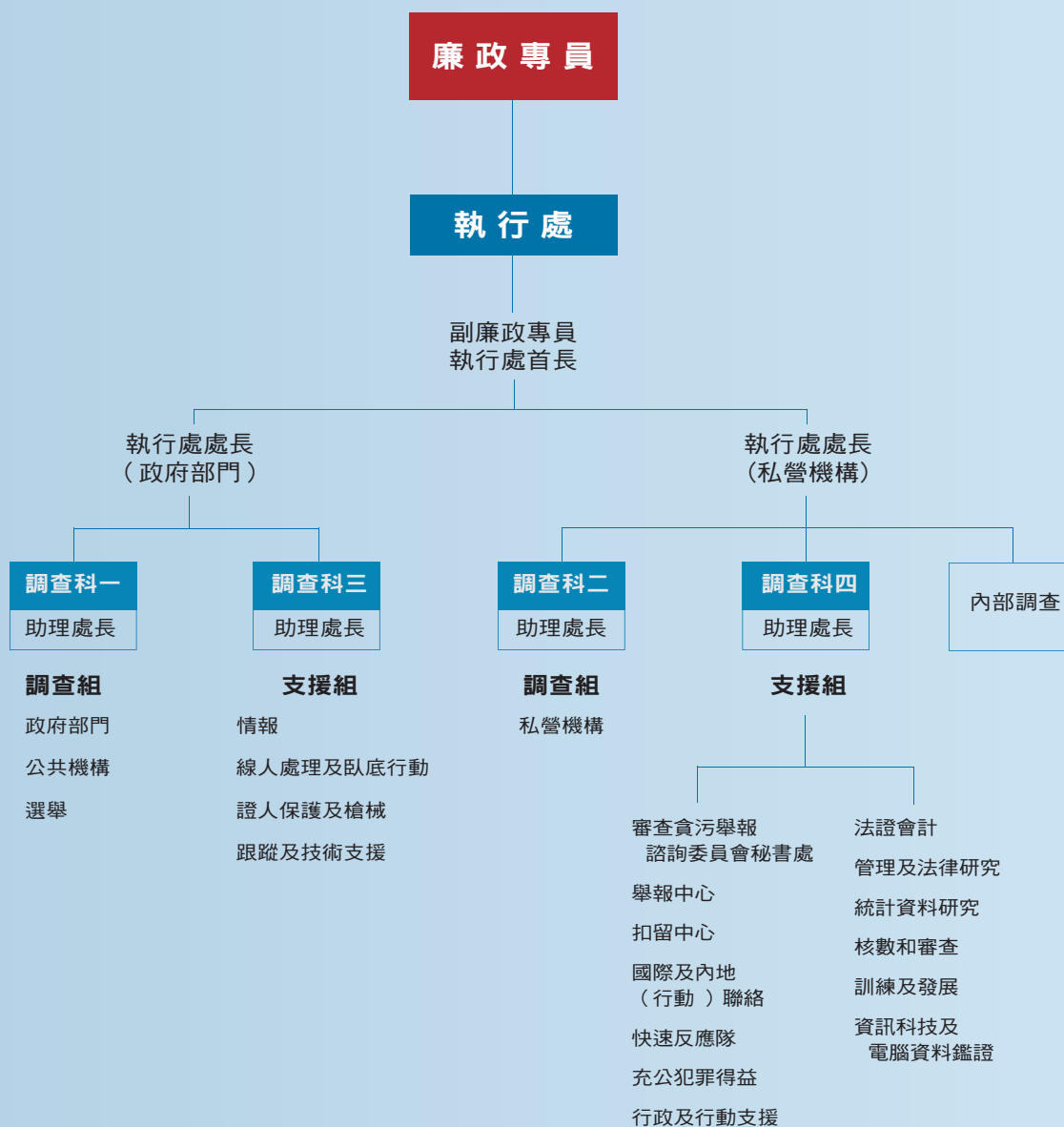
Corruption-facilitated listing and commercial frauds remained problematic especially where senior management such as chairmen, directors, and professional advisers were involved. Other areas in the Finance and Insurance sector requiring specific attention included corrupt collusion between banking officials and businessmen in obtaining bank loans and other credit facilities by deception, fraudulent representation by insurance agents to defraud their principal of commissions, and conspiracies to defraud in the trading of derivative warrants.

A noticeable phenomenon during the year was the number of cases where staff of retailers who supplied high demand goods, such as electrical appliance retailers accepted bribes from parallel goods traders as a reward for informing them of the availability of smart phones and tablet computers and assisting them in the bulk purchase of these products. Investigations also revealed corrupt dealings between parallel goods traders and supermarket staff over the sale of baby milk powder after the scandals involving tainted milk on the Mainland created an upsurge in demand for reliable milk powder.

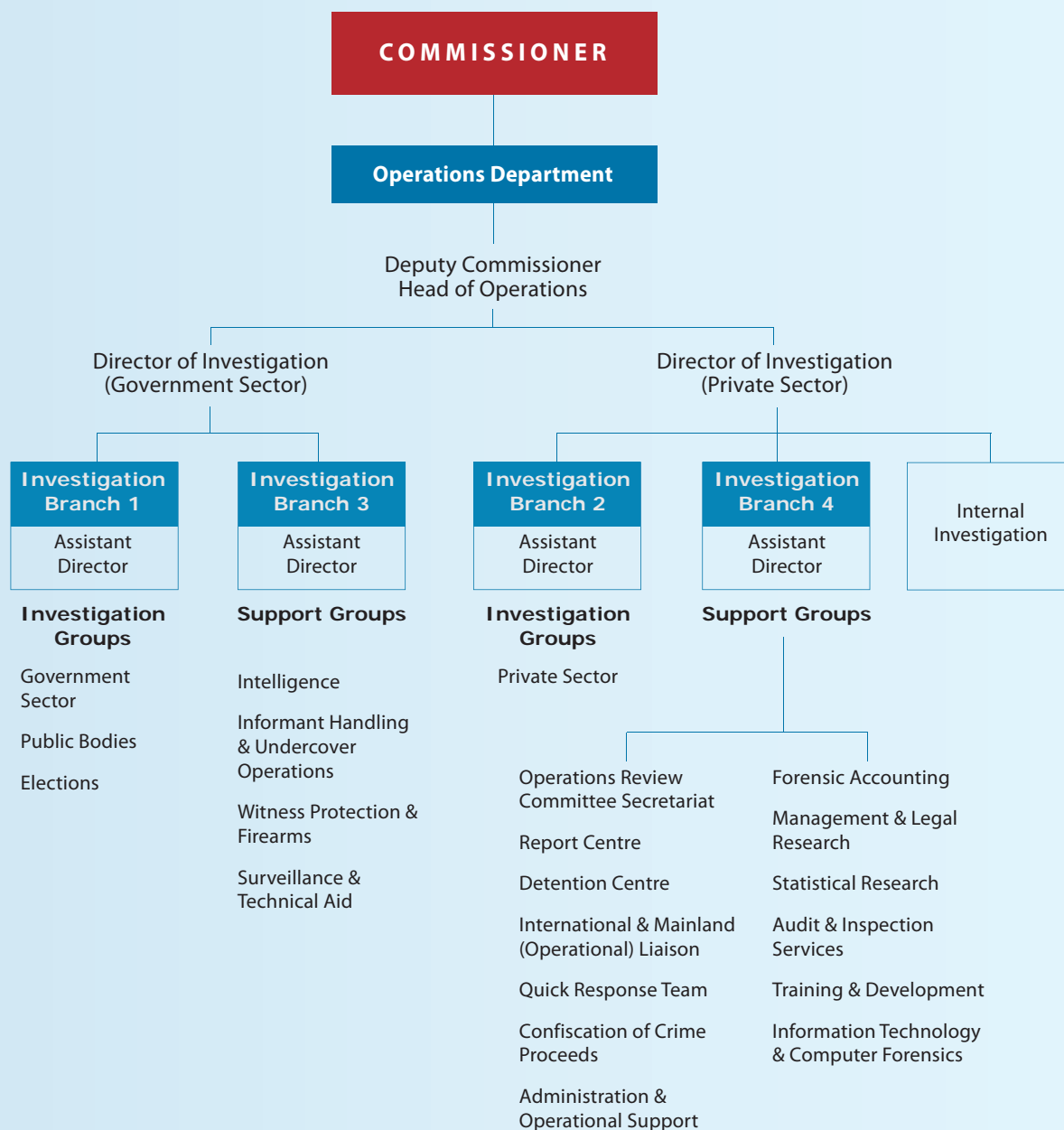
執行處的組織 (2011年12月31日)

Organisation of the Operations Department

(as at 31 December 2011)



	編制	在職人數
首長級人員	10	6
部門職系人員	860	809
一般職系人員	126	132
	996	947



	<i>Establishment</i>	<i>Strength</i>
Directorate officers	10	6
Departmental grade officers	860	809
General grades officers	126	132
	996	947

國際合作 International Co-operation



廉署既矢志促進與其他執法機構及司法區的合作關係，必然積極參與各國際反貪組織及活動，例如國際反貪局聯合會、亞太經合組織反貪污及工作透明度工作小組，以及亞洲開發銀行／經濟合作暨發展組織亞太地區反腐敗行動計劃。

為加強國際合作，廉署人員曾於2011年出席下列海外會議：

The ICAC is committed to promoting international relationships with other law enforcement agencies and jurisdictions. We are involved in a number of international anti-corruption organisations and initiatives such as the International Association of Anti-Corruption Authorities (IAACA), the APEC Anti-Corruption and Transparency Experts' Working Group and the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific.

In promoting our international presence, in 2011 ICAC officers attended a number of conferences and meetings overseas: -

2

二月，一名首席調查主任及一名總調查主任前往法國巴黎，出席「財務行動特別組織反恐怖分子融資活動及打擊清洗黑錢工作組」舉辦的「反貪專家會議」。

In **February**, a Principal Investigator and a Chief Investigator attended the Experts Meeting on Corruption organised by the Financial Action Task Force Working Group on Terrorist Financing and Money Laundering in Paris, France.



3

三月，執行處處長(私營機構)及一名首席調查主任遠赴美國華盛頓，參與「亞太經合組織反貪污及工作透明度專家工作小組」第12次會議。同月，一名首席調查主任及一名總調查主任則前往英國漢普郡，出席英國內政部科學發展處舉辦的「保安展覽會」。

In **March**, the Director of Investigation/Private Sector and a Principal Investigator participated in the 12th Meeting of the APEC Anti-Corruption and Transparency Experts Working Group in Washington, DC, USA. The same month, a Principal Investigator and a Chief Investigator went to the United Kingdom Home Office Scientific Development Branch Security Exhibition in Hampshire, UK.

5

五月，電腦資料鑑證組一名調查主任到美國佛羅里達州參加「電腦企業及調查會議」。

In **May**, an Investigator from the Computer Forensics Group attended the Computer Enterprise and Investigations Conference in Florida, USA.

7

七月，執行處首長率領代表團前往中國上海，出席「國際反貪局聯合會」第三次國際會議。

In **July**, the Head of Operations led a delegation to the IAACA 3rd International Seminar in Shanghai, China.



9

九月，一名助理處長參與美國政府舉辦的「國際訪客領導才能計劃」。同月，執行處處長(私營機構)及一名高級首席調查主任遠赴美國三藩市，出席「亞太經合組織反貪污及工作透明度專家工作小組」第13次會議；另有一名首席調查主任則前往印度新德里，參與「亞洲開發銀行／經濟合作暨發展組織反貪會議」。

In **September**, an Assistant Director participated in the International Visitors' Leadership Programme organised by the United States Government. The same month, the Director of Investigation/Private Sector and a Senior Principal Investigator attended the 13th APEC Anti-Corruption and Transparency Experts Working Group Meeting in San Francisco, USA and a Principal Investigator went to the ADB/OECD Anti-Corruption Conference in New Delhi, India.

10

十月，總法證會計師到新加坡出席特許詐騙審查師學會舉辦的「亞太反詐騙會議」。

In **October**, the Chief Forensic Accountant attended the Asia Pacific Fraud Conference of the Association of Certified Fraud Examiners in Singapore.

12

十二月，電腦資料鑑證組一名調查主任前往日本東京，出席「國際刑警亞洲及南太平洋資訊科技罪案工作小組會議」。

In **December**, an Investigator from the Computer Forensics Group went to the Interpol Asia and South Pacific Working Party on Information Technology Crime in Tokyo, Japan.

與各地執法機構的聯繫 *Operational Liaison*

一如往年，執行處經常與世界各地執法及規管機構保持工作上的聯繫。2011年，執行處接待的海外訪客共107名，均來自多類不同的官方機構，包括澳洲聯邦警隊、肯尼亞反貪公署、韓國反貪及民權公署、馬來西亞反腐敗公署、新西蘭嚴重欺詐案辦公室、加拿大皇家騎警、新加坡警隊，以及美國禁毒署。此外，曾接待的機構亦有美國司法部、澳洲紀律部隊誠信管理公署，以及英國金融服務管理局。執行處專責國際聯絡的小組如常透過廉署網站的《國際反貪通訊》，刊載各地執法機構撰寫的文章。

香港訂有《刑事事宜相互法律協助條例》，以促進國際合作及相互協助，打擊全球罪案及貪污。透過香港與內地檢察機關的「個案協查計劃」，執行處與內地檢察機關的反貪部門合作，就跨司法區的貪污調查工作互相提供協助。2011年，廉署人員曾到訪內地20次，會見48名證人；而內地人員則來港七次，會見七名證人。此外，廉署就貪污案件的調查向澳門廉政公署提出16次協查要求，另向其他海外執法機構提出51次協查要求，並在海外會見23名證人。年內，廉署應海外執法機構要求，在香港進行共24次協查。



最高人民檢察院計劃財務裝備局于洪濱副局長
Mr. YU Hongbin, Deputy Director of the
Planning, Finance and Equipment Bureau,
Supreme People's Procuratorate



北京市昌平區人民檢察院劉忠義副檢察長
Mr. Liu Zhong Yi, Deputy Chief Procurator of
Changping District People's Procuratorate of
Beijing Municipality



中國證券監督管理委員會
China Securities Regulatory Commission



澳洲聯邦警隊副處長（迅速行動支援）Michael Phelan先生
*Mr. Michael Phelan, Deputy Commissioner
 Close Operations Support of the Australian
 Federal Police*



新加坡貪污調查局局長陳宗憲先生
*Mr. Eric Tan Chong Sian, Director of the Corrupt
 Practices Investigation Bureau of Singapore*



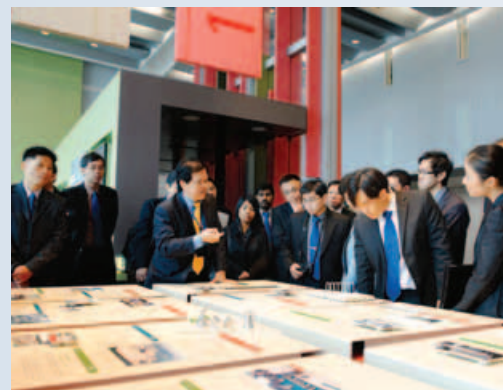
美國聯邦調查局局長Robert Mueller先生
*Mr. Robert Mueller, Director of the
 Federal Bureau of Investigation of the
 USA*

The Operations Department maintains regular operational liaison with law enforcement agencies and regulatory bodies around the world. In 2011, the Department received a total of 107 official visitors. These guests came from a variety of different authorities, including such diverse agencies as the Australian Federal Police, Kenya Anti-Corruption Commission, Korea Anti-Corruption and Civil Rights Commission, Malaysian Anti-Corruption Commission, New Zealand Serious Fraud Office, Royal Canadian Mounted Police, Singapore Police Force and US Drug Enforcement Administration. We also hosted visits from the US Department of Justice, the Australian Commission for Law Enforcement Integrity and the UK Financial Services Authority. The Operational Liaison section continues to publish the International Anti-Corruption Newsletter on the ICAC website which contains contributions and articles from law enforcement agencies throughout the world.

Hong Kong has a Mutual Legal Assistance in Criminal Matters Ordinance to facilitate international co-operation and assistance in the global fight against crime and corruption. The Operations Department also has a Mutual Case Assistance Scheme between Hong Kong and Mainland Procuratorates. This scheme allows for cooperation between the ICAC and our counterparts in the procuratorates in respect of corruption investigations in both jurisdictions. In 2011, ICAC made 20 visits to the Mainland and interviewed 48 witnesses. Mainland officers visited Hong Kong on 7 occasions to interview 7 witnesses. ICAC also made 16 requests to the Macao Commission Against Corruption and 51 other requests to international law enforcement agencies for assistance in corruption investigations and interviewed 23 witnesses overseas. In return, ICAC assisted foreign law enforcement agencies to conduct enquiries on 24 occasions in Hong Kong during the year.



中國國家行政學院周文彰副院長
Mr. ZHOU Wenzhang, Vice President of the
Chinese Academy of Governance



新加坡內政群英學院
Singapore Home Team Academy

法證會計組 *Forensic Accounting Group*

2011年，執行處成立法證會計組，接管過往兩個財務調查組的職能，旨在優化部門的專業實力，針對以貪污手段促成而又日趨複雜的詐騙案進行有效調查，並確切反映法證會計工作的專門性質。法證會計組成員屬法證會計師職系的專責人員，全部具備專業資格及豐富的會計鑑證經驗。該組由一名總法證會計師掌管，並由兩名高級法證會計師及八名法證會計師予以輔助。

法證會計組的主要職責，就是向前線調查人員提供法證會計服務，範圍包括追查資產及資金、審查帳簿、分析財務數據及擬備財務狀況報告。該組人員亦負責在實地行動中提供專業意見和支援，就會計財務事宜擔任專家證人，以及向法庭呈示財務數據。

年內，該組曾就122宗案件進行審查，涉案人士及公司合共300，交易合共7,581宗，涉款總額達129億港元。

In 2011, the Operations Department established a Forensic Accounting Group which took over the functions of the two former Financial Investigation Sections. This was in order to professionalize its capacity to carry out effective investigations into increasingly sophisticated corruption-facilitated fraud cases and to properly reflect the speciality of forensic accounting work. The Group comprises dedicated Forensic Accountant Grade officers with professional qualifications and extensive forensic accounting experience. It is headed by a Chief Forensic Accountant and supported by two Senior Forensic Accountants and eight Forensic Accountants.

The main duties of the Group are to provide forensic accounting services to frontline investigators in the areas of assets and fund tracing, examining books of accounts, analysis of financial data and preparation of financial profiles. Officers in the Group render professional advice and support in field operations, act as expert witnesses on accounting and financial matters and present financial data in court.

In 2011, the Group conducted examinations in 122 cases, concerning 300 individuals and companies and 7,581 transactions involving an aggregate sum of HK\$12.9 billion.

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第四章 Chapter 4

人才培訓及專業發展

Training and Professional Development

本地培訓 Local Training



為全公署部門職系人員進行招聘，安排調查及法律培訓，提供專業發展，以及舉辦槍械使用和對抗管理課程等工作，一概屬於訓練及發展組的職責範圍。廉署設有訓練委員會，負責監督該組的工作，主席之職由執行處首長擔任。在培訓方針上，廉署尤其著重入職訓練後的持續專業發展。

廉署人員新入職時會先派駐執行處，俾能接觸不同範疇的貪污調查，廣泛汲取經驗，待完成首個合約期後，才會被考慮調往防止貪污處或社區關係處。入職培訓為期兩年多，首先是入職後的第一階段課程，然後經過數月的在職培訓，再進入第二階段課程，最後是首個合約期完結前的第三階段課程。其間，受訓人員會就法律、證據規則、電腦鑑證、財務調查技巧、認知面談技巧、防止貪污、溝通技巧及其他課題接受精修訓練。



All recruitment, investigation and legal training, professional development, firearms and confrontation management courses provided to departmental grade officers throughout the Commission fall under the responsibility of the Training and Development Group, which is overseen by a Training Committee chaired by the Head of Operations. Particular emphasis is placed on providing continuous professional development to officers after Induction training.

All new recruits serve their first contract in the Operations Department so that they can benefit from exposure to a wide range of corruption investigations before being considered for a posting to either the Corruption Prevention or Community Relations Departments. Training for new recruits spans just over two years with a Stage I Induction course at the time of joining, a Stage II course after several months of on-the-job training, followed by a Stage III course towards the end of their first agreement. Officers undergo intensive training on a wide range of subjects whilst on these courses, including law, rules of evidence, computer forensics, financial investigation skills, cognitive interview techniques, corruption prevention, communication skills, and so on.



過去一年，為推行持續專業發展，該組特別籌辦多個內部課程和研討會，並舉行專題工作坊，研習內容包括資產追討、法證會計、有關截取通訊及秘密監察的法例等。此外，廉署人員又參加本地其他機構舉辦的課程，以掌握不同領域的最新發展，例如資訊科技、金融市場、企業財務、領導才能及策略管理等，務求與時並進。

年內，執行處共舉辦三個指揮課程，分別為調查主任、高級調查主任及總調查主任而設。調查主任指揮課程，是專為新晉升的調查主任及經直接招聘後服務滿一年的調查主任而設，內容涵蓋領導才能、管理及職務培訓等課題。高級調查主任指揮課程的宗旨，是讓年資較長的人員有機會提升專業才幹，掌握最新的實務典範及法例演變，以及充實本身擔當初級人員「師友」的能力。



During the year, numerous in-house courses and seminars were conducted under the umbrella of professional development. Workshops such as asset recovery, forensic accounting and the law concerning interception of communications and surveillance were organised. Additionally, officers benefited from local external courses. These courses enabled officers to keep abreast of the latest developments in various fields such as information technology, the financial markets, corporate finance, leadership and strategic management.

Three Command Courses were organised this year, one each for Investigators (ICC), Senior Investigators (SICC) and Chief Investigators (CICC). The ICC is designed for newly promoted Investigators and directly recruited Investigators who have 12 months' service. The course covers leadership, management and vocational issues. The SICC is designed to ensure that longer serving officers are given the opportunity to refresh their professional skills, update them on the latest best practice and developments in law, as well as reinforce their mentoring role to more junior officers.

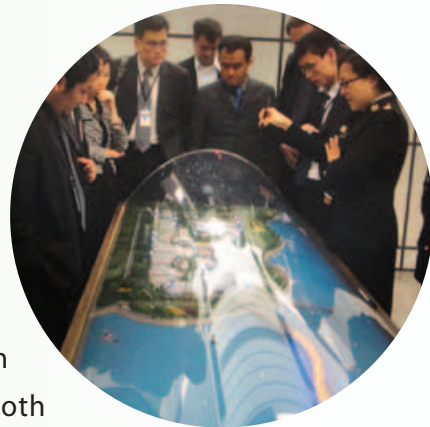


總調查主任指揮課程 *Chief Investigators Command Course*

總調查主任指揮課程為期四週，專供高級人員參加，堪稱廉署的旗艦課程，經過多年發展，現已享譽國際，無論本地或海外的執法機構均踴躍派員參加。2011年，總調查主任指揮課程的學額不僅提供給香港的反貪機構、警隊及其他執法機構，亦提供給澳洲、不丹、汶萊、印尼、澳門、中國內地、馬來西亞、新西蘭、新加坡、英國及美國等地的同類機構。參加學員獲安排到內地山東省青島市進行比較研究，實地瞭解內地的反貪工作及法律制度。



The CICC is our flagship four-week senior Command Course that has developed over the years into an internationally acclaimed course with both local and overseas law enforcement agencies participating. In 2011, the CICC offered places to anti-corruption agencies, police forces and other law enforcement organisations not only in Hong Kong, but also Australia, Bhutan, Brunei, Indonesia, Macao, Mainland China, Malaysia, New Zealand, Singapore, the United Kingdom and the United States of America. A comparative studies visit to Qingdao City, Shandong Province in the Mainland was arranged to allow participants to gain an understanding of the anti-corruption work and legal system in the Mainland.



總調查主任指揮課程學員評語 CICC Quotes

『很棒的課程，謝謝你們！』

"Great course, thank you very much!"

『課程非常優秀，理論與實踐並重，涵蓋領導才能、危機管理及其他多個課題。』

"An excellent course that covered the theory and practice of leadership, crisis management and many others."

『整個課程精彩非常，主辦的專業機構屬下人員見多識廣，而且讓我們感到賓至如歸。』

"I think this is a fantastic course, hosted by a professional organization with knowledgeable people who made us all welcome."

『了不起的課程！感謝廉署全人的努力，讓課程可以圓滿舉行！』

"Wonderful course! Thanks for the hard work of ICAC staff, you really made things happen!"

『課程策劃周詳，安排妥善，投入了大量資源。我從中獲益良多，謹此向所有參與其中的廉署人員衷心致謝。』

"A very organized and well conducted course with a lot of resources put in. I have benefited a lot from the course and would like to give my heartfelt thanks to all officers of ICAC involved."



『總括而言，我認為這個課程相當優秀，使我獲得莫大裨益。我也吸收許多真知灼見，有助我提升工作表現。』

"Overall I consider that this course has been excellent and I have benefited a huge amount. I can take back many ideas that will improve my performance at work."

『青島之行是一次精彩的體驗。』

"The visit to Qingdao was a fantastic experience."

『經精心設計的一流課程。』

"A 1st class well designed course."

『中國之行饒有趣味，彌足珍貴。』

"The visit to China was very interesting and invaluable."

『這是我參加過最出色的課程之一。』

"This is one of the best courses I have ever attended."



海外及內地培訓 Overseas and Mainland Training

年內，廉署共派出52名人員，前往澳洲、奧地利、加拿大、新加坡、泰國、英國、美國及中國內地，在多間知名機構及執法機關接受培訓。執行處人員曾參加的其中多個課程類別，可見於以下篇幅。

A total of 52 officers undertook overseas training provided by reputable institutions and law enforcement agencies in Australia, Austria, Canada, Singapore, Thailand, the United Kingdom and the United States of America, as well as Mainland China. Some examples of the types of courses that we send Operations Department officers on are shown on the following pages:-

美國匡堤科聯邦調查局「執法行政人員發展研討會」 *Law Enforcement Executive Development Seminar, Federal Bureau of Investigation (FBI), Quantico, USA*

能夠忙裏抽空，瞬間置身於別緻的環境，在免受外界騷擾下研習行政之道，可謂不亦樂乎！研討會由維珍尼亞州匡堤科聯邦調查局學院領導才能發展處舉辦，參加者除美國各大主要警隊及執法機構的高層行政人員和聯邦調查局法律參事外，還有來自澳洲、加拿大、香港及南非各地警隊及其他機關的高層行政人員。多位經驗豐富的前聯邦調查局特別調查員以專題講介及討論方式，使學員透徹瞭解及加深認識領導人員主動出擊策略、危機管理等多項當前議題。其間熱烈的交流切磋，以及對行政人員責任問題的積極反思，最能激發學員作深入的自我評估，從而提升個人領導才能。我參加研討會後獲益菲淺，已著手將所得所學融會貫通，好好裝備自己，迎接前面的種種挑戰。

A perfect break away from the pressing responsibilities at work, with the focus quickly switched to personal executive learning in a distinctive environment that was free from outside interference. The seminar was organised by the Leadership Development Institute of the FBI Academy in Quantico, Virginia, and was attended by top executives of major police formations and agencies in the United States of America, FBI legal attachés as well as senior executives from Police forces in Australia, Canada, Hong Kong and South Africa. Presentations and discussions by experienced former FBI special agents provided in-depth insights and heightened



署理助理處長蘇永強
Acting Assistant Director
Raymond SO Wing-keung

individual awareness on a range of contemporaneous issues, from proactive strategies for leaders to crisis management. Dynamic exchanges and active reflection of executive responsibilities amongst participants nourished the best stimulant for intensive self-assessment as well as enhancement of individual leadership capability. I have benefited from the Seminar, and have begun to shape myself with things learnt to prepare for the challenges ahead.

美國史丹福大學「史丹福行政人員課程」 *Stanford Executive Programme (SEP), Stanford University, USA*

有幸參加史丹福大學工商管理研究院於2011年夏季舉辦的「史丹福行政人員課程」，我感到非常高興。這管理課程為期六週，由大學教員負責講授，內容專為跨國公司、政府機關及非牟利機構高級行政人員的需要而悉心設計。參加2011年課程的140多名行政人員來自世界各地，當中六人來自香港。透過課程的互動講課及深入的小組討論，我的商業知識及領導技巧均有所進益，對我在廉署的工作必定受用不盡。

署理首席調查主任莊家樂

I am grateful for having the opportunity to attend the SEP run by the Graduate School of Business at Stanford University in the summer of 2011. This six-week programme was taught by the university faculty. The main feature was a management curriculum that is customized to the needs of senior executives working in global companies, government agencies and non-profit organizations. The class of 2011 comprised over 140 executives from different places, including six from Hong Kong. Through the interactive lectures and intensive group discussions, the programme has enriched my business knowledge and leadership skills, which will no doubt be useful to my career in the ICAC.

Acting Principal Investigator Bryan CHONG Ka-lok

悉尼澳洲警務管理學院

Australian Institute of Police Management (AIPM), Sydney, Australia

我到澳洲警務管理學院參加了「警務管理發展課程」，在這三星期時間內得著甚多，令我喜出望外。課程以個案教學的形式進行，旨在激發學員以批判的態度，重新審視領導才能和警務管理方面的傳統觀念。課程採取「反思學習」法，先要求學員反複學習和專注思考各種新資訊、新意念，從而將其間的體驗聯繫到本身工作中應重視的事情，然後構思嶄新的辦事和領導方式。更重要的，就是學員多種多樣的經驗和背景，不僅為課堂討論提供充實的基礎，亦明顯有助推動學員探索新的意念和方法。我修畢課程，返回日常工作崗位後，仍不時反思這課程及「領導才能」對自己的意義。我認為，參加「警務管理發展課程」這類課程的真正價值，在於將學得的理論知識付諸實踐。公署給我機會參加這樣優秀的課程，令我感激萬分。

高級調查主任王嫻

My three weeks experience as a course participant on the Police Management Development Program (PMDP) at AIPM was fruitful and incredible. The programme offered case in point teaching which was aimed at stimulating participants to critically review traditional views of leadership and police management. The "Reflective Learning" approach adopted by the programme required us to repeat and focus attention on new information and ideas, during which we could make connections between what we have been exposed to and what is important to us in our work; and in turn form new ways of working and leading. More importantly, the diversity of experience and background of the course participants not only formed a solid base for discussion but clearly provided some impetus for the exploration of new ideas and approaches. As I settle back into the daily routine of work after the course, from time to time I reflect on the PMDP and what "leadership" means for me. I believe the real value in a programme such as PMDP is in what we take away from the course and actually put into practice. I thank the Commission for giving me the opportunity to participate in such an outstanding programme.

Senior Investigator Irene WANG Yien

2011年11月，我參加了澳洲警務管理學院舉辦的警務管理發展課程。學員除澳洲各州的警務人員外，亦包括來自紐西蘭、密克羅尼西亞聯邦國家警隊、越南公安部、帛琉共和國公安局和香港警隊的人員。這個精修課程長達三週，旨在提高學員作為領導人的解難和決策能力。在此期間，經過多次課堂聽講、戶外活動和參觀，我已汲取一些處理管理及領導方面問題的理論知識和實際經驗。今次有幸參加這個課程，無疑是非常管用而且值得記取的寶貴經驗。

高級調查主任冼澤昌

In November 2011, I attended the Police Management Development Programme organized by AIPM. Apart from police officers from different states in Australia, there were officers from New Zealand, the Federated States of Micronesia National Police, the Ministry of Public Security of Vietnam, the Public Safety Bureau of the Republic of Palau and the Hong Kong Police Force participating in the programme. This three-week intensive course aimed to enhance the ability of participants in problem solving and decision making as leaders. During the course, through a mixture of classroom sessions and outdoor exercises and visits, I gained both theoretical knowledge and practical experience in dealing with managerial and leadership problems. The opportunity to attend the programme was undoubtedly a useful and memorable experience.

Senior Investigator Wilson SIM Chak-cheong

加拿大皇家騎警「高級警務行政課程」

Royal Canadian Mounted Police (RCMP) Senior Police Administration Course (SPAC)

這個專為執法界資深人員而設的課程，旨在幫助他們作好準備，以便擔當較高層、更複雜的管理任務時，能夠應付領導人員常遇到的挑戰。課程向學員提供指導，以求練就警務管理人員必備的才能，以便因應現今社會與警務機構的種種需求，進行有效管理。負責講授各項管理課題的講者中，有資深警務人員、檢控官、不同專業界別的專家及加拿大多間大學的學者。除了研習當前的熱門議題及管理理論外，課程也強調工作與生活之間應該取得平衡。

我參加課程期間，有幸與25位加拿大皇家騎警，以及來自香港警務處和入境事務處的同僚交流意見和經驗。課程內容非常實用，不但有助我瞭解如何成為有效的管理人員，認識投放時間自我反思或尋求回應意見的重要，也使我學懂如何提升個人管理及領袖技巧，以適應瞬息萬變的社會環境，確是難得的寶貴經驗。

總調查主任李健良

This course is designed specifically for experienced personnel in the field of law enforcement who are ready to accept the leadership challenges of more senior or complex managerial roles. It provides police managers with the necessary competencies to manage effectively in response to the ongoing needs of the community and the police organization itself. The course featured presentations on various management issues by experienced police officers, government prosecutors, professional experts in different fields and academics from universities in Canada. Apart from contemporary issues and management theories, this course emphasizes developing and maintaining a work/life balance.

The course offered me an invaluable opportunity to exchange experience and ideas with 25 officers from the RCMP as well as colleagues from the Hong Kong Police Force and the Hong Kong Immigration Department who also attended the course. It gave me a better understanding of how to be an effective manager and the importance of taking the time for self reflection or looking for feedback. It was undoubtedly a useful and precious experience to learn how to improve and adapt my personal management and leadership skills to meet changing social conditions.

Chief Investigator Eric LEE Kin-leung

2011年夏天，我參加了由加拿大警察學院主辦的高級警務行政課程。這課程為期三週，目的是使執法機構管理人員練就必備的才能，以應付機構承受的外來與內部衝擊。參加的學員可藉此充實個人管理技巧，塑造領導風格，俾能因應不斷變遷的社會狀況，與時並進。

我參加課程時出席的講課，全部由知名學者和教授任教。課堂中，熱烈的討論和深入的小組練習，令我印象深刻。在促進員的循循善誘下，每位學員都全情投入，使課堂瀰漫著濃厚的學習氣氛。每天與他人的互動，有助我認清和分析執法機構面對的挑戰與機遇。這課程無疑在我的事業生涯裏，寫下寶貴的一頁。

署理總調查主任柳智浩

I attended the 3-week SPAC provided by the Canadian Police College in the summer of 2011. The objective of the course was to equip law enforcement managers with the necessary competencies in response to the dynamic external and internal impacts on an organization. Course participants were offered an opportunity to enrich their personal management skills and develop leadership styles in order to meet changing social conditions.

During the course, I attended classes delivered by prominent academics and professors. I was impressed by the active class discussions and intensive group exercises. The learning atmosphere was very vibrant and had the full participation of each member and the support of the course facilitators. The daily interaction helped me in identifying and analyzing challenges and opportunities facing an organization. No doubt, this course was an invaluable episode in my career.

Acting Chief Investigator Paul LAU Chi-ho

新加坡警隊「指揮及警官課程」

Command and Staff Course, Singapore Police Force

我在2011年10月參加了「指揮及警官課程」，連同25名新加坡警隊的副警監，以及四名分別來自馬來西亞、印尼、汶萊及香港的高級警務人員，先後在新加坡及澳洲兩地受訓。課程首階段是在新加坡當地上課兩星期，我們除學習及分享最新的管理及領導技巧理論外，亦認識了新加坡警察部隊領導模式的核心價值。接著，全部學員移師澳洲柏斯，進行第二階段的體驗學習。各人被安排到西澳洲內陸荒郊之地，在又濕又凍的陌生環境下，接受十日外展訓練。整段期間，我們須以有限的資源，分組處理多項難題，不論體能、智力都被推至極限，但換來的經驗卻是難能可貴，令我們畢生受用。我與其他學員建立的聯繫和友誼，既珍貴且難以忘懷。最後一個環節是課程意見分享，由個別學員暢談領導心得，亦為我們提供自我反思的寶貴機會。總的來說，這個出色的課程使我獲益良多，實在永誌難忘。

In October 2011, together with 25 Deputy Superintendents from the Singapore Police Force, four senior police officers from Malaysia, Indonesia, Brunei and Hong Kong, I attended the Command and Staff Course in Singapore and Australia. The course kicked off with a 2-week local lecture phase when participants were given the opportunity to learn and share updated management and leadership theories, as well as to appreciate the core values of the Singapore Police Force leadership model. We then flew to Perth, Australia, where the second experiential learning phase took place. Participants were exposed to unfamiliar turf under cold and wet weather conditions in the outback of Western Australia. We had to deal with various challenges as a team with limited resources throughout the 10-day outward bound exercise. We were pushed beyond our physical and mental limits but the experience was extremely rewarding. The valuable network and friendships we built through hardship is something memorable. The final individual leadership feedback section provided a valuable self-reflection opportunity for all of us. All in all, this is a great course from which I learnt so much that I will never forget.



高級調查主任黃偉傑及其他學員
Senior Investigator WONG Wai-kit and
course members

新加坡「國際經濟罪行課程」

International Economic Crime Course, Singapore (IECC)

2011年初，我與20名來自四個亞洲國家執法機構的調查人員，一同參加今次的國際經濟罪行課程。這課程旨在提供平台，讓學員就經濟罪行在全球不同區域的最新演變情況，互相交流資訊。擔任課程講者的，全部為執法機構及商界閱歷豐富的人士。透過課

堂講授及學員間的經驗分享，我已擴闊視野，瞭解如何以符合全球趨勢的策略，應付與貪污相關的經濟罪行。此外，我於課程中建立的人際網絡，對促進未來廉署與其他地區反貪機構間的合作，必定有所助益。這課程亦為我在廉署的事業，增添了難忘的片段。



高級調查主任黃學芹及其他學員
*Senior Investigator Kenny WONG Hock-kan
and course members*

With 20 investigating officers from law enforcement agencies of four different Asian countries, I attended the IECC in early 2011. The aim of the course was to provide a platform for exchanging information on the latest evolution of economic crimes in different regions of the world. Through lectures given by seasoned speakers from law enforcement agencies and the business sector, as well as experience sharing exercises among course participants, I broadened my perspective on how to tackle corruption-related economic crimes with strategies reflecting global trends. In addition, the network I developed on the course will definitely facilitate future cooperation between the ICAC and our regional counterparts. This course offered me a memorable moment in my career with the ICAC.

渥太華加拿大警察學院「金融罪行調查課程」

Financial Investigation Course, Canadian Police College, Ottawa, Canada

這個課程為期十天，目的是識別各類造案手法精密的金融罪行，包括洗黑錢，並探討在調查金融罪行時，如何運用大案要案的管理原則，以及犯罪情報分析等各種調查技巧。雖然加拿大和香港同樣承傳了英國的普通法制度，但兩個司法區於刑事法及調查程序上卻存在顯著的差異。這些特點正好為我提供難能可貴的機會，在新的學習氛圍中充實專業知識，並就兩地調查金融罪行的技巧進行比較研究。課程內容實用，講員亦非常專業。以當中關於洗黑錢的講座為例，一位政府律師夥拍一位加拿大高級警務人員，先同臺講解有關處理犯罪得益的問題，繼而以論壇方式讓學員從法律及執法角度去討論不同議題，令我留下深刻的印象。課程中，我在學術知識方面固然增益不少，能夠與海外同業就多個議題切磋交流，亦不失為賞心樂事。

總調查主任張中堯

The objectives of this ten-day course were to identify different types of sophisticated financial crimes including money laundering and discuss how major case management principles and various investigative techniques such as crime intelligence analysis can be applied during financial investigations. Both Canada and Hong Kong inherited the English Common Law system, but there are notable differences between the two jurisdictions in respect of criminal law and investigative procedures. These special features offered me a valuable opportunity to enrich my professional knowledge in a new learning environment and to adopt a comparative study on the financial investigation techniques of the two jurisdictions. The course materials were practical and the speakers were very professional. In a session on money laundering, I was very impressed with a government counsel and a senior Canadian police officer jointly giving a presentation on dealing with the proceeds of crime and setting up a forum for course participants to discuss various issues from both a legal and law enforcement perspective. Not only did I derive academic benefit from this course, I also enjoyed sharing experiences on different issues with my overseas counterparts.

Chief Investigator Terence CHEUNG Chung-yiu

加拿大皇家騎警「財務調查技巧課程」

RCMP Financial Investigations Techniques Course, Canada

這為期兩週的財務調查技巧課程，給來自各地執法機構的學員提供一個理想平臺，交流有關打擊金融犯罪的資訊和知識。我們今次有機會參加，實屬難能可貴。課程的主旨，是使學員更加瞭解最新的金融犯罪伎倆和相關的挑戰，以及認識分析金融情報、搜集和保存所需證據的竅門。

課程籌辦得非常妥善，而且理論與實踐互相結合。來自執法機構、法律界和學術界的知名講者，就金融犯罪的調查工作，向學員提供一些務實的調查手法及最新的資訊和技巧。整個課程既務實又管用，有助提升學員的調查技巧，以對付用貪污作手段而日益複雜的金融犯罪。透過這平臺，我們可以就執法人員新近及潛在的挑戰交流意見，並且與海外相關機構的人員建立良好關係和難得的人脈網絡。能夠與實戰經驗豐富的學員切磋討論，我們從中獲得不少裨益。這課程讓我們汲取專業知識之餘，又可廣結良朋，確實是個愉快的體驗。

It was a valuable opportunity for us to attend this two-week Financial Investigations Techniques Course which offered a very good platform for law enforcement officers to exchange information and knowledge to combat financial crimes. The course was designed to give participants a better understanding of the latest challenges and techniques in financial crime, assist participants on how to conduct financial intelligence analysis as well as gather and preserve the required evidence.

The course was well-organized and consolidated theories with practical applications. Prominent speakers from law enforcement agencies and legal and academic fields provided pragmatic approaches and updated participants with information and techniques on investigation of financial crimes. The course was very useful and pragmatic and enhanced our investigative skills to tackle increasingly sophisticated corruption-facilitated financial crimes. It also provided a platform to share our views on new and potential challenges encountered by law enforcement officers, and to build up good rapport and valuable networks with overseas counterparts. We benefited a lot through discussions with experienced course participants. Undoubtedly, this was a wonderful experience during which we not only acquired professional knowledge but also fostered many friendships.



署理總調查主任容達材、高級調查主任賴捷及其他學員

Acting Chief Investigator Ringo YUNG Dat-choi, Senior Investigator Chris LAI Chik and course members

泰國曼谷國際執法學院「財務調查課程」
*Financial Investigation Course,
International Law Enforcement Academy
(ILEA), Bangkok, Thailand*

2011年9月，我曾到曼谷參加國際執法學院舉辦的財務調查課程。課程探討的問題，就是當今針對國際犯罪活動的財務調查所運用的策略和技巧，好讓學員有更深入的認識。參加的學員要輪流發表匯報，講述東南亞地區常見和所屬司法區獨有的調查及／或法律事項和情況。經過參與課堂上的習作和匯報，我已熟識該怎樣追蹤金錢流向，藉以搜集清洗黑錢等犯罪活動的證據。

我感謝公署給我參與海外培訓的機會，使我增強有關財務調查的知識技巧。

助理調查主任林杞紋

In September 2011, I attended a Financial Investigation course organized by ILEA in Bangkok. The course provided participants with a better understanding of current investigative strategies and techniques used in conducting financial investigations pertaining to international criminal activities. Participants were tasked to present investigative and/or legal matters and situations that were both common within South East Asia and also unique to our particular jurisdictions. Through practical exercises and presentations, I became familiar with how to track money for evidence of criminal conduct, in particular, money laundering.

I thank the Commission for giving me the opportunity to receive overseas training from which I have deepened my knowledge and skills in financial investigation.

Assistant Investigator Yvonne LAM

泰國曼谷國際執法學院「欺詐及公職人員貪污調查課程」

ILEA - Fraud and Public Corruption Investigation Course, Bangkok, Thailand

這個課程提供了極佳的平臺，為來自東南亞不同司法區的執法人員，就如何打擊欺詐及公職人員貪污問題交流經驗。透過這個課程，學員亦可以跟其他國家的執法機關建立人脈網絡。執教的導師全部是美國國稅局的資深特派員，他們憑着豐富經驗，向學員講解以何種實用的技巧和切合時宜的策略，對付欺詐及貪污罪行的新趨勢。除了聆聽講座外，學員更可透過分組討論與匯報，以批判的思維，重新探討和辯論具爭議性的題目。這有助我在其他國家的公職人員貪污和欺詐法例方面，擴闊知識領域。今次的寶貴經驗，無疑可使我增進知識，磨練表達技巧，令我受用不盡。對於前線的廉署調查員來說，這確是相當實用的訓練課程。

This course provided an excellent platform for law enforcement officers coming from different jurisdictions in South East Asia to share their experiences in combating fraud and public corruption. We were also able to build up networks with law enforcement agencies from other countries while on the course. The instructors were experienced Special Agents from the United States Internal Revenue Service and they provided pragmatic techniques and updated tactics in tackling the latest trends in fraud and corruption crimes. Apart from the lectures, group presentations also provided a good opportunity for us to critically review and debate controversial topics. This helped broaden my knowledge of public corruption and fraud related legislation in other countries. Undoubtedly, this was a useful and valuable experience which has not only enriched my knowledge but also enabled me to polish my communication skills. This is definitely a good practical training course for a frontline ICAC officer.



署理調查主任梁家豪及其他學員
*Acting Investigator Joseph LEUNG Ka-ho
and course members*

奧地利維也納國際反腐敗學院暑期課程

International Anti-Corruption Academy (IACA), Vienna, Austria

國際反腐敗學院是由聯合國毒品和犯罪問題辦事處、奧地利共和國、歐盟委員會反欺詐局及其他相關組織共同成立的一所國際學府。今次的暑期課程為期10日，由該學院在奧地利維也納舉行，能夠獲派參加，我感到與有榮焉。全體學員共有70多人，均來自世界各地的反貪機構。課程主旨是由學員將犯罪學、法律、經濟學、社會學及心理學等不同學科的研究結果匯集起來，共同在課堂上分析，藉以為國際反貪大業出一分力。課程為我們提供平臺，研究於瞬息萬變的世界中，貪污在社會內日趨複雜的現象。由於不同國籍的學員有著多樣專業和文化背景，我身處這種氛圍，最終領悟到應該從更寬廣的角度去檢視反貪工作，並且掌握到新的智慧、知識和實踐方法，在廉署工作中學以致用。

高級調查主任李景文

I was privileged to attend a 10-day summer academy course in Vienna, Austria organized by IACA, an international academy jointly operated by the United Nations Office on Drugs and Crime, the Republic of Austria, the European Anti-Fraud Office (OLAF) and other stakeholders. The course is dedicated to contributing to the international fight against corruption by analysing findings from different disciplines such as criminology, law, economics, sociology and psychology, all brought together by over 70 participants from the global anti-corruption community. It provided a platform for us to examine the changing social complexity of corruption in a fast changing world. This international environment with its variety of professional and cultural backgrounds enlightened me on the need to look at fighting corruption from a much wider perspective and gave me a new wisdom, knowledge and methods of practice to bring back to my work in the Commission.

Senior Investigator Martin LEE King-man

美國國際電腦調查專家協會培訓課程

International Association of Computer Investigative Specialists (IACIS), USA

這是我第二次參加由國際電腦調查專家協會舉辦的課程，因為早在十年前，我曾接受過該會的基礎電腦鑑證培訓。這次受訓有別於上次，原因是該會現已開發一系列不同的電腦鑑證專門訓練課程，讓學員按本身才能興趣參與個別的專題小組。我參加的互聯網鑑證檢驗師訓練課程屬高級程度，內容是透過課堂講授和獨立習作，為學員提供關於互聯網製品鑑證分析的重要資料。完成課程後，我對現時互聯網流行軟件的鑑證檢驗能力已有所提升。這種難得的訓練，確能幫助我裝備自己，更新相關的知識和技巧，以應付電腦鑑證職務上的新挑戰。

高級調查主任江以藻

This was my second time to attend a course organized by IACIS as I had attended their basic computer forensics training 10 years ago. Unlike the first course, IACIS has now developed a variety of specialized computer forensics training so each attendee can join a particular topical focus group according to their capability and interest. The Internet Forensic Examiner Training programme is an advanced level course and provides material information in conducting forensic analysis of Internet artefacts through a combination of lectures and independent hands-on practical exercises. This course has enhanced my ability to conduct forensic examination of popular software used on the Internet nowadays. It was undoubtedly a valuable training programme which has equipped me with updated knowledge and skills to meet the latest challenges in my forensic duties.

Senior Investigator Joe KONG Yu-cho

編後語 *Postscript*

踏入2012年龍年，反貪工作的前路仍佈滿重重考驗。預計全年內，執行處會繼續忙於徹查源自2011年各項選舉的舞弊指控，同時亦須對付別些範疇必然浮現的其他多類貪污罪行。2012年正值是香港的選舉年，行政長官和立法會兩項選舉均定於年內舉行。執行處會密切注視有關情況，如接獲任何貪污指控，必然秉公辦理。展望未來，廉政公署會恪守使命，善用執法、預防及教育「三管齊下」的方略，以果敢無懼的精神抗擊貪污。因此，執行處亦自當勉力肩承執法重任，確保貪污仍屬高風險罪行。

As we move into the year of the dragon in 2012, further challenges await us in the fight against corruption. The investigation of allegations of malpractice in the various elections that took place in 2011 will continue throughout the forthcoming year and new corruption offences will undoubtedly be unveiled in many other areas. As 2012 is an election year in Hong Kong with the Chief Executive and Legislative Council elections taking place, we will carefully monitor how these elections are conducted and deal with any allegations of corruption that may arise. The Commission will maintain its mission to resolutely fight corruption under our three pronged model of enforcement, education and prevention. As far as the Operations Department is concerned, we will ensure that corruption remains a high risk crime.

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