

Twelve months' jail for accepting \$270,000 bribes over bogus insurance policies

24 December 2013

A former branch manager of an insurance company, charged by the ICAC, was today (Tuesday) sentenced to 12 months' imprisonment at the Eastern Magistracy for conspiring to accept about \$270,000 in bribes from her subordinate in relation to bogus insurance policies.

Lai Ka-yee, 38, a former branch manager of Dah Sing Insurance Services Limited (Dah Sing Insurance), was earlier found guilty of one count of agents conspiring to accept advantages, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

In sentencing, Magistrate Miss Ho Wai-yang said the defendant could not be spared from the jail term because she had abused her position and committed the serious bribery offence.

The magistrate also ordered the defendant to pay a restitution of \$270,000 to Dah Sing Insurance.

The court heard that at the material time, the defendant was a branch manager of Dah Sing Insurance. She was the direct supervisor of several insurance agents, including Wong Chi-wai.

As a branch manager, the defendant was required to reach the required sales targets and/or maintain certain number of productive down-line agents. If the defendant failed to do so, she might have her allowances and bonuses withheld and might even be demoted or have her employment terminated.

The court heard that as Wong was unable to procure any insurance policy, the defendant proposed that she could source clients for him.

The defendant asked Wong to sign, as the handling agent, on a number of insurance policy application forms. But Wong had never met with the policy applicants or proposed insured.

Between July 2008 and October 2009, the defendant conspired with Wong to submit a total of 21 bogus insurance policy application forms to Dah Sing Insurance.

Upon the defendant's request, Wong paid her bribes totalling about \$270,000 being the monthly allowances and commissions he received from the company, the court was told.

Wong Chi-wai, 28, who was also charged by the ICAC, earlier pleaded guilty to 13 counts of offering an advantage to an agent and one of agents conspiring to use documents with intent to deceive his principal. He will be sentenced at the Eastern Magistracy on February 17 next year.

Dah Sing Insurance rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Wong Po-wing, assisted by ICAC officer William Tam.

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保險公司前分行經理涉虛假保單貪 污案判囚十二個月

2013年12月24日

一名保險公司前分行經理，就虛假保單串謀收受下屬共約二十七萬元賄款，早前被廉政公署拘控。被告今日(星期二)在東區裁判法院被判入獄十二個月。

黎家儀，三十八歲，大新保險服務有限公司(「大新保險」)前分行經理，早前被裁定一項代理人串謀接受利益罪名成立，違反《防止賄賂條例》第9(1)(a)條及《刑事罪行條例》第159A條。

裁判官何慧潔判刑時指被告濫用職權，又干犯嚴重的貪污罪行，故此不能免被告監禁刑罰。

裁判官又判處被告須向「大新保險」歸還共約二十七萬元作為賠償。

案情透露，被告於案發時為「大新保險」分行經理，並為幾名保險代理包括黃志偉的直屬上司。

被告作為分行經理須達成銷售目標及/或維持一定數目具銷售能力的下線代理。若被告無法達到有關要求，則可能遭扣除津貼和獎金，甚至遭降職或解僱。

案情透露，由於黃未能獲取任何保單，被告遂建議為他尋找客戶。

被告要求黃以經手代理人的身份在一些投保申請書上簽名，但黃其實從來沒有會見有關申請人或準受保人。

二〇〇八年七月至二〇〇九年十月期間，被告與黃串謀向「大新保險」呈交二十一張虛假的投保申請書。

黃其後從「大新保險」收取每月津貼及佣金共約二十七萬元。在被告要求下，黃將有關款項支付予被告作為賄款。

黃志偉，二十八歲，亦被廉署拘控。他早前承認共十四項罪名，即十三項向代理人提供利益及一項代理人串謀使用文件欺騙其主事人。案件押後至明年二月十七日在東區裁判法院判刑。

「大新保險」在廉署調查案件期間提供全面協助。

控方今日由大律師王寶榮代表出庭，並由廉署人員譚俊偉協助。

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