

Fifteen months' jail for bribery in HK-Zhuhai-Macao Bridge project

27 April 2015

A former senior foreman of a contractor of the Hong Kong-Zhuhai-Macao Bridge project, charged by the ICAC, was today (Monday) sentenced to 15 months' imprisonment at the Tsuen Wan Magistracy after being convicted of offering a \$50,000 casino token twice to an employee of an independent consultant for conniving at sub-standard materials supplied to the project.

Lee Shu-shan, 44, a former senior foreman of China Harbour Engineering Company Limited (CHECL), was today found guilty of two counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance.

Magistrate Amy Chan Wai-mun said the court had to mete out a custodial sentence to the defendant in view of the serious bribery offences committed by the defendant in the case involving a major infrastructure project.

The defendant applied for bail pending his appeal, but his application was rejected by the magistrate.

The court heard that at the material time, CHECL was awarded a contract by the Highways Department (HyD) for the construction of seawalls in the development project of the Hong Kong-Zhuhai-Macao Bridge.

The seawalls were formed by a large number of cylindrical steel columns. Construction materials, including sand and stones (collectively known as rock fills) were used to fill those columns which were the boundary of the foundation to the artificial island. The specifications of the rock fills were stipulated in the contract.

Ove Arup & Partners Hong Kong Limited (OAP) was appointed by HyD as an independent consultant to supervise the work of CHECL. Since 2012, CHECL had engaged various providers, including Win Sino Engineering Limited (WSEL), to supply the rock fills.

To ensure the quality of rock fills, OAP deployed two senior inspectors of works and their subordinates to inspect each shipment. If the quality of rock fills deviated from the contract specifications, OAP would reject the whole shipment from the Mainland, and in such case, WSEL had to bear the cost of transportation and additional shipment.

The court heard that as a senior foreman of CHECL, the defendant was tasked to monitor the construction of those seawalls in the development project.

One of the senior inspector of works of OAP told the defendant in the afternoon of October 15, 2013 that three shipments of sub-standard rock fills supplied by WSEL were detected during inspections.

In the morning of the following day, the defendant went to the office of the senior inspector of works of OAP, and showed the latter a non-refundable token in the value of \$50,000 of an unidentified casino in Macao.

The defendant then asked the senior inspector of works of OAP to help look into the matter. After the offer was rejected right away, the defendant left with the casino token.

On October 21, 2013, the senior inspector of works of OAP resumed duty after a leave. The defendant went to his office again, took out a non-refundable casino token, and placed it under a document tray on his office desk. But he was asked to take the casino token back.

The defendant asked if the senior inspector of works of OAP would be free to go to Macao with him. After his invitation was rejected, the defendant left his office with the casino token, the court was told.

CHECL and OAP had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by fiat prosecutor Louisa Lai, assisted by ICAC officer Jason See.

[Back to Index](#)

前高級管工涉港珠澳大橋工程貪污 案罪成判囚十五個月

2015年4月27日

一名港珠澳大橋工程項目承判商前高級管工，就有關工程項目先後兩次向一名獨立顧問公司員工提供一枚價值五萬元的賭場代幣，以縱容供應不合標準物料予該項目，早前被廉政公署拘控。被告今日(星期一)在荃灣裁判法院被裁定罪名成立，判監十五個月。

李樹山，四十四歲，中國港灣工程有限責任公司(中國港灣)前高級管工，今日被裁定兩項向代理人提供利益罪名成立，違反《防止賄賂條例》第9(2)(a)條。

裁判官陳慧敏表示，被告干犯的貪污罪行涉及大型基建項目，案情嚴重，法庭必須判處監禁。

被告另申請保釋以待上訴，但有關申請遭裁判官拒絕。

案情透露，指中國港灣於案發時獲路政署判授合約，為港珠澳大橋發展工程項目興建海堤。海堤由大量圓柱形鋼筒組成，而鋼筒則以砂粒及石塊(統稱石填料)等建築材料填滿，以建造人工島地基的邊界。有關合約並列明石填料的規格。

路政署另委任奧雅納工程顧問(奧雅納)為獨立顧問，以監督中國港灣的工作。自二〇一二年起，中國港灣聘用多間物料供應商向其供應石填料，包括長華工程有限公司(長華)。

為確保石填料的品質，奧雅納則委派兩名高級工程督察及其下屬負責檢查每批裝運材料。如石填料的品質偏離合約規定，奧雅納會拒收整批由內地裝運至港的材料，而長華則須承擔運費及補加裝運材料的費用。

案情透露，被告當時為中國港灣的高級管工，負責監督有關發展工程項目海堤建造的工作。

二〇一三年十月十五日下午，其中一名奧雅納高級工程督察告訴被告，檢查時發現三批由長華裝運的石填料不合標準。

翌日早上，被告前往該奧雅納高級工程督察的辦公室，並向其展示一枚來自澳門不知名賭場而價值五萬元的不可退款賭場代幣。

被告隨即請該奧雅納高級工程督察「幫幫手睇睇」有關不合標準石填料供應的事情，但被告的請求遭立即拒絕，他遂帶著該賭場代幣離開。

該奧雅納高級工程督察於二〇一三年十月二十一日休假後復工。被告再次前往其辦公室，取出一個不可退款的賭場代幣，並將它放在對方辦公桌上的文件盤下。但該奧雅納高級工程督察請被告取回該賭場代幣。

被告再問對方會否有空與他一起前往澳門。其邀請遭拒絕後，被告帶同該賭場代幣離開對方的辦公室。

中國港灣及奧雅納在廉署調查案件期間提供全面協助。

控方今日由律師黎雅雯代表控方出庭，並由廉署人員施超群協助。

[返回目錄](#)