

Ex-teacher admits accepting illegal rebate over purchase of harp

29 March 2016

A former teacher of a music company, charged by the ICAC, today (Tuesday) admitted at the Tsuen Wan Magistracy that he had accepted an illegal rebate of over \$7,600 for referring a student to buy a harp from a supplier of musical instruments.

Lai Kam-kit, 37, a former teacher of Tom Lee Music Foundation Limited (TLMF), pleaded guilty to one count of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance (POBO).

Magistrate Mr Kenneth Chan Ping-chau adjourned the case until April 28 this year for sentence, pending a community service order report. The defendant was granted cash bail of \$5,000.

The court heard that at the material time, Lai was employed by TLMF as a teacher in harp and violin courses.

Apart from teaching music courses, teachers of TLMF were required to work as consultants to promote, market and sell to their students musical instruments and related products of Tom Lee Music Co. Ltd, an affiliated company of TLMF.

Teachers were not allowed to promote or sell musical instruments to students of TLMF and their parents for other suppliers. Chairman Instruments Trading Limited (CITL) was a supplier of musical instruments in Hong Kong.

The court heard that a student of the defendant attended her first lesson on January 27, 2013. She asked the defendant for his advice on where she could purchase a harp.

The defendant told the student that he knew a supplier selling harps, and provided her with the telephone number of a shareholder cum sales director of CITL.

Acting on the advice of the defendant, the student visited the office of CITL and bought a harp at \$27,063 on February 2, 2013. However, the defendant had never told the student that he would receive a rebate out of her purchase.

On April 19, 2013, the defendant received \$7,663 from CITL by cheque deposited in his bank account as a reward for referring the student to CITL to purchase the harp, the court was told.

Co-defendant Tse On-kei, 30, a teacher of TLMF, was also charged by the ICAC with one count of agent accepting an advantage, contrary to Section 9(1)(a) of the POBO. She had her case adjourned to June 20 this year for trial.

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

The prosecution was today represented by prosecuting counsel Flora Cheng, assisted by ICAC officer Alex Ho.

[Back to Index](#)

前導師承認收受非法回佣轉介學生 購買豎琴候判

2016年3月29日

一名音樂公司前導師，在轉介一名學生向一間樂器供應商購買一個豎琴時收受一筆七千六百多元的非法回佣，早前被廉政公署起訴。被告今日(星期二)在荃灣裁判法院承認控罪。

黎鑒傑，三十七歲，通利音樂基金有限公司(通利音樂)前導師，承認一項代理人收受利益罪名，違反《防止賄賂條例》第9(1)(a)條。

裁判官陳炳宙將案件押後至本年四月二十八日判刑，以待被告的背景報告。被告獲准以現金五千元保釋。

案情透露，被告於案發時受僱於通利音樂擔任豎琴及小提琴課程的導師。

除了教授音樂課程外，通利音樂的導師必須擔任樂器顧問向學生宣傳、推銷及售賣通利音樂的關聯公司通利琴行有限公司的樂器及相關產品。

導師不得替其他樂器供應商向通利音樂的學生及其家長推廣或銷售樂器。俊文樂器貿易有限公司(俊文樂器)為香港其中一間樂器供應商。

案情透露，被告一名學生於二〇一三年一月二十七日上第一堂課時，就可在那裡購買豎琴徵詢被告的意見。

被告表示他認識一名售賣豎琴的供應商，並提供俊文樂器一名股東兼銷售董事的聯絡電話予該學生。

該學生聽取被告的意見後，於二〇一三年二月二日前往俊文樂器的辦事處，以二萬七千零六十三元購買一個豎琴，惟被告從沒有告訴該學生他會因此而獲取回佣。

被告於二〇一三年四月十九日收到俊文樂器以支票方式存入其銀行帳戶的七千六百六十三元，作為轉介該學生向俊文樂器購買上述豎琴的報酬。

同案被告謝安琪，三十歲，通利音樂現職導師，亦被控一項代理人收受利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條。案件押後至本年六月二十日進行審訊。

通利音樂在廉署調查案件期間提供全面協助。

控方今日由控方大律師鄭淑儀代表出庭，並由廉署人員何文駿協助。

[返回目錄](#)