



Press Releases

Immigration Assistant guilty of \$32,000 salary advance fraud

2017-9-12

An Immigration Assistant of the Immigration Department (ImmD), charged by the ICAC, was today (September 12) convicted at the Eastern Magistracy of defrauding the ImmD of a salary advance in the sum of over \$32,000.

Patrick Tam Chi-wai, 46, was found guilty of one count of fraud, contrary to Section 16A of the Theft Ordinance.

Deputy Magistrate Mr Arthur Lam Hei-wei adjourned the case to next Friday (September 22) for sentence, pending a community service order report. The defendant was remanded in the custody of the Correctional Services Department.

The case arose from a corruption complaint referred by the ImmD. Subsequent ICAC enquiries revealed the above offence.

The court heard that on July 28, 2014, the defendant submitted an application form to the Director of Accounting Services (DAS) via the ImmD for a salary advance in the sum of \$32,760 to be settled by 20 instalments.

In the application form, the defendant filled in "NIL" to declare that he did not have any outstanding liabilities as at the date of application, and signed on it.

On September 8, 2014, the application was recommended by an officer of the ImmD and submitted to the DAS for processing.

Afterwards, the application was approved by the DAS. The salary advance in the sum of \$32,760 was deposited into the defendant's bank account on September 17, 2014.

The court heard that on September 14, 2015, the defendant reported to his supervisor that the Legal Aid Department (LAD) had filed a bankruptcy petition for his outstanding legal fees incurred from his divorce case.

After adjudicating him bankrupt, the defendant filed a statement of affairs on October 19, 2015, listing out his outstanding liabilities with the LAD, his aunt and a licensed money lender in a total sum of over \$386,000.

Had the ImmD known that the defendant had concealed his outstanding liabilities in the application form,

the department would not have recommended his application and submitted it to the DAS for approval. Had the DAS known of his outstanding liabilities, the director would not have approved the application, the court was told.

The ImmD had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Marco Li, assisted by ICAC officer Jeff Ng.

[Back to Index](#)



新聞公佈

入境事務助理員詐騙三萬二千元預支薪金罪成候判

2017年9月12日

一名入境事務處(入境處)入境事務助理員，詐騙入境處一筆逾三萬二千元預支薪金，被廉政公署起訴。被告今日(九月十二日)在東區裁判法院被裁定罪名成立。

譚志偉，四十六歲，被裁定一項欺詐罪名成立，違反《盜竊罪條例》第16A條。

暫委裁判官林希維將案件押後至下星期五(九月二十二日)判刑，以待被告的社會服務令報告。被告暫時還押懲教署看管。

廉署早前接獲入境處轉介貪污投訴，調查後揭發上述罪行。

案情透露，被告於二〇一四年七月二十八日透過入境處向庫務署署長遞交一份申請書要求預支薪金，金額為三萬二千七百六十元，分二十期攤還。

被告在該申請書上寫「無」，聲稱他在申請當日沒有任何尚未清還的負債，並簽署有關申請書。

該申請於二〇一四年九月八日獲一名入境處人員推薦並遞交庫務署署長處理。

有關申請其後獲庫務署署長批核，而該筆三萬二千七百六十元的預支薪金於二〇一四年九月十七日存入被告的銀行戶口。

案情透露，被告於二〇一五年九月十四日向其上司匯報，法律援助署(法援署)已就其未付的離婚個案法律費用提出破產呈請。

法庭裁定他破產後，被告於二〇一五年十月十九日將一份資產負債狀況說明書存檔，當中細列他尚未清還的負債，包括尚欠法律援助署、其姐姐及一間持牌放債人公司的債項共逾三十八萬六千元。

倘若入境處知悉被告在該申請書上隱瞞其尚未清還的負債，則不會推薦其申請及呈交有關申請予庫務署署長批核。倘若庫務署署長知悉被告尚未清還負債，亦不會批核有關申請。

入境處在廉署調查案件期間提供全面協助。

控方今日由大律師李國威代表出庭，並由廉署人員吳卓謙協助。

[返回目錄](#)