

Duo jailed for soliciting \$1m bribe and laundering crime proceeds

2 July 2015

A former chief executive officer of a hotel and a businessman, charged by the ICAC, were today (Thursday) sentenced to jail terms up to two and a half years at the District Court for conspiring to solicit a bribe of about \$1 million in relation to the operation of a restaurant at the hotel, and laundering part of the crime proceeds.

William Yu Lik-wai, 50, former chief executive officer of Gloucester Hotel (GH), received a jail term of two and a half years in total, while businessman Albert Cheung, 50, was jailed for two years and three months.

In sentencing, Judge Pang Chung-ping said bribery was evil and struck into the heart of the commercial environment and reputation of Hong Kong. As the court did not tolerate such offences, the offenders would not be granted lenient sentences.

Yu and Cheung were earlier found guilty of one count of conspiracy for an agent to solicit an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance.

They were also convicted of one count of dealing with property known or believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organised and Serious Crimes Ordinance.

The court heard that at the material time, a building at Gloucester Road in Wan Chai was refurbished with a view to leasing for operating hotel business and providing around 50 serviced apartments for rental.

In April 2012, Yu invited his friend to invest in renting the building for operating a hotel. After the invitation was accepted, Yu, on his friend's behalf, signed a lease agreement with the owner of the building for 20 years.

According to the lease agreement, the building should only be operated as a hotel or a guest house, including a restaurant inside the building, and should not be partly or wholly sub-let to a third party.

After renaming the building as GH, Yu's friend – the sole beneficial owner of the hotel – employed Yu as its chief executive officer.

The court heard that in November 2012, Yu entrusted Cheung, who had engaged in food and beverage business on the Mainland for years, to look for a caterer to operate the proposed restaurant at GH.

Afterwards, Yu and Cheung conspired together for Yu to solicit a sum of \$980,000 from the potential caterer for engaging the latter to operate and manage the proposed restaurant. They received \$250,000 in cash as part of the bribe from the potential caterer on April 16, 2013.

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

The prosecution was today represented by prosecuting counsel Bernard Yuen, assisted by ICAC officer Winky Lam.

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二人就酒店餐廳營運索賄一百萬元 及洗黑錢被判囚

2015年7月2日

一名酒店前行政總裁及一名商人，就經營酒店內的餐廳，串謀索取約一百萬元賄款及清洗其中部分犯罪收益，被廉政公署拘控。被告今日（星期四）在區域法院被判入獄最高兩年半。

余力維，五十歲，高士打公館前行政總裁，被判囚共兩年半，而商人張鼎，五十歲，則被判入獄兩年零三個月。

法官彭中屏判刑時指，貪污罪行邪惡，損害香港的商業環境和美譽。法庭絕不容忍有關罪行，犯案者不會獲得輕判。

余及張早前同被裁定一項串謀使代理人索取利益罪名成立，違反《防止賄賂條例》第9(1)(a)條及《刑事罪行條例》第159A條。

他們另被裁定一項罪名成立，即處理已知道或相信為代表從可公訴罪行的得益的財產，違反《有組織及嚴重罪行條例》第25(1)條。

案情透露，於案發時灣仔告士打道一幢大廈翻新以出租作酒店業務，當中包括大約五十個可出租的服務式住宅房間。

余於二〇一二年四月邀請一名友人投資租賃該大廈。余的友人接納邀請，余則代其友人與大廈業主簽署一份為期二十年的租約。

根據有關租約，該大廈只可作酒店或旅館之用，當中包括一間餐廳，而大廈不可全部或部份分租予第三者。

有關大廈後來命名為高士打公館，余的友人，即該酒店的實際唯一東主，聘請余為酒店的行政總裁。

案情透露，余於二〇一二年十一月委託張在外尋找飲食承辦商在酒店經營餐廳。張在內地經營飲食生意多年。

余及張其後串謀使余向有興趣的飲食承辦商索取一筆九十八萬元款項，以容許該名承辦商經營和管理建議中的餐廳。兩人於二〇一三年四月十六日從有關飲食承辦商收取部份賄款，即二十五萬元現金。

高士打公館在廉署調查案件期間提供全面協助。

控方今日由大律師袁國華代表出庭，並由廉署人員林詠琪協助。

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