



## Press Releases

### **Ex-bank manager gets 17 months for soliciting HK\$920,000 illegal commissions upon re-trial**

**2018-8-23**

A former relationship manager of a bank, charged by the ICAC, was today (August 23) sentenced to 17 months' imprisonment at the Eastern Magistracy for soliciting illegal commissions of about HK\$920,000 in total from a client for handling her securities transactions upon his re-trial.

Jeff Ye Feng, 42, a former relationship manager of Bank of Communications Company Limited Hong Kong Branch (BOCM Hong Kong Branch), yesterday pleaded guilty to two counts of soliciting an advantage as an agent, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance.

In sentencing, Principal Magistrate Mr Peter Law Tak-chuen said the offences committed by the defendant, which constituted a breach of trust, had brought an adverse impact on Hong Kong as an international financial centre.

The principal magistrate also ordered the defendant to make about HK\$637,000 as restitution to the bank.

The court heard that at the material time, the defendant was a relationship manager of BOCM Hong Kong Branch. His duties included providing private banking clients with banking services and handling their securities transactions.

On April 30, 2014, the defendant became a relationship manager of a Mainland client who maintained accounts with BOCM Hong Kong Branch. Since then, the defendant had assisted the client in making investments in the Hong Kong stock market through her accounts.

Later in September 2014, the defendant misled the client to believe that it was a usual practice in Hong Kong for a relationship manager to receive 20 per cent of the profit made by a client as extra commission.

The client believed that BOCM Hong Kong Branch allowed the defendant to receive the extra commission.

The court heard that on October 5, 2014, the defendant sent an email to inform the client that her shares had made a profit and solicited an extra commission of about RMB112,000 (about HK\$142,000) from the client. The defendant asked the client to pay the money into his bank account maintained in the Mainland.

On October 20, 2014, the client paid the money into the bank account accordingly.

On April 9, 2015, the defendant sent another email to the client informing that her shares had made another profit. He solicited an extra commission of about RMB620,000 (about HK\$775,000) from the client. Five days later, the client paid the money into the defendant's bank account in the Mainland.

The client later discovered that she had suffered a substantial loss in her shares account. Upon request, the defendant returned about RMB230,000 (about HK\$280,000) to the client, and the outstanding amount was about HK\$637,000, the court was told.

On April 7, 2017, the defendant was found guilty of the same charges at the Eastern Magistracy and was sentenced to 15 months' imprisonment.

The defendant subsequently lodged an appeal against his conviction. On July 13, 2018, the Court of First Instance ordered a re-trial. The case was brought to the Eastern Magistracy yesterday for fixing a date for his re-trial.

BOCM Hong Kong Branch had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Senior Public Prosecutor Rosa Lo, assisted by ICAC officer Chris Chan.

[Back to Index](#)



## 新聞公佈

# 銀行前經理索取九十二萬港元非法佣金重審判囚十七個月

2018年8月23日

一名銀行前客戶經理向一名客戶索取非法佣金共約九十二萬港元，以處理該客戶在有關銀行的帳戶所進行的證券交易，早前被廉政公署起訴。被告今日(八月二十三日)在東區裁判法院重審時被判入獄十七個月。

葉鋒，四十二歲，交通銀行股份有限公司香港分行(香港交行)前客戶經理，昨日承認兩項代理人索取利益罪名，違反《防止賄賂條例》第9(1)(a)條。

主任裁判官羅德泉判刑時指被告的罪行違反誠信，為香港作為國際金融中心帶來負面影響。

裁判官又命令被告須向香港交行歸還約六十三萬七千港元作為賠償。

案情透露，被告於案發時為香港交行客戶經理，其職責包括為私人銀行客戶提供銀行服務及處理其證券交易。

被告於二〇一四年四月三十日成為香港交行一名內地客戶的客戶經理，而該客戶在銀行開設了戶口。自此之後，被告協助該客戶透過其戶口投資香港股市。

被告其後於二〇一四年九月某天誤導該客戶，令她相信香港的一貫做法是客戶經理收取客戶所得利潤的百分之二十作為額外佣金。

該客戶相信香港交行准許被告收取額外佣金。

案情透露，被告於二〇一四年十月五日發電郵予該客戶，報稱其所持股票獲利，並向她索取約十一萬二千元人民幣(約十四萬二千港元)作為額外佣金。被告要求該客戶將款項存入他在內地的銀行戶口。

該客戶於二〇一四年十月二十日將款項存入被告的銀行戶口。

被告於二〇一五年四月九日再發電郵予該客戶，報稱其所持股票獲利。被告向該客戶索取約六十二萬元人民幣(約七十七萬五千港元)作為額外佣金。該客戶於五天後將款項存入被告在內地的銀行戶口。

案情透露，該客戶其後發現其股票戶口承受巨大虧損。被告應該客戶的要求，向她歸還約二十三萬元人民幣(約二十八萬港元)，仍欠款約六十三萬七千港元。

被告於二〇一七年四月七日在東區裁判法院被裁定相同罪名成立，被判入獄十五個月。

被告其後就控罪提出上訴。原訟法庭於二〇一八年七月十三日命令案件須重審。案件原定昨日在東區裁判法院提堂，以決定重審日期。

香港交行在廉署調查案件期間提供全面協助。

控方今日由高級檢控官羅心怡代表出庭，並由廉署人員陳國豪協助。

[返回目錄](#)