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RC executive committee election candidate jailed for bribe-for-vote

12/12/2011

A candidate of the executive committee election of the 2011 Sheung Shui District Rural Committee (RC), charged by the ICAC, was today (Monday) sentenced to three months and two weeks' imprisonment at Fanling Magistracy for offering a bribe of \$130,000 to a village representative (VR) so as to induce the latter to vote for him at the election.

Brian Kan Ping-chee, 74, a retired horse trainer, was earlier found guilty of one count of engaging in corrupt conduct at an election, contrary to Section 11(1)(a) of the Elections (Corrupt and Illegal Conduct) Ordinance.

In sentencing, Magistrate Mr Symon Wong Yu-wing said as elections were the cornerstone of social development in Hong Kong, the court had the responsibility to ensure that they were conducted in a clean and fair manner.

The magistrate added that the starting point of five months was reduced to three months and two weeks, taking into account the defendant's age and his contribution to the society.

Upon an application of the defendant, the magistrate granted him cash bail of \$100,000 pending his appeal against conviction. The defendant was also ordered to surrender travel documents, not to leave Hong Kong, and reside at the reported address.

The court heard that the Home Affairs Department announced in February 2011 that the executive committee election of the 2011 Sheung Shui District RC would be held on March 15 to elect the chairman, two vice-chairmen and 14 executive members. On February 28, the defendant submitted his nomination for the election.

In mid February, the defendant visited Liu Fu-sau, a VR of the Sheung Shui District, at his store, and asked the latter to support him at the election. But Liu did not give any positive reply.

The court heard that on February 27, the defendant paid another visit to the store. Having been informed by his wife, Liu returned to the store and met the defendant.

Inside a room of the store, the defendant asked Liu to support him at the election. But Liu replied that he would decide the matter later.

When Liu was leaving the room, the defendant said he had left something for him in the room. On being asked by Liu what that was, the defendant replied that it was \$130,000.

Liu immediately asked the defendant to take the money back, but the defendant ignored him and left. Liu returned to the room, and found a wad of banknotes, totalling \$130,000, which was placed on a table.

The \$130,000 was subsequently handed over to the ICAC by Liu, the court was told.

The prosecution was today represented by prosecuting counsel Edwin Choy, assisted by ICAC officer Vivian Lee.

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