

Seven months' jail for accepting \$600,000 bribe

3 March 2015

A former consultant of a petroleum company, charged by the ICAC, was today (Tuesday) sentenced to seven months' imprisonment at the District Court after he admitted accepting bribes totalling \$600,000 in relation to the company's business.

Zhang Guoqiang, 63, former consultant of Sinopec (Hong Kong) Limited (Sinopec HK), pleaded guilty to one count of agent accepting an advantage, contrary to Section 9(1)(b) of the Prevention of Bribery Ordinance.

The prosecution offered no evidence to four other charges of possessing dangerous drugs and poisons against him, which were then placed on court file.

In sentencing, Judge Stanley Chan Kwong-chi said while probity was the core value of Hong Kong, it was necessary to ensure that a fair and clean environment was in place for doing business.

The judge also ordered the defendant to pay \$600,000 as restitution to Sinopec HK.

The court heard that since December 2007, the defendant had worked as the vice chairman cum general manager of Sinopec HK, a wholly owned subsidiary of publicly listed China Petroleum & Chemical Corporation (CPCC).

After his retirement in May 2012, he was re-employed as a consultant of Sinopec HK. He was responsible for giving advice to the management of Sinopec HK and its subsidiaries, including Sinopec (Hong Kong) Fuel Oil Company Limited (Sinopec Fuel Oil), Sinopec (Hong Kong) Petrol Filling Station Company Limited (Sinopec Petrol Filling), and Sinopec (Hong Kong) Gas Company Limited (Sinopec Gas).

When the defendant was vice chairman and general manager of Sinopec HK, an operator of an investment company and his younger brother made use of Ever Crown (China) Investment Limited (Ever Crown) and Nam Shan Petroleum Transportation Limited (Nam Shan) to trade with and secured various contracts from Sinopec HK and its subsidiaries.

Since 2008, Ever Crown had been purchasing fuel oil from Sinopec Fuel Oil for sale to its customers to earn profits. In April 2009, six months after its incorporation, Nam Shan secured a contract from Sinopec Petrol Filling to deliver fuel oil from the oil terminals of Sinopec HK to the latter's petrol filling stations in Hong Kong.

In 2012, the operator complained to the defendant that his business with Sinopec Fuel Oil was not lucrative. Upon the operator's request, the defendant asked the managing director of Sinopec Fuel Oil to ascertain if the terms of the original contract were not favourable to the companies of the operator.

After informing the operator that the terms of the contract could not be changed, the defendant advised him to raise the matter again later.

The court heard that in 2013, the defendant requested the general manager of Sinopec Gas to consider purchasing liquefied petroleum gas from the operator. As a result, the general manager met the operator to discuss the matter, but the operator did not make a deal with Sinopec Gas eventually.

On October 23, 2013, the operator cashed a cheque of \$600,000 at a bank. After the withdrawal, he put the banknotes in the denomination of \$1,000 into a shopping bag and returned to his office in Tsimshatsui.

Later on the same day, the operator brought the shopping bag to the residence of the defendant in

Wan Chai. When the defendant was arrested on January 27, 2014, the sum of \$600,000 inside the shopping bag was recovered from his residence, the court was told.

CPCC and Sinopec HK had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Newman Wong, assisted by ICAC officer Shirley Lau.

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石油公司前顧問受賄六十萬元判囚七個月

2015年3月3日

一名石油公司前顧問，在處理公司業務時收受六十萬元賄款，被廉政公署拘控。被告今日(星期二)在區域法院承認控罪，被判入獄七個月。

張國強，六十三歲，中石化(香港)有限公司(中石化香港)前顧問，承認一項代理人接受利益罪名，違反《防止賄賂條例》第9(1)(b)條。

被告另外四項有關藏有危險藥物及毒藥的罪名，則獲控方不提證供起訴，但有關罪名須紀錄在案。

法官陳廣池在判刑時指出，肅貪倡廉是香港的核心價值，必須維持公平廉潔的營商環境。

法官又命令被告須向中石化香港歸還六十萬元作為賠償。

案情透露，被告自二〇〇七年十二月起出任中石化香港的副主席兼總經理。中石化香港是上市公司中國石油化工股份有限公司(中國石化)的全資子公司。

被告於二〇一二年五月退休後獲委任為中石化香港的顧問。他負責向中石化香港及其附屬公司的管理層提供意見。有關附屬公司包括中石化(香港)燃料油有限公司(中石化燃料油)、中石化(香港)油站有限公司(中石化油站)及中石化(香港)石油氣有限公司(中石化石油氣)。

在被告出任中石化香港的副主席兼總經理期間，一名投資公司經營者及其弟曾以永冠(中國)投資有限公司(永冠)及南山石油運輸有限公司(南山)的名義，與中石化香港及其附屬公司進行交易，並獲授予多份合約。

永冠自二〇〇八年起向中石化燃料油購買燃料油，然後轉售予其客戶以賺取利潤。南山於二〇〇九年四月，即註冊後六個月時成功獲中石化油站批出合約，負責把燃料油從中石化香港的油庫運送至其在港經營的各個加油站。

該經營者於二〇一二年向被告投訴他跟中石化油站的業務無利可圖。被告應其要求，向中石化油站的常務董事詢問原來合約的有關條款是否不利於該經營者的公司。

被告告訴該經營者有關合約條款不能更改，並建議他稍後再提出有關問題。

案情透露，被告於二〇一三年要求中石化石油氣總經理考慮購買該經營者的液化石油氣。總經理最後與該經營者會面商討有關事宜，但該名經營者最終未能與中石化石油氣達成協議。

該經營者於二〇一三年十月二十三日，在一間銀行把一張六十萬元的支票兌現全部款項為港幣一千元鈔票。他把有關鈔票放進一個購物袋，並返回其位於尖沙咀的辦公室。

案情透露，同日稍後時間，該經營者把該購物袋帶往被告位於灣仔的寓所。被告於二〇一四年一月二十七日被拘捕時，在其寓所內搜出載有該筆總值六十萬元款項的購物袋。

中國石化及中石化香港在廉署調查案件期間提供全面協助。

控方今日由大律師王興偉代表出庭，並由廉署人員劉燕燕協助。

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