



Press Releases

Four guilty of bribes-for-votes in IT Functional Constituency at 2016 LegCo Election

2021-9-15

Four persons, charged by the ICAC for their roles in a vote buying and rigging scheme in relation to the Information Technology Functional Constituency (ITFC) of the 2016 Legislative Council (LegCo) General Election, were today (September 15) convicted at the District Court of accepting bribes to vote for a particular candidate at the election.

Chan Wing-hang, Kwok Ka-kin, Lim Chak-him, all 24; and Ng Ka-ho, 23, were each found guilty of one count of engaging in corrupt conduct at an election by accepting an advantage, contrary to Section 11(1)(e) of the Elections (Corrupt and Illegal Conduct) Ordinance (ECICO).

Judge Katherine Lo Kit-yeo adjourned the case to tomorrow (September 16) for mitigation and granted the defendants cash bail.

Seven co-defendants had earlier pleaded guilty to multiple counts of conspiracy to defraud, conspiracy to engage in corrupt conduct at an election by offering an advantage to others and engaging in corrupt conduct at an election by accepting an advantage. Six of them will also appear in court tomorrow for mitigation.

They are Li Wai-man, then corporate affairs director of Taxi Drivers & Operators Association (TDOA); Poon Sau-fong, then clerk of TDOA; Lui Ah-fook, then executive committee member of TDOA; Lui Wai-fong and Lui King-yin, respectively young sister and son of Lui Ah-fook; and Chan Ki-nam, brother-in-law of Lui Wai-fong.

Mitigation of co-defendant Yeung Yiu-hung, then vice secretary of TDOA, was adjourned to October 4 this year upon his application.

The court heard that the 2016 LegCo General Election was held on September 4, 2016. Two candidates competed in the ITFC—one of the 29 functional constituencies in the LegCo.

A person, who was registered as an elector in a Geographical Constituency or was eligible and had applied to be so registered, was eligible to register as an elector in the ITFC with the Registration and Electoral Office (REO) if the person possessed the membership of a professional body specified in the LegCo Ordinance, including the Institute of Electrical and Electronics Engineers, Inc., Hong Kong Section (IEEE).

In about April 2016, Yeung Yiu-hung explored ways for TDOA members to vote in a Functional Constituency upon Li's invitation and found that he could register as an elector of the ITFC after registering as a member of the IEEE.

In the same month, Li sent a blank voter registration form to Poon via mobile phone message. With Li's knowledge, Lui Ah-fook invited his three younger sisters via a mobile phone sibling chat group to join an "IT Club" for \$1,000 each. Lui Ah-fook added that the trio were required to register as voters and vote as instructed in the ITFC of the 2016 LegCo General Election (the scheme). Lui Wai-fong also extended the

invitation to her relatives, including Chan Ki-nam.

The court heard that in mid-April 2016, Lui King-yin mentioned the scheme in two mobile phone chat groups with his schoolmates and associates. The four convicted defendants were group members of either one of the chat groups. Lui King-yin also noted that he would deduct \$150 from the \$1,000 and asked group members to invite friends to participate in it.

After Lui Ah-fook, Lui Wai-fong and Lui King-yin gathered the personal particulars of 36 persons, including those of the four convicted defendants, Lui Ah-fook forwarded the consolidated information to Li on April 24, 2016.

In mid-April 2016, Li started to send personal particulars of a number of persons to Poon for IEEE membership registration. Between April 12 and May 1, 2016, about 127 persons, including Li, Yeung Yiu-hung, Poon, and the aforesaid 36 persons associated with the Luis, were registered as full members of the IEEE with false information about their professional qualification, education and/or experience.

Between April and May 2016, the IEEE membership fees of about US\$32,000 (about HK\$250,000) for several hundred persons were paid by Yeung Yiu-hung's credit cards. The payments were subsequently settled by Li, mostly through cash deposited into Yeung Yiu-hung's bank account at automatic teller machines.

Between April 30 and May 2, 2016, the REO received the voter registration forms of 124 persons, all carrying the same typo misspelling "Engineers" in the full name of IEEE as "Enginess". Based on their IEEE memberships, 118 of them were included in the 2016 Final Register of Electors of the ITFC.

On May 21, 2016, Lui Wai-fong, Lui King-yin and Chan Ki-nam each collected \$1,000 from Lui Ah-fook. On the following day, Lui King-yin paid \$850 each to Chan Wing-hang, Kwok Ka-kin and Lim Chak-him during a dinner gathering. Ng Ka-ho also received \$700 from Lui King-yin in the same month.

Before the polling day, Li sent a message to Yeung Yiu-hung, Lui Ah-fook and Lui Wai-fong via a mobile phone chat group called "IE Group", urging them to vote for Yeung Chuen-sing, a candidate competing in the ITFC at the 2016 LegCo General Election. On the polling day, Lui Wai-fong and Lui King-yin made the same appeal to participants in several mobile phone chat groups.

The court heard that 19 out of the aforesaid 36 persons associated with the Luis had applied for ballot papers, including those for the ITFC, at their respective polling stations. Yeung Chuen-sing's rival was elected in the ITFC at the 2016 LegCo General Election.

The REO had rendered full assistance to the ICAC during its investigation into the case.

The prosecution was today represented by Senior Assistant Director of Public Prosecutions David Chan, prosecuting counsel Newman Wong and Arthur Wong, and Public Prosecutor Dimitri Au-Yeung, assisted by ICAC officers Joseph Leung and Oscar Lau.

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新聞公佈

二〇一六年立法會資訊科技界選舉賄選案四人罪成候判

2021年9月15日

四人在二〇一六年立法會換屆選舉資訊科技界功能界別(資訊科技界)中參與種票賄選勾當，早前被廉政公署落案起訴，經審訊後今日(九月十五日)在區域法院被裁定接受賄款以投票予某候選人罪名成立。

陳永鏗、郭家健及林澤謙，同為二十四歲；以及吳嘉浩，二十三歲，各被裁定一項在選舉中作出舞弊行為接受利益罪名成立，違反《選舉(舞弊及非法行為)條例》第11(1)(e)條。

法官勞潔儀將案件押後至明日(九月十六日)求情，並批准四名被告以現金保釋。

同案七名被告早前承認多項罪名，即串謀詐騙、串謀在選舉中作出舞弊行為提供利益予他人，以及在選舉中作出舞弊行為接受利益。其中六人亦將於明日出庭求情。

六人為李為民，的士司機從業員總會(的總)時任會務總監；潘秀芳，的總時任文員；雷亞福，的總時任幹事；雷偉芳及雷敬賢，分別為雷亞福的妹妹及兒子；以及陳琪南，雷偉芳丈夫的姐夫。

的總時任副秘書長楊耀鴻的求情，則應其申請押後至本年十月四日進行。

案情透露，二〇一六年立法會換屆選舉於二〇一六年九月四日舉行。資訊科技界是立法會二十九個功能界別之一，議席由兩名候選人競逐。

已登記為地方選區選民，或符合資格登記為地方選區選民並已申請作出如此登記的人士，如具備《立法會條例》訂明專業團體的會員身分，則符合資格向選舉事務處登記成為資訊科技界選民。電機暨電子工程師學會香港分會(IEEE)屬有關訂明專業團體。

約於二〇一六年四月，楊耀鴻應李為民邀請，研究如何讓的總會員在某個功能界別投票。他發現登記成為IEEE會員後，可以登記成為資訊科技界選民。

李為民同月以手提電話訊息，發送一份空白的選民登記表予潘秀芳。雷亞福在李為民知情下，透過雷氏兄妹的手提電話聊天群組，邀請其三位妹妹加入一個「IT產業會」，以每人獲取一千元。雷亞福又指三人必須登記成為選民，並在二〇一六年立法會換屆選舉資訊科技界中按指示投票(該計劃)。雷偉芳亦邀請親屬參加該計劃，當中包括陳琪南。

案情透露，雷敬賢於二〇一六年四月中在兩個手提電話聊天群組，向其同學及相關人士提及該計劃。四名被定罪的被告分別為該兩個聊天群組的成員。雷敬賢又表示他會從該一千元中扣減一百五十元，並要求成員邀請朋友參加計劃。

雷亞福、雷偉芳及雷敬賢收集了包括四名被定罪被告等三十六名人士的個人資料，並由雷亞福把整合好的資料，於二〇一六年四月二十四日轉發給李為民。

李為民自二〇一六年四月中起，傳送多人的個人資料予潘秀芳以登記IEEE會籍。於二〇一六年四月十二日至五月一日期間，約一百二十七人以虛假專業資格、學歷及 / 經驗登記為IEEE正式會員，有關人士包括李為民、楊耀鴻、潘秀芳，以及上述與雷氏一家有關的三十六人。

數百人的IEEE會籍申請費用，合共約三萬二千美元(約二十五萬港元)，以楊耀鴻數張信用卡於二〇一六年四月至五月期間繳付。有關費用最終由李為民支付，當中大部分以現金透過自動櫃員機存入楊耀鴻的銀行戶口。

選舉事務處於二〇一六年四月三十日至五月二日期間，收到一百二十四人的選民登記表，該些表格上均載有同一個錯誤，把IEEE英文全名中的「Engineers」誤寫為「Enginess」。基於其IEEE會員身分，上述其中一百一十八人獲加入二〇一六年資訊科技界的正式選民登記冊內。

雷偉芳、雷敬賢及陳琪南於二〇一六年五月二十一日各自從雷亞福收取一千元。雷敬賢翌日與陳永鏗、郭家健及林澤謙晚餐時，則向三人各支付八百五十元，而吳嘉浩則於同月從雷敬賢收取七百元。

在投票日前，李為民在一個名為「IE群組」的手提電話聊天群組傳送訊息予楊耀鴻、雷亞福及雷偉芳，呼籲他們投票給二〇一六年立法會換屆選舉資訊科技界候選人楊全盛。雷偉芳及雷敬賢於投票日在電話聊天群組中作出同樣呼籲。

案情透露，在該三十六名與雷氏一家有關的人士中，有十九人各自在投票站申領了選票，當中包括了資訊科技界的選票。二〇一六年立法會換屆選舉資訊科技界由楊全盛的競選對手勝出。

選舉事務處在廉署調查案件期間提供全面協助。

控方今日由高級助理刑事檢控專員陳大偉、大律師王興偉及黃志遠，以及檢控官歐陽巽熙出庭，並由廉署人員梁家豪及劉藻桓協助。

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