



Press Releases

Ex-bank manager charged by ICAC jailed for commission fraud

2021-6-10

A former manager of a bank, charged by the ICAC, was today (June 10) sentenced to three months' imprisonment at the Fanling Magistrates' Courts for deceiving a client into taking out an insurance policy before opening a bank account, and falsely stating to the bank that the client was referred by another bank manager.

Ng Chiu-man, 34, former financial planning manager of Dah Sing Bank, Limited (Dah Sing Bank), was today convicted by Deputy Magistrate Mr Fung Lim-wai of two charges – one of fraud, contrary to Section 16A of the Theft Ordinance, and one of agent using document with intent to deceive his principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance.

The court heard that at the material time, Dah Sing Bank entered into a partnership scheme with an insurance company to promote its insurance products. The defendant was employed by Dah Sing Bank as financial planning manager under the scheme and was posted to its Fanling Branch to promote those insurance products to the bank's clients. The defendant would obtain commissions for insurance products taken out by clients.

Relationship managers of Dah Sing Bank could also refer bank clients to financial planning managers for taking out insurance policies of the insurance company. Commissions would be granted by Dah Sing Bank to its relationship managers, depending on their quarterly performances.

On January 19, 2019, a client visited the aforesaid Fanling Branch to open a corporate account and was told by the defendant that Dah Sing Bank required its client to take out an insurance policy before opening a corporate account.

Accordingly, the client took out a \$500,000 insurance policy from the aforesaid insurance company through the defendant. Dah Sing Bank subsequently released commissions totalling about \$6,500 to the defendant in relation to the insurance policy.

ICAC enquiries revealed that Dah Sing Bank did not have such requirement for corporate account opening. Should the client be aware of it, he would not have taken out the insurance policy through the defendant.

On the same day, the defendant falsely stated in the application form of the abovementioned insurance policy that a relationship manager was the referral staff of the application.

The relationship manager, who subsequently resigned from Dah Sing Bank, had never referred the client to the defendant. The bank would have granted the relationship manager a commission of over \$900 for "referring" the client to the bank if he had not resigned, the court heard.

Dah Sing Bank had rendered full assistance to the ICAC during its investigation into the case.

The prosecution was today represented by prosecuting counsel Cannise Chan, assisted by ICAC officer Shirley Lau.

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新聞公佈

前銀行經理詐騙佣金遭廉署起訴今罪成判囚

2021年6月10日

廉政公署早前落案起訴一名銀行前經理欺騙一名客戶在開立銀行戶口前先購買一份保單，並向該銀行訛稱該客戶經由另一名銀行經理轉介。被告今日(六月十日)在粉嶺裁判法院被裁定罪名成立，判囚三個月。

吳釗民，三十四歲，大新銀行有限公司(大新銀行)前財務策劃經理，今日被暫委裁判官馮念偉裁定兩項罪名成立，即一項欺詐，違反《盜竊罪條例》第16A條，及一項代理人意圖欺騙其主事人而使用文件，違反《防止賄賂條例》第9(3)條。

案情透露，大新銀行於案發時與一間保險公司成立夥伴計劃，推銷該保險公司的保險產品。被告在計劃下獲大新銀行聘請為財務策劃經理，於其粉嶺分行向銀行客戶推銷有關保險公司的保險產品。被告於成功推銷保險產品後可獲取佣金。

大新銀行的客戶經理亦可轉介銀行客戶予財務策劃經理，以投保有關保險產品。銀行會按客戶經理的季度表現批出佣金。

一名顧客於二〇一九年一月十九日到上述粉嶺分行開立公司戶口。被告向該客戶表示，大新銀行規定客戶在開立公司戶口前，必須購買一份保單。

該客戶因而經被告購買上述保險公司一份保額為五十萬元的保單，而大新銀行其後就該保單向被告發放佣金共約六千五百元。

廉署調查顯示，大新銀行就開立公司戶口並沒有訂定上述規定。若該客戶知悉此事，他不會經被告購買有關保單。

被告於同日在上述保單的申請書上偽稱，該客戶是由一名客戶經理轉介給被告。

案情透露，該名其後已離職的客戶經理，沒有轉介該客戶給被告。假如該客戶經理沒有辭職，大新銀行會就有關保單批出佣金逾九百元。

大新銀行在廉署調查案件期間提供全面協助。

控方今日由控方大律師陳敏兒代表出庭，並由廉署人員劉燕燕協助。

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