



Press Releases

Defendant charged by ICAC in dummy insurance agents commissions fraud case faces 19 additional charges

2023-2-21

The ICAC has earlier charged 18 people with conspiracy to defraud and money laundering, revealed during the course of a corruption investigation, for allegedly taking part in a dummy insurance agents scam to defraud two insurers of commissions by making false representations that they had handled a few hundred insurance policies. The commissions involved in the scam increased to about \$50 million after 19 additional charges were laid against a defendant when she appeared in the Eastern Magistrates' Courts today (February 21).

Lo Yin-wa, 30, former branch manager of FWD Life Insurance Company (Bermuda) Limited (FWD), was charged in June 2022 with one count of conspiracy to defraud, contrary to Common Law. Upon further legal advice from the Department of Justice, 19 additional charges were laid against her today – one of conspiracy to defraud; and 18 of conspiracy to deal with property known or believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organized and Serious Crimes Ordinance and Section 159A(1) the Crimes Ordinance.

Seventeen other defendants, aged between 23 and 59, who were 10 then insurance agents of FWD, a then unit manager of Sun Life Hong Kong Limited (Sun Life HK) and her six down-line insurance agents, were charged in another case in October last year with 17 charges – two of conspiracy to defraud and 15 of conspiracy to launder crime proceeds.

Magistrate Mr Lam Tsz-kan allowed the prosecution's application for consolidating the two cases. The 18 defendants now face a total of 20 charges, namely two of conspiracy to defraud and 18 of conspiracy to launder crime proceeds, involving 478 insurance policies and commissions totalling about \$50 million.

No plea was taken today. The defendants were granted bail. The magistrate transferred the case to the District Court for plea on March 14.

The alleged offences took place between February 2016 and November 2020. At the material time, FWD branch manager Lo and the above 10 FWD insurance agents worked in the same team, while the remaining seven defendants worked under the same team in Sun Life HK. Except Lo, her husband cum FWD insurance agent Kwok Ho-leung and Sun Life HK unit manager Kwok Yun-fong, the remaining 15 co-defendants were said to be dummy insurance agents.

It is alleged that Lo, Kwok Ho-leung, Kwok Yun-fong and the six then Sun Life HK insurance agents conspired together and with others to defraud Sun Life HK. They allegedly made false representations to Sun Life HK that the six people were the respective handling agents of 206 insurance policy applications; and caused the insurer to approve the applications and to pay commissions, incentives, bonuses and allowances to Kwok Yun-fong's team.

Lo, Kwok Ho-leung and the nine then FWD insurance agents are alleged to have conspired together and with others to defraud FWD. They allegedly falsely represented to FWD that 12 then insurance agents of FWD,

including the nine people, were the respective handling agents of 272 insurance policy applications; and caused the insurer to approve the applications and to pay commissions, incentives, bonuses and allowances to Lo and the 12 persons.

It is also alleged that Lo had separately conspired with the 15 co-defendants and the three others to launder crime proceeds in relation to the scam totalling about \$47 million in 23 bank accounts of them.

The ICAC investigation arose from a corruption complaint. Enquiries revealed that Lo had allegedly recruited Kwok Yun-fong and others to join either Sun Life HK or FWD, and she told some of them that they were not required to source any clients.

The above 478 insurance policy applications mostly involved high commission rate insurance products. After approving most of the applications, Sun Life HK and FWD respectively released commissions, incentives, bonuses and allowances totalling over \$29 million and over \$20 million to the 15 co-defendants and the trio who purportedly handled them and their up-line managers, including Lo and Kwok Yun-fong. Had Sun Life HK and FWD known that the 15 co-defendants and the three others were not the handling agents of those insurance policies, they would not have released the above commissions, incentives, bonuses and allowances.

The bank accounts used for receiving the above commissions, etc. were allegedly controlled by Lo. Most of the insurance policies concerned eventually lapsed after subsequent premiums were not paid.

As the relevant corruption investigation is continuing, the ICAC does not rule out further law enforcement actions.

FWD and Sun Life HK have rendered full assistance to the ICAC during its investigation into the case.

The prosecution was today represented by Senior Public Prosecutor Joey Lin, assisted by ICAC officer Benny Chang.

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新聞公佈

廉署加控「傀儡保險代理」佣金詐騙案被告19項罪名

2023年2月21日

廉政公署調查貪污，揭發多人涉嫌參與「傀儡保險代理」串謀詐騙及「洗黑錢」勾當，訛稱經手處理數百份保單以獲兩間保險公司發放佣金，早前已落案起訴18名人士。其中一名被告今日(2月21日)在東區裁判法院應訊時被加控19項罪名，涉案佣金增至約5,000萬元。

盧彥樺，30歲，富衛人壽保險(百慕達)有限公司(富衛)前分行經理，去年6月被控一項串謀詐騙罪名，違反普通法。廉署獲律政司進一步法律意見後，今日加控盧彥樺19項罪名，即一項串謀詐騙，以及18項串謀處理已知道或相信為代表從可公訴罪行的得益的財產(即串謀「洗黑錢」)，違反《有組織及嚴重罪行條例》第25(1)條及《刑事罪行條例》第159A(1)條。

另外17名被告，年齡介乎23歲至59歲，分別為10名富衛保險時任代理、一名香港永明金融有限公司(香港永明)時任分區經理及其六名時任下線保險代理。他們去年10月於另一案件中被控共17項罪名，即兩項串謀詐騙，以及15項串謀「洗黑錢」。

裁判官林子勤今日批准控方申請將兩宗案件合併審理，18名被告現被控共20項罪名，即兩項串謀詐騙，及18項串謀「洗黑錢」。案件涉及478份保單，詐騙佣金金額共約5,000萬元。

各被告今日無須答辯，並獲准保釋。裁判官將案件押後至3月14日轉介區域法院答辯。

本案罪行涉嫌於2016年2月至2020年11月期間發生。案發時富衛分行經理盧彥樺與上述10名時任富衛保險代理屬同一團隊，其餘七名被告屬香港永明同一個團隊。除盧彥樺、其丈夫兼富衛保險代理郭浩良，以及香港永明分區經理郭潤芳外，餘下15名同案被告均被指為「傀儡保險代理」。

盧彥樺、郭浩良、郭潤芳及六名香港永明時任保險代理，涉嫌一同串謀並與其他人士串謀詐騙香港永明，他們向香港永明訛稱該六人分別是206份保單申請的經手代理，以及導致香港永明批准該等申請並向郭潤芳團隊支付佣金、獎金、花紅及津貼。

盧彥樺、郭浩良及九名富衛時任保險代理，涉嫌一同串謀並與其他人士串謀詐騙富衛，他們向富衛訛稱12名富衛時任保險代理，包括該九人，分別是272份保單申請的經手代理，以及導致富衛批准該等申請並向盧彥樺及該12名人士支付佣金、獎金、花紅及津貼。

盧彥樺又涉嫌分別與15名同案被告及另外三名人士串謀，清洗由他們所持有23個銀行戶口內共約4,700萬元款項，而該等款項涉及上述勾當的犯罪得益。

廉署早前接獲貪污投訴遂展開調查。廉署調查發現，盧彥樺涉嫌招攬郭潤芳及其他人士分別加入香港永明及富衛，並告知部分人士無須招納客戶。

上述478份保單申請主要涉及高佣金保險產品。香港永明及富衛批准大部分申請，並向報稱經手處理保單的15名同案被告、上述另外三名人士和他們的上線經理，包括盧彥樺及郭潤芳發放佣金、獎金、花紅及津貼，分別共逾2,900萬元及逾2,000萬元。如香港永明及富衛知悉該15名同案被告及該另外三人並非保單的經手代理，便不會發放上述佣金、獎金、花紅及津貼。

被指用作收取上述佣金等款項的銀行戶口，涉嫌由盧彥樺操控。大部分相關保單最終「斷供」並告失效。

廉署調查仍在進行，不排除會有更多人士被檢控。

富衛及香港永明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連祖兒代表出庭，並由廉署人員鄭志偉協助。

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