

香港司法機構  
司法機構政務長辦公室



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JUDICIARY ADMINISTRATION  
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Our Ref. 本署檔號： (30) in L/M (3) to SC/CR/25/2/1 Pt. 3

30 September 2006

Clerk to LegCo Panel on  
Administration of Justice and Legal Services  
(Attn : Mrs. Percy Ma)  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

Dear Mrs. Ma,

**Panel on Administration of Justice and Legal Services**  
**The Case of Mr. Michael WONG Kin-chow**

I refer to your letter of 7 February 2006 on the captioned matter, requesting the Judiciary Administration to inform the Panel as to whether the Judiciary will take any follow up action in relation to the case of Mr. Michael WONG Kin-chow, having regard to the fact that a decision has been taken not to prosecute Mr. Wong. Since that decision was taken, the Operations Review Committee of the Independent Commission Against Corruption has provided to the Judiciary information concerning this matter.

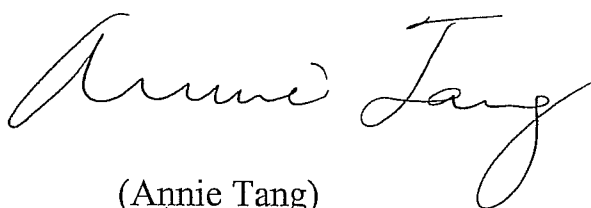
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2. The Judiciary notes that section 29(1)(b) of the Pension Benefits (Judicial Officers) Ordinance (“the Ordinance”) (Cap. 401)<sup>Note</sup> may be relevant. The Judiciary has sought legal advice on whether there is sufficient ground for the Judiciary to take action against Mr. Michael Wong under section 29(1)(b) of the Ordinance, having regard to the information provided to the Judiciary by the Operations Review Committee of the Independent Commission Against Corruption.

3. The legal advice is that there are insufficient grounds for the Judiciary to take action against Mr. Michael Wong under section 29(1)(b) of the Ordinance. The Judiciary has considered the legal advice and agreed that no action should be taken against Mr. Michael Wong under section 29(1)(b) of the Ordinance.

4. The legal advice however concludes that Mr. Michael Wong was not entitled to payment for reimbursement of leave passage allowances submitted by Mr. Wong between August 1998 and February 2001 and that steps should be taken to recover the amounts paid. On the basis of such legal advice, the Judiciary therefore requested Mr. Wong to repay the sum of \$171,666.00 to the Government. In accordance with the Judiciary’s request, Mr. Wong had repaid that sum.

Yours sincerely,



(Annie Tang)  
for Judiciary Administrator

c.c. SFST (Attn : Ms. Amy Tse)  
SCS (Attn : Mr. K.S. So)

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Note – Section 29(1)(b) of Cap. 401

“29 (1) After taking into consideration the advice of the Judicial Officers Recommendation Commission, and subject to section 32, a designated officer may –

(a) .....; or

(b) cancel or reduce a pension granted to an officer if it is shown to the designated officer that the pension was obtained by the wilful suppression by the officer of facts, or that it was granted in ignorance of facts, which were such that had they been known before the retirement of the officer the pension would not have been granted in full or in part.”

b.c.c. DoJ (Attn: Mr. Ian Wingfield and Ms. Ada Chung)