

LCSD subcontractor charged with \$12m shelters fraud

8 April 2014

A subcontractor of the Leisure and Cultural Services Department (LCSD) has been charged by the ICAC for allegedly using false invoices to deceive project payments totalling over \$12 million from the LCSD in relation to the supply and installation of shelters at public parks and gardens.

Sebastian Pang Kin-chi, 53, a shareholder-cum-director of Spark Fair Limited (SFL), who was charged yesterday (Monday), faces 23 counts of using a false instrument, contrary to Section 73 of the Crimes Ordinance. He further faces 23 alternative charges of attempted fraud, contrary to Section 16A of the Theft Ordinance.

The defendant, currently on ICAC bail, will appear in the Eastern Magistracy at 9:30 am tomorrow (Wednesday) for transfer to the District Court for plea.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the above alleged offences.

At the material time, the defendant was a shareholder-cum-director of SFL, which was subcontracted by two term contractors of the LCSD to supply and install shelters manufactured by a specified Japanese company at public parks and gardens managed by the LCSD.

The charges allege that between January 4, 2007 and July 15, 2011, the defendant used 78 false invoices purportedly issued on behalf of the two term contractors for the payments for the shelters manufactured by the Japanese company, with intention of inducing the LCSD to accept them as genuine.

The alternative charges allege that the defendant falsely represented to the LCSD that the shelters manufactured by the Japanese company were provided as required under related works orders, and with intent to defraud, attempted to induce the LCSD to part with a total of over \$12 million, resulting in benefit to the two term contractors and/or SFL, and/or prejudice to the LCSD.

It was alleged that 129 shelters covered by the alleged false invoices were not manufactured by the Japanese company.

The LCSD has rendered full assistance to the ICAC during its investigation.

廉署起訴康文署分判商疑涉一千二百萬元蔭棚工程欺詐案

2014年4月8日

廉政公署落案起訴一名康樂及文化事務署(「康文署」)分判商，控告他涉嫌在公園及花園供應及安裝蔭棚期間，使用虛假發票，以欺詐「康文署」工程付款共一千二百多萬元。

彭建枝，五十三歲，顯飛有限公司(「顯飛」)董事兼股東，於昨日(星期一)被控二十三項使用虛假文書罪名，涉嫌違反《刑事罪行條例》第73條。他另被控二十三項企圖欺詐交替罪名，涉嫌違反《盜竊罪條例》第16A條。

被告已獲廉署准予保釋，將於明日(星期三)上午九時三十分在東區裁判法院應訊，以待案件轉介區域法院答辯。

廉署早前接獲貪污投訴，調查後揭發上述涉嫌罪行。

被告於案發時為「顯飛」的董事兼股東。「顯飛」獲「康文署」兩間合約承辦商分判有關工程，為「康文署」管理的公園及花園供應及安裝由一間指定日本公司製造的蔭棚。

有關控罪指被告涉嫌於二〇〇七年一月四日至二〇一一年七月十五日期間，使用七十八份看來是代該兩間合約承辦商發出，因提供該日本公司製造的蔭棚而要求付款的虛假發票，意圖誘使「康文署」接受為真文書。

有關交替控罪指被告涉嫌虛假地向「康文署」表示已根據有關施工令的要求提供由該日本公司製造的蔭棚，意圖詐騙而企圖誘使「康文署」交出共一千二百多萬元，導致該兩間合約承辦商及/或「顯飛」獲得利益，及/或導致「康文署」蒙受不利。

有關涉嫌虛假發票涉及一百二十九個蔭棚，該等蔭棚涉嫌並非由該日本公司製造。

「康文署」在廉署調查案件期間提供全面協助。