

Ex-CEO cum director charged with \$1.7m fraud and false claim of meal expenses

16 September 2014

A former chief executive officer (CEO) cum director of a catering company has been charged by the ICAC for his alleged role in fraudulently awarding design works contracts worth over \$1.7 million to his own firm and using a false invoice to claim meal expenses.

Liu Kit-man, 52, former CEO cum director of Kabushikigaisha Limited (KL), who was charged yesterday (Monday), faced one count of fraud, contrary to Section 16A of the Theft Ordinance; and one of agent using a document with intent to deceive his principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance.

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

At the material time, the defendant was the CEO cum director of KL, which operated 18 restaurants in Hong Kong.

The fraud charge alleges that between August 4, 2008 and January 11, 2012, the defendant concealed from and failed to disclose to KL of his interests in Hong Kong Infix Design Co., Limited (HKIDC) while he was the CEO cum Director of KL, and was under a duty to make full disclosure of any existing or potential conflict with KL's interest.

It is alleged that with intent to defraud, the defendant induced KL to engage HKIDC to provide design works to the 18 restaurants of KL, which resulted in benefit to HKIDC or in prejudice or a substantial risk of prejudice to KL. The contracts for those design works were said to amount to over \$1.7 million.

The other charge alleges that on October 26, 2011, the defendant, with intent to deceive KL, used an invoice issued by a restaurant charging for \$5,685, which contained a false statement that the meal expenses were incurred in the course of KL's business affairs.

KL had rendered full assistance to the ICAC during its investigation.

The defendant has been released on ICAC bail, pending his court appearance tomorrow.

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廉署起訴飲食集團前高層疑涉欺詐 一百七十萬元合約及虛假申領用膳 開支

2014年9月16日

廉政公署落案起訴一名飲食集團前行政總裁兼董事，控告他涉嫌以欺詐手段，批出總值逾一百七十萬的設計工程合約予自己的公司，並利用虛假發票申領用膳開支。

廖傑民，五十二歲，株式會社有限公司(株式會社)前行政總裁兼董事，於昨日(星期一)被控共兩項罪名，即一項欺詐，涉嫌違反《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，涉嫌違反《防止賄賂條例》第9(3)條。

被告將於明日(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進行答辯。

被告於案發時是株式會社的行政總裁兼董事，該公司在香港共經營十八間食肆。

有關欺詐控罪指被告涉嫌於二〇〇八年八月四日至二〇一二年一月十一日期間，作為株式會社的行政總裁兼董事時，有責任全面披露與株式會社之間的任何存在或潛在利益衝突，但他隱瞞和沒有向株式會社披露他在香港英菲柯斯設計有限公司(英菲柯斯)的權益。

被告涉嫌意圖詐騙，誘使株式會社委託英菲柯斯為其十八間食肆提供設計工程，導致英菲柯斯獲得利益或株式會社蒙受不利。有關設計工程的合約據報總值逾一百七十萬元。

另一項控罪指被告涉嫌於二〇一一年十月二十六日，意圖欺騙株式會社，使用一份由一間食肆發出收取五千六百八十五元的發票，當中載有虛假陳述指有關用膳開支是在株式會社的業務過程中招致的。

株式會社在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋外出，等候明日應訊。

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