

Trio charged with bribery over listed company restructuring and acquisition

1 August 2015

One incumbent and two then directors of an investment company have been charged by the ICAC today (Saturday) with offering an advantage, namely a service agreement as a consultant, to a then executive director (ED) of a listed company over its restructuring, while one of them is also accused of bribing the ED with a share option in an acquisition by the listed company.

Kennedy Wong Ying-ho, 52, incumbent director of Perfect Ace Investments Limited (PAIL); Chui Chuen-shun, 61, and Richard Yin Yingneng, 62, both then directors of PAIL, face a joint charge of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance. Wong additionally faces another similar charge alone.

The defendants will appear at the Eastern Magistracy next Wednesday (August 5) for transfer of the case to the District Court for plea.

In October 2007, PAIL entered into a restructuring agreement with publicly listed Ocean Grand Chemicals Holdings Limited (OGCH), its provisional liquidators and an accounting firm. The restructuring was completed in September 2008. PAIL became the major shareholder of OGCH and Wong became its chairman. The ED concerned retained his post with OGCH.

On January 7, 2009, OGCH was renamed as Hong Kong Resources Holdings Company Limited (HKRH).

In July 2009, following HKRH's negotiation with the provisional liquidators of the then publicly listed 3D-GOLD Jewellery Holdings Limited (3D-GOLD), HKRH acquired five subsidiaries from 3D-GOLD.

The first charge alleges that on or about November 1, 2007, during the restructuring of OGCH, Wong, Chui and Yin offered an advantage, namely a service agreement as a consultant of PAIL, to the ED for the ED performing duties and exercising powers that may be assigned, vested in, or directed by the board of directors of PAIL or OGCH.

The other charge alleges that on or about August 19, 2009, Wong offered an advantage, namely a share option at \$1 for the subscription of 15 million preference shares of HKRH for \$1.8 million, to the ED for the ED participating in HKRH's acquisition of the five subsidiaries of 3D-GOLD.

The defendants have been released on ICAC bail, pending their court appearance next Wednesday.

[Back to Index](#)

廉署起訴三人就上市公司重組及收購涉嫌行賄

2015年8月1日

廉政公署今日(星期六)落案起訴一間投資公司一名現職董事及兩名前任董事，控告他們涉嫌就一間上市公司的重組，向該上市公司一名前任執行董事提供利益，即一份出任顧問的服務合約；而其中一人另被控就該上市公司一項收購項目，以認股權行賄該上市公司前任執行董事。

黃英豪，五十二歲，Perfect Ace Investments Limited (PAIL)現職董事；徐傳順，六十一歲，及尹應能，六十二歲，同為PAIL前任董事，同被控一項向代理人提供利益罪名，涉嫌違反《防止賄賂條例》第9(2)(a)條。黃另被控一項相類罪名。

被告將於下星期三(八月五日)在東區裁判法院應訊，以待案件轉介區域法院進行答辯。

PAIL與上市公司海域化工集團有限公司(海域化工)、其臨時清盤人及一間會計師樓於二〇〇七年十月達成重組協議，重組於二〇〇八年九月完成。PAIL成為海域化工主要股東，黃成為海域化工主席，而有關執行董事則留任海域化工。

海域化工於二〇〇九年一月七日改名為香港資源控股有限公司(香港資源)。

香港資源與當時上市公司金至尊珠寶控股有限公司(金至尊)的臨時清盤人商議後，於二〇〇九年七月向金至尊收購其五間附屬公司。

首項控罪指黃、徐及尹涉嫌於或約於二〇〇七年十一月一日，在海域化工重組期間，向有關執行董事提供利益，即作為PAIL顧問的服務合約，作為有關執行董事履行和行使PAIL或海域化工董事局可指派、賦予或指示的職責及權力的報酬。

另一項控罪指黃涉嫌於或約於二〇〇九年八月十九日，向有關執行董事提供利益，即以一百八十萬元認購一千五百萬股香港資源優先股的一元認股權，作為有關執行董事參與香港資源收購金至尊五間附屬公司的報酬。

被告已獲廉署准予保釋，以待下星期三應訊。

[返回目錄](#)