

Company director guilty of \$1m HA trolley contract fraud

18 March 2016

The sole director of a sourcing company, charged by the ICAC, was today (Friday) convicted at the Fanling Magistracy of fraud by furnishing false information to induce the Hospital Authority (HA) to award a trolley procurement contract worth over \$1 million to her company.

Lo Wai-chi, 52, sole director cum shareholder of L & L Global Sourcing Limited (L&L), was found guilty of one count of fraud, contrary to Section 16A of the Theft Ordinance.

Magistrate Mr Wong Wai-kuen adjourned the case to April 5 this year for sentence, pending a background report. The defendant was remanded in custody of the Correctional Services Department.

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

The court heard that at the material time, the defendant was the sole director cum shareholder of L&L.

In 2013, the New Territories East Cluster (NTEC) of HA conducted a tendering exercise for stainless steel linen trolleys to be used in the seven hospitals under its cluster. Four companies, including L&L, submitted tenders.

The NTEC later decided to amend the specifications of the linen trolleys for occupational safety reasons, resulting in another tendering exercise. Apart from three companies, L&L submitted its tender again.

The court heard that on November 1, 2013, the Cluster Tender Board of NTEC accepted the recommendation of its Tender Assessment Panel (TAP), and awarded the contract to L&L at the price of over \$1.28 million.

In the two tenders submitted by L&L, the defendant falsely represented that L&L would be the manufacturer of stainless steel linen trolleys if its bid was accepted by HA, and had a manufacturing facility in Shenzhen.

L&L also attached a summary to the tender, claiming that the company started off in China and the originating company, L & L Global Sourcing Limited – China, had supplied equipment and stainless steel products to the Grantham Hospital.

In vetting the tender submitted by L&L, a staff of the Procurements & Materials Management of HA contacted the Grantham Hospital, but was told that L&L had never supplied any goods to the hospital. It was also confirmed that the linen trolleys provided by L&L to the NTEC were manufactured by a stainless steel company in Shenzhen.

Had the TAP known that L&L deliberately submitted false information to the HA, the contract would not have been awarded to L&L, the court was told.

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

The prosecution was today represented by prosecuting counsel Steven Kwan, assisted by ICAC officer Franki Law.

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公司董事詐騙一百萬元醫管局手推車合約罪成候判

2016年3月18日

一間採購公司的唯一董事提供虛假資料，以誘使醫院管理局(醫管局)批出價值逾一百萬元的手推車採購合約予其公司，被廉政公署起訴。被告今日(星期五)在粉嶺裁判法院被裁定欺詐罪名成立。

盧慧芝，五十二歲，L & L Global Sourcing Limited (L&L)唯一董事及股東，被裁定一項欺詐罪名成立，違反《盜竊罪條例》第16A條。

裁判官黃偉權將案件押後至本年四月五日判刑，以待被告的背景報告。被告暫時還押懲教署看管。

廉署早前接獲貪污投訴，調查其後揭發上述罪行。

案情透露，被告於案發時為L&L的唯一董事及股東。

醫管局新界東聯網於二〇一三年為該聯網轄下七間醫院使用的的不銹鋼被服手推車進行招標，包括L&L在內共四間公司呈交標書。

新界東聯網其後基於職業安全理由，決定修訂被服手推車的規格，並進行另一次招標。L&L再次呈交標書，另有三間公司入標。

案情透露，新界東聯網的聯網投票委員會於二〇一三年十一月一日接受其標書評審委員會的建議，將被服手推車採購合約以逾一百二十八萬元判給L&L。

在兩份由L&L呈交的標書，被告均虛假地表示，如果L&L的競投獲醫管局接納，則L&L會成為該不銹鋼被服手推車的製造商，而其生產設施設在深圳。

L&L在標書中又附上一份公司概况，聲稱該公司在中國開始業務，而其原公司L & L Global Sourcing Limited – China曾向葛亮洪醫院供應設備及不銹鋼產品。

在審閱由L&L呈交的標書時，醫管局一名採購及物料管理人員聯絡葛亮洪醫院，並獲告知L&L從未向該醫院供應任何物品。L&L供應予新界東聯網的被服手推車亦證實是由深圳一間不銹鋼公司所生產。

假如標書評審委員會知悉L&L故意向醫管局呈交虛假資料，醫管局不會將有關合約判予L&L。

醫管局在廉署調查案件期間提供全面協助。

控方今日由大律師關文渭代表出庭，並由廉署人員羅君傑協助。

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