

Two years' jail for using false documents to deceive \$460,000

3 July 2014

A former sales manager of a school bus company, charged by the ICAC, was today (Thursday) sentenced to two years' imprisonment at the District Court for using false documents to deceive over \$460,000 from the company, and forging school chops and letterheads to apply for passenger service licences.

Leung Kim-fung, 51, former sales manager of City School Bus Service Limited (CSBS), today pleaded guilty to eight counts of agent using a document with intent to deceive his principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance.

He also pleaded guilty to 14 other charges – seven of using false documents, six of using copies of false instruments and one of possessing equipment for making false instruments.

In sentencing, Judge Amanda Jane Woodcock said a custodial sentence was appropriate as the offences committed by the defendant constituted a serious breach of trust.

The court heard that since 2008, the defendant had been the operation manager of CSBS, a company providing school bus and coach services to schools, government departments and other clients. In late 2011, he became the sales manager of the company.

While being employed by CSBS, the defendant was also the person-in-charge of Asian Richest Limited (ARL) and operated Jackson School Bus Company Limited (JSB).

Since 2009, Country Coach Limited, the main contractor of the Government Logistics Department for providing non-routine coach services to various government departments, had subcontracted government orders to ARL upon arrangement of the defendant.

After the government orders were subcontracted to ARL, the defendant further subcontracted those government orders to CSBS. Shareholders and directors of CSBS were neither aware of such an arrangement nor the defendant's role in ARL.

Between January 2010 and August 2011, the defendant failed to report a total of 854 government orders done by CSBS in the fee records to CSBS, causing CSBS to receive less payments totalling \$421,870 in relation to these orders.

In September 2010, the defendant arranged for JSB to accept the order to provide the Australian International School Hong Kong with school bus services.

The defendant then subcontracted the order to CSBS so as to gain the differences of \$38,500 in the service fees.

The court also heard that between June 19, 2009 and November 21, 2012, the defendant forged supporting letters purportedly issued by various schools and a hospital, and submitted them to the Transport Department to apply for passenger service licences.

On December 27, 2012, 17 imitated chops of 15 schools, a hospital and a tourist bus company, and 17 letterheads of six schools were seized at the defendant's office.

The headmasters and officers-in-charge of these organisations confirmed that the chops and letterheads were forged, the court was told.

The prosecution was today represented by Acting Senior Public Prosecutor Rosa Lo, assisted by ICAC officer Simon Liu.

前校巴公司經理使用假文件詐騙四十六萬元判囚兩年

2014年7月3日

一名學校巴士服務公司前營業經理，使用虛假文件詐騙公司逾四十六萬元，並偽造多間學校印章及信箋箋頭以申請客運營業牌照，被廉政公署拘控。被告今日(星期四)在區域法院被判入獄兩年。

梁劍峯，五十一歲，城市學校巴士服務公司(「城市校巴」)前營業經理，今日承認八項代理人意圖欺騙其主事人而使用文件罪名，違反《防止賄賂條例》第9(3)條。

他又承認十四項其他罪名，即七項使用虛假文書、六項使用虛假文書副本，以及一項管有用作製作虛假文書的設備罪名。

法官胡雅文在判刑時指出，被告所犯罪行嚴重違反誠信，因此判處監禁實屬恰當。

案情透露，被告於二〇〇八年起，在「城市校巴」擔任營運經理。該公司專為學校、政府部門及其他客戶提供校巴及巴士服務。被告於二〇一一年底起，轉任公司的營業經理。

在任職「城市校巴」期間，被告亦是誠亞有限公司(「誠亞」)負責人，並經營Jackson School Bus Company Limited (JSB)。

自二〇〇九年開始，港京巴士有限公司(「港京」)成為政府物流服務署的巴士服務總承辦商，專門為各政府部門提供非常規巴士服務，而「港京」亦在被告的安排下，將上述政府接送服務訂單外判予「誠亞」。

在「誠亞」獲判政府服務訂單後，被告安排有關政府訂單再外判予「城市校巴」負責。「城市校巴」的股東及董事均不知悉有關安排或被告在「誠亞」的角色。

二〇一〇年一月至二〇一一年八月期間，被告未有將八百五十四份由「城市校巴」負責的政府接送服務訂單填報在「城市校巴」的收費記錄之內，導致「城市校巴」因上述訂單少收款項合共四十二萬一千八百七十元。

被告於二〇一〇年九月安排JSB承接為香港澳洲國際學校提供校巴接送服務。

被告隨後將有關接送服務訂單再分判予「城市校巴」，從中賺取服務費用之間的差價合共三萬八千五百元。

案情又透露，被告於二〇〇九年六月十九日至二〇一二年十一月二十一日期間，偽造多份看來由多間學校、一間醫院發出的證明文件，並呈交運輸署用作申請客運營業牌照。

廉署調查人員於二〇一二年十二月二十七日，在被告的辦公室搜獲十七枚涉及十五間學校、一間醫院及一間旅運公司的仿製印章，以及十七份涉及六間學校的信箋箋頭。

有關校長及機構負責人稍後證實該些印章及學校的信箋箋頭均為偽造。

控方今日由署理高級檢控官羅心怡代表出庭，並由廉署人員廖漢源協助。