

Duo jailed for \$3.3m loans fraud and money laundering

16 February 2015

The proprietor and a former merchandiser of a trading company, charged by the ICAC, were today (Monday) sentenced to jail terms up to 28 months at the District Court for deceiving loans totalling over \$3.3 million from a bank and laundering those crime proceeds respectively.

Chow Chin-fan, 51, proprietor of Honest (HK) Manufacturing Limited (HML), received a jail term of 28 months, while Fok Yuk-kei, 25, former merchandiser of HML, was jailed for 20 months.

Chow earlier pleaded guilty to six counts of fraud, contrary to Section 16A(1) of the Theft Ordinance, while Fok pleaded guilty to one count of dealing with property known or believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organized and Serious Crimes Ordinance.

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

The court heard that at the material time, Chow and Fok were the proprietor and a merchandiser of HML respectively. Chow was also the sole director cum shareholder of Smooth Chance Limited (SCL), while Fok was the sole director cum shareholder of Joy Diamond Development Limited (JDDL). HML and SCL operated shops selling premiums and gifts in tourist areas.

Between October 3, 2011 and February 3, 2012, Chow applied to Standard Chartered Bank (Hong Kong) Limited (SCB) for six import invoice financing loans totalling over \$3.3 million on behalf of HML.

To support the loan applications, Chow submitted to the bank six sets of invoices and delivery notes issued by JDDL to purportedly show that JDDL had sold and delivered various merchandises to HML.

As a result, SCB approved the loan applications and transferred a total of over \$3.3 million to the bank account of JDDL on six occasions to settle the invoices.

The court heard that the transactions related to the six loans were fraudulent, and Chow had never disclosed to SCB that Fok, a merchandiser of HML, was the sole director cum shareholder of JDDL, the supplier in question.

After SCB released the six loans totalling over \$3.3 million into the bank account of JDDL, Fok withdrew the monies, and gave it to Chow in cash or credited them into the bank accounts of HML, SCL or Chow.

Fok dealt with the above sums of over \$3.3 million, knowing or having reasonable grounds to believe that the sums of monies represented the proceeds of an indictable offence.

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

The prosecution was today represented by Senior Public Prosecutor Matthew Leung, assisted by ICAC officer Berek Fung.

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兩人涉欺詐三百三十萬元貸款及 「洗黑錢」被判入獄

2015年2月16日

一名貿易公司東主及一名前採購員，分別詐騙銀行貸款共逾三百三十萬元及清洗有關犯罪得益，被廉政公署拘控。被告今日(星期一)在區域法院同被判入獄最高二十八個月。

周展帆，五十一歲，安得(香港)製品有限公司(安得)東主，被判囚二十八個月，而霍鈺琦，二十五歲，安得前採購員，則被判入獄二十個月。

周早前承認六項欺詐罪名，違反《盜竊罪條例》第16A(1)條，而霍則承認一項罪名，即處理已知道或相信為代表從公訴罪行得益的財產，違反《有組織及嚴重罪行條例》第25(1)條。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，周及霍於案發時分別為安得的東主及採購員。周同時是順事有限公司(順事)唯一董事兼股東，而霍則並為鑽怡發展有限公司(鑽怡)唯一董事兼股東。安得及順事在遊客區開設商舖售賣精品及禮品。

二〇一一年十月三日至二〇一二年二月三日期間，周代表安得向渣打銀行(香港)有限公司(渣打銀行)申請六筆共逾三百三十萬元的進口發票融資貸款。

為支持有關貸款申請，周向渣打銀行呈交六套由鑽怡發出的發票及提單，顯示鑽怡看似已向安得出售及送遞多款商品。

渣打銀行因而批核有關貸款申請，並先後六次將合共三百三十萬元的貸款存入鑽怡的銀行戶口，以清付有關發票。

案情透露，該六筆貸款的相關交易均是虛假的，而周從沒有向渣打銀行透露霍除了是安得的採購員，同時也是鑽怡即涉案供應商的唯一董事兼股東。

渣打銀行發出六筆共三百三十多萬元的貸款，並將有關貸款存入鑽怡的銀行戶口後，霍提取款項，並以現金支付周或以轉帳形式將款項存入安得、順事或周的銀行戶口。

霍知道或有合理理由相信上述三百三十多萬元的款項代表可從公訴罪行的得益，但他仍處理有關款項。

渣打銀行在廉署調查案件期間提供全面協助。

控方今日由高級檢控官梁文亮代表出庭，並由廉署人員馮志健協助。

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