

Duo jailed for deceiving \$2.3m bank loans and laundering crime proceeds

10 March 2015

A director of a printing company and a director of a trading company, charged by the ICAC, were today (Tuesday) sentenced to jail terms up to 20 months at the District Court for deceiving loans totalling over \$2.3 million from a bank and laundering those crime proceeds respectively.

Danny Ho Tak-yu, 56, director of Yue On Offset Printing Factory Company Limited (Yue On), received a jail term of 20 months, while Yiu Chi-wai, 43, sole shareholder cum director of Royal Richly Trading Limited (Royal Richly), was jailed for 12 months.

Ho and Yiu earlier pleaded guilty before Judge Eddie Yip Chor-man to 10 counts of fraud and one of dealing with property known or believed to represent proceeds of an indictable offence respectively.

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

The court heard that at the material time, Ho was one of the directors of Yue On, a family business run by Ho and his family members. Yiu Chi-wai, brother-in-law of Ho, was the sole signatory for the bank account of Royal Richly.

Between October 12 and December 29, 2011, Yue On applied to Wing Hang Bank Limited (Wing Hang Bank) for invoice financing loans on 10 occasions.

Ho falsely represented to Wing Hang Bank that there were genuine business transactions as evidenced in invoices issued by Royal Richly, the court heard.

In fact, no goods had been received by Yue On from Royal Richly. False delivery dates were put on the application forms for those loans, with no other documents to support the transactions, no purchase orders as well as no delivery notes.

With intent to defraud, Ho induced the bank to grant 10 invoice financing loans totalling over \$2.3 million to Yue On.

Wing Hang Bank confirmed that they would only advance money under an invoice financing loan if there was a genuine transaction with goods involved.

The court heard that Yiu knew the monies paid into the account of Royal Richly from Wing Hang Bank were the proceeds of the indictable offences of fraud.

Yiu signed the cheques which he knew would be used to withdraw the loans from the account of Royal Richly and pay the debts of Yue On, the court was told.

Wing Hang Bank had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel John Dunn, assisted by ICAC officer Alfred Chan.

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兩人欺詐二百三十萬元銀行貸款及 清洗犯罪得益判囚

2015年3月10日

一名印刷公司董事及另一名貿易公司董事，分別詐騙銀行貸款共逾二百三十萬元及清洗有關犯罪得益，被廉政公署拘控。兩名被告今日(星期二)在區域法院被判入獄最高二十個月。

何德裕，五十六歲，愉安柯式印刷廠有限公司(愉安)董事，被判入獄二十個月；而姚志偉，四十三歲，豐利貿易有限公司(豐利)獨資股東兼董事，則被判監十二個月。

何及姚早前向法官葉佐文分別承認十項欺詐及一項處理已知道或相信為代表從公訴罪行得益的財產的罪名。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，愉安於案發時是何及其家人所經營的家族生意，而何是該公司其中一名董事。姚志偉則是何的妻舅，並且是豐利的銀行戶口唯一簽署人。

愉安於二〇一一年十月十二日至十二月二十九日期間，向永亨銀行有限公司(永亨銀行)先後十次申請發票融資貸款。

案情指出，何虛假地向永亨銀行表示，有多項以豐利發給愉安的發票為證的真正商業交易。

事實上，愉安並未從豐利收到貨物，但在貸款申請表上卻填上虛假的貨物送達日期，而且沒有任何其他文件記錄證明有關交易，既沒有採購單也沒有送貨單據。

何意圖詐騙而誘使該銀行向愉安批出十筆共逾二百三十萬元的發票融資貸款。

永亨銀行證實，該行只會在確實存在真實交易情況下，才會發放發票融資貸款。

案情指出，姚知道由永亨銀行存入豐利的銀行戶口款項是可從公訴詐騙罪行的得益。

姚知道他所簽署的支票是用作從豐利戶口提取的貸款，並用作償還愉安的債項。

永亨銀行在廉署調查案件期間提供全面協助。

控方今日由大律師John Dunn代表出庭，並由廉署人員陳卓富協助。

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