

Company proprietor gets three years for \$31m L/C fraud

29 March 2016

The sole proprietor of an electronic company, charged by the ICAC, was today (Tuesday) sentenced to three years' imprisonment at the District Court for using false commercial invoices to induce five banks to grant 19 Letters of Credit (L/C) facilities totalling over \$31 million to another company.

Huang Cheng-chiang, 67, sole proprietor of Simple Electronic Company (Simple Electronic), was earlier found guilty of 19 charges – five of using a false instrument, contrary to Section 73 of the Crimes Ordinance; and 14 of using a copy of a false instrument, contrary to Section 74 of the Crimes Ordinance.

Deputy Judge Ms Kathie Cheung Kit-ye said the defendant had committed the offences which were serious in nature, and undermined the international image of Hong Kong's banks.

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

The court heard that at the material time, the defendant was the sole proprietor of Simple Electronic. He came to know a Mainland supplier of electronic parts to Sunwave Development Limited (Sunwave), a subsidiary of then listed Sunlink International Holdings Limited.

Upon the supplier's request, the defendant used Simple Electronic as the beneficiary of the L/Cs in respect of the transactions between the supplier and Sunwave.

Based on the information provided by the supplier, the defendant submitted to five banks via the bank of Simple Electronic five false commercial invoices and 14 copies of false commercial invoices purporting that Simple Electronic had supplied electronic components to Sunwave between November 2005 and September 2008.

The court heard that relying on the contents of those false commercial invoices, the five banks granted the L/C facilities applied by Sunwave to settle the goods payments to Simple Electronic.

The L/C proceeds totalling over \$31 million were deposited into the account of Simple Electronic with its bank, of which the defendant was an authorised signatory.

The defendant deducted about one per cent of the L/C proceeds as commissions, and transferred the remaining funds into other Hong Kong bank accounts designated by the supplier, the court was told.

The six banks concerned had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Thomas Iu, assisted by ICAC officer Matilda Wong.

[Back to Index](#)

公司東主涉三千一百萬元信用證欺 詐案判囚三年

2016年3月29日

一名電器公司獨資東主以虛假商業發票，誘使五間銀行向另一間公司批出十九筆共逾三千一百萬元的信用證貸款，被廉政公署起訴。被告今日(星期二)在區域法院被判入獄三年。

黃承強，六十七歲，森普電器公司(森普)獨資東主，早前被裁定十九項罪名成立，包括五項使用虛假文書，違反《刑事罪行條例》第73條，以及十四項使用虛假文書的副本，違反《刑事罪行條例》第74條。

暫委法官張潔宜判刑時表示，被告所干犯的罪行性質嚴重，並影響香港銀行的國際形象。

廉署早前接獲貪污投訴，調查其後揭發上述罪行。

案情透露，被告於案發時是森普的獨資東主。他認識當時上市公司科浪國際控股有限公司的附屬公司穎濤發展有限公司(穎濤發展)在內地的一名電子產品供應商。

被告應有關供應商的要求，以森普作為該供應商與穎濤發展之間交易所開出的信用證的受益人。

被告於二〇〇五年十一月至二〇〇八年九月期間，根據該供應商提供的資料，透過森普的銀行向五間銀行遞交五份虛假商業發票及十四份虛假商業發票副本，有關文件看似顯示森普曾向穎濤發展供應電子產品。

案情透露，根據有關虛假商業發票的內容，該五間銀行批出穎濤發展的信用證貸款申請，以清繳森普的貸款。

該等共三千一百多萬元的信用證貸款其後存入森普的銀行戶口，而被告為該銀行戶口其中一名授權簽署人。

被告保留有關信用證貸款總額約百分之一作為佣金，並把餘下的款項轉賬到由該供應商提供在香港多間銀行的戶口。

該六間銀行在廉署調查案件期間提供全面協助。

控方今日由大律師姚本成代表出庭，並由廉署人員黃桂嫦協助。

[返回目錄](#)