

Ex-chefs and suppliers charged with \$1.5m bribery and fraud

20 July 2016

Two former chefs of a Chinese restaurant and three food suppliers have been charged by the ICAC today (Wednesday) with soliciting, accepting and offering illegal rebates up to about \$1.5 million in relation to placing of food orders, and conspiracy to defraud the restaurant of payments totalling over \$3 million.

Li Tat-man, 44, former sous chef of Hutong, a Chinese restaurant in Tsim Sha Tsui, under Aqua Restaurant Group (ARG), Ng Kam-wai, 57, former chef de cuisine of Hutong; Lo Chi-kin, 62, operator of Choi Hop Lee (CHL), Yuen Chi-chin, 68, proprietor of Chi Kee Poultry (CKP), and Kwan Chik-hung, 61, proprietor of Hin Kee Ho (HKH), face a total of 27 charges.

Li and Lo face one count of conspiracy to defraud, contrary to Common Law. Li, Ng and Yuen have been charged with a similar offence, while Li, Ng and Kwan face another similar offence.

Li and Ng face one count of agent soliciting an advantage, contrary to Section 9(1)(b) of the Prevention of Bribery Ordinance (POBO). Li alone faces one similar offence, and eight counts of agent accepting an advantage, contrary to Section 9(1)(b) of the POBO, while Ng alone faces five similar offences.

Lo alone faces one count of offering an advantage to an agent, contrary to Section 9(2)(b) of the POBO. Yuen alone faces two similar offences, while Kwan alone faces six similar offences.

The defendants will appear at the Eastern Magistracy on Friday (July 22) for transfer of the case to the District Court for plea.

At the material time, Li and Ng were employed by ARG trading as Hutong as sous chef and chef de cuisine respectively.

Lo was operator of CHL, which supplied condiments to restaurants, including Hutong. Yuen was proprietor of CKP, a supplier of poultry, while Kwan was proprietor of HKH, a supplier of seafood.

One of the charges alleges that Li and Lo conspired together to defraud ARG by falsely representing that the quantity and/or weight of items as stated on the invoices submitted by CHL to Hutong had in fact been supplied to Hutong.

Another charge alleges that Li, Ng and Yuen conspired together to defraud ARG by using similar fraudulent means, while the other charge alleges that Li, Ng and Kwan conspired together to defraud ARG by using similar fraudulent means.

As a result, ARG was caused to settle overstated invoices of CHL, CKP and HKH in the total sum of over \$3 million.

In addition, Li and Ng face one count of soliciting from Kwan a rebate of \$22,320 as a reward for placing orders of seafood with HKH. Li also faces one count of soliciting from Kwan a rebate of \$4,800 for the same purpose.

Eight other charges allege that Li accepted rebates up to over \$925,000 from Lo, Yuen, Kwan and three other suppliers as rewards for placing orders with their companies, while five other charges allege that Ng accepted rebates up to over \$563,000 from Yuen, Kwan, an operator of CKP and one of the three other suppliers for the same purpose.

Lo faces one count of offering rebates up to \$192,000 to Li as rewards for placing orders of condiments with CHL.

Two other charges allege that Yuen offered rebates up to over \$137,000 to Ng as rewards for placing orders of poultry with CKP, while the remaining six charges allege that Kwan offered rebates up to

over \$202,000 to Ng and \$2,800 to Li as rewards for placing orders of seafood with HKH.

The above alleged offences took place between January 1, 2008 and June 10, 2015.

ARG has rendered full assistance to the ICAC during its investigation.

The defendants have been released on ICAC bail, pending their court appearances on Friday.

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廉署起訴前廚師及供應商涉嫌行賄 受賄一百五十萬元及詐騙

2016年7月20日

廉政公署今日(星期三)落案起訴兩名中餐廳前廚師及三名食物供應商，控告他們涉嫌在發出訂單時索取、收受及提供非法回佣高達約一百五十萬元，並串謀詐騙該餐廳付款逾三百萬元。

被告為李達文，四十四歲，Aqua Restaurant Group(ARG)旗下尖沙咀中餐廳「胡同」前副廚，吳錦偉，五十七歲，「胡同」前主廚；盧志堅，六十二歲，財合利營運者，袁志前，六十八歲，志記鷄鴨(志記)東主，及關植鴻，六十一歲，鴻記生猛海鮮(鴻記)東主。他們共被控二十七項罪名。

李達文及盧志堅同被控一項串謀詐騙罪名，違反普通法。李達文、吳錦偉及袁志前同被控一項相類罪名，而李達文、吳錦偉及關植鴻則另同被控一項相類罪名。

李達文及吳錦偉同被控一項代理人索取利益罪名，違反《防止賄賂條例》第9(1)(b)條。李達文另被控一項相類罪名，及八項代理人接受利益罪名，違反《防止賄賂條例》第9(1)(b)條，而吳錦偉則被控五項相類罪名。

盧志堅另被控同一項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(b)條。袁志前則被控兩項相類罪名，而關植鴻則被控六項相類罪名。

五名被告將於星期五(七月二十二日)在東區裁判法院應訊，以待案件轉介區域法院答辯。

李達文及吳錦偉於案發時分別受僱於ARG任職副廚及主廚，該公司以「胡同」之名營業。

盧志堅是財合利的營運者，該公司供應佐料給食肆，當中包括「胡同」。袁志前是家禽供應商志記的東主，而關植鴻則是海鮮供應商鴻記的東主。

其中一項控罪指李達文及盧志堅涉嫌一同串謀詐騙ARG，即虛假地表示財合利提交的發票所述數量及/或重量的項目，事實上已供應給「胡同」。

另一項控罪指李達文、吳錦偉及袁志前涉嫌以相類欺詐手法一同串謀詐騙ARG，而另外一項控罪指李達文、吳錦偉及關植鴻則涉嫌以相類欺詐手法一同串謀詐騙ARG。

有關串謀詐騙勾當致使ARG結清誇大了供應量的財合利、志記及鴻記發票，總額逾三百萬元。

此外，李達文及吳錦偉同被控一項控罪，指他們涉嫌向關植鴻索取一筆二萬二千三百二十元的回佣，作為向鴻記發出海鮮訂單的報酬。李達文另被控一項控罪，指他涉嫌以相同同的向關植鴻索取一筆四千八百元的回佣。

另外八項控罪指李達文涉嫌從盧志堅、袁志前、關植鴻及另外三名供應商收受高達逾九十二萬五千元的回佣，作為向其公司發出訂單的報酬。而另外五項控罪指吳錦偉涉嫌以相同目的從袁志前、關植鴻、志記的營運者及上述另外三名供應商之一收受高達逾五十六萬三千元的回佣。

盧志堅被控一項控罪，指他涉嫌向李達文提供高達十九萬二千元的回佣，作為向財合利發出佐料訂單的報酬。

另外兩項控罪指袁志前涉嫌向吳錦偉提供高達十三萬七千元的回佣，作為向志記發出家禽訂單的報酬。餘下六項控罪指關植鴻涉嫌向吳錦偉及李達文分別提供高達二十萬零二千元及二千八百元的回佣，作為向鴻記發出海鮮訂單的報酬。

上述涉嫌控罪於二〇〇八年一月一日至二〇一五年六月十日期間發生。

ARG在廉署調查案件期間提供全面協助。

各被告已獲廉署准予保釋，以待星期五應訊。

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