

Duo in court over \$480,000 school renovation projects fraud

19 August 2016

A computer technician of a government-aided primary school and a proprietor of two renovation companies appeared in the Eastern Magistracy today (Friday) after being charged by the ICAC with conspiracy to defraud the school of 10 renovation projects worth over \$480,000.

Lam Ka-chun, 35, computer technician of San Wui Commercial Society School (SWCSS), and Chung Kin-pong, 32, proprietor of Asia Century and Creative Link Engineering Limited (Creative Link), who were charged on Wednesday (August 17), faced a joint charge of conspiracy to defraud, contrary to common law.

Lam alone faced two alternative charges of forgery, contrary to Section 71 of the Crimes Ordinance, while Chung also faced 10 alternative charges of using false instruments, contrary to Section 73 of the Crimes Ordinance.

The defendants pleaded not guilty to their respective charges. Magistrate Jason Wan Siu-ming adjourned the case to September 30 this year for a pre-trial review.

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

At the material time, Lam was a computer technician of SWCSS, a government-aided primary school managed by an Incorporated Management Committee (IMC). Chung was the sole proprietor of Asia Century and a director-cum-shareholder of Creative Link.

The charge alleged that Lam and Chung conspired together and with another person to defraud the IMC of SWCSS by falsely representing that quotations submitted by Asia Century, Creative Link and four other companies for prospective renovation projects at the school were genuinely competitive ones, and that the quotations were prepared separately from and independently of one another.

As a result, Lam and Chung caused and induced the IMC of SWCSS to approve payments to be made to Asia Century or Chung. The approved payments for the 10 prospective renovation projects were said to amount to over \$480,000.

Two alternative charges alleged that Lam made two quotations purportedly issued by one of the four other companies for the air-conditioner installation work at the hall of SWCSS and the main entrance renovation work to the school respectively, with the intention that he or another shall use them to induce somebody to accept them as genuine.

The remaining 10 alternative charges alleged that Chung used 22 false quotations purportedly issued by the four other companies for various projects at SWCSS, including illumination and partition installation work, replacement of wooden door and mechanical lock, water leakage repair work, and air-conditioner and power supply installation, with the intention of inducing an officer of SWCSS to accept them as genuine.

The above alleged offences took place between July 1, 2013 and November 7, 2014.

Lam and Chung were each granted cash bail of \$10,000. They were also ordered not to leave Hong Kong and not to interfere with prosecution witnesses.

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

The prosecution was today represented by ICAC officer Hayley Lau.

廉署起訴兩人疑涉串謀詐騙學校四十八萬元維修工程今提堂

2016年8月19日

廉政公署落案起訴一名政府資助小學電腦技術員及一名經營兩間裝修公司的東主，控告兩人涉嫌串謀詐騙該校十項總值逾四十八萬元的維修工程。兩人今日(星期五)在東區裁判法院應訊。

林嘉俊，三十五歲，新會商會學校電腦技術員，及鍾健邦，三十二歲，博亞及創藝聯工程有限公司(創藝聯)東主，於星期三(八月十七日)同被控一項串謀詐騙罪名，違反普通法。

林另被控兩項偽造的交替罪名，違反《刑事罪行條例》第71條，而鍾則另被控十項使用虛假文書的交替罪名，違反《刑事罪行條例》第73條。

兩名被告否認控罪。裁判官溫紹明將案件押後至本年九月三十日進行預審。

廉署早前接獲貪污投訴，調查其後揭發上述涉嫌罪行。

林於案發時是新會商會學校的電腦技術員，而該校為一所政府資助小學，由法團校董會負責管理。鍾則為博亞的獨資經營者及創藝聯的董事兼股東。

控罪指林及鍾涉嫌與另一名人士一起串謀詐騙新會商會學校法團校董會，虛假地表示博亞、創藝聯及另外四間公司就學校準維修工程所遞交的報價單是真正具競爭性，以及報價單均由各公司分別及獨立製備。

林及鍾涉嫌藉此從而導致及誘使新會商會學校法團校董會向博亞或鍾批核付款。有關該十項準維修工程的獲批付款據報達到四十八萬多元。

兩項交替控罪指林涉嫌製造兩份看來是由上述另外四間公司之一發出的報價單，分別涉及新會商會學校禮堂冷氣安裝工程及正門修繕工程，意圖由其本人或他人藉使用有關報價單而誘使另一人接受它們為真文書。

餘下十項交替控罪指鍾涉嫌使用二十二份看來是由上述另外四間公司發出的虛假報價單，涉及在新會商會學校進行的多項工程，包括照明及隔板安裝、更換木門及電子鎖、漏水維修，以及安裝冷氣及電力供應，意圖而誘使該校一名人員接受有關報價單為真文書。

上述涉嫌罪行於二〇一三年七月一日至二〇一四年十一月七日期間發生。

被告各獲准以現金一萬元保釋，並受命不准離開香港及不得騷擾控方證人。

新會商會學校在廉署調查案件期間提供全面協助。

控方今日由廉署人員劉雪芬代表出庭。

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