

Forty months' jail for \$120m plastic material purchase orders fraud

16 November 2016

A former sales representative of two plastic raw material trading companies and a proprietor of another trading firm, charged by the ICAC, were today (November 16) each sentenced to 40 months' imprisonment at the District Court for conspiracy to defraud the two trading companies of over \$120 million worth of purchase orders.

Chung Wai-leung, 42, former sales representative of Geoquad Company Limited (GCL) and Geoquad (Hong Kong) Company Limited (GHKCL), and Chu Wing-wah, 48, sole proprietor of Fu Wah Trading Company (FWTC), earlier pleaded guilty to two joint charges of conspiracy to defraud, contrary to Common Law.

In sentencing, Judge Frankie Yiu Fun-che said he considered the culpability of defendants was equal in view of their respective roles in the scam.

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

The court heard that at the material time, Chung was a sales representative of GCL and GHKCL, both plastic raw material trading companies.

After its inception in 2013, GHKCL took over part of GCL's business, including the supply of plastic raw materials to 12 companies. Since then, Chung had been assigned to work in GHKCL.

Chu incorporated FWTC in 2008 and was its sole proprietor. Since 2011, he had run another plastic raw material trading company, Fu Wah Trading (International) Company Limited (FWTI), with a business partner.

GCL records showed that between February 25, 2011 and April 30, 2013, six of the 12 companies placed 108 orders for plastic raw materials with GCL. The total amount of goods sold was over \$60 million, the court heard.

In addition, GHKCL records showed that between May 9, 2013 and July 30, 2014, 11 of those companies placed 107 orders for plastic raw materials with GHKCL. The total amount of goods sold was over \$66 million.

Investigations, however, proved that the transactions of GCL and GHKCL had never been placed by the companies concerned.

The court heard that full payments for the transactions of GCL were settled by FWTC, FWTI, Chu or his business partner. Part of the payments for the transactions of GHKCL were settled by FWTC, FWTI or Chu's business partner. Over \$8 million is still outstanding.

As a result of the above transactions, Chung earned commissions of over \$151,000 from GCL and over \$127,000 from GHKCL respectively, the court was told.

GCL and GHKCL had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Public Prosecutor Joycelyn Ng, assisted by ICAC officer Phoebe Tsang.

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兩人詐騙一億二千萬元塑膠原料訂 單判囚四十個月

2016年11月16日

一名任職兩間塑膠原料貿易公司的前營業代表及一名另一間貿易公司的經營者，串謀詐騙該兩間塑膠原料貿易公司總值逾一億二千萬元的訂單，被廉政公署起訴。兩人今日(十一月十六日)在區域法院同被判入獄四十個月。

鍾偉樑，四十二歲，志光企業有限公司(志光)及志光(香港)企業有限公司(志光香港)前營業代表，及朱榮華，四十八歲，富華貿易公司(富華)獨資經營者，早前承認兩項串謀詐騙罪名，違反普通法。

法官姚勳智判刑時表示，他考慮到兩名被告在串謀詐騙勾當中擔當的角色，認為二人的罪責均等。

廉署早前接獲貪污投訴，調查其後揭發上述罪行。

案情透露，鍾偉樑於案發時是志光及志光香港的營業代表，而志光及志光香港為塑膠原料貿易公司。

志光香港於二〇一三年成立後，接手志光的部分業務，包括供應塑膠原料予十二間公司。鍾偉樑自始被安排在志光香港工作。

朱榮華於二〇〇八年成立富華，並為該公司的獨資經營者。自二〇一一年起，他與一名生意夥伴共同經營另一間塑膠原料貿易公司富華貿易(國際)有限公司(富華國際)。

案情透露，志光的記錄顯示於二〇一一年二月二十五日至二〇一三年四月三十日期間，上述十二間公司其中六間公司曾向志光發出一百零八張訂單以訂購塑膠原料，而售出貨品的總金額為六千多萬元。

此外，志光香港的記錄顯示於二〇一三年五月九日至二〇一四年七月三十日期間，當中十一間公司向志光香港發出一百零七張訂單以訂購塑膠原料，而售出貨品的總金額為六千六百多萬元。

不過，調查證實該等公司從未向志光及志光香港發出訂單進行有關交易。

案情透露，富華、富華國際、朱榮華或其生意夥伴就涉案的志光交易支付了全數貨款；而富華、富華國際、朱榮華的生意夥伴則就涉案的志光香港交易支付部份貨款，而尚未支付的金額為八百多萬元。

鍾偉樑就上述涉案的志光及志光香港的交易，分別從志光及志光香港賺取了十五萬一千多元及十二萬七千多元的佣金。

志光及志光香港在廉署調查案件期間提供全面協助。

控方今日由檢控官吳靄林代表出庭，並由廉署人員曾憲怡協助。

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