



## Press Releases

### **Ex-sales clerk gets three years and two months for \$720,000 purchase orders fraud**

**2017-10-25**

A former sales clerk of a packaging and labour protective materials supplier, charged by the ICAC, was today (October 25) sentenced to three years and two months' imprisonment at the District Court after being convicted of defrauding six local food manufacturers of purchase orders worth about \$720,000 and using false purchase orders.

Sin Ngai-king, 34, former sales clerk of Ming Fu Hong (MFH), was found guilty of eight charges – six of fraud, contrary to Section 16A(1) of the Theft Ordinance, and two of using a false instrument, contrary to Section 73 of the Crimes Ordinance.

In passing the sentence, Deputy District Judge Ms Merinda Chow Yin-chu said the numerous dishonest acts of the defendant constituted a serious breach of trust.

She added that the court had to impose a custodial sentence on the defendant to reflect the seriousness of his offences which lasted a long period of time.

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 employed by MFH, a supplier of packaging and labour protective materials. He was tasked to liaise with six local food manufacturers and process their purchase orders.

Team Best Trading Limited (TBT) was a motor oil trading company owned and operated by the defendant's family. TBT had no business links with MFH and the defendant was not its employee.

The court heard that between October 2011 and January 2013, the defendant falsely represented to the six local food manufacturers that MFH was renamed as TBT, and that MFH had no supply of blue gloves.

Believing in what the defendant said, the six local food manufacturers placed orders for plastic bags, blue gloves and labour protective materials with TBT rather than MFH and subsequently settled payments with TBT.

As a result, business totalling about \$720,000 had been diverted from MFH to TBT, the court heard.

On September 5 and October 9, 2014, the defendant respectively used two false purchase orders worth

about \$30,000 in total and purportedly issued by MFH to induce a plastic bag supplier of MFH to accept them as genuine.

In fact, MFH did not place those orders with the supplier and authorise the defendant to issue the two purchase orders concerned.

The court also heard that MFH had never changed its name to TBT. MFH could supply all the products involved in the transactions between TBT and the six local food manufacturers at the same price and of the same quality.

Had the six local food manufacturers known that MFH did not change its name to TBT or that MFH was able to supply the packaging and labour protective materials concerned, they would have continued to place orders with MFH.

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

The prosecution was today represented by prosecuting counsel Bernard Chung, assisted by ICAC officer Keith Chu.

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## 新聞公佈

# 前銷售文員詐騙七十二萬元購貨訂單罪成判囚三年零兩個月

2017年10月25日

一名包裝及勞工保護物料供應商前銷售文員，詐騙六家本地食品生產商總值約七十二萬元的購貨訂單，以及使用虛假購貨訂單，被廉政公署起訴。被告今日(十月二十五日)在區域法院被裁定罪名成立，判囚三年零兩個月。

冼毅勁，三十四歲，明富行前銷售文員，被裁定八項罪名成立，即六項欺詐，違反《盜竊罪條例》第16A(1)條，及兩項使用虛假文書，違反《刑事罪行條例》第73條。

暫委法官周燕珠判刑時稱，被告多次作出不誠實的行為，嚴重違反誠信。法庭須判處被告監禁刑期，以反映他長時間干犯罪行的嚴重性。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，被告於案發時受僱於包裝及勞工保護物料供應商明富行，負責聯絡六家本地食品生產商及跟進其購貨訂單。

盟益貿易有限公司(盟益)是一家汽車機油貿易公司，由被告家人擁有及經營。盟益與明富行並無業務聯繫，而被告並非盟益僱員。

案情透露，被告於二〇一一年十月至二〇一三年一月期間，虛假地向該六家本地食品生產商表示，明富行易名為盟益，而且明富行並沒有藍色手套供應。

該六家本地食品生產商相信被告所言，遂向盟益而非明富行訂購膠袋、藍色手套及勞工保護物料，其後並向盟益付款。

案情透露，總值約七十二萬元的生意因而由明富行轉移至盟益。

被告分別於二〇一四年九月五日及十月九日使用兩份看來是由明富行發出總值約三萬元的虛假購貨訂單，誘使明富行的膠袋供應商接受它們為真文書。

事實上，明富行並沒有向該供應商訂購那些貨品，亦沒有授權被告發出有關購貨訂單。

案情又透露，明富行從沒有易名為盟益，而且明富行能以相同價錢及同等質素，供應盟益與該六家本地食品生產商之間交易所涉及的所有產品。

若該六家本地食品生產商知悉明富行並沒有易名為盟益，或明富行能提供相關的包裝及勞工保護

物料, 他們會繼續向明富行訂貨。

明富行在廉署調查案件期間提供全面協助。

控方今日由控方大律師鍾偉強代表出庭, 並由廉署人員朱偉波協助。

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