



Press Releases

Four admit using bogus quotations to secure \$470,000 inspection and repair works

2018-1-4

A former chairlady of the incorporated owners (IO) of an industrial building and three contractors, charged by the ICAC, admitted at the Kowloon City Magistracy today (January 4) that they had conspired to use bogus quotations to help an engineering company secure over \$470,000 worth of mandatory building inspection and necessary repair works at the industrial building.

Stella Lam Sui-lin, 65, former chairlady of the IO of Fuk Hong Industrial Building; Yeung Ho-ki, 40, sole proprietor of Key Power Water-proof Engineering Company (KPW); Lam Kwai-lung, 29, partner of O&H Design House (O&H); and Yau Tai-hung, 49, director of Ho Hin Engineering (HK) Limited (HHE), pleaded guilty to a joint charge of conspiracy to use false instruments, contrary to Sections 73 and 159A of the Crimes Ordinance.

Magistrate Miss Veronica Heung Shuk-han adjourned the case until January 17 this year for sentence, pending community service order reports. The defendants were granted bail.

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

The court heard that at the material time, Stella Lam was the chairlady of the IO of Fuk Hong Industrial Building in Tong Mi Road, Mong Kok. Yeung, Lam Kwai-lung and Yau were respectively the sole proprietor of KPW, a partner of O&H and a director of HHE.

In December 2014, the Buildings Department issued a notice to the IO of Fuk Hong Industrial Building requiring it to conduct mandatory building inspection and necessary repair works at the industrial building.

On September 9, 2015, a meeting with some of the IO members was held to discuss the works. Stella Lam invited Chan Sze-ka and Ma Kam-sing, both directors of Sky Win Engineering Limited (SWE), to present its quotations to the IO members.

Despite queries on the single quotation arrangement, Stella Lam suggested that the works in four contracts, totalling over \$470,000, should be awarded to SWE. One or two days later, SWE subcontracted related works to KPW.

According to the Building Management Ordinance, at least five quotations were required for contracts involving over \$200,000.

The court heard that after the IO meeting, Stella Lam requested Chan to obtain four sets of backdated quotations at different prices from other contractors, so that the IO could have the justification for awarding the works to SWE.

Acceding to the request, Chan asked Lam Kwai-lung, Yau and Ma to provide her with quotations of their respective companies – O&H, HHE and Shine Engineering Service Company (SES). Upon Chan's request, Ma sought Yeung's assistance in providing him with the quotations of KPW.

Chan and Ma told Yeung, Lam Kwai-lung and Yau that their quotations were not for genuine bidding of the works but only for fulfilling the requirement of the IO. The trio agreed to offer assistance.

On September 17, 2015, Chan handed over the false quotations to Stella Lam, who subsequently prepared and signed the minutes of the IO meeting falsely representing that the IO had resolved to award the works to SWE after discussing the quotations of five bidders, namely SWE, KPW, O&H, HHE and SES, the court was told.

Chan, 34, and Ma, 31, were also charged by the ICAC for their roles in the scam in a separate case. They earlier pleaded guilty to a joint charge of conspiracy to use false instruments, and had their case adjourned to January 19 this year for sentence.

The IO of Fuk Hong Industrial Building had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Marco Li, assisted by ICAC officer Stephen Leung.

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新聞公佈

四人承認使用虛假報價單以批出四十七萬元工程候判

2018年1月4日

一名工業大廈業主立案法團(法團)前主席及三名承辦商串謀使用虛假報價單，以協助一間工程公司取得該工業大廈總值四十七萬多元的強制驗樓及所需的修葺工程，早前被廉政公署起訴。四名被告今日(一月四日)在九龍城裁判法院承認控罪。

林瑞蓮，六十五歲，福康工業大廈法團前主席；楊海旗，四十歲，兆海防漏工程公司(兆海)獨資東主；林桂龍，二十九歲，奧斯鋁質設計公司(奧斯)合夥人；及丘締紅，四十九歲，浩軒工程(香港)有限公司(浩軒)董事，同承認一項串謀使用虛假文書罪名，違反《刑事罪行條例》第73條及第159A條。

裁判官香淑嫻將案件押後至本年一月十七日判刑，以待各被告的社會服務令報告。各被告獲准保釋。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，林瑞蓮於案發時是旺角塘尾道福康工業大廈法團主席，而楊海旗、林桂龍及丘締紅則分別是兆海的獨資東主、奧斯的合夥人及浩軒的董事。

屋宇署於二〇一四年十二月向福康工業大廈法團發出通知，要求法團在該工業大廈進行強制驗樓和所需的修葺工程。

部份法團成員於二〇一五年九月九日出席會議以討論相關工程。林瑞蓮邀請佳偉工程有限公司(佳偉)董事陳詩嘉及馬錦昇向法團成員解釋其報價單。

雖然單一報價安排受到質疑，林瑞蓮建議把四份涵蓋相關工程的合約判給佳偉，合約總價逾四十七萬元。一或兩天後，佳偉把相關工程分判予兆海。

根據《建築物管理條例》，價值逾二十萬元的合約須以招標承投方式取得，並最少須邀請五份標書。

案情透露，林瑞蓮於法團會議後要求陳詩嘉提供四套由其他承辦商所發出、日期填寫至較早時間而且價錢不同的報價單，這樣法團便有理由把相關工程判給佳偉。

陳詩嘉答應要求，並請林桂龍、丘締紅及馬錦昇向她提供他們各自公司(即奧斯、浩軒及昇亮工程服務公司(昇亮))的報價單。馬錦昇則按陳詩嘉的要求，尋求楊海旗協助向他提供兆海的報價單。

陳詩嘉和馬錦昇告知楊海旗、林桂龍及丘締紅，他們提供的報價單並非真的為競投相關工程，只是純粹為了滿足法團的要求。三人同意提供協助。

案情透露，陳詩嘉於二〇一五年九月十七日把有關虛假報價單交予林瑞蓮。林瑞蓮遂草擬及簽署一份該法團會議的記錄，當中虛假地表示在該次會議上，法團就五家投標商(即佳偉、兆海、奧斯、浩軒和昇亮)的報價單進行討論後，決議通過把相關工程判給佳偉。

陳詩嘉，三十四歲，及馬錦昇，三十一歲，亦因涉及上述勾當而被廉署分案起訴。兩人早前同承認一項串謀使用虛假文書罪名，案件押後至本年一月十九日判刑。

福康工業大廈法團在廉署調查案件期間提供全面協助。

控方今日由大律師李國威代表出庭，並由廉署人員梁展豪協助。

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