

Ex-employees of electronic products company get 18 months for deceiving over \$160,000

2 January 2014

Two former employees of an electronic products company, charged by the ICAC, were today (Thursday) each sentenced to 18 months' imprisonment at the Kowloon City Magistracy for using false documents to deceive \$166,300 from the company in relation to purchase of computers and installation of a telephone system.

Lui Lai-mei, 53, former general manager (finance) of KFE Hong Kong Company Limited (KFE); and Liu Pak-kee, 32, former administration clerk of KFE, were earlier found guilty of seven joint charges of agents using documents with intent to deceive their principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance.

In sentencing, Magistrate Mr Ko Wai-hung said the court had to mete out jail terms to the defendants as the offences committed by them constituted a serious breach of trust.

The magistrate reprimanded the defendants for showing no remorse at all for what they had done.

The magistrate also ordered Liu to pay \$166,300 as restitution to his former employer within two years.

The court heard that KFE, a subsidiary of KFE (Japan) Company Limited, was engaged in trading of electronic products. At the material time, Lui oversaw the daily operation of KFE, while Liu was her subordinate.

Upon Lui's request in November 2010, the sole proprietor of a telephone system contractor of KFE gave some blank letterhead papers of his company to Liu.

Liu then used those blank letterhead papers to prepare a quotation and an invoice purporting to show that the telephone system contractor had supplied three computers to KFE. Upon Liu's instruction, the proprietor also made out a receipt.

The proprietor later signed and affixed a company chop on the quotation, invoice and receipt purporting to show that his company had charged and received \$23,100 from KFE for the supply of the three computers.

In fact, the proprietor had neither provided KFE with the computers nor received the \$23,100. But Liu got the payment from the petty cash of KFE.

The court also heard that upon Lui's request in March 2011, the proprietor installed a telephone system in the office of KFE.

Lui requested the proprietor to give some blank letterhead papers to Liu, who then prepared a quotation and an invoice purporting to show that the proprietor's company charged KFE \$161,800 for the project.

Upon Liu's request, the proprietor signed and stamped on the quotation and invoice, and issued two receipts from the payment of a deposit of \$80,000 and the balance of \$81,800 from KFE.

In fact, the proprietor had never received the sums of \$161,800, but only the payment of \$18,600. Hence, the balance of \$143,200 paid from petty cash of KFE was pocketed by Liu, the court was told.

The prosecution was today represented by Senior Public Prosecutor Matthew Leung, assisted by ICAC officer Calvin Wong.

電子產品公司兩名前僱員詐騙逾十六萬元各判囚十八個月

2014年1月2日

兩名電子產品公司前僱員，就該公司購買電腦及安裝電話系統時，使用虛假文件騙取公司款項共十六萬六千三百元，被廉政公署拘控。兩名被告今日(星期四)在九龍城裁判法院各被入獄十八個月。

呂麗媚，五十三歲，協榮二葉科技(香港)有限公司(「協榮」)前總經理(財務)；及廖柏基，三十二歲，「協榮」前行政文員，早前同被裁定七項代理人意圖欺騙其主事人而使用文件罪名成立，違反《防止賄賂條例》第9(3)條。

裁判官高偉雄判刑時稱，兩名被告所犯的罪行嚴重違反誠信，因此必須判處監禁。裁判官又斥責被告對所作所為毫無悔意。

裁判官又判處廖須在兩年內歸還十六萬六千三百元予其前僱主作為賠償。

案情透露，「協榮」是一間經營電子產品貿易的公司，由KFE Japan Company Limited全資擁有。案發時，呂負責管理「協榮」的日常運作，而廖則是她的下屬。

二〇一〇年十一月，「協榮」一名電話系統承判商的獨資東主，應呂的要求提供其公司的空白信紙予廖。

廖利用該批空白信紙準備一張報價單及一張發票，藉此顯示該電話系統承判商已供應三部電腦予「協榮」。該名東主亦按照廖的指示，開出一張收據。

該名東主其後在報價單、發票及收據上簽署及蓋上公司印章，藉此顯示其公司已供應三部電腦予「協榮」，並要求「協榮」繳款及收取了二萬三千一百元。

事實上，有關東主並無向「協榮」提供該批電腦，更從未收取二萬三千一百元。不過，廖卻從「協榮」的「零用現金」獲支付該筆款項。

案情又透露，該名東主於二〇一一年三月應呂的要求，在「協榮」的辦公室安裝了一套電話系統。

呂要求該名東主提供一些其公司的空白信紙予廖，讓廖準備一張報價單及一張發票，藉此顯示該公司為「協榮」安裝電話系統收取十六萬一千八百元。

該東主按照廖的要求，在報價單及發票上簽署及蓋上公司印章，並發出了兩張收據，藉此顯示其公司已從「協榮」收取了八萬元的訂金和八萬一千八百元的餘款。

事實上，該名東主只就該電話系統的安裝收取了一萬八千六百元，但卻從沒有收取過合共十六萬一千八百元的款項。廖因此侵吞從「協榮」的「零用現金」支取的餘款共十四萬三千二百元。

案件今日由高級檢控官梁文亮代表出庭，並由廉署人員黃國強協助。

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