

## Duo charged with \$2.6m hotel operation fraud

15 April 2014

A former chief executive officer of a hotel and a businessman have been charged today (Tuesday) by the ICAC with conspiracy to defraud the hotel owner of about \$2.6 million and laundering \$250,000 in relation to the setting up of a restaurant at the hotel.

William Yu Lik-wai, 49, former chief executive officer of Gloucester Hotel (GH), and Albert Cheung, 49, businessman, jointly face two charges - one of conspiracy to defraud, contrary to Common Law, and one of dealing with property known or believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organised and Serious Crimes Ordinance.

The defendants, currently on ICAC bail, will appear in the Eastern Magistracy at 9:30 am on Thursday (April 17) for transfer to the District Court for plea.

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

At the material time, a building in Wan Chai was refurbished with a view to leasing for operating hotel business and providing around 50 serviced apartments for rental.

Upon Yu's invitation, a friend of Yu invested in renting the building and signed a lease agreement with the building owner in April 2012 for 20 years.

According to the lease agreement, the building should only be operated as a hotel or a guest house, including a restaurant inside the building, and should not be partly or wholly sub-let to a third party.

After renaming the building as GH, Yu's friend - the de facto sole owner of GH - employed Yu as its chief executive officer. Later on, Yu entrusted businessman Cheung to look for an external caterer for operating the restaurant at GH.

One of the charges alleges that between January 8 and April 16, 2013, Yu and Cheung conspired together and with intent to defraud the de facto sole owner of GH by dishonestly falsely representing to the latter that the restaurant on the ground floor and first floor of GH would be exclusively operated and managed by Yu.

The defendants are alleged to have concealed from the de facto sole owner of GH that a sum of approximately \$980,000 would be collected by them in their personal capacity from a businessman to allow him to operate and manage the restaurant, together with two other businessmen.

The defendants are also alleged to have concealed from the de facto sole owner of GH that a sum of approximately \$1.6 million would be collected by them in their personal capacity from the first businessman as a start-up cost for the restaurant, and that they would collect the start-up cost of the restaurant from the de facto sole owner of GH.

The other charge alleges that on April 16, 2013, the defendants dealt with a sum of \$250,000, knowing or having reasonable grounds to believe that the sum of money, in whole or in part, directly or indirectly represented proceeds of an indictable offence.

GH has rendered full assistance to the ICAC during its investigation.

## 廉署起訴二人疑涉二百六十萬元酒店營運詐騙案

2014年4月15日

廉政公署今日(星期二)落案起訴一名酒店前行政總裁及一名商人，控告他們涉嫌在為酒店成立餐廳期間，串謀詐騙酒店東主約二百六十萬元及清洗黑錢二十五萬元。

余力維，四十九歲，高士打公館前行政總裁，及張鼎，四十九歲，商人，同被控兩項罪名，即一項串謀詐騙，涉嫌違反普通法；及一項處理已知道或相信為代表從可公訴罪行的得益的財產，涉嫌違反《有組織及嚴重罪行條例》第25條。

兩名被告已獲廉署准予保釋，將於星期四(四月十七日)上午九時三十分在東區裁判法院應訊，以待案件轉介區域法院答辯。

廉署早前在調查一宗貪污案件時揭發上述涉嫌罪行。

案發時，灣仔一幢大廈翻新以整幢出租作酒店業務，當中包括五十個可出租的服務式住宅房間。

余的一名友人應余的邀請投資租賃該大廈，並於二〇一二年四月與大廈業主簽署一份為期二十年的租約。

根據有關租約，該大廈只可作酒店或旅館之用，當中包括一間餐廳，而大廈不可全部或部份分租予第三者。

有關大廈後來命名為高士打公館，余的友人，即高士打公館的實際唯一東主，聘請余為高士打公館行政總裁。余其後委託張在外尋找飲食承辦商為高士打公館經營餐廳。

其中一項控罪指余及張涉嫌於二〇一三年一月八日至四月十六日期間，一同串謀並意圖詐騙高士打公館的實際唯一東主，即不誠實而虛假地向後者表示，高士打公館地下及一樓的餐廳將會由余獨家經營及管理。

余及張涉嫌向高士打公館的實際唯一東主隱瞞他們會以個人名義向一名商人收取一筆總額約九十八萬元的款項，以容許該名商人與另外兩名商人一同經營和管理該餐廳。

余及張又涉嫌向高士打公館的實際唯一東主隱瞞他們會以個人名義向第一名商人收取一筆總額約一百六十萬元的款項，作為餐廳的籌備費用，並同樣向實際唯一東主收取餐廳的籌備費用。

另一項控罪指余及張涉嫌於二〇一三年四月十六日，處理一筆二十五萬元的款項，而他們知道或有合理理由相信該筆款項全部或部份、直接或間接代表從可公訴罪行的得益。

高士打公館在廉署調查案件期間提供全面協助。

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