

Senior Technical Officer of ASD and company operator in court over fraud and forgery

14 September 2016

A Senior Technical Officer of the Architectural Services Department (ASD) and an operator of an engineering company appeared in the Kowloon City Magistracy today (Wednesday) after being charged by the ICAC with conspiracy to defraud and forgery respectively in relation to a works order project in Kai Tai Development Area.

Chan Kwong-keung, 52, Senior Technical Officer of the ASD, and Cheng Koon-leung, 55, operator of Sel Engineering (HK) Limited (SEL), who were charged on Monday (September 12), respectively faced a charge of conspiracy to defraud, contrary to common law, and four of forgery, contrary to Section 71 of the Crimes Ordinance, in separate cases.

No plea was taken today. Principal Magistrate Peter Law Tak-chuen adjourned both cases to October 26 this year for plea.

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

At the material time, Able Engineering Company Limited (AECL), a term contractor of the ASD, was issued a works order to build a temporary toilet and four roadside seats in Kai Tak Development Area at Shing Fung Road, Kowloon City. The works order included building four pavilions and a hardwood chair.

In the first case, Chan Kwong-keung, Senior Technical Officer of the ASD, faced a charge of conspiracy to defraud.

The charge alleged that between December 20, 2012 and May 12, 2015, Chan conspired with other persons and an employee of AECL to defraud officers of the ASD.

Chan was alleged to have falsely represented that Exterpark Plus – Elondo hardwood with certificate issued by the Forest Stewardship Council (FSC) was supplied in the works order to build a temporary toilet at Road TD3, Kai Tak; and that the wood used in the works order was covered by a valid certificate issued by the FSC.

Exterpark Plus – Ipe hardwood, which did not bear the FSC certificate, was used instead. However, Chan allegedly caused and induced the officers of the ASD to approve the star rate item application, issue a certificate of completion for the works order, and release the final payment to AECL in the belief that Exterpark Plus – Elondo hardwood was used. The final payment approved by the ASD was said to amount to over \$538,000.

In the second case, Cheng Koon-leung, operator of SEL, faced four charges of forgery. SEL was one of the subcontractors of AECL approved by the ASD.

Two of the charges alleged that between December 20, 2012 and June 14, 2013, Cheng made two quotations purportedly issued by two companies for the supply and installation of the hardwood chair to AECL at contract prices of \$150,000 and \$180,000 respectively, with the intention that he or another should use them to induce an officer of the ASD to accept them as genuine.

The remaining two charges alleged that between September 20, 2013 and January 17, 2015, Cheng made two official receipts of SEL in respect of the receipt of \$1.6 million and \$98,000 respectively from AECL for the supply and installation of the four pavilions and the hardwood chair by SEL, with the intention that he or another should use them to induce somebody to accept them as genuine.

Chan and Cheng were granted cash bail of \$20,000 and \$50,000 respectively. They were also

ordered not to interfere with prosecution witnesses.

The ASD had rendered full assistance to the ICAC during its investigation.

The prosecution in the above two cases was today represented by ICAC officer Benjamin Ho.

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廉署起訴建築署高級技術員及工程公司營運者涉嫌詐騙及偽造文書今提堂

2016年9月14日

廉政公署落案起訴一名建築署高級技術員和一名工程公司營運者，控告他們在啟德發展區的施工工程中分別涉嫌串謀詐騙及偽造文書。兩人今日(星期三)在九龍城裁判法院應訊。

陳光強，五十二歲，建築署高級技術員；及鄭觀亮，五十五歲，俊輝工程(香港)有限公司(俊輝)營運者，於星期一(九月十二日)分別被控一項串謀詐騙罪名，違反普通法，及四項偽造罪名，違反《刑事罪行條例》第71條。

兩名被告今日毋須答辯。主任裁判官羅德泉將兩宗案件押後至本年十月二十六日答辯。

廉署早前接獲貪污投訴，調查其後揭發上述涉嫌罪行。

安保工程有限公司(安保)於案發時為建築署聘任的定期合約承辦商，並接獲施工通知在九龍城承豐道啟德發展區建造一個臨時廁所和四張路旁座椅。施工通知亦包括建造四個涼亭和一張實木座椅。

在首宗案件，建築署高級技術員陳光強被控一項串謀詐騙罪名。

控罪指陳光強涉嫌於二〇一二年十二月二十日至二〇一五年五月十二日期間，與其他人士及安保一名僱員串謀詐騙建築署職員。

陳光強涉嫌訛稱Exterpark Plus – Elondo硬木獲Forest Stewardship Council(FSC)認證，並供應予有關施工通知以建造啟德TD3路的臨時廁所，而有關施工通知中使用的木材獲FSC頒發有效證書。

事實上，有關施工通知中使用的是不獲FSC頒發證書的Exterpark Plus – lpe硬木。陳光強則涉嫌從而促使及誘使建築署人員相信有關工程使用了Exterpark Plus – Elondo硬木而批核有關的star rate item application、發出施工通知的竣工證明書，以及向安保發放最後付款。建築署批出的最後付款據報達五十三萬八千多元。

在另一宗案件，鄭觀亮，俊輝營運者，被控四項偽造罪名。俊輝是獲建築署認可為安保的其中一間分判商。

其中兩項控罪指鄭觀亮涉嫌於二〇一二年十二月二十日至二〇一三年六月十四日期間，製造兩份看來是由兩間公司發出的報價單，內容關於以分別為十五萬元及十八萬元的合約價向安保供應及安裝有關實木座椅，意圖由其本人或他人藉使用有關文書而誘使建築署職員接納它們是真文書。

餘下兩項控罪指鄭觀亮涉嫌於二〇一三年九月二十日至二〇一五年一月十七日期間，製造兩張看來是由俊輝發出的正式收據，內容關於俊輝因供應及安裝四個涼亭及一張實木座椅而從安保分別收到一百六十萬元及九萬八千元，意圖由其本人或他人藉使用有關文書而誘使另一人接受它們為真文書。

陳光強及鄭觀亮分別准以現金二萬元及五萬元保釋，並受命不得騷擾控方證人。

建築署在廉署調查案件期間提供全面協助。

上述兩宗案件的控方今日由廉署人員何家偉代表出庭。

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