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Former development secretary and highways official charged for alleged housing fraud

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A former Secretary for Development (SDEV) and an Assistant Director of the Highways Department (HyD) were today (Wednesday) charged by the ICAC for an alleged housing fraud involving over \$700,000 in total.

Mak Chai-kwong, 62, former SDEV of the Government of the Hong Kong Special Administrative Region, and Tsang King-man, 57, Assistant Director of HyD, face a joint charge of conspiracy to defraud the Hong Kong Government.

Mak also faces two counts of agent using document with intent to deceive his principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance, while Tsang faces three similar charges.

The defendants will appear in Eastern Magistracy at 9:30 am tomorrow (October 18) for mention, pending transfer to the District Court.

The joint charge alleged Mak and Tsang to have conspired together to defraud the Hong Kong Government, between June 8, 1985 and December 31, 1990, by:

- (i) falsely representing that they did not have a financial or proprietary interest in the flat that they leased and that the lease in relation to each of them was a genuine lease with an unrelated third party;
- (ii) concealing and not disclosing that they each had a financial or proprietary interest in the flat that they leased and that the lease was with the wife of the other;
- (iii) falsely claiming and receiving Private Tenancy Allowance (PTA) from the Hong Kong Government, and
- (iv) causing a public officer or officers to act contrary to their public duty.

Mak also faces two charges of, being an Engineer of the Civil Engineering Services Department, using an Application for PTA and a memorandum for renewal of PTA, with intent to deceive the Hong Kong Government respectively on August 29, 1986 and August 1, 1988.

The Application allegedly contained a false statement that the leased property was not owned by Mak, his spouse and/or a relation of either his or his spouse, and neither he, his spouse nor any of his or his spouse's relations had a financial interest in it.

The memorandum was alleged to have contained a false statement that Mak had leased the leased property from Tsang's wife without disclosing that Tsang as a lessor and that Mak and Mak's wife owned or had financial interest in the property.

Tsang also faces three charges alleging him that being an Engineer of the Transport Department, he used three Applications for PTA, respectively on August 28, 1986, May 19, 1988 and October 3, 1990, with intent to deceive the Hong Kong Government.

These Applications each allegedly contained a false statement that the leased property was not owned by Tsang or that he was eligible to claim and receive PTA in respect of the leased property.

Tsang and Mak had allegedly received PTA totalling about \$260,000 and \$445,000 respectively from the Hong Kong Government.

The defendants have been released on ICAC bail, pending their court appearance tomorrow.

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