

Six months' jail for \$120,000 service payment fraud

27 January 2014

A former senior executive of a railway services company, who was arrested by the ICAC after leaving Hong Kong for about 13 years, was today (Monday) sentenced to six months' imprisonment at the Kwun Tong Magistracy for his role in conspiracy to defraud the company of service payments totalling over \$120,000.

Wang Zheng, 42, former deputy general manager of China Railway Services (Hong Kong) Limited (CRS), today pleaded guilty before Principal Magistrate Ernest Lin Kam-hung to two counts of conspiracy to defraud, contrary to Common Law.

Upon receipt of a corruption complaint in February 2000, the ICAC conducted enquiries and revealed the above offences. However, prior to the ICAC investigation, Wang left Hong Kong for the United States of America (USA) for post-graduate study and subsequently settled in the USA.

After about 13 years, Wang returned to Hong Kong to visit his family. On December 19 last year, Wang was arrested by ICAC officers at the Hong Kong International Airport, and laid with the above charges.

The court heard that at the material time, CRS was a designated clearance agent of the then Kowloon-Canton Railway Corporation (KCRC). The customs documents in relation to goods imported into or exported from Shenzhen on KCRC cargo trains were prepared by CRS.

In the course of business dealings between the two companies, Wang came to know Leung John Timothy alias Leung Chiu-ming, a then freight operations manager of KCRC.

In late 1998, Wang suggested placing bogus orders with KCRC as he had difficulties in claiming reimbursement of entertainment expenses from CRS. Leung agreed to the scam.

The court heard that Leung's associate Chow Tak-kin arranged for his business associate Ho Tai-kwan, operator of Koichi Trading Company (Koichi), to receive cheques issued by KCRC.

On October 10, 1998, Wang issued to Leung a bogus haulage and devanning order of CRS, in which Koichi was appointed as the agent for KCRC to carry out the job.

Upon receipt of a job list for the bogus order, KCRC sent two invoices totalling \$63,150 to CRS requesting service charges. After CRS settled the payment, Chow sent a debit note of Koichi to KCRC demanding payments totaling \$56,850.

KCRC subsequently made the payments to Koichi. After receiving the payments, Ho issued a cheque of Koichi for \$56,850 and gave it to Chow. Chow cashed the cheque and passed the same sum to Leung, who then passed it to Wang.

The court heard that in January 1999, Wang applied to same fraudulent means to conspire with Leung to use another bogus haulage and devanning order to defraud CRS of \$60,000. Wang received the whole sum of crime proceeds.

The prosecution was today represented by Acting Senior Public Prosecutor Florrie Chan, assisted by ICAC officer Phoebe Sae-sam.

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鐵路公司前高層人員詐騙十二萬元 服務費判囚六個月

2014年1月27日

一名鐵路貨運服務公司前高層人員，串謀詐騙該公司服務費合共逾十二萬元，於離港十三年後被廉政公署拘控。被告今日(星期一)在觀塘裁判法院被判入獄六個月。

王錚，四十二歲，中國鐵路服務(香港)有限公司(「中鐵服務」)前副總經理，今日向主任裁判官練錦鴻承認兩項串謀詐騙罪名，違反普通法。

廉署於二〇〇〇年二月接獲貪污投訴，調查其後揭發上述罪行。不過，王在廉署展開調查前已離港前往美國修讀碩士課程，其後於美國定居。

王約十三年後返港探親，於去年十二月十九日在香港國際機場被廉署人員拘捕及起訴。

案情透露，「中鐵服務」於案發時是當時九廣鐵路公司(「九廣鐵路」)的指定清關代理，負責為「九廣鐵路」貨運列車準備有關運往深圳及由深圳運來貨物的清關文件。

王在兩間公司的業務往來時，認識當時「九廣鐵路」一名貨運調度經理Leung John Timothy，又名梁照明。

一九九八年底，王因向「中鐵服務」申領發還應酬費有困難，建議向「九廣鐵路」發出虛假訂單，梁同意有關勾當。

案情透露，梁的聯繫人周德建安排其業務聯繫人何大均，即康一貿易公司(「康一」)的經營者，收取由「九廣鐵路」發出的支票。

一九九八年十月十日，王向梁發出一份虛假的「中鐵服務」拖運及拆箱訂單，並指明委任「康一」為代理人，執行有關工作。

在接獲有關虛假訂單的工作表後，「九廣鐵路」向「中鐵服務」發出兩張合共六萬三千一百五十元的發票，要求支付有關服務費。「中鐵服務」支付費用後，周向「九廣鐵路」發出「康一」的繳費通知書，要求對方支付五萬六千八百五十元。

「九廣鐵路」其後向「康一」支付費用。何於收取費用後為「康一」向周發出一張五萬六千八百五十元的支票，周兌現支票並將同等款項交給梁，梁遂將該筆款項交給王。

案情透露，王於一九九九年一月，以相同的欺詐手段，串謀梁以另一張虛假的拖運及拆箱訂單詐騙「中鐵服務」六萬元。王收取有關的全部犯罪得益。

控方今日由署理高級檢控官陳韻婷代表出庭，並由廉署人員岑麗潔協助。

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