

Solicitor and housewife guilty of laundering HK\$230m crime proceeds

25 August 2014

A partner of a solicitors firm and the wife of a former executive director of a listed company, charged by the ICAC, were today (Monday) convicted at the District Court of laundering about HK\$230 million in crime proceeds.

Wu Wing-kit, 57, solicitor and partner of Fred Kan & Co. (FKC), was found guilty of one count of dealing with property known or reasonably believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organised and Serious Crimes Ordinance.

Co-defendant Ye Fang, 43, housewife and wife of Chen Keen, a former executive director of listed Natural Dairy (NZ) Holdings Limited (NDNZ), was convicted of a similar offence.

Judge Eddie Yip Chor-man adjourned the case to this Friday (August 29) for mitigation, and remanded the defendants in the custody of the Correctional Services Department.

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

The court heard that at the material time, NDNZ, formerly known as China Jin Hui Mining Corporation Limited, was listed on the Main Board of the Stock Exchange of Hong Kong (SEHK).

Between December 2009 and February 2010, NDNZ raised HK\$790 million through the issue of convertible notes for acquiring 22 dairy farms in New Zealand from May Hao, owner of UBNZ Trustee Limited (UBTL). Subsequently, the acquisition was queried by the SEHK after receiving a complaint concerning allegations of fraud.

Out of the HK\$790 million, HK\$693 million (NZ\$125 million) was remitted to a lawyer acting for NDNZ in New Zealand and NZ\$51.6 million of that money was paid to UBTL in February 2010. Hao then remitted HK\$73.7 million (NZ\$13.7 million) back to a company owned by Chen in Hong Kong.

On March 11, 2010, Chen issued a cheque for HK\$68.95 million out of the HK\$73.7 million in favour of FKC.

Knowing Chen's background and the allegations of fraud relating to the acquisition, Wu transferred the HK\$68.95 million to the bank account of Ye on the following day without complying with the Law Society of Hong Kong's Practice Direction to conduct enhanced due diligence when handling the "U-Turn" transaction as in the instant case on anti-money laundering.

The court also heard that between March 12, 2010 and October 26, 2011, Ye dealt with the above HK\$68.95 million and a further HK\$161 million, totalling about HK\$230 million, deposited into her bank account, knowing or having reasonable grounds to believe that the sums of money were crime proceeds.

The prosecution was today represented by prosecuting counsel Neil Mitchell and Public Prosecutor William Cheng, assisted by ICAC officer Phoebe Tsang.

[Back to Index](#)

律師及主婦涉二億三千萬港元「洗黑錢」案罪成候判

2014年8月25日

一名律師行合夥人及一名上市公司前執行董事的妻子，清洗共約二億三千萬港元的犯罪收益，早前被廉政公署落案起訴。兩被告今日(星期一)在區域法院被裁定罪名成立。

律師胡永傑，五十七歲，簡家驄律師行合夥人，被裁定一項罪名成立，即處理已知道或合理地相信為代表從可公訴罪行的得益的財產，違反《有組織及嚴重罪行條例》第25(1)條。

同案另一被告為家庭主婦葉芳，四十三歲，上市公司天然乳品(新西蘭)控股有限公司(天然乳品)前執行董事陳克恩的妻子，則被裁定一項相類罪名成立。

法官葉佐文將案件押後至本星期五(八月二十九日)，以待被告求情。被告暫時還押懲教署看管。

廉署早前接獲貪污投訴，調查後揭發上述罪行。

案情透露，前稱中國金匯礦業有限公司的天然乳品於案發時在香港聯合交易所(聯交所)主板上市。

二〇〇九年十二月至二〇一〇年二月期間，天然乳品透過發行換股票據集資七億九千萬港元，以向UBNZ Trustee Limited (UBTL) 東主May Hao收購在新西蘭的二十二個牧場。聯交所其後接獲有關指控詐騙的投訴，並對該項收購作出查問。

該七億九千萬港元中的六億九千三百萬港元(即一億二百五十萬新西蘭元)被匯入天然乳品在新西蘭指派的律師，而其中五千一百六十萬新西蘭元則於二〇一〇年二月付予UBTL。其後，May Hao將七千三百七十萬港元(即一千三百七十萬新西蘭元)匯回陳克恩在香港的公司。

陳克恩於二〇一〇年三月十一日發出一張支票，將該七千三百七十萬港元中的六千八百九十五萬港元支付予簡家驄律師行。

胡永傑明知陳克恩的背景及涉及該項收購的詐騙指控，但仍於翌日把該六千八百九十五萬港元轉帳至葉芳的銀行戶口，而沒有遵守香港律師會有關反清洗黑錢的專業守則。有關守則訂明律師在處理如本案有關「急速轉變交易」時必須奉行更高克盡職責的原則。

案情又透露，葉芳於二〇一〇年三月十二日至二〇一一年十月二十六日期間，知道或有合理理由相信存入其銀行帳戶的約二億三千萬港元，即上述六千八百九十五萬港元及另外一億六千一百萬港元，全部為犯罪收益，而仍處理該等存款。

控方今日由大律師Neil Mitchell及檢控官鄭文雋代表出庭，並由廉署人員曾憲怡協助。

[返回目錄](#)