

Eleven car testers admit forging roadworthiness certificates

30 December 2013

Eleven former and serving employees of a car testing centre (CTC), who were then approved car testers (ACTs) licensed by the Transport Department (TD) and charged by the ICAC, admitted at the District Court today (Monday) that they had conspired to forge certificates of roadworthiness (CORs) for private cars and light goods vehicles.

Chan Man-po, 42, Leung Wing-fai, 37, Lo Chi-hung, 50, Ma Man-chung, 46, all ACTs of Dah Chong Hong (Motor Service Centre) Limited (DCH); Chan Yiu-keung, 50, Tang Siu-kwong, 52, Lee Kin-ming, 46, Leung Chin-hung, 42, Law Kwok-sum, 40, Lam Sik-wa, 49, and Chan Chi-wai, 45, all former ACTs of DCH, pleaded guilty to a joint charge of conspiracy to forge documents, contrary to Section 71 and 159A of the Crimes Ordinance.

Judge Johnny Chan Jong-herng adjourned the case to March 28 next year for mention. The defendants were granted cash bail of \$5,000 each, and ordered not to leave Hong Kong.

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

The court heard that at the material time, the defendants were ACTs of DCH stationed at a CTC in Kowloon Bay, which was appointed by the TD to conduct annual roadworthiness examination for private cars and light goods vehicles.

According to the Road Traffic Ordinance, all private cars of six years or above and light goods vehicles not exceeding 1.9 tonnes are required to undertake the annual roadworthiness examination. A COR will be issued by an ACT on behalf of a CTC for the vehicle owner to renew the licence of the vehicle.

The court heard that between March 12, 2007 and November 7, 2011, the defendants conspired together with other persons to make false CORs with the intention that the owners of the vehicles should use them to induce the TD to accept them as genuine and extend the vehicle licences for the vehicles named in those CORs.

When some vehicles presented by various garages were unable to pass the brake or smoke emission tests, the defendants used the results of other vehicles purported to be the test results of the failed vehicles. Some of the defendants dispensed with the visual inspection or ignored any visual defects, while other defendants even passed the tests for vehicles they had not even seen and no test was conducted by them.

The defendants also agreed to adopt a more lax attitude and pass the vehicles sent by garages in order to obtain more businesses, the court heard.

According to the Annual Report of TD, the number of vehicles conducted roadworthiness examination at the CTC of DCH in Kowloon Bay increased from 25,553 in 2007 to 34,837 in 2011, the court heard.

During the five-year period, the CTC conducted a total of 155,230 roadworthiness examination, with the passing rate maintained at around 91 to 94 per cent annually, the court was told.

The TD and the management of the DCH had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Wong Po-wing, assisted by ICAC officer Eastman Tang.

十一名車輛測試員承認偽造路上使用證明書

2013年12月30日

一間車輛測試中心十一名獲運輸署發牌的現職及前任認可車輛測試員，串謀偽造私家車及輕型貨車的車輛宜於道路上使用證明書(「證明書」)，被廉政公署拘控。各被告今日(星期一)在區域法院承認控罪。

陳文寶，四十二歲；梁永輝，三十七歲；盧志雄，五十歲；馬文聰，四十六歲，同為大昌貿易行汽車服務中心有限公司(「大昌汽車」)的現職認可車輛測試員。陳耀強，五十歲；鄧紹光，五十二歲；李健明，四十六歲；梁展鴻，四十二歲；羅國森，四十歲；林錫華，四十九歲；及陳志偉，四十五歲，同為「大昌汽車」的前任認可車輛測試員。

他們同承認一項串謀偽造文件罪名，違反《刑事罪行條例》第71條及第159A條。

法官陳仲衡將案件押後至明年三月二十八日再提訊。各被告獲准以現金五千元保釋，並受命不得離開香港。

廉署早前接獲貪污投訴，調查其後揭發上述罪行。

案情透露，各被告於案發時同為「大昌汽車」的認可車輛測試員，任職於九龍灣的車輛測試中心。該中心為運輸署指定可為私家車及輕型貨車每年就宜於道路上使用進行檢驗。

根據《道路交通條例》，所有車齡六年或以上的私家車及重量不超過一點九噸的輕型貨車，每年均須接受檢驗，並由認可車輛測試員代表車輛測試中心發出「證明書」予車主作牌照續期之用。

案情指出，各被告於二〇〇七年三月十二日至二〇一一年十一月七日期間，與其他人士串謀製造虛假「證明書」，意圖令有關車主可藉使用該等「證明書」而誘使運輸署接受它們為真文書，以作延續「證明書」上所載車輛的牌照。

當由不同車房交來的車輛無法通過制動或廢氣排放測試時，各被告使用其他車輛的測試結果作為未能通過測試車輛的檢驗結果。

個別被告則只以目測方式來進行檢查或對任何可見的欠妥當地方視而不見，而其他被告甚至未看見有關車輛及沒有進行測試情況下通過檢驗。

各被告亦協議就一些由車房交來的車輛給予較寬鬆處理並通過檢驗，藉此取得更多生意。

案情指出，根據運輸署年報，位於九龍灣的「大昌汽車」車輛測試中心，檢驗車輛數目由二〇〇七年的二萬五千五百五十三輛，增至二〇一一年的一萬四千八百三十七輛。

該測試中心於上述五年期間進行了共十五萬五千二百三十次車輛檢驗，每年的及格率維持於百分九十一至九十四之間。

運輸署及「大昌汽車」管理層在廉署調查案件期間提供全面協助。

控方今日由大律師王寶榮代表出庭，並由廉署人員鄧展超協助。

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