

Twelve charged with bribery and fraud over small house projects

14 January 2015

A small house developer and 11 indigenous villagers have been charged by the ICAC with conspiracy to defraud the Lands Department (LD) in relation to small house projects in the New Territories, with the developer accused of bribery.

The defendants, who were charged in the past two days (January 12 and 13), are David Li Yam-pui, 81, operator of Full Wealthy Development Limited (FWDL); Chan Chi-cheong, 51, Wong Cheuk-fan, 49, Wai Chun-kit, 33, Wai Chun-ho, 34, Wan Kwai-lun, 70, Cheng Kwok-wah, 56, Cheng Yu-wang, 54, Cheng Hing, 79, Yau Kwai-chu, 57, Wai Pak-hon, 31, and Ricky Lau Tak-sing, 46, all indigenous villagers.

Li alone faces one count of conspiracy to offer advantages to an agent, contrary to Sections 9(2)(b) of the Prevention of Bribery Ordinance and 159A of the Crimes Ordinance.

Li and 11 co-defendants face a total of seven counts of conspiracy to defraud, and two similar alternative charges, contrary to the Common Law.

The defendants, currently on ICAC bail, will appear at Eastern Magistracy tomorrow (January 15) for transfer to the District Court for plea.

At the material time, FWDL was a company set up by Li to hold land for property development.

One of the charges alleges that Li conspired with the chairman of the Shatin Rural Committee (SRC) for Li to offer advantages to the chairman as rewards for the chairman having shown favour to 22 applicants for building licence to the LD in relation to the dealings between the SRC and the LD.

The advantages allegedly offered by Li to the chairman of the SRC were not more than \$200,000 for each of the eight indigenous villagers introduced by the chairman for building licence application.

Another charge alleges that Li, Chan, Wong, Wai Chun-kit, Wai Chun-ho and Wan conspired together and with the then secretary of FWDL to defraud the LD.

They are alleged to have falsely represented that Chan, Wong, Wai Chun-kit, Wai Chun-ho, Wan and other persons each had never entered into any agreement with any person to transfer, alienate, dispose or otherwise deal with the lot of land at which they each were respectively applying for construction of a small house by way of a building licence.

They are also alleged to have falsely represented that Chan, Wong, Wai Chun-kit, Wai Chun-ho, Wan and those persons each were the sole legal and beneficial owner of the respective lot.

As a result of the alleged false representation, the LD was dishonestly caused to issue a building licence to each of Chan, Wong, Wai Chun-kit, Wai Chun-ho, Wan and those persons.

Li, Chan, Wong, Wai Chun-kit and Wai Chun-ho also jointly face an alternative charge of conspiracy to defraud, while Li and Wan face another similar alternative charge.

Li alone faces one count of conspiracy to defraud, while Li, Cheng Kwok-wah and Cheng Yu-wang face a similar joint charge. Li faces a joint charge with Cheng Hing, Yau, Wai Pak-hon and Lau each.

The above alleged offences took place between January 2008 and January 2011.

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

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廉署起訴十二人就丁屋計劃疑涉貪污及詐騙

2015年1月14日

廉政公署落案起訴一名丁屋發展商及十一名原居民，控告他們在申請新界丁屋建築許可證時涉嫌串謀詐騙地政總署。該名發展商亦被控涉嫌貪污。

被告為李欽培，八十一歲，康沛發展有限公司(康沛發展)經營者；陳志昌，五十一歲；黃卓帆，四十九歲；韋俊傑，三十三歲；韋震豪，三十四歲；溫貴麟，七十歲；鄭國華，五十六歲；鄭宇宏，五十四歲；鄭興，七十九歲；邱貴珠，五十七歲；韋柏瀚，三十一歲；及劉德勝，四十六歲，同為原居民。他們在過去兩日(一月十二及十三日)先後被落案起訴。

李被控以一項串謀向代理人提供利益，涉嫌違反《防止賄賂條例》第9(2)(b)條及《刑事罪行條例》第159A條。

李及同案十一名被告被控合共七項串謀詐騙和兩項相類的交替控罪，涉嫌違反普通法。

各名被告均獲廉署准予保釋，明日(一月十五日)將在東區裁判法院應訊，以待案件轉介區域法院。

康沛發展於案發時是一間由李開設的公司，持有土地作物業發展用途。

其中一項控罪指李涉嫌串謀沙田鄉事委員會(沙田鄉委會)主席，使李向該名主席提供利益，作為該名主席在有關沙田鄉委會與地政總署間的事務往來上，對二十二名向地政總署申請建築許可證的人士予以優待的報酬。

有關李涉嫌向沙田鄉委會主席提供的利益，其形式是該名主席介紹申請建築許可證的八名原居民，每名可獲得不多於二十萬元的報酬。

另一項控罪指李、陳、黃、韋俊傑、韋震豪及溫，涉嫌串謀康沛發展當時的秘書，詐騙地政總署。

他們被指涉嫌虛假地表示陳、黃、韋俊傑、韋震豪、溫及其他人士，從沒有與任何人訂立任何協議，轉移、讓與、處置或以其他方式處理他們各人分別以建築許可證申請建造房屋的土地地段。

他們又被指涉嫌虛假地表示陳、黃、韋俊傑、韋震豪、溫及其他人士，都是該各自地段的唯一合法及實益擁有人。

被告涉嫌以上述虛假陳述，不誠實地導致地政總署向陳、黃、韋俊傑、韋震豪、溫及其他人士發出建築許可證。

李、陳、黃、韋俊傑及韋震豪同被控以一項涉嫌串謀詐騙的交替控罪；而李及溫亦被控一項相類交替控罪。

李又被控一項涉嫌串謀詐騙；李、鄭國華及鄭宇宏亦同被控一項相類罪名。此外，李亦同與鄭興、邱、韋柏翰及劉分別各被控以一項相類罪名。

上述涉嫌罪行於二〇〇八年一月至二〇一一年一月期間發生。

地政總署在廉署調查案件期間提供全面協助。

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