

## Press Releases

[Archive](#)

Ex-development secretary and highways official sentenced for housing fraud

8 August 2013

A former Secretary for Development (SDEV) and an Assistant Director of the Highways Department (HyD), charged by the ICAC, were today (Thursday) sentenced at the District Court for deceiving housing allowances totalling over \$700,000.

Mak Chai-kwong, 63, former SDEV of the Hong Kong Government, and Tsang King-man, 58, Assistant Director of HyD, were each jailed for eight months, suspended for two years.

In sentencing, Judge Johnny Chan Jong-herng said he accepted the standard to be expected from civil servants was much higher today than it was in the 80s.

A custodial sentence should normally be imposed on the defendants, but "justice is best served by a suspended term of imprisonment" after taking into account various factors, including their outstanding contributions to society and the full restitution made after their convictions, the judge added.

Mak and Tsang were earlier found guilty of a joint count of conspiracy to defraud. Mak was also convicted of 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 was found guilty of three similar charges.

The court heard that on June 8, 1985, Mak, then an engineer of the then Civil Engineering Services Department, and his wife bought a flat at City Garden, North Point. At the same time, Tsang, then an engineer of the Transport Department, and his wife bought an identical flat on the floor above.

Mak and Tsang then leased each other's flat at the same monthly rent of \$8,000. They executed their respective lease agreements with the named landlord as each other's wife.

As part of their conditions of employment with the Hong Kong Government, Mak and Tsang were entitled to Private Tenancy Allowance (PTA).

Mak and Tsang conspired together to defraud the Hong Kong Government by falsely representing that they did not have financial or proprietary interest in the flat that they leased and that the lease in relation to each of the flats was a genuine lease, the court heard.

With intent to deceive the Hong Kong Government, Mak used an application for PTA and a memorandum for renewal of PTA, while Tsang used three applications for PTA.

As a result, Mak and Tsang deceived PTA totalling about \$260,000 and \$445,000 respectively from the Hong Kong Government between August 1, 1986 and December 31, 1990, the court was told.

The prosecution was today represented by Senior Counsel Daniel Marash and Senior Public Prosecutor Beney Wong, assisted by ICAC officer Lawrence Hong.

[Back to Index](#)