



## Press Releases

### **Ex-financial controller of listed company charged with \$2.5m bribery and fraud**

**2019-3-15**

A former financial controller of a listed company has been charged by the ICAC today (March 15) with conspiracy to accept an illegal rebate of over \$580,000 for engaging an accounting firm to provide services, and defrauding the listed company of more than \$2 million by outsourcing other services to a consultant firm without disclosing his interests in it.

Lau Ka-chung, 43, former financial controller cum company secretary of Southeast Asia Properties & Finance Limited (SEA), faces two charges – one of conspiracy for an agent to accept advantages, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance and Section 159A of the Crimes Ordinance, and one of fraud, contrary to Section 16A of the Theft Ordinance.

The defendant will appear at the Kowloon City Magistracy next Tuesday (March 19) for transfer to the District Court for plea.

At the material time, the defendant was the financial controller cum company secretary of SEA. He was the head of its Accounts Department, which handled all accounting and financial matters of SEA and its subsidiaries.

On June 19, 2015, the defendant established Wishful Bright Enterprise Consultancy Limited (WBE) and became its sole director cum shareholder.

One of the charges alleges that between May 5, 2015 and June 8, 2016, the defendant conspired with a freelance accountant for the defendant to, without lawful authority or reasonable excuse, accept from the accounting firm a rebate totalling over \$580,000 as a reward for causing SEA and its subsidiary to engage the firm to provide internal control review, taxation, financial advisory and consultancy services.

ICAC enquiries revealed that the accounting firm was owned by the freelance accountant, an acquaintance of the defendant, and SEA and its subsidiaries paid a total sum of \$754,000 to the firm for the services.

The other charge alleges that between June 27, 2015 and October 26, 2016, the defendant failed to disclose to SEA his interests in WBE while he was an employee of SEA and was under a duty to make full disclosure of any existing or potential conflict of interest to SEA, and with intent to defraud, induced SEA and its subsidiaries to engage WBE to provide accounting, taxation, research, financial advisory and consultancy services, which resulted in benefit to WBE or prejudice to SEA and its subsidiaries.

As a result, SEA and its subsidiaries paid a total sum of over \$2 million to WBE for the services. Had the chairman of SEA known that the defendant was the director of WBE or held any interest in it, he would

not have allowed the engagement of WBE and settled payments to it.

SEA has rendered full assistance to the ICAC during its investigation into the case.

The defendant has been released on ICAC bail, pending his court appearance next Tuesday.

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## 新聞公佈

### 廉署起訴上市公司前財務總監涉嫌貪污及詐騙二百五十萬元

2019年3月15日

廉政公署今日(三月十五日)落案起訴一名上市公司前財務總監，控告他涉嫌串謀收受逾五十八萬元非法回佣，以委聘一間會計師樓提供服務，並沒有披露他在一間顧問公司的權益而將該上市公司的其他工作外判予該顧問公司，詐騙上市公司逾二百萬元。

劉家聰，四十三歲，華信地產財務有限公司(華信)前財務總監兼公司秘書，被控兩項罪名，即一項串謀使代理人接受利益，違反《防止賄賂條例》第9(1)(a)條及《刑事罪行條例》第159A條，及一項欺詐，違反《盜竊罪條例》第16A條。

被告將於下星期二(三月十九日)在九龍城裁判法院應訊，以待案件轉介區域法院答辯。

被告於案發時是華信財務總監兼公司秘書。他是會計部主管，負責處理華信及其附屬公司的一切會計及財務事宜。

被告於二〇一五年六月十九日成立希晴業務顧問有限公司(希晴)，成為希晴的唯一董事兼股東。

其中一項控罪指被告涉嫌於二〇一五年五月五日至二〇一六年六月八日期間，與一名從事會計的自由工作者一同串謀，使被告在無合法權限或合理辯解下從該間會計師樓接受共逾五十八萬元回佣，作為致使華信及其附屬公司委聘該會計師樓提供內部監控檢討、稅務、財務諮詢及顧問服務的報酬。

廉署調查發現，該會計師樓是由該名從事會計的自由工作者擁有，而該名自由工作者與被告認識。華信及其附屬公司就該會計師樓提供的服務向對方支付共七十五萬四千元。

另一項控罪指被告涉嫌於二〇一五年六月二十七日至二〇一六年十月二十六日期間，沒有向華信披露他在希晴的權益，而被告當時是華信僱員兼有責任向華信全面披露任何與華信之間的現有或潛在利益衝突，並意圖詐騙而誘使華信及其附屬公司委聘希晴提供會計、稅務、研究、財務諮詢及顧問服務，導致希晴獲得利益，或華信及其附屬公司蒙受不利。

華信及其附屬公司因此就希晴提供的服務向對方支付共逾二百萬元。如華信主席知悉被告是希晴董事或在希晴持有任何權益，他不會容許委聘希晴提供服務及向希晴支付費用。

華信在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋，以待下星期二應訊。

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