

Subject : 廉署「火網」行動：落案起訴23人涉嫌行賄受賄650萬元涉5.2億元樓宇維修合約

ICAC's operation 'Fire Net': 23 charged for alleged building maintenance corruption involving \$6.5m bribes and \$520m contracts

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廉 政 公 署

INDEPENDENT COMMISSION AGAINST CORRUPTION

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廉署「火網」行動：落案起訴23人涉嫌行賄受賄650萬元涉5.2億元樓宇維修合約

廉政公署今年1月採取「火網」行動，拘捕樓宇管理業內一個貪污集團的骨幹成員，經深入調查後，昨日(9月21日)落案起訴其中23名被捕人士，控告他們涉嫌串謀行賄受賄共逾650萬元及串謀詐騙，涉及10個住宅及商用樓宇的多項大維修工程及其他工程，合約總值約5.2億元，是廉署歷來就樓宇管理及維修最大型檢控個案。

該23名被告為21男兩女，年齡介乎38歲至73歲，分別為12名中間人、一名工程顧問、五名工程承辦商、三名業主立案法團(法團)／業主委員會(業委會)成員，以及兩名物業管理公司職員。各被告已獲廉署准予保釋至下星期一(9月25日)在東區裁判法院應訊。

他們被控共11項罪名，即八項串謀向代理人提供利益及一項串謀使代理人接受利益，違反《防止賄賂條例》第9條及《刑事罪行條例》第159A條；以及兩項串謀詐騙，違反普通法。

本案於2018年1月至2023年5月期間發生，當中三名被告莊聰圖、林雪邊及杜漢森為中間人及該貪污集團骨幹成員，他們涉嫌串謀樓宇管理業內其他中間人及工程承辦商，向多名法團／業委會成員、物業管理公司職員及工程顧問提供賄款，以影響樓宇管理及維修的不同環節，包括大維修工程、升降機井道工程及物業管理合約的招標程序、監督維修工程，以及發放工程中期費用。

此外，多名被告又涉嫌串謀詐騙，涉及誇大多項小型工程報價，以及在一項升降機優化工程投標中排除其他潛在競爭對手。

案件涉及10個住宅及商用樓宇，分別為五個私人屋苑、一個居者有其屋計劃(居屋)屋苑、兩幢私人住宅大廈、一幢商業大廈，以及一個商場的維修工程等，合約總值約5.2億元，個別合約金額由約46萬元至逾1.6億元不等，牽涉賄款共逾650萬元。

廉署調查發現，有持分者拒絕被告所提供的賄賂，大部分涉案樓宇的相關維修工程仍未批出合約予涉案人士。

廉署在「火網」行動後已主動聯絡所有涉案樓宇的相關持分者，包括法團、業委會及物業管理公司，以便他們適當跟進涉案工程。相關貪污調查仍在進行，廉署不排除再採取執法行動及起訴更多人士。

個案詳情

串謀行賄法團／業委會成員

興達大廈約2,000萬元大維修工程(觀塘私人住宅大廈) — 三名中間人莊聰圖、林雪邊及杜漢森與興達大廈法團主席張建華及法團時任成員粘清波，涉嫌串謀向張建華、粘清波及其他法團成員提供賄款共約200萬元，以取得大廈大維修工程及物業管理合約。有關賄款涉及該大廈大型維修工程合約的10%及一筆未指明金額的款項。

新興花園約1.62億元大維修工程(大埔居屋) — 兩名中間人林雪邊、杜漢森與工程承辦商陳茂盛，涉嫌串謀向新興花園法團多名成員提供賄款約150萬元，以協助與陳茂盛有關聯的誠信建築有限公司取得該屋苑的大維修工程合約。

健威花園約400萬元升降機槽工程(北角私人屋苑) — 三名中間人莊聰圖、林雪邊及吳德奇與健威花園業委會成員曹紹偉，涉嫌串謀向曹紹偉及其他人士提供未指明金額的賄款，以取得該屋苑的升降機井道工程合約。

串謀行賄物業管理公司職員

愉景灣第五期頤峰約1.63億元大維修工程(大嶼山私人屋苑) — 五名中間人莊聰圖、林雪邊、王劭強、陳學欽及其妻張寶儀，涉嫌串謀向愉景灣服務管理有限公司(愉景灣服務管理)的職員提供賄款約150萬元，以確保頤峰的維修工程順利進行。

愉景灣第一期碧濤約1.33億元大維修工程(大嶼山私人屋苑) — 五名中間人莊聰圖、林雪邊、杜漢森、陳學欽及張寶儀與工程承辦商香島建築有限公司(香島建築)董事楊永桑，涉嫌串謀向愉景灣服務管理的職員提供賄款約50萬元，以協助香島建築取得碧濤的大維修工程合約。

華景山莊1A座約1,590萬元大維修工程(葵涌私人屋苑) — 五名中間人林雪邊、杜漢森、譚紹富、陳俊傑及麥永泰，涉嫌串謀向康業服務有限公司(康業服務)一名時任高級維修工程師提供賄款，以協助一間工程承辦商取得華景山莊1A座大維修工程合約。賄款金額相等於工程費用的2%或約32萬元。

荃錦中心大維修工程(荃灣私人屋苑) — 兩名中間人林雪邊及譚紹富與康業服務總維修工程師鍾國祥，涉嫌串謀使鍾國祥接受賄款約15萬元，以協助一間公司取得由康業服務管理的荃錦中心的大維修工程顧問合約。

串謀行賄工程顧問

合益商業中心約1,490萬元冷氣系統改善工程(元朗商場) — 工程顧問香港國際建築顧問有限公司董事兼股東陳元正、工程承辦商飛鴻建築(香港)有限公司(飛鴻建築)總經理楊志峰，以及中間人楊永昌，涉嫌串謀向陳元正提供賄款約60萬元，以建議合益商業中心及合益樓法團向飛鴻建築發放冷氣系統改善工程的中期付款。

串謀詐騙

運通商業中心約300萬元升降機優化工程顧問及工程合約(尖沙咀商業大廈) — 兩名中間人莊聰圖及楊効燐、工程顧問陳元正、工程承辦商捷高電梯有限公司(捷高電梯)董事兼股東吳梓楊，以及恒益物業管理有限公司(恒益物管)高級物業經理潘志明，涉嫌串謀詐騙運通商業中心法團，在投標中不誠實地排除其他潛在承辦商，致使捷高電梯獲選為該大廈升降機優化工程的承辦商。

Mount Parker Residences約46萬元小型工程(鰂魚涌私人住宅大廈) — 工程承辦商祥豐工程發展有限公司(祥豐工程)董事兼股東陳學欽及祥豐工程僱員林慕媛，涉嫌與串謀另一名人士詐騙Mount Parker Residences (Management) Limited (MPR)，訛稱祥豐工程及陳學欽妻子張寶儀的一間工程公司，就19項小型工程的确招致款項，致使MPR多付共約76,000元。

相關法團／業委會及物業管理公司在廉署調查案件期間提供全面協助。

廉署一直以執法、預防及教育的「三管齊下」策略，打擊涉及樓宇管理業的貪污情況。在制度預防方面，廉署一直都有建議法團採取有效管控及防貪措施，透過改善程序和制度，預防貪污。除了向法團提供防貪諮詢服務，提供防貪意見及培訓，廉署也就各項維修資助計劃，建議防貪措施；並聯同規管機構和專業團體，向業界發出操守指引，在工作流程加入管控措施。

廉署提醒大廈業主，樓宇維修牽涉複雜程序，容易出現貪污風險。他們應積極參與樓宇管理，親身出席業主大會；參考廉署出版的《樓宇維修實務指南》或市區重建局的《樓宇復修實務指南》，以制定預防貪污措施；並善用各機構提供的支援計劃，及在招標時參加「招標妥」或採取有效措施以減低貪污舞弊風險。

在倡廉教育方面，廉署一直主動接觸不同大廈管理組織，呼籲業主提高警惕，積極參與樓宇管理事務。為加強樓宇管理人員的防貪能力，廉署為法團管理層、業主、物業管理人員及相關專業人士安排研討會及講座。廉署亦與相關政府部門、專業團體、監管機構及商會等保持密切聯繫，並合辦各類培訓以加強成效。廉署又製作了多元化的防貪教育資源，以切合不同持分者的需要。廉署亦設有誠信樓宇管理諮詢熱線 2929 4555，歡迎市民查詢。

樓宇名單

香港島

北角健威花園

鰂魚涌Mount Parker Residences

九龍

觀塘興達大廈

尖沙咀運通商業中心

新界及離島

大埔新興花園

元朗合益商業中心

荃灣荃錦中心

葵涌華景山莊1A座

大嶼山愉景灣第一期碧濤

大嶼山愉景灣第五期頤峰

被告名單

中間人

1. 莊聰圖
2. 林雪邊
3. 杜漢森
4. 吳德奇
5. 王劭強
6. 陳學欽(亦為祥豐工程發展有限公司董事兼股東)

7. 張寶儀(陳學欽妻子，亦為駿軒工程公司東主)
8. 譚紹富
9. 陳俊傑
10. 麥永泰
11. 楊永昌
12. 楊効燐

工程承辦商

1. 陳茂盛(誠信建築有限公司關聯人士)
2. 楊永燊(香島建築有限公司董事)
3. 楊志峰(飛鴻建築(香港)有限公司總經理)
4. 吳梓楊(捷高電梯有限公司董事兼股東)
5. 林慕媛(祥豐工程發展有限公司僱員)

業主立案法團(法團)／業主委員會(業委會)成員

1. 張建華(興達大廈法團主席)
2. 粘清波(興達大廈法團時任成員)
3. 曹紹偉(健威花園業委會時任成員)

物業管理公司職員

1. 鍾國祥(康業服務有限公司總維修工程師)
2. 潘志明(恒益物業管理有限公司高級物業經理)

工程顧問

1. 陳元正(香港國際建築顧問有限公司董事兼股東)

(完)

ICAC's operation 'Fire Net': 23 charged for alleged building maintenance corruption involving \$6.5m bribes and \$520m contracts

Following ICAC's operation "*Fire Net*" taken in January this year netting backbone members of a corruption syndicate in the building management industry, the Commission yesterday (September 21) charged 23 of the arrestees with conspiracy to offer and accept bribes totalling over \$6.5 million and conspiracy to defraud in respect of various contracts of grand renovation and other projects of 10 residential and commercial buildings worth a total of around \$520 million. The case marks the largest prosecution in relation to building management and maintenance in ICAC's history.

The 23 defendants, 21 men and two women aged between 38 and 73, are 12 middlemen, one project consultant, five project contractors, three members of Incorporated Owner (IO)/Owners' Committee (OC) and two staff members of property management companies. All of the defendants were released on ICAC bail, pending their appearance at the Eastern Magistrates' Courts next Monday (September 25) for mention.

They face a total of 11 charges – eight of conspiracy to offer an advantage to an agent and one of conspiracy for an agent to accept an advantage, contrary to Section 9 of the Prevention of Bribery Ordinance and Section 159A of the

Crimes Ordinance; and two of conspiracy to defraud, contrary to the Common Law.

The alleged offences took place between January 2018 and May 2023. It is alleged that three of the defendants, Chong Chun-to, Lam Suet-pin and To Hon-sum, all middlemen and backbone members of the corruption syndicate, had conspired with other middlemen and project contractors in the building management industry to offer bribes to members of IOs/OCs, staff of property management companies and project consultants to frustrate various aspects of building management and maintenance, including the tendering process of grand renovation and lift shaft projects and a property management contract, supervision of a renovation project and release of interim payments.

Meanwhile, the defendants also allegedly committed conspiracy to defraud by inflating quotations of minor works and excluding other potential competitors in the tendering of a lift modernisation project.

The present case involves bribes totalling over \$6.5 million concerning various renovation and other projects of 10 residential and commercial buildings, namely five private residential estates, one Home Ownership Scheme (HOS) estate, two private residential buildings, one commercial building and one shopping mall. The relevant contracts worth around \$520 million in total while individual contract sum ranges from around \$460,000 to over \$160 million.

ICAC enquiries revealed that some of the stakeholders rejected the bribes offered by the defendants, while the renovation projects of most of the estates/buildings were yet to be awarded to those involved in this case.

Subsequent to operation “*Fire Net*”, the ICAC had proactively contacted all relevant stakeholders of the estates/buildings concerned, including IOs, OCs and property management companies, to allow them to take appropriate follow up actions against the projects involved. While corruption enquiries are continuing, the ICAC does not rule out further law enforcement actions and further prosecutions.

Case details

Conspiracy to bribe members of IOs/OCs

About \$20m grand renovation project of Hing Tat Mansion (private residential building, Kwun Tong)—Three middlemen Chong Chun-to, Lam Suet-pin and To Hon-sum, and Cheung Kin-wah and Zhan Qingbo, respectively chairman and then member of Hing Tat Mansion’s IO, allegedly conspired together to offer bribes consisting of 10% of the contract sum of the building’s grand renovation project and unspecified sums of money totalling about \$2 million to Cheung Kin-wah, Zhan Qingbo and other IO members for securing the building’s grand renovation project and property management contract.

About \$162m grand renovation project of Sun Hing Garden (HOS estate, Tai Po)—Two middlemen Lam Suet-pin and To Hon-sum and project contractor

Chan Mau-shing allegedly conspired together to offer bribes of about \$1.5 million to Sun Hing Garden's IO members for assisting Shing Shun Construction Limited, which was associated with Chan Mau-shing, to obtain the contract of the estate's grand renovation project.

About \$4m lift shaft project of Healthy Gardens (private residential estate, North Point)—Three middlemen Chong Chun-to, Lam Suet-pin and Ng Tak-ki, and OC member of Healthy Garden Tso Shiu-wai allegedly conspired together to offer bribes of unspecified amount to Tso Shiu-wai and other persons for securing the estate's lift shaft project.

Conspiracy to bribe staff of property management companies

About \$163m grand renovation project of Phase V Greenvale Village of Discovery Bay (private residential estate, Lantau Island)—Five middlemen Chong Chun-to, Lam Suet-pin, Wong Siu-keung, Chan Hok-yam and his wife Cheung Po-yee allegedly conspired together to offer bribes of about \$1.5 million to staff of Discovery Bay Services Management Limited (DBSM) for ensuring Greenvale Village's renovation project to be smoothly conducted.

About \$133m grand renovation project of Phase I Beach Village of Discovery Bay (private residential estate, Lantau Island)—Five middlemen Chong Chun-to, Lam Suet-pin, To Hon-sum, Chan Hok-yam and Cheung Po-yee, and project contractor Yeung Wing-sun, director of Hong Dau Construction Company Limited (Hong Dau), allegedly conspired together to offer bribes of about \$500,000 to staff of DBSM for securing Beach Village's grand renovation project for Hong Dau.

About \$15.9m grand renovation project of Block 1A of Wonderland Villas (private residential estate, Kwai Chung)—Five middlemen Lam Suet-pin, To Hon-sum, Tam Siu-fu, Chan Chun-kit and Mak Wing-tai allegedly conspired together to offer bribes equivalent to 2% of the project sum of the grand renovation project of Block 1A of Wonderland Villas or about \$320,000 to a then senior maintenance engineer of Hong Yip Service Company Limited (Hong Yip) for assisting a project contractor to obtain the contract of the grand renovation project.

Grand renovation project of Tsuen Kam Centre (private residential estate, Tsuen Wan)—Two middlemen Lam Suet-pin and Tam Siu-fu, and Gary Chung Kwok-cheung, chief maintenance engineer of Hong Yip, allegedly conspired together for the latter to accept bribes of about \$150,000 for assisting a company to obtain the consultancy contract of the grand renovation project of Tsuen Kam Centre, which was managed by Hong Yip.

Conspiracy to bribe project consultant

About \$14.9m air-conditioning improvement project of Hop Yick Commercial Centre (shopping mall, Yuen Long)—Project consultant Chan Yuen-ching, director-cum-shareholder of Property Society International of Architecture Consultant HK Limited, project contractor Yeung Che-fung, general manager of Fai Hung Construction (HK) Co., Limited (Fai Hung), and middleman Billy Yeung Wing-cheong allegedly conspired together to offer bribes of about \$600,000 to Chan Yuen-ching for recommending the IO of

Hop Yick Commercial Centre and Hop Yick House to release interim payments of an air-conditioning system improvement project to Fai Hung.

Conspiracy to defraud

About \$3m consultancy and works contract of lift modernisation project of Winning Commercial Building (commercial building, Tsim Sha Tsui)—Two middleman Chong Chun-to and Yeung Hau-lun, project consultant Chan Yuen-ching, project contractor Ng Chi-yeung, Jekco Elevators Ltd's (Jekco) director-cum-shareholder, and Poon Chee-ming, Hang Yick Properties Management Limited's senior property manager, allegedly conspired together to defraud Winning Commercial Building's IO by dishonestly causing Jekco to be selected as the contractor of the building's lift modernisation project by excluding other potential contractors to apply for the tender.

About \$460,000 minor works of Mount Parker Residences (private residential building, Quarry Bay)—Project contractor Chan Hok-yam, director-cum-shareholder of Plenty Well Engineering Development Limited (Plenty Well) and Plenty Well's employee Lam Mo-woon conspired together with another person to defraud Mount Parker Residences (Management) Limited (MPR) by making false representations that the amount payable to Plenty Well and an engineering company of Chan Hok-yam's wife, Cheung Po-yee, for 19 minor works were genuinely incurred, causing MPR to overpay a total of about \$76,000.

The IOs/OC and property management companies concerned have rendered full assistance to the ICAC during its investigation into the case.

The ICAC has always applied its three-pronged approach of enforcement, prevention and education in fighting corruption in relation to the building management industry. On the prevention front, ICAC recommends owners corporation to prevent corruption through improving system and procedures and adopting effective control and corruption prevention safeguards. In addition to offering corruption prevention advisory services to owners' corporations, the ICAC also recommends anti-corruption measures for various maintenance subsidy schemes, works with regulatory authorities and professional bodies to issue codes of conduct to the industries and to enhance system control.

The ICAC reminds building owners that building maintenance is a corruption prone area due to its complex procedures. They should actively participate in building management and attend owners' meetings in person, put in place safeguards in their operations as recommended in the ICAC's "Building Maintenance Toolkit" or the Urban Renewal Authority's "Building Rehabilitation Guidebook", seek support from government departments and relevant public bodies. When inviting tenders, they should join the "Smart Tender Building Rehabilitation Facilitation Services Scheme" or adopt effective measures to reduce risks of corruption.

On the education front, the ICAC has proactively approached building management bodies and encouraged flat owners and residents to stay vigilant against corruption through active participation in building management. In order to enhance stakeholders' anti-corruption capacity, the ICAC organises a variety of integrity training including seminars and talks for management

committee of owner's corporations, flat owners, property management practitioners and relevant professionals, etc. To achieve greater synergy, the ICAC joins hands with different government departments, professional bodies, regulators and trade associations in organising the integrity training. The ICAC has also produced diversified education resources that cater the needs of various stakeholders. Citizens are welcome to call the Integrity Building Management Enquiry Hotline at 2929 4555 for ICAC services.

List of buildings

Hong Kong Island

Healthy Gardens, North Point

Mount Parker Residences, Quarry Bay

Kowloon

Hing Tat Mansion, Kwun Tong

Winning Commercial Building, Tsim Sha Tsui

New Territories and Island

Sun Hing Garden, Tai Po

Hop Yick Commercial Centre, Yuen Long

Tsuen Kam Centre, Tsuen Wan

Block 1A of Wonderland Villas, Kwai Chung

Phase I Beach Village of Discovery Bay, Lantau Island

Phase V Greenvale Village of Discovery Bay, Lantau Island

List of defendants

Middlemen

1. Chong Chun-to
2. Lam Suet-pin
3. To Hon-sum
4. Ng Tak-ki
5. Wong Siu-keung
6. Chan Hok-yam (also the director-cum-shareholder of Plenty Well Engineering Development Limited)
7. Cheung Po-yee (wife of Chan Hok-yam, also the proprietor of Chun Hin Engineering Company)
8. Tam Siu-fu
9. Chan Chun-kit
10. Mak Wing-tai
11. Billy Yeung Wing-cheong
12. Yeung Hau-lun

Project contractors

1. Chan Mau-shing, associate of Shing Shun Construction Limited
2. Yeung Wing-sun, director of Hong Dau Construction Company Limited
3. Yeung Che-fung, general manager of Fai Hung Construction (HK) Co., Limited
4. Ng Chi-yeung, director-cum-shareholder of Jekco Elevators Ltd
5. Lam Mo-woon, employee of Plenty Well Engineering Development Limited

Members of Incorporated Owner (IO)/Owners' Committee (OC)

1. Cheung Kin-wah, IO chairman of Hing Tat Mansion
2. Zhan Qingbo, then IO member of Hing Tat Mansion
3. Tso Shiu-wai, then OC member of Healthy Gardens

Staff members of property management companies

1. Gary Chung Kwok-cheung, chief maintenance engineer of Hong Yip Service Company Limited
2. Poon Chee-ming, senior property manager of Hang Yick Properties Management Limited

Project consultant

1. Chan Yuen-ching, director-cum-shareholder of Property Society International of Architecture Consultant HK Limited

X

X

X