

Corruption and Corporate Crimes

貪污與企業罪行

Case No. 5 – Cooking the Books

Following a corruption investigation, the chairman and an executive director of a publicly listed company which engaged in “intelligent building” projects were jailed for 4 and 3.5 years respectively for conspiring to falsify business and accounting records for audit purposes. They had dishonestly inflated the net profit of the company by almost four-fold in order to deceive the shareholders and the investing public.

The Judge said that deterrent sentences must be imposed, or a wrong message would be conveyed to members of the public who might think the court would tolerate such fraudulent scams.



A forged stamp used in creating bogus business records was recovered during the ICAC operation
 從廉署行動中搜獲偽造商業文件的假印章

案件五：偽造賬目

廉署調查一宗涉及一家專門承接智能大廈工程的上市公司的貪污案時，發現公司主席及一名執行董事串謀偽造營業及會計紀錄供核數之用。二人罪成並分別被判入獄四年及三年半。他們將公司的純利誇大近四倍，意圖欺騙股東及投資者。

法官表示必須判處具阻嚇力的刑期，否則會給予公眾錯誤的信息，令他們以為法庭會容忍此類欺詐行為。

Case No. 6 – Stock Manipulation

Arising from a corruption investigation, the general manager of a publicly listed property investment company together with her personal assistant and a practising solicitor faced prosecution for manipulating trading in the shares of the company and frustrating an investigation by the Securities and Futures Commission (SFC). They were jailed between 2 and 3.5 years. Two foreign exchange brokers were also sentenced to 6 and 8 months’ imprisonment for knowingly making false statements in the SFC investigation. (Appeal proceedings pending)

In sentencing, the Judge said custodial sentences were imposed in view of the seriousness of the offences, which had undermined the integrity of Hong Kong's financial system, being a matter not just of local but of international interest.

案件六：操控股價

廉署調查一宗貪污案件後，起訴一名上市地產投資公司總經理、她的私人助理以及一名執業律師。三人因操控公司的股票交易及妨礙證券及期貨事務監察委員會（證監會）的調查，被判入獄兩至三年半不等。此外，兩名涉案的外匯經紀亦因在證監會的調查中故意作出失實陳述而被判監禁六至八個月不等。（此案正等候上訴）

法官在宣判時表示，被告所干犯的罪行，不但破壞了香港金融制度的完整性，更惹起國際關注，鑑於案情嚴重，必須判以監禁刑期，以收阻嚇之效。

