



Press Releases

Duo in court for defrauding \$20m mortgage loans and laundering crime proceeds

2018-5-10

A former legal clerk of a solicitors firm appeared in the Eastern Magistracy today (May 10) after being charged by the ICAC with defrauding two licensed money lenders of two mortgage loans totalling \$20 million, while the former legal clerk and his associate jointly faced a charge of laundering \$10 million in crime proceeds being one of the loans.

The defendants, who were charged on Tuesday (May 8), were Kevin So Kam-wai, 41, former legal clerk of the now defunct K.L. Leung & Co. (KLL-solicitors), and his associate Jacky So Yun-yue, 49, former legal executive of KLL-solicitors.

Kevin So alone faced three charges – two of fraud, contrary to Section 16A(1) of the Theft Ordinance, and one of using copies of false instruments, contrary to Section 74 of the Crimes Ordinance.

Kevin So and Jacky So faced a joint charge of dealing with property known or believed to represent proceeds of an indictable offence, contrary to Section 25(1) of the Organised and Serious Crimes Ordinance.

No plea was taken today. Principal Magistrate Mr Peter Law Tak-chuen transferred the case to the District Court for plea on May 31.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the above alleged offences.

At the material time, Kevin So and Jacky So were legal clerk and legal executive of KLL-solicitors respectively. Jacky So was also a director of Chilly Associates Limited (CAL), an offshore company.

In February 2012, two buyers, who were a couple, entered into an agreement with a developer to acquire a flat of a private residential building in Rock Hill Street, Kennedy Town, and used a company to hold the flat (the property holding company). Kevin So was tasked to handle the transaction.

One of the charges alleged that between November 1 and 25, 2014, Kevin So falsely represented to a licensed money lender that the property holding company intended to apply for a loan of \$10 million to be secured against the flat; had authorised him to act on its behalf to apply for the loan; and had authorised CAL to receive the loan on its behalf, and with intent to defraud, induced the licensed money lender to grant the loan to CAL, which resulted in benefit to him, Jacky So and CAL or prejudice to the licensed

money lender and the company.

The joint charge alleged that between November 17 and 25, 2014, Kevin So and Jacky So dealt with the loan of \$10 million in an account maintained with a bank held in the name of CAL, knowing or having reasonable grounds to believe that the loan represented the proceeds of an indictable offence.

Another charge alleged that on March 19, 2015, Kevin So used copies of false instruments, namely two letters purportedly issued by the property holding company and one of the buyers respectively for instructing another solicitors firm to act on their behalf in a High Court civil proceeding, with the intention of inducing the solicitors firm to accept them as copies of genuine instruments.

The remaining charge alleged that between February 1 and June 19, 2015, Kevin So falsely represented to another licensed money lender that the property holding company intended to apply for a loan of \$10 million to be secured against the flat; it had authorised him to act on its behalf to apply for the loan; and a third solicitors firm had been authorised to receive the loan on behalf of that company, and with intent to defraud, induced the licensed money lender to grant the loan to the third solicitors firm, which resulted in benefit to that solicitors firm or prejudice to the licensed money lender or the company.

Kevin So was granted cash bail of \$80,000, while Jacky So was on cash bail of \$50,000. They were ordered not to contact prosecution witnesses directly or indirectly.

The then owner of KLL-solicitors had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by ICAC officer Zacky Chan.

[Back to Index](#)



新聞公佈

廉署起訴兩人涉嫌欺詐二千萬元按揭貸款及「洗黑錢」今提堂

2018年5月10日

廉政公署落案起訴一名律師行前法律文員，控告他涉嫌欺詐兩間持牌放債人公司兩筆共二千萬元的按揭貸款，而該前法律文員及一名相關人士亦因就其中一筆按揭貸款而被控一項清洗一千萬元犯罪得益罪名。兩名被告今日(五月十日)在東區裁判法院應訊。

兩名於星期二(五月八日)被起訴的被告為蘇錦威，四十一歲，梁家樂律師行前法律文員，及蘇潤餘，四十九歲，梁家樂律師行前法律行政人員。該律師行現已結業。

蘇錦威被控三項罪名，即兩項欺詐，違反《盜竊罪條例》第16A(1)條，及一項使用虛假文書的副本，違反《刑事罪行條例》第74條。

蘇錦威及蘇潤餘同被控一項罪名，即處理已知道或相信為代表從可公訴罪行的得益的財產，違反《有組織及嚴重罪行條例》第25(1)條。

被告今日無須答辯。主任裁判官羅德泉將案件轉介區域法院至五月三十一日答辯。

廉署早前接獲貪污投訴，調查其後揭發上述涉嫌罪行。

蘇錦威及蘇潤餘於案發時分別是梁家樂律師行的法律文員及法律行政人員。蘇潤餘亦是離岸公司 Chilly Associates Limited (CAL)的董事。

一對買家夫婦於二〇一二年二月與一個發展商達成協議，購入堅尼地城石山街一個私人住宅大廈單位，並以一間公司持有該物業(物業持有公司)，蘇錦威獲指派處理該項交易。

其中一項控罪指蘇錦威涉嫌於二〇一四年十一月一日至二十五日期間，向一間持牌放債人公司虛假地表示，該物業持有公司擬申請一筆一千萬元的貸款，並以該物業作抵押；授權他代表其申請該筆貸款；及授權CAL代表其收取該筆貸款，並意圖詐騙而誘使該持牌放債人公司批出該筆貸款予CAL，導致他、蘇潤餘及CAL獲得利益或該持牌放債人公司及該物業持有公司蒙受不利。

蘇錦威及蘇潤餘同被控的罪名指他們涉嫌於二〇一四年十一月十七日至二十五日期間，知道或有合理理由相信該筆CAL在一間銀行維持的名下帳戶內的一千萬元貸款代表從可公訴罪行的得益而仍處理有關貸款。

另一項控罪指蘇錦威涉嫌於二〇一五年三月十九日使用虛假文書的副本，即兩封看來是由該物業持有公司及其中一名買家分別發出而指示另一間律師行在一宗高等法院民事訴訟中代表他們行事

的信件，意圖誘使該律師行接受它們為真文書的副本。

餘下控罪指蘇錦威涉嫌於二〇一五年二月一日至六月十九日期間，向另一間持牌放債人公司虛假地表示，該物業持有公司擬申請一筆一千萬元的貸款，並以該物業作抵押；該物業持有公司授權他代表其申請該筆貸款；以及第三間律師行獲授權代表該物業持有公司收取該筆貸款，並意圖詐騙而誘使該持牌放債人公司批出該筆貸款予該律師行，導致該律師行獲得利益或該持牌放債人公司或該物業持有公司蒙受不利。

蘇錦威獲准以現金八萬元保釋，而蘇潤餘則獲准以現金五萬元保釋。他們受命不得直接或間接接觸控方證人。

梁家樂律師行時任擁有人在廉署調查案件期間提供全面協助。

控方今日由廉署人員陳錫祺代表出庭。

[返回目錄](#)