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廉政公署

Independent Commission Against Corruption
Hong Kong Special Administrative Region

Latest Press Releases

Then consultant director charged by ICAC jailed for two and a half years for fraud in Bridge Project false concrete cube test records case

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A then director of an engineering consultant of the Civil Engineering and Development Department (CEDD), charged by the ICAC, was today (June 7) sentenced to two and a half years' imprisonment at the District Court for defrauding the CEDD of a payment of about \$2 million by concealing that its staff had falsified concrete cube test records in the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Project. The 19 convicted laboratory staff concerned were earlier sentenced for their roles in the scheme.

Albert Leung Wing-keung, 67, then director of operations of Jacobs China Limited (JCL), was earlier found guilty of one count of fraud, contrary to Section 16A of the Theft Ordinance.

In sentencing, Judge Ms Ada Yim Shun-yee said the offence committed by the defendant was serious in nature. It heavily undermined public confidence in the quality of the HZMB Hong Kong Project and the city's construction works. An immediate custodial sentence of two and a half years was imposed on the defendant, having considered his mitigating factors.

The court heard that in 2012, the CEDD established the Public Works Regional Laboratory at Siu Ho Wan (the Laboratory) to meet the demand for construction materials compliance tests arising from the HZMB Hong Kong Project. The CEDD outsourced the management and operation of the Laboratory to JCL under a ^{PRIVACY} consultancy agreement.

Pursuant to the agreement, JCL was fully responsible for the quality of the testing services at the Laboratory and was required to strictly follow the standard testing procedures accredited under the Hong Kong Laboratory Accreditation Scheme. JCL was required to report to the CEDD any errors in the performance of services which came to its knowledge. The CEDD would withhold making payments to JCL should the latter fail to comply with the terms stipulated in the agreement.

At the material time, the defendant was responsible for overseeing JCL' s projects in Hong Kong, including the above consultancy agreement. The laboratory staff were tasked to conduct construction material compliance tests, including concrete compression tests (CCTs) on concrete cubes.

Two Principal Technical Officers (PTOs) of the CEDD were posted to the laboratory at different periods to oversee the services provided by JCL and to act as the Approved Signatory for issuing accredited reports on the tests conducted at the laboratory under the Hong Kong Laboratory Accreditation Scheme (HOKLAS).

The ICAC investigation arose from a corruption complaint referred by the CEDD. It was revealed that the laboratory failed to conduct CCTs in accordance with CEDD' s requirements since around 2013. Between January 2013 and July 2016, a number of laboratory staff conspired together to resort to a deceptive practice of manipulating the date and time of the computers connected to the compression machines, and using substitutes such as high strength concrete cubes and a metal calibration cylinder to carry out CCTs.

Believing the information contained in the reports of CCTs were genuine, the two PTOs certified those reports under the HOKLAS.

The court heard that the defendant deliberately concealed the false concrete cube test scheme from the CEDD, and induced the department to release a payment of around \$2 million to JCL. Should the CEDD known the scheme, it would not have released the payment to JCL.

The 19 laboratory staff concerned were earlier convicted of conspiracy to defraud and using false instruments. They were sentenced to jail terms ranged from eight months to two years.

PRIVACY

The CEDD, the Highways Department and the Transport and Housing Bureau (now known as Transport and Logistics Bureau) had rendered full assistance to the ICAC in its investigation into the case.

The prosecution was today represented by prosecuting counsel Eddie Sean, assisted by ICAC officers Carrie Ng and Vanessa Ho.

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