

IN THE DISTRICT COURT

HELD AT AUCKLAND

(T002065)

IN THE MATTER

BETWEEN

THE QUEEN

and

SUNIL BANSAL

SUMMARY OF FACTS

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SUMMARY OF FACTS

Sunil Bansal was the sole director of Car Importers and Wholesalers Ltd, and the Wholesale Car Bazaar Ltd, both of which were in 1995 and 1996 in the business of selling used motor vehicles. On occasion, Mr Bansal travelled to Japan to discuss business dealings, including debts owed to Nikki International Limited, from whom he had bought his car dealership. On these occasions he arranged the purchase of used Japanese motor vehicles through the agency of Nikki International for the purpose of resale in New Zealand.

Mr Bansal attended auctions of used Japanese motor vehicles in Japan. At these auctions Nikki International Limited purchased a number of used Japanese motor vehicles for sale/supply to Mr Bansal. These are listed below.

The odometer reading of each vehicle was recorded prior to sale on an Auction Sheet at the time the vehicle was entered into the auction. After the purchase by Nikki and prior to export, the (auction sheet) odometer reading of the eight vehicles that are the subject of the charges was rewound to show a lower reading. The defendant was aware of the rewinding. The effect of the rewind was to make the vehicles more readily marketable and also had an effect on the profit that could be derived from such sales.

Before export to New Zealand the Japanese authorities, through the Japan Auto Appraisal Institute, inspected most of the vehicles and issued JAAI Certificates for them. JAAI Certificates were at that time required by the New Zealand authorities before vehicles could be registered in New Zealand. The JAAI Certificate records the make, model, year, chassis number and odometer reading of the vehicle.

The defendant subsequently imported the vehicles into New Zealand. They went through the normal importation and inspection processes. Finally each was allocated a unique Vehicle Identification Number (V.I.N.) number. In most cases the VIN number incorporates the last few digits of the chassis number of the vehicle

After importation the defendant through his company sold and/or traded the vehicles to members of the public and in one instance to another motor vehicle dealer. In the course of this trading the defendant used documents, referred to in the indictment, that stated the rewound odometer readings. His purpose was to gain the benefit of an increased profit from the apparent value of the motor vehicle.

The Serious Fraud Office has calculated that the maximum increased theoretical value to the defendant by virtue of the sale of rewound vehicles is \$10,859.31

Details of the motor vehicles and the documents used to trade them are:

Count no	Reg No	Make & Model	Vin/Chss No.	Auction	Rewind Km's	Document	Date
1	WG3560	Mitsubishi Pajero	7A8CJ080796016532	Sendai	30,000 91-61	WCB invoice	28/5/9
2	UN7337	Toyota Landcruiser	7A8H60H0796000975	Oyama	50,000 122-72	Offer/sale 447419	13/9/96
3	BECCAZ	Toyota Celica	7A8H6030796006178	Oyama	10,000 78-68	Offer/sale 447449	25/3/97
4	WA3692	Nissan Bluebird	7A8DH1E0796026474	Oyama	30,000 94-64	Offer/sale 447439	28/2/97
5	WJ1662	Nissan Skyline	7A8DH120796274521	Oyama	20,000 63-43	Offer/sale 447445	14/3/97
6	UO4188	Toyota Cynos	7A8H61B0796022901	Shizuoka	20,000 13-53	Offer/sale 540468	7/10/96
7	UY3661	Mazda Familia	7A8C10H0796333919	Sendai	20,000 65-40	Offer/sale 447433	4/2/97
8	WG5262	Mitsubishi Galant	7A8CJ0J0796039226	Sendai	40,000 97-57	Offer/sale 524221	28/5/97

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