

# Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Thursday, August 22, 2019 is 106.8 (up 0.2 against yesterday's index).

---

## Illegal worker jailed

A Vietnamese illegal worker was jailed by Shatin Magistrates' Courts yesterday (August 21).

During operation "Twilight" conducted on July 15, Immigration Department (ImmD) investigators raided a restaurant in Wan Chai. A female Vietnamese, aged 30, was arrested while working as a dish washing worker. An employer suspected of employing the illegal worker was also arrested and the investigation is ongoing.

The illegal worker was charged at Shatin Magistrates' Courts yesterday with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. She pleaded guilty to the charge and was sentenced to 15 months' imprisonment. Meanwhile, she was also charged with one count of using a false instrument, for which she was sentenced to 15 months' imprisonment. Both sentences are to run concurrently for a total of 15 months' imprisonment.

The ImmD spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases. Under the prevailing laws, it is an offence to make, possess or use false instruments. Upon conviction, offenders are liable to a maximum penalty of 14 years' imprisonment.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any

reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct initial screening of vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers, who are arrested during any operation with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threat and coercion in the recruitment phase, and the nature of the exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent intervention, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

---

## **Lifesaving services at Golden Beach resume**

Attention TV/Radio Announcers:

Please broadcast the following as soon as possible and repeat it at regular intervals:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department has announced that the lifesaving services at Golden Beach in Tuen Mun District resumed today (August 22). The lifesaving services at the beach were suspended earlier due to an insufficient number of lifeguards on duty.

---

## **Smart lamppost applications further**

## clarified

The Office of the Government Chief Information Officer (OGCIO) noted that smart lamppost is one of the concerns in the proposed public procession in Kwun Tong on Saturday (August 24). An OGCIO spokesman reiterated today (August 22) that smart lampposts are only used for collecting city data (including traffic, meteorological and air quality data) to facilitate smart city development through open data and the upcoming 5G technology. The smart lampposts do not carry any facial recognition function and cannot detect or read information of identity cards.

The Multi-functional Smart Lampposts Technical Advisory Ad Hoc Committee already set up by the Government is meant to clarify facts and allay public concern through examination by industry experts and academics on the privacy protection and information security aspects of lamppost applications. Last month, the OGCIO also made public a list of the locations, functions and equipment of the 50 smart lampposts which have been installed so far. To enable the public to have an accurate and objective understanding on smart lampposts, the OGCIO will continue to disseminate related information in an open and transparent manner.

---

## Lifesaving services suspended at Golden Beach

Attention TV/radio announcers:

Please broadcast the following as soon as possible and repeat it at regular intervals:

The Leisure and Cultural Services Department announced today (August 22) that due to an insufficient number of lifeguards on duty, the lifesaving services at Golden Beach in Tuen Mun District are suspended until further notice.

First aid service will be maintained at the beach.