

Opening remarks by SCMA at media session on Register of Electors case

Following is the English translation of the opening remarks made by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, at a media session today (April 9) at the Central Government Offices on the latest situation of the search by the Registration and Electoral Office (REO) for a Register of Electors relating to the 2016 Legislative Council (LegCo) General Election:

It had come to the attention of the Constitutional and Mainland Affairs Bureau (CMAB) last week that a Register of Electors relating to the 2016 LegCo General Election could not be located. I considered that the matter was very serious and immediately demanded the REO to conduct a thorough search to ascertain if the Register had been lost. The REO has done detailed and comprehensive searches of a number of storage areas for electoral materials over the past few days and it was confirmed this morning that the Register cannot be found.

The REO has reported the case to the Police and formally notified the Office of the Privacy Commissioner for Personal Data (PCPD) this morning. I have also instructed the REO to: (a) inform affected electors as soon as possible; (b) send letters to government departments and organisations which have frequent handling of personal data in their daily work to alert them to the incident; and (c) review the voter registration information of the some 8,000 electors on the Register to see if there have been unusual changes since 2016. If any abnormality is found, the REO will contact the relevant electors to verify and follow up.

I feel regret about the incident and once again extend my apology to the affected members of the public. I understand that the way REO handles the matter is disappointing. Public elections in Hong Kong have all along been held in an open, fair and honest way. There is no question of compromising people's confidence because of any wrongdoing.

I have requested the REO to follow up on the matter in a serious manner, including: (a) fully co-operating with the Police and the PCPD in their investigations; and (b) submitting a comprehensive report on the incident to the CMAB and the Electoral Affairs Commission (EAC). If it is found that human errors or deliberate cover-up are involved, we will definitely handle the matter in accordance with the established disciplinary mechanism.

The EAC has decided to conduct a thorough review of the incident to find out if there are any problems or loopholes relating to the electoral arrangements as well as overall management of the REO with a view to mapping out improvement measures. The CMAB will provide independent administrative support to the EAC in conducting the review. It is expected that the EAC will complete the report eight weeks after commencement of work.

Lifesaving services suspended at Kwun Yam 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 (April 9) that due to an insufficient number of lifeguards on duty, the lifesaving services at Kwun Yam Beach in Islands District are suspended until further notice.

First aid services will be maintained at the beach.

Damage of components of Air Purification System at East Ventilation Building of Central – Wan Chai Bypass and Island Eastern Corridor Link

The Highways Department (HyD) said today (April 9) that some ventilation fan components of the Air Purification System (APS) at the East Ventilation Building (EVB) of the Central – Wan Chai Bypass and Island Eastern Corridor Link (CWB) were damaged. The operation of the APS at the EVB has been temporarily suspended. The HyD is actively following up on this incident and the remedial works are expected to be completed by the end of April in order to resume normal operation of the APS concerned.

There are three APS facilities for the CWB tunnel located in the EVB, the Middle Ventilation Building (MVB) and the West Ventilation Building (WVB) for purification of the tunnel exhaust before discharge via the ventilation buildings.

The consultant of the CWB project notified the HyD on March 5 that the contractor had found some loosened or damaged bolts and blades at several fans of the APS at the EVB when conducting an efficiency test on the APS system of the CWB at the end of February. For safety reasons, the operation

of the APS at the EVB has been suspended since the end of February.

Upon notification, the HyD informed relevant parties, conducted investigation into the cause of the incident and arranged remedial works with a view to resuming the normal operation of the affected system. After inspection, it was revealed that seven out of the 15 fans in the EVB suffered from different degrees of damage including broken bolts and damaged blade edges. The HyD preliminarily suspected that the failure of the mounting bolts was due to problems in the re-installation of bolts when the contractor carried out adjustments to the fan blades. The edges of some fan blades were also damaged as a consequence of some loosened bolts.

Replacement parts of the fan components ordered by the contractor from overseas have arrived in Hong Kong in batches. The remedial works are scheduled for completion in the end of April for resumption of the operation of the APS at the EVB. Samples of the damaged bolts and blades were delivered to a local laboratory and the overseas fan manufacturer for testing and analysis.

Since the operation of the APS at the EVB is currently suspended, the HyD, in addition to the in-tunnel air quality monitoring, has requested its consultant to monitor the air quality outside the eastern portal and in the vicinity. The air quality monitoring results show no abnormalities in the recent air quality within the tunnel and in the vicinity of the eastern portal.

The other two sets of APS facilities at the WVB and the MVB, as well as the tunnel smoke extraction and ventilation system, are operating normally. As such, the incident does not affect the air quality inside the CWB tunnel.

The HyD submitted a report on the incident to the Environmental Protection Department (EPD) yesterday (April 8) and will fully co-operate with the EPD in its investigation. Meanwhile, the HyD will continue to closely monitor the progress of the remedial works and conduct a detailed investigation into the cause of this incident as well as hold the relevant parties accountable.

Five illegal workers jailed

Five illegal workers comprising three Bangladeshis and two Indians were jailed at Shatin Magistrates' Courts yesterday (April 8).

During a joint operation conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on February 27, enforcement officers raided a restaurant in Mong Kok. Three female Bangladeshi illegal workers and two male Indian illegal workers, aged 33 to 47, were arrested. When intercepted, they were working as dish washing

workers. Upon identity checking, they all produced for inspection recognisance forms issued by the ImmD which prohibit them from taking employment. Further investigation revealed that they were non-refoulement claimants. Meanwhile, one employer suspected of employing illegal workers was also arrested and the investigation is ongoing.

The five illegal workers were 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. They pleaded guilty to the charges and were sentenced to 15 months' imprisonment. As one of the Indian men committed a related offence during his suspended sentence, the Court sentenced him to a further two weeks' imprisonment, running consecutively, making a total imprisonment term of 15 months and two weeks.

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.

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 on 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 exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent interference, medical

services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

Labour Department investigates fatal work accident in Yuen Long

The Labour Department (LD) is investigating a fatal work accident that occurred in Yuen Long this morning (April 9) in which a man died.

The LD immediately deployed staff to the scene upon receiving a report of the accident, and is now conducting an investigation to look into its cause.