

## Ten persons arrested during anti-illegal worker operations (with photo)

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations codenamed "Twilight" on January 24 and 25, and yesterday (January 27). A total of eight suspected illegal workers, one suspected employer and one suspected aider and abettor were arrested.

During the "Twilight" operations, ImmD Task Force officers raided 17 target locations including industrial buildings, premises under renovation and restaurants. Eight suspected illegal workers, one suspected employer and one suspected aider and abettor were arrested. The arrested suspected illegal workers comprised two men and six women, aged 28 to 54. Among them, one man and three women were holders of recognisance forms, which prohibit them from taking any employment. In addition, one man was suspected of using a Hong Kong identity card related to another person. One man, aged 38, was suspected of employing the illegal workers. Meanwhile, one woman, aged 52, suspected of aiding and abetting a person who breached their condition of stay in Hong Kong, was also arrested.

"Any person who contravenes a condition of stay in force in respect of him or her shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties," an ImmD spokesman said.

The spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land is 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. Under the prevailing laws, it is an offence to use or possess a forged Hong Kong identity card or a Hong Kong identity card related to another person. Offenders are liable to prosecution and upon conviction face a maximum fine of \$100,000 and up to 10 years' imprisonment.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. Under the Immigration Ordinance, the maximum penalty for an employer employing a person who is not lawfully employable, i.e. an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land, has been significantly increased from a fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment to reflect the gravity of such offences. The director, manager, secretary, partner, etc, of the company concerned may also bear criminal liability. 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. Offenders are liable upon conviction to a maximum fine of \$150,000 and to imprisonment for one year. In that connection, the spokesman would like to remind all employers not to defy the law by employing illegal workers. The ImmD will continue to take resolute enforcement action to combat such offences.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct an 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 ImmD officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threats 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 intervention, medical services, counselling, shelter or temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments immediately.



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## [Fraudulent websites related to Bank of China \(Hong Kong\) Limited](#)

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public to a press release issued by Bank of China (Hong Kong) Limited relating to fraudulent websites, which has been reported to the HKMA. A hyperlink to the press release is available on the [HKMA website](#).

The HKMA wishes to remind the public that banks will not send SMS or e-mails with embedded hyperlinks which direct them to the banks' websites to carry out transactions. They will not ask customers for sensitive personal information, such as login passwords or one-time password, by phone, email or SMS (including via embedded hyperlinks).

Anyone who has provided his or her personal information, or who has conducted any financial transactions, through or in response to the websites concerned, should contact the bank using the contact information provided in the press release, and report the matter to the Police by contacting the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force at 2860 5012.

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## **Sports Premises Subsidy Scheme, Fitness Centre Subsidy Scheme and Sports and Recreational Sites Subsidy Scheme under Anti-epidemic Fund start to disburse subsidies**

The Home Affairs Bureau has started disbursing subsidies to successful applicants under the Sports Premises Subsidy Scheme and the Fitness Centre Subsidy Scheme. As of today (January 28), over a thousand applications had been received for the two schemes, of which over 300 eligible applications have been approved, involving a subsidy of more than \$15 million.

The Government launched the Sports Premises Subsidy Scheme and the Fitness Centre Subsidy Scheme under the fifth round of the Anti-epidemic Fund to provide a one-off subsidy of \$50,000 to each eligible sports premise and fitness centre. The application deadlines of the Sports Premises Subsidy Scheme and the Fitness Centre Subsidy Scheme are February 16 and 28 respectively. Those who wish to apply for the subsidies should submit their applications as soon as possible. Application forms and guidelines can be downloaded from the Home Affairs Bureau's website below:

Sports Premises Subsidy Scheme:

[www.hab.gov.hk/en/policy\\_responsibilities/fitness/aefv5spss.htm](http://www.hab.gov.hk/en/policy_responsibilities/fitness/aefv5spss.htm)

Fitness Centre Subsidy Scheme:

[www.hab.gov.hk/en/policy\\_responsibilities/fitness/aefv5.htm](http://www.hab.gov.hk/en/policy_responsibilities/fitness/aefv5.htm)

In addition, the Home Affairs Bureau has also implemented the Sports and Recreational Sites Subsidy Scheme to provide financial subsidy to the operators of sports and recreational facilities on government sites. The Home Affairs Bureau has invited eligible operators to apply for the subsidy. The application deadline is February 16. As of today, 58 applications had been received. Among them, 55 eligible applications have been approved, involving a subsidy of \$2.75 million.

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## **AFCD disbursing ex-gratia payments for cancellation of FarmFest 2022 under Anti-epidemic Fund**

The Agriculture, Fisheries and Conservation Department (AFCD) announced today (January 28) that the department is disbursing ex-gratia payments for the cancellation of FarmFest 2022 to successful applicants under the fresh round of the Anti-epidemic Fund.

An AFCD spokesman said, "The application for the above ex-gratia payment has started since January 17. As of today, the AFCD has received a total of 53 applications and 36 of them have been approved. Ex-gratia payments by crossed cheques are being posted to the successful applicants, involving payments of around \$180,000. The department has expedited the processing of the applications such that disbursement of the ex-gratia payments can be made as soon as possible."

A one-off ex-gratia payment of \$5 000 is payable to each of the eligible fishermen, farmers, fishing units and farming units. The application deadline for the ex-gratia payment is February 18. Eligible applicants should submit applications to the AFCD as soon as possible. The AFCD has notified eligible applicants by phone and sent them application forms by email, fax or post. For enquiries, please call 2150 7099 (for fisheries booths) or 2670 1161 (for agricultural booths).

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# Extension of term of Inspector appointed by Financial Secretary to investigate into affairs of Next Digital Limited

The Government announced today (January 28) that the Financial Secretary, Mr Paul Chan, has extended the appointment of Mr Clement Chan Kam-wing as the Inspector to investigate into the affairs of Next Digital Limited (NDL) by three months up to April 27, 2022.

Pursuant to the power conferred on him by sections 841(2) and (3) of the Companies Ordinance (Cap. 622), the Financial Secretary appointed Mr Chan on July 28, 2021, as the Inspector to investigate into the affairs of NDL, with a view to submitting a Final Report to the Financial Secretary in six months.

On September 14, 2021, the Inspector submitted to the Financial Secretary an Interim Report which revealed, among other things, that NDL had been conducting its affairs in a manner unfairly prejudicial to the interests of its members generally. The Inspector also found NDL financially insolvent. Having regard to the above, the Financial Secretary, in consideration of the public interest, presented a petition on September 29, 2021, to wind up NDL. The Court subsequently appointed the requisite Provisional Liquidators and granted a winding up order against NDL on December 15, 2021.

The Inspector recently reported to the Financial Secretary that information relevant to the investigation had yet to be fully obtained and scrutinised for preparing a comprehensive Final Report. The Financial Secretary considered it of utmost importance that the investigation be thoroughly conducted for the purpose of the Final Report. He has therefore decided to extend the Inspector's appointment by three months up to April 27, 2022, by which time the Final Report will also be submitted.