

# HKSAR Government confiscated criminal proceeds of absconders endangering national security in accordance with the law

The Court of First Instance yesterday (February 17), upon application by the Department of Justice (DoJ), issued the confiscation order under section 9 of Schedule 3 of the Implementation Rules for Article 43 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Implementation Rules), concerning the confiscation of proceeds Hui Chi-fung obtained from committing offences endangering national security. The Hong Kong Special Administrative Region (HKSAR) Government has noted the unfounded smear and malicious attacks online regarding the actions taken by the Court in accordance with the law. The HKSAR Government strongly condemned and opposed this, and it is necessary to rebuke and to set out the following facts to set the record straight.

An HKSAR Government spokesman stressed, "Hong Kong is a society underpinned by the rule of law and has always adhered to the principle that laws must be obeyed and lawbreakers be held accountable. Amongst others, it is a common and effective practice to make an application to the Court for a confiscation order to prevent offenders from benefiting from their criminal acts. In fact, laws and mechanisms for confiscation of crime proceeds are common around the world. They cover the crime proceeds from commission of any serious offence, including offences endangering national security."

"Hui Chi-fung has committed numerous heinous crimes, with a number of criminal charges being laid against him. He conspired with foreign politicians in 2020 to forge documents and deceive the court with false information in order to obtain the court's permission to leave Hong Kong while he was on bail, and jumped bail and absconded overseas. Afterwards, Hui Chi-fung was suspected to have committed offences endangering national security overseas. On August 12, 2021 and June 21, 2023, two magistrates issued warrants against Hui Chi-fung for allegedly committed crimes of 'inciting secession', 'inciting subversion of state power', and 'colluding with foreign or external forces to endanger national security'. Hui Chi-fung is currently a wanted person with reward notice by the Police, and specified as relevant absconder by the Secretary for Security under sections 89(1) of the Safeguarding National Security Ordinance."

The spokesman stressed, "The application for and issuance of the confiscation order must comply with the strict conditions specified in Schedule 3 of the Implementation Rules, including that the Court must first be satisfied that the absconded defendant could have been convicted of the relevant offence and must determine whether the defendant has benefited from that offence. The Court must also ascertain the value of the proceeds of the offence endangering national security and the amount that might be realised

at the time the confiscation order is made. Therefore, there is absolutely no situation in which private property could be 'confiscated at any time' or 'arbitrarily'. "

The spokesman pointed out, "Before and after Hui Chi-fung absconded from Hong Kong, he transferred nearly \$2.5 million Hong Kong dollars in personal assets as gifts to his mother and wife. The Court is also satisfied with the relevant transaction evidence submitted by DoJ."

According to the law, if a defendant benefits from committing an offence endangering national security and makes a gift at any time from six years before the date of prosecution onwards, the property held by the recipient of the gift may be regarded as the defendant's realisable property and confiscated. Mechanisms are in place worldwide to prevent criminals from transferring their criminal proceeds to others to evade confiscation.

"The value of the criminal proceeds ordered for confiscation by the Court is determined strictly based on evidence and in accordance with the law. The value of the criminal proceeds attributed to Hui Chi-fung was calculated based on the relevant evidence to establish a reasonable value."

The spokesman reiterated that endangering national security is a very serious crime. The HKSAR Government will do everything possible and use all legal means to pursue and combat criminals who endanger national security as well as to hold them accountable, thereby safeguard national security.

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## **Hong Kong Customs combats suspected illicit cigarette distribution activities in Sham Shui Po (with photos)**

Hong Kong Customs today (February 17) conducted an anti-illicit cigarette operation in Sham Shui Po to fight against criminals involved in illicit cigarettes distribution in the district. About 5 500 suspected illicit cigarettes, with an estimated market value of about \$24,000 and a duty potential of about \$18,000, were seized.

This afternoon, Customs intercepted a suspicious non-local man in Pei Ho Street, Sham Shui Po. About 4 500 suspected illicit cigarettes were found from two nylon bags carried by him. The 54-year-old man, who claimed to be unemployed, was immediately arrested.

Subsequently, Customs officers conducted further investigation in nearby illicit cigarettes black spots and further seized about 1 000 suspected

illicit cigarettes, thereby disrupting relevant distribution activities.

The arrested man was charged with "dealing with goods to which the Dutiable Commodities Ordinance applies" and will appear at the West Kowloon Magistrates' Courts tomorrow (February 18).

Customs will continue its risk assessment and intelligence analysis for interception at source as well as through its multipronged enforcement strategy targeting storage, distribution and peddling to spare no effort in combating illicit cigarette activities.

Customs stresses that it is an offence to buy or sell illicit cigarettes. Under the Dutiable Commodities Ordinance, anyone involved in dealing with, possession of, selling or buying illicit cigarettes commits an offence. The maximum penalty upon conviction is a fine of \$1 million and imprisonment for two years.

Members of the public may report any suspected illicit cigarette activities to Customs' 24-hour hotline 182 8080 or its dedicated crime-reporting email account ([crimereport@customs.gov.hk](mailto:crimereport@customs.gov.hk)) or online form ([eform.cefs.gov.hk/form/ced002/](http://eform.cefs.gov.hk/form/ced002/)).



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## [CHP investigates three food poisoning clusters](#)

The Centre for Health Protection (CHP) of the Department of Health is today (February 17) investigating three epidemiologically linked food poisoning clusters affecting 11 persons, and reminded the public to maintain personal, food and environmental hygiene to prevent foodborne diseases.

The three clusters involved five males and six females, aged between 28 and 35, who developed abdominal pain, diarrhoea, nausea and vomiting about 16

to 61 hours after eating at Oyster Station (Restaurant name on licence: OS Oyster & Steak House) at 7/F, 1 Knutsford Terrace in Tsim Sha Tsui on February 10, 11 and 12.

Of those affected, six persons sought medical advice. None of them required hospitalisation.

A preliminary investigation by the CHP revealed that the affected persons had consumed common food, including raw oysters, at the above restaurant. The incident might have been caused by norovirus.

Personnel from the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department have conducted an inspection at the restaurant and instructed the premises concerned to suspend serving incriminated food items with immediate effect and carry out cleaning and disinfection of the premises. The officers have also provided health education related to food safety and environmental hygiene to the staff of the premises.

The CHP and CFS's investigation is ongoing.

Norovirus infection typically causes acute gastroenteritis. It is also a common cause of food poisoning and is very often related to consumption of undercooked or raw shellfish. These diseases affect people of all age groups and tend to be more common during winter.

To prevent foodborne diseases, members of the public are reminded to maintain personal, food and environmental hygiene at all times. When dining out, one should:

- Avoid eating raw seafood;
- Be a discerning consumer in choosing cold dishes, including sashimi, sushi and raw oysters at a buffet;
- Choose pasteurised eggs, egg products or dried egg powder for dishes that often use lightly cooked or uncooked eggs;
- Patronise only reliable and licensed restaurants;
- Store and reheat precooked or leftover foods properly before consumption;
- Ensure food is thoroughly cooked before eating during a hotpot or barbecue meal;
- Handle raw and cooked foods carefully and separate them completely during the cooking process;
- Use two sets of chopsticks and utensils to handle raw and cooked foods;
- Avoid patronising illegal food hawkers;
- Drink boiled water;
- Susceptible populations, including those with weakened immunity, the elderly, pregnant women and young children are at a higher risk of foodborne diseases, so they should not consume raw or undercooked foods;
- Refrain from trying to use salt, vinegar, wine or wasabi to kill bacteria as they are not effective; and
- Always wash hands before eating and after going to the toilet.

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## LegCo to consider Road Tunnels (Government) (Amendment) Bill 2024

The following is issued on behalf of the Legislative Council Secretariat:

The Legislative Council (LegCo) will hold a meeting on Wednesday (February 19) at 11am in the Chamber of the LegCo Complex. During the meeting, the Second Reading debate on the Road Tunnels (Government) (Amendment) Bill 2024 will resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

The Second Reading debate on the Inland Revenue (Amendment) (Tax Deductions for Assisted Reproductive Service Expenses) Bill 2024 will also resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

In addition, The Chinese Medicine Hospital of Hong Kong Bill will be introduced into the Council for the First Reading and the Second Reading. The Second Reading debate on the Bill will be adjourned.

On Members' motions, Mr Stanley Ng will move a motion on protecting the mental health of employees. The motion is set out in Appendix 1. Mr Kwok Wai-keung will move separate amendment to Mr Ng's motion.

Mr Edward Leung will move a motion on comprehensively regulating unsolicited calls. The motion is set out in Appendix 2. Dr Johnny Ng and Mr Shiu Ka-fai will move separate amendments to Mr Leung's motion.

During the meeting, the Chairman of the Public Accounts Committee, Mr Shiu Ka-fai, will present the "Report of the Public Accounts Committee on Report No. 83 of the Director of Audit on the Results of Value for Money Audits" and address the Council.

Members will also ask the Government 22 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo Website ([www.legco.gov.hk](http://www.legco.gov.hk)). Members of the public can watch or listen to the meeting via the "Webcast" system on the LegCo Website. To observe the proceedings of the meeting at the LegCo Complex, members of the public may call 3919 3399 during office hours to reserve seats.

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