

Hong Kong resident jailed for conspiracy to use identity card relating to another person and money laundering

One Hong Kong resident (defendant) was sentenced to 36 months' imprisonment upon conviction for eight charges including dealing with property known or believed to represent proceeds of an indictable offence (money laundering), conspiracy to deal with property known or believed to represent proceeds of an indictable offence, conspiracy to use identity card relating to another person, conspiracy to defraud, transferring an identity card to another person and making false representation to Immigration Officers at the Shatin Magistrates' Courts yesterday (April 29).

The Immigration Department (ImmD) launched an anti-illegal worker operation last year and arrested a number of overstaying foreign domestic helpers (FDHs) working as cleaners in the same restaurant. It was later discovered that the arrested FDHs had all used others' identity cards during job seeking. The rightful holders of the identity cards concerned were investigated. In the course of investigation, one of the identity card holders, the defendant, admitted to have knowingly transferred her identity card to an overstaying FDH to impersonate her during job seeking. The defendant had also transferred her bank account to the FDH for receiving salary with the account and applying for a loan at a finance company. Also, the defendant defraud Immigration officers in the dependant visa application of her foreign spouse, requesting the FDH to provide her with the income proof the FDH obtained by illegal work for her to submit as her own income proof in the application.

The defendant then adopted the same method and assisted her spouse to take up illegal work and receive salary using other's identity card and bank account. The defendant's foreign spouse was a recognisance form holder and he was not permitted to take up any employment in Hong Kong.

The FDH and the defendant's foreign spouse pleaded guilty to offences related to the use of others' identity cards and were sentenced to 15 months' imprisonment respectively earlier.

"Under the laws of Hong Kong, any person who without lawful authority or reasonable excuse transfers to another person an identity card commits an offence. It is also an offence to use or have in his custody or possession an identity card which relates to another person. Offenders are liable upon conviction to the maximum penalty of a fine of \$100,000 and imprisonment for 10 years," an ImmD spokesman said.

"Under the laws of Hong Kong, it is an offence to make a false representation to Immigration Officers. Offenders are liable to prosecution

and upon conviction, the maximum penalty of a fine of \$150,000 and imprisonment for 14 years," the spokesman warned.

The spokesman continued that conspiracy to defraud is a serious offence. Under the Crimes Ordinance, offenders are liable to prosecution and upon conviction, the maximum penalty is imprisonment for 14 years.