

LCQ10: Crackdown on illegal workers

Following is a question by the Hon Edmund Wong and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (June 18):

Question:

It has been reported that various law enforcement agencies have recently discovered illegal workers using online car hailing or delivery platforms to work as drivers or food delivery workers, and have taken enforcement actions against them. In this connection, will the Government inform this Council:

(1) of the numbers of illegal workers and employers of illegal workers who were prosecuted in the past three years, together with a quarterly breakdown of such figures;

(2) as it is learnt that engaging in work through digital platforms does not involve employment procedures such as job interviews, whether the authorities have assessed if the activities on such platforms are more susceptible to involving illegal workers; whether it has found any criminal syndicate specialising in acquiring the personal data of some Hong Kong residents for the purpose of registering work accounts on such platforms and subsequently making profits by employing illegal workers to provide services with these accounts; if so, of the details;

(3) whether the authorities have contacted such digital platforms to ascertain if there are loopholes in their operations from which criminal syndicates and illegal workers may benefit; if so, of the details; and

(4) whether it has studied enacting legislation to step up the crackdown on illegal workers using such digital platforms to work for reward?

Reply:

President,

The Government is committed to combatting illegal employment, with a view to protecting job opportunities for the local workforce. It is a serious offence to engage in illegal employment. Employers, illegal workers as well as aiders and abettors of illegal employment will be liable to prosecution in accordance with the Immigration Ordinance (IO). The IO has different provisions targeting relevant offences committed by different groups of persons. Visitors, illegal immigrants and non-refoulement claimants, etc, are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Aiders and abettors as well as illegal workers are liable to the same penalties. In addition, the Government amended the IO in 2021 by increasing the penalty of employers of illegal workers, with the maximum penalty significantly increased from a fine of

\$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment with a view to reflecting the gravity of such offences. The directors, managers, secretaries, partners, etc, of the company concerned may also bear criminal liability. The High Court has laid down sentencing guidelines that employers of illegal workers should be given an immediate custodial sentence.

Regarding the question raised by the Hon Edmund Wong, having consulted the Labour and Welfare Bureau/Labour Department (LD), the Hong Kong Police Force (the Police) and the Immigration Department (ImmD), our reply is as follows:

(1) According to ImmD's record, the number of illegal workers prosecuted and the number of employers of illegal workers prosecuted over the past three years are tabulated below:

Year / quarter		Number of illegal workers prosecuted	Number of employers of illegal workers prosecuted
2022	1st quarter	50	23
	2nd quarter	148	41
	3rd quarter	175	39
	4th quarter	166	35
	Total in 2022	539	138
2023	1st quarter	167	26
	2nd quarter	221	29
	3rd quarter	269	34
	4th quarter	286	20
	Total in 2023	943	109
2024	1st quarter	220	50
	2nd quarter	268	33
	3rd quarter	300	33
	4th quarter	225	53
	Total in 2024	1 013	169
2025	1st quarter	262	39

(2) Illegal employment is not limited to individual industries. The Government has all along combatted illegal employment and enforced the law vigorously. With an increased demand for the services provided by online platforms (including online food delivery and online car hailing) in recent

years, the relevant law enforcement agencies have taken respective actions in combatting illegal employment and will conduct joint operations when necessary. Regarding the online food delivery platforms, the ImmD and the Police arrested 180 persons in relevant enforcement operations from 2024 to May 2025, 98 were non-ethnic Chinese persons suspected of working illegally as food delivery couriers, 54 were local residents suspected of selling or renting their food delivery courier accounts to the illegal workers, four were suspected of employing illegal workers and the remaining were arrested because of engaging in other illegal works or using false instruments, etc. Regarding online car hailing, four persons who were suspected of breach of condition of stay were arrested by the Police during the same period.

In the above operations, the ImmD and the Police did not identify any syndicate specialising in acquiring the personal data of Hong Kong residents for the purpose of registering work accounts on such platforms to make profits through employing illegal workers to provide services with those accounts. The law enforcement agencies will continue to closely monitor the situation and will not take this lightly.

(3) Regarding online food delivery platforms, the ImmD and the Police maintain communications with platform companies from time to time, and have already requested them to strengthen the security measures on account registration and logging in, including adding authentication steps, requesting authentication of true identity, etc, in order to prevent the account holders from renting their accounts to others for food delivery. The LD has also established a Liaison Group comprising representatives of platform companies, labour organisations and the Government to explore suitable proposals to enhance the protection for platform workers, including stepping up on prevention of illegal workers in food delivery services. Regarding online car hailing, the Government has all along emphasised through various channels that any business shall be operated in accordance with the law.

(4) As aforementioned, the IO was amended in 2021 by increasing the penalty of employers of illegal workers, with the maximum penalty significantly increased from a fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment. Regardless of whether online working platform or other working mode is involved, employers share the same legal responsibility to ensure employees are lawfully employable persons. The Government will continue to actively combat illegal employment on various fronts, including stepping up inspections and "cyber patrols", taking rigorous law enforcement, and will also strengthen publicity and education, in order to raise the public's law-abiding awareness.

Stepping up inspections and rigorous law enforcement

To deter employers from employing illegal workers, labour inspectors of the LD will, through regular workplace inspections, check employees' proof of identity and employees records kept by employers under the power conferred by the Part IVB of the IO. Suspected illegal employment cases detected will be referred to relevant law enforcement agencies for follow-up.

The Cybercrime and Forensics Investigation Group (The Group) of the ImmD is dedicated to assisting frontline investigators in collecting digital evidence so as to strengthen the ability in case investigation and evidence collection, with a view to coping with criminals who may use well-developed technologies to commit immigration-related offences and some potential complicated crimes in the future. The Group has been proactively combatting cybercrimes related to illegal employment by conducting constant "cyber patrols". It will take resolute enforcement actions against any person who is found using social media or instant messaging software to organise, arrange or incite the public to commit serious crimes, such as illegal employment etc.

The ImmD and the Police will continue to combat illegal employment related crimes rigourously, and will, depending on operational needs, risk assessment and other considerations, flexibly arrange sufficient manpower to conduct intelligence-led enforcement operations against illegal employment related crimes.

Publicity and education to raise law-abiding awareness

In order to raise the public's law-abiding awareness and let the employers understand the serious consequences of employing illegal workers, the ImmD has deployed officers and promotional vehicles to black spots of illegal employment from time to time to distribute "Don't Employ Illegal Workers" leaflets to employers and remind them to inspect the original Hong Kong Identity Cards of job seekers to ascertain whether they are lawfully employable. At the same time, the ImmD has also actively published information on the effectiveness of the latest operations against illegal employment and disseminated the message of "Employing Illegal Workers is an Offence" through its official accounts on different social media platforms. In addition, the ImmD has provided information of identifying lawfully employable persons to the public through various channels including ImmD's website, leaflets and seminars, etc.