

Opening remarks by SCMA at media session on EAC's report on REO's loss of Register of Electors (with video)

Following are the opening remarks made by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, at a media session today (July 24) at the Central Government Offices on the Electoral Affairs Commission's (EAC) independent investigation report on the Registration and Electoral Office's (REO) loss of a Register of Electors:

The HKSAR Government takes the loss of a Register of Electors relating to the 2016 Legislative Council (LegCo) General Election by the REO very seriously. After the incident, we immediately instructed the REO to undertake a series of follow-up actions, and provided the EAC with independent administrative support to conduct a full investigation so as to identify the problems and deficiencies in the electoral arrangements and REO's management, and make recommendations for improvement. The EAC just held a press conference this afternoon to release the report. I would like to say a few words on the Government's follow-up actions.

Public elections in Hong Kong have always been conducted in an open, fair and honest manner. This important principle should be upheld at all times. The HKSAR Government considers the loss of the Register unacceptable, and we thank the EAC for conducting a comprehensive, objective and impartial investigation and putting forth a series of improvement measures. We fully accept the EAC's recommendations, and have instructed the REO to implement the improvement measures as a matter of priority to avoid similar incidents from happening again.

The EAC learnt that the incident was related to the handling of electoral materials after the completion of the counting of votes. It has identified the REO's shortcomings in various aspects and proposed over 20 improvement measures in six major areas. Most of the recommendations on improving the packaging, transportation, collection and handling of materials, as well as strengthening staff training and internal communication could be implemented before the District Council Ordinary Election to be held in November this year.

We will support the REO in launching the improvement measures in a number of aspects:

(1) The REO will proactively introduce technologies in public elections, such as using IT in the process of handling and storing electoral materials to make recording and tracking more effective.

(2) On storage and accommodation, we have requested the Government Property Agency (GPA) to provide sufficient storage space to meet the REO's demand in

the upcoming elections, and in the longer term, to house the REO's store facilities under one roof for better store management of electoral materials. We have also invited the GPA to identify one single office accommodation for the REO.

(3) Also, we will work with the relevant policy bureaux to review the organisational structure and manpower requirements of the REO so that it will have the required manpower and resources to implement the EAC's proposals.

After it was confirmed that the Register of Electors was lost in early April, the former Chief Electoral Officer reported to me that his subordinates had never reported the incident to him. He also made a public statement stating the same. However, the investigation results revealed that his statement made at that time did not match with the facts. The former Chief Electoral Officer has been formally transferred out of the department. On whether individual REO staff should be held responsible for the incident, this will be handled by the Civil Service Bureau in accordance with the established disciplinary procedures.

I feel regretful and am disappointed about the incident. Once again I extend my apology to members of the public. I trust that the REO has learnt from the incident and will implement the improvement measures fully to forestall similar incidents from happening again. I and my colleagues in the Constitutional and Mainland Affairs Bureau will provide all the necessary assistance and support to the REO.

Immigration Department smashes syndicate using false instruments to apply for foreign domestic helper working visas

The licensee of an employment agency, who had conspired to use false instruments to apply for foreign domestic helper (FDH) working visas, has pleaded guilty to charges of conspiracy to defraud and using copies of false instruments. She was sentenced to 24 months' imprisonment today (July 24) at the District Court. Five Filipinos involved in the case had been convicted earlier for the offence of making false representation to an immigration officer and breach of condition of stay at the Magistrates' Courts.

The mastermind was a 55-year-old Hong Kong resident who was the licensee of the employment agency. Since December 2017, the Immigration Department had detected several suspicious pay-television service bills submitted for foreign domestic helper visa applications through the employment agency.

After months of in-depth investigation and intelligence analysis, a syndicate was identified as having arranged Filipinos to work in Hong Kong illegally through the use of false FDH contracts. In March 2018, the Immigration Department triggered the enforcement action. Fourteen persons, including the mastermind, four other Hong Kong residents and nine Filipinos who had applied for the FDH visas using false contracts, were apprehended. In addition, two computers and a considerable number of false instruments were seized, including originals and copies of forged bank statements and pay-television service bills.

During the investigation, investigators discovered that the mastermind made use of unlawfully obtained Hong Kong identity card copies and false salary and residential proof, such as forged bank statements, electricity and gas bills as well as telecommunications service and pay-television service bills to apply for FDH working visas.

After an investigation, the mastermind was prosecuted. She was sentenced to 24 months' imprisonment for the offences of six counts of conspiracy to defraud and five counts of using copies of false instruments. Regarding the bogus FDHs arrested, five were prosecuted and convicted of making false representation to an immigration officer and breach of condition of stay at the Magistrates' Courts earlier, and have already been sentenced with the highest sentence of four months' imprisonment.

An investigation of the other suspects is continuing.

"It is an offence to make, possess or use false instruments. Upon conviction, offenders are liable to a maximum penalty of 14 years' imprisonment. In addition, it is an offence to make false representation to an immigration officer. Offenders are liable to prosecution and to a maximum fine of \$150,000 and imprisonment for 14 years. Furthermore, anyone who commits the offence of conspiracy to defraud is liable to prosecution and, upon conviction, the maximum penalty is imprisonment for 14 years," an Immigration Department spokesman said.

The spokesman also stressed that FDHs should only take up employment as a domestic helper as approved by the Director of Immigration. Offenders are liable to prosecution and upon conviction to a maximum fine of \$50,000 and imprisonment for two years. Aiders and abettors are also liable to prosecution.

[Interim analytical results on suspected counterfeit vaccines](#)

announced

The Department of Health (DH) today (July 24) announced the interim analytical results on the suspected counterfeit vaccines seized during joint operations earlier this month. So far, the test results revealed that no hazardous impurities were detected in the samples.

â€‹ The DH and Hong Kong Customs earlier announced that joint operations were conducted at two medical centres on July 10 and July 12 respectively during which suspected counterfeit vaccines were seized in both premises. Samples of the seized products were sent to the Government Laboratory and accredited laboratories for analysis to identify the nature of the seizures and whether they contain hazardous ingredients.

Most of the results, including the tests for certain chemical and metallic impurities, particulate matters, and certain chemical markers, were available. So far, no hazardous impurities or particulate matters were detected. In addition, the results revealed that the samples did not contain the ingredients of human papillomavirus (HPV) vaccine. The test results further revealed that samples seized from a medical centre in Kwun Tong contained sodium and chloride, which are commonly found in saline solution.

The results of the sterility test on the samples are still pending and expected to be available in mid-August. The results will be announced in due course.

Investigations by the DH and Customs are ongoing.

The DH urged members of the public who have felt unwell after receiving HPV vaccines to seek advice from healthcare professionals. Members of the public who have doubts on whether they should vaccinate or receive booster vaccines are advised to consult healthcare professionals. In addition, registered healthcare professionals should only procure registered pharmaceutical products from licensed wholesale dealers.

EAC publishes independent investigation report on REO's loss of Final Register of Electors

The following is issued on behalf of the Electoral Affairs Commission:

The Electoral Affairs Commission (EAC) today (July 24) published a

report of an independent investigation into the loss of the Final Register of Electors (FR) of a polling station located at SKH Tsing Yi Estate Ho Chak Wan Primary School in Kwai Tsing by the Registration and Electoral Office (REO) in the 2016 Legislative Council General Election.

"The EAC conducted an independent investigation into the incident to find out the underlying facts and identify the problems relating to the electoral arrangements as well as overall management of the REO with a view to recommending improvement measures. The investigation has been completed. Due to the lapse of time and lack of direct evidence, it is not possible to ascertain precisely when and how the marked FR was lost," a spokesman for the EAC said.

"However, the EAC's investigation reveals shortcomings of the REO in the handling of electoral documents after the 2016 Legislative Council General Election, including the packing, checking, collection, delivery, storage and retrieval of electoral documents. The EAC believes that the long working hours of polling staff, as well as the unsatisfactory store arrangement and management, may have led to the abovementioned problems.

"The EAC noted that, after the 2016 Legislative Council General Election, the REO has introduced a number of improvement measures to better handle relevant electoral documents. The investigation report has made a number of recommendations to further improve the procedures for the handling of electoral documents and materials. Such recommendations include shortening the working hours of polling staff to enhance their efficiency in packing and returning electoral documents; providing clearer and streamlined procedural guidelines for handling of electoral documents; proactively exploring and introducing more modern and effective technologies to help maintain proper and up-to-date store management; and concrete improvements to the store management system to facilitate stock-taking and retrieval of electoral items. As a matter of priority, the REO should explore ways to consolidate its scattered stores and offices in order to enhance its operational efficiency. Consideration should also be given by the Government to strengthening the top tier and senior management of the REO in order to meet the growing complexities and challenges of elections.

"The report details the searching efforts made by the REO after discovering that the FR could not be located in October 2016. The EAC notes that relevant REO staff (especially the middle ranking ones) had already made very strenuous efforts in locating the marked FR in question. However, the ex-members of the senior management of the REO had not accorded sufficient priority or an appropriate degree of urgency to the matter. They should have instructed their staff to complete their searches as early as possible, or consider filing with the relevant authorities the possible loss of the FR." The REO is therefore advised to put in place an effective reporting mechanism within the department to timely follow up such matters.

"During the investigation, the EAC further notes that in early January 2018, the ex-Chief Electoral Officer had already been aware of the issue that the FR in question had not yet been located. The investigation also reveals that the ex-top management of the REO lacked the sensitivity in dealing with

the loss of the FR. Neither had they discussed the matter in detail nor had they given any steer to relevant REO staff what follow-up actions should be taken.”

The EAC believes that the Government and the REO will carefully consider the recommendations in the report, explore how they should be implemented, continue to improve the procedures for the handling of electoral documents, and prevent the recurrence of similar incidents. The EAC will continue to oversee the work of the REO and ensure that the elections in Hong Kong can be conducted in an open, fair, and honest manner.

The EAC has uploaded the full investigation report to the EAC website ([www.eac.hk/pdf/loss_register_electors/report\(Eng\).pdf](http://www.eac.hk/pdf/loss_register_electors/report(Eng).pdf)) for public information.

Manager of unlicensed guesthouse fined

A man was fined \$7,000 at the Kowloon City Magistrates' Courts today (July 24) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in November last year, officers of the Office of the Licensing Authority (OLA), the Home Affairs Department, inspected a suspected unlicensed guesthouse on Fa Yuen Street in Mong Kok. During the inspection, the OLA officers posed as lodgers and successfully rented a room in the guesthouse on a daily basis.

According to the OLA's record, the guesthouse did not possess a licence under the Ordinance on the day of inspection. The man responsible for managing the premises was charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and can lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaenq@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".