

# Illegal worker jailed

A Vietnamese illegal worker holding a recognisance form was jailed by Shatin Magistrates' Courts yesterday (February 11).

During operation "Twilight" on December 10, 2018, Immigration Department (ImmD) investigators raided the lobby of a residential building in Cheung Sha Wan. A male Vietnamese illegal worker, aged 43, was arrested. When intercepted, he was working as a cleaning worker. Upon identity checking, he produced for inspection a recognisance form issued by the ImmD, which prohibits him from taking employment. Further investigation revealed that he was a non-refoulement claimant.

The illegal worker was charged at Shatin Magistrates' Courts yesterday with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. After trial, he was sentenced to 22 months and two weeks' imprisonment.

The ImmD spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are 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. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. 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. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

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

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## **Standing Committee on Company Law Reform publishes annual report**

The Standing Committee on Company Law Reform (SCCLR) today (February 12) published its 2017-18 annual report.

During the reporting period, the Government briefed the SCCLR on the latest progress relating to the introduction of a statutory corporate rescue procedure and insolvent trading provisions.

"The SCCLR has all along been our important partner in company law reform for ensuring that our company laws are commensurate with Hong Kong's status as an international commercial and financial centre. We are grateful for its insightful advice throughout the years," a government spokesman said.

Taking into account the advice of the SCCLR, the Government is drafting a Bill for introducing a statutory corporate rescue procedure and insolvent trading provisions and continues to engage various stakeholders on the relevant legislative proposals.

The SCCLR was set up in 1984. It advises the Financial Secretary on amendments to the Companies Ordinance and the Companies (Winding Up and Miscellaneous Provisions) Ordinance, as well as amendments to the Securities and Futures Ordinance on matters relating to corporate governance and shareholders' protection, as and when necessary.

Members of the SCCLR include practitioners from relevant professions including legal, accountancy and company secretarial fields as well as academics, individuals from the business communities and representatives from relevant government departments and financial regulators.

The 2017-18 annual report of the SCCLR is available at the websites of the Financial Services and the Treasury Bureau ([www.fstb.gov.hk/fsb](http://www.fstb.gov.hk/fsb)) and the Companies Registry ([www.cr.gov.hk](http://www.cr.gov.hk)).

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## Chaozhou-Shantou musician Wang Peiyu to perform in April

Acclaimed musician Wang Peiyu from the Chaozhou-Shantou region will stage a concert in April.

Wang Peiyu is one of the key figures promoting the Chaozhou music genres of xianshi and xiyue in recent years, and this concert will mark the first time that he plays in Hong Kong with the Xianshi Ensemble of Shantou. The performance will be highly anticipated by those who enjoy Chaozhou xianshi music of the new generation.

The programme will include "The Skipping Thrush", "As the Wild Geese Fly South", "The Lotus Rising from the Water", "Ying-Xian-Ke", "Liu Qingniang" (live five mode), "Wild Geese on the Sandbank", "The Pink Lotus", "Jing-Chun-Luo", "Fish Hawks Dabbling in the Water", "The Snow Geese Flying South", "The Moon Rises High" and "Tower of Lights".

Wang Peiyu is a well-known traditional musician of the Chaozhou-Shantou region, specialising in xianshi music. A National Class One Composer and a member of the Chinese Musicians Association, he is currently Artistic Director of the Shantou City Arts Research Centre (Research Centre for Chaozhou Music), a Visiting Professor of the China Conservatory of Music and a Bearer of the Intangible Cultural Heritage (Chaozhou music) of Shantou.

The Xianshi Ensemble of Shantou, led by Wang Peiyu and Lin Yingping, was established by musicians of the Shantou City Arts Research Centre (Research Centre for Chaozhou Music) under the co-ordination and guidance of the Administration of Culture, Radio, Television, Press and Publications of Shantou in 2013. With an aim to cultivate and promote traditional music of the Chaozhou-Shantou region, the ensemble focuses its research on the musical genres of xianshi and xiyue.

Presented by the Leisure and Cultural Services Department, "Concert by Wang Peiyu and Xianshi Ensemble of Shantou" is one of the attractions of the Guangdong Music Series. The concert will be held at 8pm on April 13 (Saturday) at the Theatre of the Sheung Wan Civic Centre. Tickets are priced at \$160 and \$260. Tickets are now available at URB TIX ([www.urbtix.hk](http://www.urbtix.hk)). For telephone credit card bookings, please call 2111 5999. For programme enquiries and concessionary schemes, please call 2268 7321 or visit [www.lcsd.gov.hk/CE/CulturalService/Programme/en/music/programs\\_702.html](http://www.lcsd.gov.hk/CE/CulturalService/Programme/en/music/programs_702.html).

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# Key statistics on service demand of A&E Departments and occupancy rates in public hospitals

The following is issued on behalf of the Hospital Authority:

During the winter surge, the Hospital Authority is closely monitoring the service demand of Accident and Emergency Departments and the occupancy rate in public hospitals. Key service statistics are being issued daily for public information. Details are in the appended table.

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## Special traffic arrangements for race meeting in Happy Valley tomorrow

Special traffic arrangements will be implemented in Happy Valley tomorrow (February 13). The arrangements will come into effect one and a half hours before the start of the first race and will last until the crowds have dispersed after the race meeting.

### A. Traffic arrangements before the commencement of the first race

#### 1. Road closure

Southbound Wong Nai Chung Road between Queen's Road East and the up-ramp outside Hong Kong Jockey Club (HKJC) will be closed except for vehicles heading for Aberdeen Tunnel.

#### 2. Traffic diversions

- Southbound Wong Nai Chung Road between Village Road and the up-ramp outside HKJC will be re-routed one way northbound;
- Vehicles from eastbound Queen's Road East heading for Wan Chai and Happy Valley will be diverted to turn left to Morrison Hill Road;
- Traffic along southbound Morrison Hill Road heading for Happy Valley will be diverted via Sports Road and Wong Nai Chung Road;
- Traffic along Queen's Road East cannot turn right to Wong Nai Chung Road except for vehicles heading to Aberdeen Tunnel;
- Traffic from Cross Harbour Tunnel heading for Queen's Road East will be diverted via the down-ramp leading from southbound Canal Road flyover to Morrison Hill Road to turn right at the junction of Wong Nai Chung Road and Queen's Road East; and
- Traffic from Cross Harbour Tunnel heading for Happy Valley or Racecourse

will be diverted via the down-ramp leading from southbound Canal Road flyover to Canal Road East, southbound Morrison Hill Road, Sports Road and Wong Nai Chung Road.

## B. Traffic arrangements before the conclusion of race meeting

### 1. Road closure

The following roads will be closed from 35 minutes before the start of the last race:

- The up-ramp on Wong Nai Chung Road outside HKJC leading to Aberdeen Tunnel;
- Southbound Wong Nai Chung Road between Queen's Road East and the up-ramp leading to Aberdeen Tunnel;
- Southbound Wong Nai Chung Road between Village Road and the Public Stands of HKJC;
- Westbound Leighton Road between Wong Nai Chung Road and Canal Road East; and
- Southbound Morrison Hill Road between Leighton Road and Queen's Road East.

In addition, southbound Wong Nai Chung Road between the up-ramp leading to Aberdeen Tunnel and the Public Stands of HKJC will be closed from about 10 minutes before the start of the last race.

### 2. Traffic diversions

The following traffic arrangements will be implemented from 35 minutes before the start of the last race:

- Eastbound Queen's Road East at its junction with Morrison Hill Road will be reduced to one-lane traffic heading for northbound Canal Road flyover;
- Vehicles from Cross Harbour Tunnel heading for Wan Chai will be diverted via the down-ramp leading from Canal Road East, U-turn slip road beneath Canal Road flyover, Canal Road West and Hennessy Road;
- Vehicles from Cross Harbour Tunnel heading for Happy Valley will be diverted via the down-ramp leading from Canal Road East, eastbound Leighton Road and Wong Nai Chung Road;
- Traffic on southbound Morrison Hill Road will be diverted to turn left to eastbound Leighton Road;
- Traffic along southbound Morrison Hill Road heading for Happy Valley will be diverted via eastbound Leighton Road and Wong Nai Chung Road; and
- Traffic along westbound Leighton Road will be diverted to Wong Nai Chung Road.

## C. Learner drivers prohibition

Learner drivers will be prohibited to turn left from Caroline Hill Road to Leighton Road between one and a half hours before the start of the first race and one hour after the last race. In addition, learner drivers will be prohibited from accessing the following roads within the above period of time:

- Shan Kwong Road between Yik Yam Street and Wong Nai Chung Road;

- Village Road between its upper and lower junctions with Shan Kwong Road;
- Percival Street between Hennessy Road and Leighton Road;
- Canal Road East; and
- The service road leading from Gloucester Road to Canal Road flyover.

#### D. Suspension of parking spaces

Parking spaces on southbound Wong Nai Chung Road between Sports Road and Blue Pool Road will be suspended from 11am to 7pm during day racing, from 4.30pm to 11.59pm during evening racing, and from 5pm to 11.59pm during night racing.

Any vehicles found illegally parked within the precincts of the above affected areas will be towed away without prior notice.

Actual implementation of road closure and traffic diversion will be made by the Police at the time depending on traffic conditions in the areas. Motorists should exercise tolerance and patience, and follow the instructions of Police on site.