

# **Appointments to Appeal Board on Public Meetings and Processions**

The Government announced today (December 7) the re-appointment of Ms Betty Chan Ka-wai as Deputy Chairman and Mr Johnny Lau Tze-ming as Member of the Appeal Board on Public Meetings and Processions, made by the Chief Executive under Section 43(3) of the Public Order Ordinance (Cap 245). The above appointments will be effective from December 22 this year for a term of two years and were gazetted today.

The Appeal Board on Public Meetings and Processions comprises a Chairman, two Deputy Chairmen and 13 Members, none of whom are public officers. The Appeal Board is responsible for considering appeals against the decision of the Commissioner of Police to prohibit a public meeting, object to a public procession or impose or amend conditions on a public meeting or public procession under Sections 9, 14, 11 or 15 of the Public Order Ordinance respectively. The Appeal Board is empowered to confirm, reverse or vary the decision being appealed against.

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## **Re-appointment to Electoral Affairs Commission**

The Chief Executive has re-appointed Mr Arthur Luk Yee-shun, SC, as a member of the Electoral Affairs Commission (EAC) for a term of five years with effect from January 7, 2019 to January 6, 2024. The appointment was gazetted today (December 7).

"We are pleased that Mr Arthur Luk, SC, will continue to serve on the EAC. Mr Luk's experience in legal and electoral matters will be of great help to the Commission in accomplishing its future tasks," a Government spokesman said.

The EAC is an independent statutory body established under the Electoral Affairs Commission Ordinance. Its responsibilities include making recommendations on geographical constituency boundaries, and making regulations, guidelines and arrangements for the registration of electors and the conduct of public elections. The main objective of the EAC is to ensure that public elections are conducted in an open, fair and honest manner.

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# Hong Kong Customs combats sale of suspected counterfeit smartphones and accessories (with photo)

Hong Kong Customs conducted a territory-wide operation from December 4 to today (December 6) to combat the sale of suspected counterfeit smartphones and accessories. During the operation, a total of about 3 300 pieces of suspected counterfeit smartphones and accessories with an estimated market value of about \$1 million were seized.

Customs earlier received information alleging that suspected counterfeit smartphone accessories were being sold by shops in the retail market. After an in-depth investigation with the assistance of trademark owners, Customs officers started a three-day operation on December 4 covering different districts in Hong Kong. A total of 20 shops and fixed hawker pitches in Wan Chai, Kwun Tong, Mong Kok, Sham Shui Po, Kwai Chung and Tai Po were raided and a total of about 3 300 pieces of suspected counterfeit smartphones and accessories were seized.

During the operation, 20 men and three women were arrested, including 16 persons-in-charge and 7 salespersons, aged between 22 and 60.

Investigations are ongoing.

Customs will continue to step up enforcement to combat the sale of counterfeit goods.

Customs reminds traders to be cautious and prudent in merchandising since the sale of counterfeit goods is a serious crime and offenders are liable to criminal sanctions.

Customs also reminds consumers to procure goods at reputable shops and to check with the trademark owners or their authorised agents if the authenticity of a product is in doubt.

Under the Trade Descriptions Ordinance, any person who sells or possesses for sale any goods with a forged trademark commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected infringing activities to the Customs 24-hour hotline 2545 6182 or its dedicated crime-reporting email account ([crimereport@customs.gov.hk](mailto:crimereport@customs.gov.hk)).



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## Hong Kong opens new horizons for Hungarian businesses (with photo)

The Hong Kong Economic and Trade Office, Berlin (HKETO Berlin) joined forces with the Hungarian Chamber of Commerce and Industry to host a business seminar in Budapest on December 5 (Budapest time). Themed "Hong Kong as a gateway to China – opportunities for Hungarian businesses in the Greater Bay Area", the seminar saw speakers from Hong Kong and Hungary elaborate on the advantages Hong Kong has to offer for Hungarian companies.

At the business seminar, the Director of HKETO Berlin and official representative of the Hong Kong Special Administrative Region Government (HKSARG) to Hungary, Mr Bill Li, highlighted what distinguishes Hong Kong from other business locations in Asia. The city has earned top spots in various rankings all over the world that identify the freest and most competitive economies. The Canadian Fraser Institute and the US Heritage Foundation have identified the city as the freest economy in the world for decades. Switzerland's International Institute for Management Development ranked Hong Kong as the second most competitive economy worldwide in 2018, and the World Economic Forum has Hong Kong at the seventh position in its Global Competitiveness Report 2018.

"The 'one country, two systems' principle and our rule of law provide the basis for Hong Kong's economic success, supported by a simple and low taxation system and a level playing field," Mr Li explained. The Head of Investment Promotion at HKETO Berlin, Dr Chung Wing-hin, added that the two-tier tax system is "designed with a very favourable 8.25 per cent tax for the first HK\$2 million of profit only, and a 16.5 per cent tax for profits above".

Striding ahead, Hong Kong is developing into a hub for innovation and technology in Asia. At the seminar, the Head of the Department for Digital Economy and Innovation at the Hungarian Ministry for Innovation and Technology, Dr Antal Nikodémus, highlighted the importance of co-operation between both economies to create synergies and help foster economic growth. Subsequently, Ms Esztella Farkas of Bay Zoltán Nonprofit Ltd. for Applied

Research, an institute aiming to contribute to the competitiveness and efficiency of Hungarian companies, presented strategies for knowledge-based businesses from Hungary to participate in and benefit from the Belt and Road Initiative, China's development strategy in which Hong Kong plays an active role.

Hong Kong is also making substantial progress in boosting its connectivity and economic integration within the Guangdong-Hong Kong-Macao Greater Bay Area, a 1,106-square-kilometre area comprising the two Special Administrative Regions of Hong Kong and Macao as well as nine municipalities in the southern Chinese Guangdong Province, with a population of nearly 70 million inhabitants and a GDP of over US\$1.5 trillion. With the recently opened Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link and Hong Kong-Zhuhai-Macao Bridge, Hong Kong's connectivity has been greatly enhanced within the Greater Bay Area and the whole of China. Being the most open and international city in the Greater Bay Area, Hong Kong remains the perfect springboard for Hungarian companies to start or extend business activities in China and Asia.

#### About HKETO Berlin

HKETO Berlin is the official Hong Kong Special Administrative Region Government representative in commercial relations and other economic and trade matters in Hungary as well as Austria, the Czech Republic, Germany, Poland, the Slovak Republic, Slovenia and Switzerland.



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## Twenty immigration offenders arrested

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations, including an operation codenamed "Twilight", and joint operations with the Hong Kong Police Force and the Labour Department codenamed "Champion" from December 3 to 5. A total of 12 illegal workers, seven suspected employers and one overstayer were arrested.

During operation "Twilight", ImmD Task Force officers raided 30 target locations including a church, a commercial building, a food processing site, a hotel, residential buildings, restaurants and retail shops. Ten illegal workers and six employers were arrested. The illegal workers comprised seven men and three women, aged 23 to 47. Among them, two men were holders of recognisance forms, which prohibit them from taking any employment. In addition, two men and one woman were suspected of using and being in possession of forged Hong Kong identity cards. Meanwhile, four men and two women, aged 33 to 64, were suspected of employing the illegal workers.

In addition, during operation "Champion", enforcement officers raided 22 target locations in Tsing Yi, Kwai Chung, Cheung Sha Wan and Sham Shui Po including car parks, an industrial building, a recycling company and a residential building. One male and one female illegal workers, aged 33 and 44 respectively, were arrested. The man was a holder of recognisance form, which prohibits him from taking any employment. Meanwhile, one man, aged 26, suspected of employing the illegal workers were also arrested. Furthermore, one female overstayer, aged 47, was arrested.

"Any person who contravenes a condition of stay in force in respect of him shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties," an ImmD spokesman said.

The spokesman warned that it is an offence to use or possess a forged Hong Kong identity card or a Hong Kong identity card related to another person. Offenders are liable to prosecution and a maximum penalty of a \$100,000 fine and up to 10 years' imprisonment.

The 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 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 of 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.