

Company fined for illegal club operation

A company was fined \$7,500 at the Eastern Magistrates' Courts today (November 26) for contravening the Clubs (Safety of Premises) Ordinance.

The courts heard that in June last year, officers from the Office of the Licensing Authority (OLA) of the Home Affairs Department conducted an inspection at a club on Wyndham Street in Central which had been operating with a certificate of compliance (CoC).

OLA officers posed as customers and patronised the club for food without being asked to show their membership status or being invited to join the club as members. Also, the club's staff failed to show a copy of the certificate of fire service installation and equipment, and the registered drawing upon the OLA officers' request. Conditions 10, 17 and 19 of the CoC were breached.

The company, being the CoC holder of the club, was charged with contravening section 21(2) of the Ordinance.

A spokesman for the department reminded all CoC holders to comply with the conditions as stipulated therein. Enforcement action will continue to be taken against illegal club operations.

Illegal worker jailed

A Pakistani illegal worker holding a recognisance form was jailed at Shatin Magistrates' Courts on November 23.

Immigration Department (ImmD) investigators received a referral from the Hong Kong Police Force to further investigate an illegal employment case in September. Enforcement officers arrested a male Pakistani worker, aged 31, who was conveying goods in Kowloon Bay. 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. An employer suspected of employing the illegal worker was arrested and the investigation is ongoing.

The illegal worker was charged at Shatin Magistrates' Courts on November 23 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 the 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 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.

Test results on microbiological quality of poon Choi all satisfactory

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (November 26) announced the test results of a recently

completed seasonal food surveillance project on the microbiological quality of poon Choi. Thirty samples were collected and all passed the tests.

A CFS spokesman said, "As poon Choi is popular for gatherings during winter and there were previous cases of bacterial food poisoning associated with poon Choi, the CFS has continued to conduct a seasonal food surveillance project this year to assess the microbiological quality of poon Choi. A total of 30 poon Choi samples were collected from different retailers (including online retailers) for testing of common food poisoning organisms including *Bacillus cereus*, *Clostridium perfringens*, *Salmonella*, coagulase-positive staphylococci organisms and *Vibrio parahaemolyticus*."

Despite the satisfactory results of all samples tested, the spokesman reminded people to be careful when purchasing and enjoying this seasonal delicacy. He advised consumers to order poon Choi from licensed and reliable shops, avoid prolonged storage of poon Choi at room temperature to reduce the risk of bacteria growth, reheat poon Choi thoroughly before consumption, consume cooked or reheated poon Choi as soon as possible or keep the food at temperatures above 60 degrees Celsius, and stop consuming the food if it tastes or smells abnormal.

"The public should also maintain a balanced diet and avoid eating too much food with high levels of energy, sugar, salt or fat," the spokesman said.

He also appealed to the food trade not to entertain orders beyond handling capacity. Traders are reminded to check the quality of food and ingredients when they are delivered to them. In addition, to reduce the risk of food poisoning, they should avoid preparing food too far in advance and take note of the temperature in storing, transporting and preparing food.

"All food and food ingredients should be stored at safe temperatures while perishable items should be stored at 4 degrees C or below. The cooling time of cooked food should be reduced as far as possible, for example, by dividing food into smaller portions or placing it in shallow containers. When transporting hot poon Choi, it should be kept at above 60 degrees C, and for chilled poon Choi, it should be kept at 4 degrees C or below," the spokesman said.

"Traders should also provide clear advice on the proper methods of storing and reheating of poon Choi to consumers so as to further reduce the risk of food poisoning due to improper handling," he added.

The CFS will continue its surveillance of poon Choi available in the market to ensure food safety and protect the health of the public.

Appointment of self-recommended youth members to Lantau Development Advisory Committee announced

The Government announced today (November 26) the appointment of Mr Chan Kai-yip and Ms Liao Shu-hang to the Lantau Development Advisory Committee (LanDAC) through the Member Self-recommendation Scheme for Youth, from today until January 31, 2020, i.e. the end date of the current term of existing members.

Chaired by the Secretary for Development, the LanDAC advises the Government on matters relating to the sustainable development and conservation of Lantau. The membership of the LanDAC is available at www.devb.gov.hk/en/boards_and_committees/landac/membership_3/index.html.

Public invited to vote in Taxi Driver Commendation Scheme 2018

The Transport Department (TD) said today (November 26) that the Taxi Driver Commendation Scheme 2018 is now open for public voting. Members of the public are welcome to cast their votes online for quality taxi drivers at www.ctsq.org.hk/votetaxidriver/index.php until December 19.

To encourage taxi drivers to provide quality services and thereby enhance the image of taxi trade, the TD and the Committee on Taxi Service Quality (CTSQ) launched the Taxi Driver Commendation Scheme to commend taxi drivers for their service excellency.

This year, over 200 nominations were received, among which 50 were shortlisted for public voting. Ten of the nominees obtaining the highest combined scores from the public voting and a professional assessment panel will be given "quality taxi driver" awards.

To encourage the public participation, members of the public who vote for awarded taxi drivers may win a "Smart Voters" prize. A total of 100 prize winners will be presented with souvenirs. The lucky draw result will be announced in early March 2019.

The Prize Presentation Ceremony of the Taxi Driver Commendation Scheme 2018 will be held on January 18, 2019.

A list of the 50 shortlisted nominees and details of the Taxi Driver Commendation Scheme 2018 are available at www.ctsq.org.hk/votetaxidriver/index.php.