

## 26 persons arrested during anti-illegal worker operations (with photo)

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations codenamed "Contribute", "Fastrack", "Lightshadow" and "Twilight", and a joint operation with the Hong Kong Police Force codenamed "Windsand", on September 30, October 2 and yesterday (October 3). A total of 21 suspected illegal workers and five suspected employers were arrested.

During the anti-illegal worker operations, ImmD Task Force officers raided 50 target locations including a food factory, massage parlours, premises under renovation, residential buildings and restaurants. The arrested suspected illegal workers comprised 14 men and seven women, aged 24 to 62. Among the arrested persons, three men were holders of recognisance forms, which prohibit them from taking any employment. Two men and three women, aged 49 to 60, suspected of employing the illegal workers, were also arrested.

An ImmD spokesman said, "Any person who contravenes a condition of stay in force in respect of him or her 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."

The spokesman warned, "As stipulated in section 38AA of the Immigration Ordinance, an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land is 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 spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. Under the Immigration Ordinance, the maximum penalty for an employer employing a person who is not lawfully employable, i.e. an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land, has been significantly increased from a fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment to reflect the gravity of such offences. The director, manager, secretary, partner, etc, of the company concerned may also bear criminal liability. 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. Offenders are liable upon conviction to a maximum fine of \$150,000 and to imprisonment for one year. In that connection, the spokesman reminded all employers not to defy the law by employing illegal workers. The ImmD will continue to take resolute enforcement action to combat such offences.

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



---

## 13 landlords of subdivided units under regulated tenancies convicted of

# contravening relevant statutory requirements

Thirteen landlords of subdivided units (SDUs), who contravened Part IVA of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7) (the Ordinance), pleaded guilty and were fined a total of \$40,400 today (October 4) at the Eastern Magistrates' Courts. Since the Ordinance came into force, the Rating and Valuation Department (RVD) has successfully prosecuted 415 cases involving a total of 358 SDU landlords, with fines ranging from \$400 to \$34,800, amounting to a total of \$857,410.

The offences of these landlords include (1) failing to submit a Notice of Tenancy (Form AR2) to the Commissioner of Rating and Valuation within 60 days after the term of the regulated tenancy commenced; and (2) requesting the tenant to pay money other than the types permitted under the Ordinance (i.e. requiring the tenant to pay an amount of rent for the second-term tenancy exceeding the maximum amount of rent permitted under the Ordinance). One of the landlords committed nine offences under (1) and (2) and was fined \$8,000.

The RVD earlier discovered that the landlords failed to comply with the relevant requirements under the Ordinance. Upon an in-depth investigation and evidence collection, the RVD prosecuted against the landlords.

A spokesman for the RVD reiterated that SDU landlords must comply with the relevant requirements under the Ordinance, including prohibiting the landlords from requiring the tenant to pay an amount of rent for the second-term tenancy exceeding the maximum amount of rent permitted under the Ordinance, and also reminded SDU tenants of their rights under the Ordinance. He also stressed that the RVD will continue to take resolute enforcement action against any contraventions of the Ordinance. Apart from following up on reported cases, the RVD has been adopting a multipronged approach to proactively identify, investigate and follow up on cases concerning landlords who are suspected of contravening the Ordinance. In particular, the RVD has been requiring landlords of regulated tenancies to provide information and reference documents of their tenancies for checking whether the landlords concerned have complied with the requirements of the Ordinance. If a landlord, without reasonable excuse, refuses to provide the relevant information or neglects the RVD's request, the landlord commits an offence and is liable to a maximum fine at level 3 (\$10,000) and to imprisonment for three months. Depending on the actual circumstances, and having regard to the information and evidence collected, the RVD will take appropriate actions on individual cases, including instigating prosecution against suspected contraventions of the Ordinance.

To help curb illegal acts as soon as possible, members of the public should report to the RVD promptly any suspected cases of contravening the relevant requirements. Reporting can be made through the telephone hotline

(2150 8303), by email ([enquiries@rvd.gov.hk](mailto:enquiries@rvd.gov.hk)), by fax (2116 4920), by post (15/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon), or in person (visiting the Tenancy Services Section office of the RVD at Room 3816-22, 38/F, Immigration Tower, 7 Gloucester Road, Wan Chai, Hong Kong, and please call 2150 8303 to make an appointment). Furthermore, the RVD has provided a form (Form AR4) ([www.rvd.gov.hk/doc/en/forms/ar4.pdf](http://www.rvd.gov.hk/doc/en/forms/ar4.pdf)) on its website to facilitate SDU tenants' reporting to the RVD.

The RVD reminds that pursuant to the Ordinance, a regulated cycle of regulated tenancies is to comprise two consecutive regulated tenancies (i.e. the first-term tenancy and second-term tenancy) for an SDU, and the term of each regulated tenancy is two years. A tenant of a first-term tenancy for an SDU is entitled to be granted a second-term tenancy of the regulated cycle, thus enjoying a total of four years of security of tenure. Since the first batch of regulated tenancies has already approached their second-term tenancies, the RVD has started a new round of publicity and education work in order to assist SDU landlords and tenants to understand the important matters pertaining to the second-term tenancy, and procedures that need to be followed about two months prior to the commencement of the purported second-term tenancy. In addition, the RVD has started issuing letters enclosing relevant information to the landlords and tenants concerned of regulated tenancies in batches, according to the expiry time of their first-term tenancies, to remind them about their respective obligations and rights under the Ordinance. These landlords and tenants may also visit the dedicated page for the second-term tenancy on the RVD's website ([www.rvd.gov.hk/en/tenancy\\_matters/second\\_term\\_tenancy.html](http://www.rvd.gov.hk/en/tenancy_matters/second_term_tenancy.html)) for the relevant information, including a concise guide, brochures, tutorial videos and frequently asked questions. SDU landlords and tenants are also advised to familiarise themselves with the relevant statutory requirements and maintain close communication regarding the second-term tenancy for handling the matters properly and in a timely manner according to the Ordinance.

For enquiries related to regulated tenancies, please call the telephone hotline (2150 8303) or visit the RVD's webpage ([www.rvd.gov.hk/en/our\\_services/part\\_iva.html](http://www.rvd.gov.hk/en/our_services/part_iva.html)) for the relevant information.

---

## **Effective Exchange Rate Index**

The effective exchange rate index for the Hong Kong dollar on Friday, October 4, 2024 is 103.8 (up 0.2 against yesterday's index).

---

# Grading of beach water quality released

The Environmental Protection Department (EPD) today (October 4) released the latest grading of water quality for 39 gazetted beaches (see Note 1) and one non-gazetted beach (see Note 2).

Twenty-four beaches were rated as Good (Grade 1), 15 as Fair (Grade 2), and 1 as Poor (Grade 3).

Grade 1 beaches are:

Anglers' Beach*	Middle Bay Beach*
Cafeteria Old Beach	Repulse Bay Beach*
Chung Hom Kok Beach	Shek O Beach*
Clear Water Bay Second Beach*	Silver Mine Bay Beach*
Discovery Bay Tai Pak Beach	South Bay Beach*
Hap Mun Bay Beach*	St Stephen's Beach
Hoi Mei Wan Beach*	Stanley Main Beach*
Hung Shing Yeh Beach*	Tai Po Lung Mei Beach*
Kiu Tsui Beach	Tong Fuk Beach
Kwun Yam Beach	Trio Beach*
Lo So Shing Beach	Turtle Cove Beach
Ma Wan Tung Wan Beach*	Upper Cheung Sha Beach

Grade 2 beaches are:

Approach Beach*	Golden Beach*
Butterfly Beach*	Kadoorie Beach*
Cafeteria New Beach	Lido Beach*
Casam Beach*	Lower Cheung Sha Beach
Castle Peak Beach	Pui O Beach*
Cheung Chau Tung Wan Beach*	Silverstrand Beach*
Clear Water Bay First Beach*	Ting Kau Beach*
Deep Water Bay Beach*	

Grade 3 beach is:

Big Wave Bay Beach\*

Compared with the grading released last week, Clear Water Bay Second Beach, Middle Bay Beach and Silver Mine Bay Beach have been upgraded from

Grade 2 to Grade 1. Lower Cheung Sha Beach has been changed from Grade 1 to Grade 2.

"The changes are generally within the normal range of fluctuation of the bacteriological water quality of the beaches," an EPD spokesman said.

Under the present grading system, beaches are classified into four grades, namely Good (Grade 1), Fair (Grade 2), Poor (Grade 3) and Very Poor (Grade 4), according to the level of E. coli in the water. Grades are calculated on the basis of the geometric mean of the E. coli counts on the five most recent sampling occasions.

While the ratings represent the general water quality at the beaches, the EPD spokesman reminded members of the public that water quality could be temporarily affected during and after periods of heavy rain. Bathers should avoid swimming at beaches for up to three days after a tropical cyclone or heavy rainfall.

A summary of beach grades is published weekly before the weekend. The latest beach grades based on the most current data may be obtained from the EPD's website on Beach Water Quality ([www.epd.gov.hk/epd/beach](http://www.epd.gov.hk/epd/beach)) or the beach hotline, 2511 6666. Members of the public can also obtain the latest daily water quality forecast information for all beaches that are open for swimming through the Beach Water Quality Forecast mobile application (available for download from: [www.epd.gov.hk/en/BWQApp](http://www.epd.gov.hk/en/BWQApp)) or the dedicated beach water quality forecast page ([www.epd.gov.hk/en/BWQForecast](http://www.epd.gov.hk/en/BWQForecast)) on the EPD's beach thematic website.

Note 1: Lifesaving services are provided by the Leisure and Cultural Services Department at 27 gazetted beaches, marked with an asterisk (\*) above, from September 1. Due to the damage caused to the footpaths leading to Chung Hom Kok Beach by landslides, the beach is temporarily closed until further notice. For details, please refer to the Leisure and Cultural Services Department's Special Announcement ([www.lcsd.gov.hk/en/beach/index.html](http://www.lcsd.gov.hk/en/beach/index.html)).

Note 2: This refers to Discovery Bay Tai Pak Beach which is a non-gazetted beach that has no lifesaving service.

---

## Interest rate for Tax Reserve Certificates adjusted

The Inland Revenue Department announced today (October 4) that starting from October 7, 2024, the new annual rate of interest payable on Tax Reserve Certificates will be 0.8000 per cent against the current rate of 0.8833 per cent, i.e. the new rate will be \$0.0667 per month per \$100.

Tax Reserve Certificates bear simple interest, and interest is calculated monthly (including part of a month) from the date of purchase to the date of payment of tax. Interest is only credited when certificates are used to pay tax, and no interest is due where the principal value of a certificate is repaid to its holder.

The rate of interest payable on Tax Reserve Certificates is reviewed every month based on the average prevailing interest rate for the 12-month time deposit for \$100,000 to \$499,999 offered by the three note-issuing banks.

The new rate will apply to all certificates purchased on or after October 7, 2024. Certificates purchased before October 7, 2024, will continue to earn interest at the rates prevailing on their respective purchase dates. Below is a summary of the interest rates for the past periods:

For certificates purchased on or after March 6, 2023, and before April 3, 2023:	0.7500 per cent per annum
For certificates purchased on or after April 3, 2023, and before June 5, 2023:	0.7667 per cent per annum
For certificates purchased on or after June 5, 2023, and before August 7, 2023:	0.8083 per cent per annum
For certificates purchased on or after August 7, 2023, and before September 4, 2023:	0.8833 per cent per annum
For certificates purchased on or after September 4, 2023, and before June 3, 2024:	0.9250 per cent per annum
For certificates purchased on or after June 3, 2024, and before October 7, 2024:	0.8833 per cent per annum
For certificates purchased on or after October 7, 2024, until further notice:	0.8000 per cent per annum

Interest will cease to accrue after 36 months.