

Three illegal workers jailed

Three Pakistani illegal workers holding recognisance forms were jailed at Shatin Magistrates' Courts on June 15.

During operation "Twilight" held on May 7, Immigration Department (ImmD) investigators conducted a raid in Tai Wai. A male Pakistani illegal worker, aged 29, was arrested. When intercepted he was conveying vegetables. 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.

In addition, ImmD investigators received referrals from the Hong Kong Police Force to further investigate two illegal employment cases in February and June. Enforcement officers arrested two male Pakistani workers, aged 31 and 32, selling wallets in Central and conveying goods in Shatin respectively. Upon identity checking, they produced for inspection recognisance forms issued by the ImmD, which prohibit them from taking employment. Further investigation revealed that they were non-refoulement claimants.

The three illegal workers were charged at Shatin Magistrates' Courts 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. They were sentenced to 15 months' imprisonment to 22 months and 2 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 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.

Two renovation contractors of Sam Shing Commercial Centre in Tuen Mun convicted for illegally carrying out renovation works on holidays

Renovation contractors of Sam Shing Commercial Centre in Tuen Mun were found carrying out works illegally on public holidays at the shopping centre. The two contractors concerned, Sunlight Electric Limited and Arco Decoration Limited, were fined a total of \$20,000 by Fanling Magistrates' Courts on June 12 and today (June 19) respectively for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) received a public complaint in November last year about the noise nuisance generated by renovation works at Sam Shing Commercial Centre. During blitz inspections conducted by EPD officers, it was found that the two contractors concerned did not possess a construction noise permit (CNP) issued by the EPD and they carried out works on holidays illegally. After investigation and evidence gathering, the EPD initiated prosecution against the contractors concerned in accordance with the NCO.

The NCO aims to protect the public from disturbance of rest and to minimise noise nuisance. An EPD spokesman stressed that construction and renovation contractors should schedule works for the daytime of non-general holidays as far as possible to minimise disturbance to nearby residents. If

the construction work has to be conducted during the restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), the contractor has to obtain prior approval from the EPD. Contractors must also implement noise mitigation measures to minimise noise nuisance as per the requirement of the CNP. Otherwise, it constitutes an offence. First-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 may be imposed on second or subsequent convictions.

Person in charge of construction site at Shan Ha Tsuen in Yuen Long convicted for mud and dust dispersion and illegal disposal of construction waste (with photo)

Site formation work at Shan Ha Tsuen in Yuen Long caused dust dispersion, which affected nearby residents, and construction waste was disposed of illegally. The person in charge of the work was fined \$15,000 at Fanling Magistrates' Courts today (June 19) for contravening the Air Pollution Control (Construction Dust) Regulation and the Waste Disposal Ordinance (WDO).

The Environmental Protection Department (EPD) received a report from a member of the public last November about mud from a construction site at Shan Ha Tsuen in Yuen Long being carried to a public road by dump trucks. Investigation by EPD staff found that there was bulldozing activity with the use of an excavator and the wheels of dump trucks were not washed before leaving the site, which caused dust dispersion. Construction waste was also found illegally deposited on nearby government land. Upon evidence gathering, the EPD initiated prosecution against the person in charge of the work in accordance with the Regulation and the WDO.

The spokesman said that site formation is classified as notifiable work and contractors are required to notify the EPD in accordance with the statutory requirements and adopt dust emission control measures, including the provision of wheel-washing facilities at the entrances and exits of construction sites, so as to prevent silt from vehicles polluting the environment. According to the Regulation, anyone who fails to notify the EPD before the commencement of notifiable works commits an offence and is liable to a fine of \$25,000. Anyone who conducts construction works without adopting the measures stipulated by the regulation to prevent the dispersion of dust is liable to a fine of \$50,000. Furthermore, under the WDO, it is an offence for anyone to dispose of construction waste on government land. Once

convicted, offenders are liable to a maximum fine of \$200,000 and six months' imprisonment.



[Red flags hoisted at some beaches \(2\)](#)

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (June 19) that due to big waves, red flags have been hoisted at St Stephen's Beach and Shek O Beach in Southern District on Hong Kong Island and at Lower Cheung Sha Beach in Islands District. Beach-goers are advised not to swim at these beaches.

[Hong Kong-Zhuhai-Macao Bridge Macao Port Park-and-Ride Scheme to open for applications from June 21](#)

â€‹The Transport Department (TD) announced today (June 19) that the Hong Kong-Zhuhai-Macao Bridge Macao Port Park-and-Ride Scheme (Macao PnR Scheme) will be open for applications from June 21 (Thursday).

Under the Macao PnR Scheme, Hong Kong private cars shall park at the East Car Park of the HZMB Frontier Post at Macao Port (the Macao Car Park) which has around 3 000 car parking spaces. After completing the clearance

formalities, visitors will be able to take other transportation from Macao Port to the city of Macao.

The Macao PnR Scheme is open to owners of private cars registered and licensed in Hong Kong without quota restriction. Applicants must complete all formalities as required by the three Governments, including obtaining the valid licences and permits of the Hong Kong and Macao Governments and the Filing Records of the Mainland Government. To assist applicants, the TD will co-ordinate the applications for Hong Kong and Macao licences and permits, as well as those for the preliminary approval of Filing Records of the Mainland Government. With the applicants' consent, the TD will pass the information of applicants, vehicles and drivers to the Macao and Mainland Governments for completing relevant formalities.

Before making the first reservation of a car parking space, applicants are required to obtain the Closed Road Permit (CRP) issued by the TD and the Identification Label issued by the Macao Transport Bureau. Applicants may then reserve a car parking space at the Macao Car Park through the Macao Government's designated online platform (hzmbparking.dsat.gov.mo). A reservation must be made at least 12 hours before departure. During the validity periods of the Identification Label, the CRP and the relevant vehicle licence and driving licence, Hong Kong private car owners may make multiple reservations for a car parking space.

Before departing for the Macao Car Park, an applicant must purchase Macao and Mainland vehicle insurance as required by the respective laws and upload the Mainland insurance information at the Mainland's online filing platform (bridge.zhcg.gov.cn) for formal approval of Filing Records.

The daily parking hours are divided into two 12-hour sessions. The minimum number of sessions for each reservation is one, and the maximum number of sessions is 16 (i.e. 192 hours). Each Hong Kong private car is allowed to enter and leave the Macao Car Park once during the parking period.

Applicants can apply for the CRP issued by the TD, the Macao Identification Label and the Mainland preliminary approval of the Filing Records via www.gov.hk/macaopnr starting from 8am on June 21. Applicants must book an appointment at the above webpage if they wish to submit applications through a counter. For application details and procedures, please visit the TD's website (www.td.gov.hk/en/public_services/licences_and_permits/hzmb_macao_port_parknr/index.html) or call 2804 2600.

Drivers with anticipated frequent use of the Macao PnR Scheme may apply for a longer validity period of the CRP (the longest validity period is one year) and purchase Mainland vehicle insurance with a longer validity period, so as to save time for applying for a CRP, completing Filing Records and purchasing Mainland insurance after reserving the car parking space each time. The validity period of the Identification Label is three years. The eligibility of the applicants for the scheme is in the Annex.