

Three illegal workers jailed

Three illegal workers comprising a Nigerien, a Pakistani and a Vietnamese, were jailed at Shatin Magistrates' Courts yesterday (June 14).

During operation "Twilight" conducted on May 7 and 8, Immigration Department (ImmD) investigators raided stalls in Mong Kok and a restaurant in Tseung Kwan o respectively. A male Nigerien illegal worker, a male Pakistani illegal worker and a male Vietnamese illegal worker, aged 30 to 37, were arrested. When intercepted they were setting up stalls and performing kitchen work. 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. Meanwhile, an employer suspected of employing the illegal worker was arrested and the investigation is ongoing.

The three illegal workers were 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 the trial, they were sentenced to imprisonment ranging from 15 months to 16 months.

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.

Auction of traditional vehicle registration marks to be held on June 30

The Transport Department today (June 15) announced that the auction of traditional vehicle registration marks will be held on June 30 (Saturday), in Meeting Room S421, L4, Hong Kong Convention and Exhibition Centre, Wan Chai.

"A total of 280 vehicle registration marks will be put up for public auction. The list of marks has been posted at the department's website, www.td.gov.hk," a department spokesman said.

Applicants who have paid a deposit of \$1,000 to reserve a mark for auction should also participate in the bidding (including the first bid at the reserve price of \$1,000). Otherwise, the mark may be sold to another bidder at the reserve price.

People who wish to participate in the bidding at the auction should take note of the following important points:

- (a) Successful bidders are required to produce the following documents for completion of registration and payment procedures immediately after the successful bidding:
- (1) the identity document of the successful bidder;
 - (2) the identity document of the purchaser if it is different from the successful bidder;
 - (3) a copy of the Certificate of Incorporation if the purchaser is a body corporate; and
 - (4) a crossed cheque made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR". (For an auctioned mark paid for by cheque, the first three working days after the date of

auction will be required for cheque clearance confirmation before processing of the application for mark assignment can be completed.) Successful bidders can also pay through the Easy Pay System (EPS). Payment by post-dated cheques, cash or other methods will not be accepted.

(b) Purchasers must make payment of the purchase price through EPS or by crossed cheque and complete the Memorandum of Sale of Registration Mark immediately after the bidding. Subsequent alteration of the particulars in the memorandum will not be permitted.

(c) A vehicle registration mark can only be assigned to a motor vehicle which is registered in the name of the purchaser. The Certificate of Incorporation must be produced immediately by the purchaser if a vehicle registration mark purchased is to be registered under the name of a body corporate.

(d) Special registration marks are non-transferable. Where the ownership of a motor vehicle with a special registration mark is transferred, the allocation of the special registration mark shall be cancelled.

(e) The purchaser shall, within 12 months after the date of auction, apply to the Commissioner for Transport for the registration mark to be assigned to a motor vehicle registered in the name of the purchaser. If the purchaser fails to assign the registration mark within 12 months, allocation of the mark will be cancelled and arranged for re-allocation in accordance with the statutory provision without prior notice to the purchaser.

For other auction details, please refer to the Guidance Notes – Auction of Vehicle Registration Marks, which can be downloaded from the department's website, www.td.gov.hk.

Temporary traffic and transport arrangements on North Lantau Highway and Cheung Tung Road

The Transport Department (TD) today (June 15) reminded the public that temporary traffic and transport arrangements will be implemented on the North Lantau Highway and Cheung Tung Road next Wednesday (June 20) and Thursday (June 21) from 11.30pm to 5.30am of the following day to facilitate road works of the Tuen Mun – Chek Lap Kok Link Southern Connection Viaduct Section.

The temporary traffic and transport arrangements will mainly include:

Lane closure

Traffic lanes on the following road sections will be intermittently closed on June 20 and 21 from 11.30pm to 5.30am of the following day:

1. The section of the North Lantau Highway (Kowloon bound and Tung Chung bound) between Caribbean Coast and Pak Mong;
2. The section of Cheung Tung Road (Kowloon bound) between Tat Tung Road and Siu Ho Wan Depot; and
3. The section of Cheung Tung Road (Tung Chung bound) between Siu Ho Wan Depot and Pak Mong.

Public transport services

A total of 41 bus routes and two Residents' Service routes operating in the affected areas will be temporarily diverted. The public transport operators concerned will display notices to advise passengers of the above temporary arrangements.

Appropriate traffic signs will be erected on-site to guide motorists. The TD anticipates that the traffic on the roads concerned will be affected during the period. In case of traffic congestion, motorists should exercise tolerance and patience, and follow instructions of the Police. The TD and the Police will closely monitor the traffic situation and implement appropriate measures whenever necessary. Members of the public are advised to stay alert to the latest traffic news on radio and television.

Information on the temporary traffic and transport arrangements is also available at the TD's website (www.td.gov.hk). Please call 1823 for enquiries.

Hong Kong Monetary Authority Exchange Fund Bills Tender Results

The following is issued on behalf of the Hong Kong Monetary Authority:

Hong Kong Monetary Authority Exchange Fund Bills Tender Results

Tender date	: June 15, 2018
Paper on offer	: EF Bills
Issue number	: M1802

Issue date	: June 19, 2018
Maturity date	: July 18, 2018
Amount applied	: HK\$5,192 MN
Amount allotted	: HK\$1,000 MN
Average yield accepted	: 1.18 PCT
Highest yield accepted	: 1.22 PCT
Pro rata ratio	: About 50 PCT
Average tender yield	: 1.32 PCT

Ferry Services (Amendment) Bill 2018 **gazetted**

The Ferry Services (Amendment) Bill 2018 was gazetted today (June 15).

As currently required under section 29 of the Ferry Services Ordinance (Cap. 104), the maximum duration of a licence, whether newly granted or extended, is three years on each occasion, whilst the aggregate licence period (i.e. including any extended period(s)) shall not exceed 10 years. This requirement not only creates administrative burden on ferry operators (increasing the number of applications for licence extension under a 10-year period), but also hampers ferry operators' ability to make longer-term planning and investment for their ferry services to a certain extent.

"The Bill seeks to lengthen the period for which a licence to operate a ferry service may be granted and extended, from three years to five years, while the existing cap of a 10-year aggregate licence period remains unchanged. We hope that the proposal could facilitate ferry operators' longer-term planning and investment, and in turn enhance the financial viability of ferry services and encourage continuous improvement of service quality," a Government spokesman said.

The Bill will be introduced into the Legislative Council on June 27.