

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

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations, including one codenamed "Twilight" and a joint operation with the Hong Kong Police Force codenamed "Champion", for two consecutive days on August 28 and yesterday (August 29). A total of 12 suspected illegal workers and one suspected employer were arrested.

During the anti-illegal worker operations, ImmD officers raided 12 target locations including premises under renovation, residential buildings and restaurants. Six suspected illegal workers were arrested. The arrested suspected illegal workers comprised two men and four women, aged 29 to 50. Among them, one woman was a holder of recognisance form, which prohibits her from taking any employment. In addition, the woman was also suspected of using and being in possession of forged Hong Kong identity cards.

During operation "Champion", enforcement officers raided 33 target locations in Eastern District. Six suspected illegal workers and one suspected employer were arrested. The arrested suspected illegal workers comprised four men and two women, aged 26 to 59. Furthermore, one woman, aged 43, was suspected of employing the illegal workers and was 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. Under the prevailing laws, 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 upon conviction face a maximum fine of \$100,000 and up to 10 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 would like to remind 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.



Red flag hoisted at Clear Water Bay Second Beach

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 (August 30) that due to big waves, the red flag has been hoisted at Clear Water Bay Second Beach in Sai Kung District. Beachgoers are advised not to swim at the beach.

Appointments to Committee on Home-School Co-operation announced

The Education Bureau (EDB) today (August 30) announced the reappointment of Mr Eugene Fong Yick-jin as the Chairman of the Committee on Home-School Co-operation (CHSC) and three incumbent members, as well as the appointment of three new members, to the committee. The tenure of their appointments is two years with effect from September 1, 2024.

The three incumbent members reappointed are Mr Ryan Cheung Yat-ming, Mr Victor Leung Wai-tai and Ms Candy Tsui Hei-lai. The three newly appointed members are Ms Monica Cheng Wai-yee, Ms Li Choi-ming and Mr Yeung Chi-keung.

"Mr Fong has been dedicated to promoting home-school co-operation over the past years. We believe that with his rich experience and enthusiasm, and with the collaborative support of other committee members, the CHSC will continue to deepen the partnership and relationship between families and schools," a spokesman for the EDB said.

The CHSC comprises members from different walks of life including parents and professionals in the education, medical, legal, accountancy and commercial sectors.

Established in 1993 as an advisory body, the CHSC's main roles include promoting home-school co-operation and advising the EDB, other government departments and non-government organisations on ways to promote parent involvement in education.

The full membership list of the CHSC with effect from September 1, 2024,

is as follows:

Name	Capacity
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Chairman	
Mr Eugene Fong Yick-jin	Parent
Members	
Ms Monica Cheng Wai-yee*	Educator – Secondary School
Mr Yeung Chi-keung*	Educator – Secondary School
Ms Rebecca Ng Mei-ying	Educator – Primary School
Ms Candy Tsui Hei-lai	Educator – Primary School
Ms Adeline Kuo Sze-wing	Educator – Special School
Ms May Cheung Fung-mei	Educator – Kindergarten
Mr Ricky Choi Wai-kit	Parent – Secondary School
Ms Li Choi-ming*	Parent – Secondary School
Dr Adrian Sham Kwan-ho	Parent – Primary School
Professor Timothy Tam Tin-lok	Parent – Primary School
Ms Bonnie Ng Ka-pik	Parent – Special School
Mr Regan Ho Ting-hong	Parent – Kindergarten
Ms Alison Chan Chi-yan	Other Sectors/Professional
Dr Joanne Chan Chung-yan	Other Sectors/Professional
Mr Brian Cheung Ngai-hoi	Other Sectors/Professional
Mr Ryan Cheung Yat-ming	Other Sectors/Professional
Mr Victor Leung Wai-tai	Other Sectors/Professional
Mr Tang Fei	Other Sectors/Professional

*Newly appointed member

Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Friday, August 30, 2024 is 103.7 (down 0.1 against yesterday's index).

Judicial appointment

The following is issued on behalf of the Judiciary:

The Judiciary today (August 30) announced the appointment of Mr Tam Yiu-ho, SC, as a Judge of the Court of First Instance of the High Court. The appointment will take effect from September 2, 2024.

The appointment is made by the Chief Executive on the recommendation of the Judicial Officers Recommendation Commission.

As Mr Tam, SC was a Deputy Director of Public Prosecutions in the Department of Justice prior to the appointment, he will not, for six months after joining the Judiciary, deal with any criminal trials or appeals or any civil cases involving the Government.

The biographical note of Mr Tam, SC is as follows:

Mr Tam, SC was born in 1967 in Hong Kong. He obtained a Bachelor of Economics Degree and an LL.B. both from the Monash University in Australia in 1989 and 1991 respectively. He further obtained a Master of Laws (Human Rights) Degree from the University of Hong Kong in 2021. He was admitted as a Barrister and Solicitor of the Supreme Court of Victoria, Australia, in 1991. He was admitted as a Solicitor in England and Wales and in Hong Kong in 1992 and 1993 respectively. He was called to the Bar in Hong Kong in 2000 and appointed as Senior Counsel in 2015. He was in private practice from 1992 until he joined the then Legal Department as Crown Counsel in 1994. He was promoted to Senior Crown Counsel in 1995, to Deputy Principal Government Counsel in 2007 and to Principal Government Counsel in 2012. He took up the post of Deputy Director of Public Prosecutions in 2012.