

Illegal worker jailed

A Vietnamese illegal worker, holding a recognisance form, was jailed by Shatin Magistrates' Courts yesterday (February 20).

During an anti-illegal worker operation conducted on January 5, the Immigration Department (ImmD) investigators raided a restaurant in Sheung Wan. A Vietnamese female, aged 57, was arrested while working as an odd-job worker. Upon identity checking, she produced for inspection a recognisance form issued by the ImmD, which prohibits her from taking employment. Further investigation revealed that she was a non-refoulement claimant.

The illegal worker was charged at Shatin Magistrates' Courts yesterday with taking employment while being a person in respect of whom a removal order or deportation order was in force. She pleaded guilty to the charge and was sentenced to 15 months' imprisonment.

The ImmD spokesman warned that, 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 would like to remind all employers not to defy the law and employ 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 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, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments immediately.

[Hong Kong Customs seizes suspected smuggled smartphones worth about \\$4 million \(with photo\)](#)

â€‹Hong Kong Customs yesterday (February 20) detected a suspected smartphone smuggling case at the Shenzhen Bay Control Point and seized over 400 suspected smuggled smartphones with an estimated market value of about \$4 million.

Customs officers yesterday intercepted an incoming goods vehicle at the Shenzhen Bay Control Point. After inspection, seven carton boxes loaded with suspected smuggled smartphones were found inside one of the consignments on board the vehicle.

After a follow-up investigation, Customs officers conducted a controlled delivery operation and arrested a 29-year-old man, suspected to be connected with the case, on the same day.

Customs will continue to combat cross-boundary smuggling activities with firm enforcement actions based on risk assessment and intelligence analysis.

Smuggling is a serious offence. Under the Import and Export Ordinance, any person found guilty of importing or exporting unmanifested cargo is liable to a maximum fine of \$2 million and imprisonment for seven years.

Members of the public may report any suspected smuggling activities to Customs' 24-hour hotline 2545 6182 or its dedicated crime reporting email account (crimereport@customs.gov.hk).



Mega Arts and Cultural Events Committee convenes first meeting

The Mega Arts and Cultural Events Committee (Mega ACE Committee) held its first meeting today (February 21) to discuss the application procedure and guidelines for the Mega Arts and Cultural Events Fund (Mega ACE Fund), and contemplate ideas for attracting new signature arts and cultural events of different forms to anchor in Hong Kong. Committee members also discussed the possibility of inviting globally renowned art fairs, art installation exhibitions, large-scale music performances, etc, to come to Hong Kong.

The Culture, Sports and Tourism Bureau launched the Pilot Scheme for the Mega ACE Fund at end-2022, with a view to accepting applications of signature arts and cultural events planned for 2023 while the Mega ACE Committee was being set up. Four applications were assessed and approved under the Pilot Scheme, including Art Basel Hong Kong 2023, Art Central 2023, "Madame Song: Pioneering Art and Fashion in China", and "Masterpieces from the National Gallery, London (working title)".

The Mega ACE Fund will open for applications in the second quarter of 2023. Details will be announced in due course.

The Chief Executive announced in the 2022 Policy Address the establishment of the Mega ACE Fund to promote the staging of more international arts and cultural events in Hong Kong. The Mega ACE Committee, comprising leaders and representatives of the relevant sectors, has been established on February 1, 2023, and tasked to advise the Government on the operation of the Mega ACE Fund and issues related to staging large-scale arts and cultural events in Hong Kong.

Appointments to Culture Commission

The Government today (February 21) announced that the Chief Executive

has appointed the Secretary for Culture, Sports and Tourism as the Chairman of the Culture Commission, and also appointed the following persons as members of the Culture Commission for a period of two years from March 1, 2023:

Dr Wilfred Wong Ying-wai (Vice-chairman)

Dr Adrian Cheng Chi-kong

Mr Edward Cheng Wai-sun

Mr Vincent Cheng Wing-shun

Mr Vincent Chow Wing-shing

Mr Kenneth Fok Kai-kong

Mr Andy Hei Kao-chiang

Ms Leonie Ki Man-fung

Dr Lam Ho-yi

Mrs Margaret Leung Ko May-yee

Dr Eddy Li Sau-hung

Dr Victor Lo Chung-wing

Professor Lui Yu-hon

Professor Fredric Mao Chun-fai

Mr Daryl Ng Win-kong

Mr Henry Tang Ying-yen

Mr Eric Tsang Chi-wai

Professor Tseng Sun-man

Mrs Bonnie Woo Chan Tak-chi

Mrs Dominica Yang

Mr Yang Yong

Mr Alexander Yeung Ching-loong

Dr Frankie Yeung Wai-shing

Dr Allan Zeman

The following three government representatives are official members of the Culture Commission:

Secretary for Development or her representative

Secretary for Education or her representative

Secretary for Home and Youth Affairs or her representative

The Chief Executive announced in his 2022 Policy Address the establishment of the Culture Commission. The Commission will map out a Blueprint for Arts and Culture and Creative Industries Development, the strategy to encourage the private sector's participation in promoting the development of arts, culture and creative industries, and promote arts and cultural exchanges between Hong Kong and the Mainland as well as the rest of the world, with a view to achieving the vision of developing into an East-meets-West centre for international cultural exchange.

[Hong Kong Customs seizes suspected counterfeit goods worth about \\$4.4 million \(with photos\)](#)

Hong Kong Customs conducted a series of operations to combat different kinds of local and cross-boundary counterfeit goods activities from February 14 to 16. During the operations, Customs seized more than 11 000 items of suspected counterfeit goods with a total estimated market value of about \$4.4 million at the Shenzhen Bay Control Point and in Yuen Long. Two men suspected to be connected with the cases were arrested.

Through risk assessment, Customs officers intercepted two incoming lorries at the Shenzhen Bay Control Point and seized two batches of suspected counterfeit goods on board the lorries, including clothing, footwear, handbags, cigarettes and spirits, which exceeded 5 800 in number. Two male lorry drivers, aged 59 and 65, were arrested.

After a follow-up investigation, Customs officers targeted a logistics company in Yuen Long and conducted a strike-and-search operation at the company. Over 5 600 items of suspected counterfeit goods, including football jerseys, watches and accessories, were further seized.

Initial investigation revealed that the three batches of goods would have been re-exported to overseas countries. An investigation is ongoing and the two arrested men have been released on bail pending further investigation.

Customs will continue to strengthen co-operation with the Mainland and overseas law enforcement agencies and take stringent enforcement action against cross-boundary counterfeit goods activities.

Under the Trade Descriptions Ordinance, any person who imports or exports any goods to which a forged trade mark is applied commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected counterfeiting activities to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).

