

## Hospital Authority announces positive patient cases detected via admission screening or testing and clusters of nosocomial COVID-19 infections

The following is issued on behalf of the Hospital Authority:

The Hospital Authority today (May 6) announced information regarding patients who tested positive via admission screening or testing with patients or staff members identified as close contacts and nosocomial COVID-19 infection cases:

The following are the statistics of patients who tested positive via admission screening or by testing in public hospitals with patients or staff members identified as close contacts:

| Hospital/clinic    | Number of patients who tested positive | Number of patients identified as close contacts | Number of staff members without appropriate personal protective equipment identified as close contacts |
|--------------------|--|---|--|
| Kwong Wah Hospital | 1                                      | 1   | –  |

Thorough cleaning and disinfection operations have been performed in the affected areas by hospitals. The hospitals will continue to closely monitor the health condition of patients and staff members, and communicate with the Centre for Health Protection on the latest situation.

There have been no clusters of nosocomial infection cases reported in public hospitals today.

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## Update on supplies from Mainland

The Task Force of Supplies from the Mainland led by the Transport and Housing Bureau (THB) has been working closely with the Guangdong Provincial Government and the Shenzhen Municipal People's Government to explore various means to stabilise the supply of goods from the Mainland to Hong Kong. In

addition to road transport arrangements, transportation of goods by water and railway is already in service.

A spokesperson for the THB said that the "Sea Express" water transportation service from the Mainland to Hong Kong has been fully launched and its capacity is rising to increase the supplies of fresh food, other daily necessities and manufacturing materials. The current supply of fresh food from the Mainland is stable.

Currently, there are three water transportation routes between Hong Kong and Shenzhen, namely (1) from Shenzhen Yantian International Container Terminals to Hong Kong Kwai Tsing Container Terminals (KTCT); (2) from Shenzhen DaChan Bay Terminals to KTCT; and (3) from China Merchants Port (South China) Management Center (Shenzhen Mawan, Shekou and Chiwan Container Terminals) to Hong Kong River Trade Terminal and elsewhere. Together with the water transportation routes from other cities in Guangdong Province, including the routes from Guangzhou Lianhuashan Port, Nansha Port, Huadu Port, Zhongshan Huangpu Port and Zhuhai Doumen Port to different terminals in Hong Kong, the water transport capacity amounts to tens of thousands of tonnes daily.

The spokesperson said today (May 6) that Shenzhen operated 53 cargo vessel trips and transported around 4 210 twenty-foot equivalent units (TEUs) of cross-boundary supplies by water yesterday (May 5), equivalent to about 17 950 tonnes of goods, of which around 10 TEUs (about 60 tonnes) were fresh food and around 4 200 TEUs (about 17 890 tonnes) were non-fresh food, according to information from the Mainland authorities.

Since the launch of services from the three ports in Shenzhen since February 18 to yesterday, a total of around 304 730 TEUs of cross-boundary supplies have been transported, equivalent to about 1 604 870 tonnes of goods, of which around 1 590 TEUs (about 13 630 tonnes) were fresh food and around 303 140 TEUs (about 1 591 240 tonnes) were non-fresh food.

To further ensure a stable goods supply to Hong Kong through land transport, a trial run of cargo transfer was conducted by the THB at a yard situated on Kam Pok Road, San Tin, Yuen Long, and it was completed smoothly. The THB will continue to work with the Mainland authorities to fully take forward cargo transfer arrangements on the Hong Kong side. It is a contingency measure in response to the latest epidemic situation in the city so as to reduce the risk of epidemic transmission in both the Mainland and Hong Kong, ensuring both smooth cross-boundary land transport and a stable goods supply to Hong Kong.

Meanwhile, to avoid a spillover of the epidemic, the Transport Department (TD) has arranged for dedicated staff to conduct rapid antigen tests for cross-boundary goods vehicle drivers at various land boundary control points (BCPs) from February 28 onwards. Only drivers with a negative result are allowed to enter the Mainland. In order to further improve the accuracy of the tests, the TD has already switched to use rapid nucleic acid tests at the BCPs. Starting from April 21, the sampling method for rapid

nucleic acid tests has been further changed to nasopharyngeal swabs. A total of 2 426 rapid nucleic acid tests were conducted yesterday in which five drivers preliminarily tested positive. The TD has passed the cases to the Department of Health for follow-up.

The THB will closely monitor the situation and co-operate with the Mainland authorities to facilitate and implement various measures to ensure a stable goods supply to Hong Kong, with a view to complementing the supply through road, water and railway transport, enhancing capacity and efficiency as well as optimising the flow of cross-boundary supplies.

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## **Successful completion of Mediation Conference 2022 and Mediation Week 2022**

Co-organised by the Department of Justice (DoJ) and the Hong Kong Trade Development Council, the Mediation Conference 2022 (Conference), being the highlight and finale event of Mediation Week 2022 and a celebration event of the 25th anniversary of the establishment of the Hong Kong Special Administrative Region, was successfully held at the Hong Kong Convention and Exhibition Centre today (May 6). The full-day Conference attracted more than 1 200 online participants from 19 jurisdictions around the globe.

The Conference commenced with welcoming remarks by the Secretary for Justice, Ms Teresa Cheng, SC, noting the importance of cultivating roots for Chinese culture, showcased by mediation for young people and that the recent developments and accomplishments in Hong Kong's legal and dispute resolution sector have played a crucial role in the way forward with the development of mediation in Hong Kong and the Greater Bay Area (GBA).

The keynote speaker, Professor Liu Jingdong of the Chinese Academy of Social Science, shared his insights on the effects of the signing of the United Nations Convention on International Settlement Agreements Resulting from Mediation by the Mainland, and his anticipation for the implementation of reciprocal recognition and enforcement of mediated settlement agreements in the GBA.

Speakers from Panel 1 discussed the impact of the new Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Ordinance (Cap. 639) on mediation, and the prospects of implementing reciprocal recognition and enforcement of mediated settlement agreements in family and matrimonial disputes in the GBA. Panel 2 speakers shared their experience in how mediation was well suited for tackling various kinds of disputes during the Covid-19 epidemic, ranging from high-value investor-state

disputes to lower-value local cases under dedicated mediation schemes.

In the afternoon session, Panel 3 speakers attempted to pierce the veil of the metaverse by exploring the possible legal issues and pitfalls brought by the sphere of digital novelties, how disputes may arise in the trade of new markets such as NFT (non-fungible tokens) art and cryptocurrency, and the role of mediation in this realm of uncertainty.

During the closing remarks, the Law Officer (Civil Law) of the DoJ, Ms Christina Cheung, announced the launch of the fourth edition of "The Judge Over Your Shoulder – A Guide to Judicial Review for Administrators", available to the public on the DoJ's website. Ms Cheung also expressed that the support and contribution received throughout Mediation Week 2022 and today's Conference is a great vote of confidence to continue to promote and develop mediation.

For more detailed information on the Mediation Conference 2022 and Mediation Week 2022, please visit the [designated event website](#).

For more information on mediation, please visit the designated [Facebook page](#), [LinkedIn](#) and [Weibo](#).

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## **Five persons arrested during anti-illegal worker operations (with photos)**

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations codenamed "Lightshadow" and "Twilight" for three consecutive days from May 3 to yesterday (May 5). A total of four suspected illegal workers and one suspected employer were arrested.

During the operations, ImmD Task Force officers raided 25 target locations including food and beverage areas, a food stall, premises under renovation, a residential building and restaurants. A total of four suspected illegal workers and one suspected employer were arrested. The arrested suspected illegal workers comprised one man and three women, aged 45 to 49. Furthermore, one man, aged 58, was suspected of employing the illegal workers.

In order to step up publicity campaigns against the hiring of persons not lawfully employable and to raise public awareness of the serious consequences of unlawful employment, ImmD officers and a promotional vehicle have been deployed to distribute "Don't Employ Illegal Workers" leaflets and convey the message to shop owners.

"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," an ImmD spokesman said.

The 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. 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 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.



## Term of non-permanent CFA judges extended

The following is issued on behalf of the Judiciary:

The Chief Executive has accepted the recommendation of the Chief Justice of the Court of Final Appeal to extend the terms of office of a non-permanent judge from another common law jurisdiction and a non-permanent Hong Kong judge of the Court of Final Appeal for a period of three years:

Non-Permanent Judge from Another Common Law Jurisdiction

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(commencing July 29, 2022)

The Honourable Mr Justice William Gummow

Non-Permanent Hong Kong Judge

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(commencing September 1, 2022)

The Honourable Mr Justice Frank Stock, GBS

The Hong Kong Court of Final Appeal Ordinance provides for a list of non-permanent Hong Kong judges and a list of judges from other common law jurisdictions. The term of appointment of such judges is three years. That term may be extended for one or more periods of three years by the Chief Executive acting in accordance with the recommendation of the Chief Justice.