

Two illegal workers jailed

Two illegal workers comprising a Pakistani and a Bangladeshi were jailed by Shatin Magistrates' Courts yesterday (June 3).

During operation "Twilight" conducted on April 19, Immigration Department (ImmD) investigators arrested one male Pakistani worker, aged 27, who was conveying goods in the vicinity of a market in Yuen Long. 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, the ImmD investigators received a referral from the Hong Kong Police Force to further investigate an illegal employment case in November last year. Enforcement officers arrested one male Bangladeshi worker, aged 33, who was conveying goods in the vicinity of a market in Lau Fau Shan. 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. An employer suspected of employing the illegal worker was arrested and the investigation is ongoing.

The two 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. They pleaded guilty to the charge and were each sentenced to 15 months' 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 an initial screening on 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.

Security Bureau statement: Members of public should not enter Victoria Park and take part in unauthorised assembly

A spokesman for the Security Bureau made a statement today (June 4) that the Police have, in accordance with section 17(4) of the Public Order Ordinance (Cap. 245), caused the central lawn, soccer pitches and basketball courts of Victoria Park and the access to those areas to be closed to the public. Members of the public must comply with the order or else they will contravene the law.

According to section 17(4) of the Public Order Ordinance, if a police officer has reason to believe that a public meeting is likely to take place in any public place in contravention of section 7 of the Ordinance, he or she may cause access to that public place and to any other public place adjacent thereto to be barred and to be closed to the public for such time as may be necessary to prevent the public meeting from taking place. Section 17A of the same Ordinance also stipulates that any person who, without permission, knowingly enters or remains in a public place to which access has been closed to him or her under section 17(4) commits an offence and is liable to a maximum penalty of imprisonment for 12 months.

The Police have earlier prohibited an organisation from holding a meeting at Victoria Park in accordance with the Public Order Ordinance, and the Appeal Board on Public Meetings and Processions has confirmed the Police's decision after a hearing. That meeting is an unauthorised assembly.

In addition, any person who takes part in a public meeting or procession in contravention of section 7 or section 13 of the Public Order Ordinance (i.e. a public order event that is subject to regulation under the Public Order Ordinance but not authorised thereunder) in other places is also taking part in an unauthorised assembly. Those taking part in an unauthorised assembly are liable to a maximum penalty of imprisonment for five years.

The Security Bureau reiterates that no one should take part in or advertise or publicise an unauthorised assembly. The public should not to defy the law. If anyone attempts to challenge the law, including the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation, the Public Order Ordinance and the Hong Kong National Security Law, the Police will take resolute enforcement action according to the law in a serious manner.

Grading of beach water quality released

The Environmental Protection Department (EPD) today (June 4) released the latest grading of water quality for 38 gazetted beaches (see Note 1) and one non-gazetted beach (i.e. Discovery Bay, see Note 2).

Twenty-eight beaches were rated as Good (Grade 1) and eleven as Fair (Grade 2).

Grade 1 beaches are:

Big Wave Bay Beach*	Lo So Shing Beach
Cafeteria New Beach	Lower Cheung Sha Beach
Cafeteria Old Beach	Middle Bay Beach
Cheung Chau Tung Wan Beach*	Repulse Bay Beach*
Chung Hom Kok Beach	Shek O Beach*
Clear Water Bay First Beach	Silver Mine Bay Beach*
Clear Water Bay Second Beach*	Silverstrand Beach*
Discovery Bay	South Bay Beach
Golden Beach*	Stanley Main Beach*
Hap Mun Bay Beach*	St Stephen's Beach
Hung Shing Yeh Beach*	Tong Fuk Beach
Kadoorie Beach	Trio Beach
Kiu Tsui Beach	Turtle Cove Beach
Kwun Yam Beach	Upper Cheung Sha Beach

Grade 2 beaches are:

Anglers' Beach	Hoi Mei Wan Beach
Approach Beach	Lido Beach*
Butterfly Beach*	Ma Wan Tung Wan Beach*
Casam Beach*	Pui O Beach
Castle Peak Beach	Ting Kau Beach
Deep Water Bay Beach*	

Compared with the grading released last week, Discovery Bay has been upgraded from Grade 2 to Grade 1, Anglers' Beach and Lido Beach from Grade 3 to Grade 2. Deep Water Bay Beach and Pui O Beach have been changed from Grade 1 to Grade 2.

"The changes are generally within the normal range of fluctuation of the bacteriological water quality of the beaches," an EPD spokesman said.

Under the present grading system, beaches are classified into four grades, namely Good (Grade 1), Fair (Grade 2), Poor (Grade 3) and Very Poor (Grade 4), according to the level of E. coli in the water. Grades are calculated on the basis of the geometric mean of the E. coli counts on the five most recent sampling occasions.

A summary of beach grades is published weekly before the weekend. The latest beach grades based on the most current data may be obtained from the EPD's website on Beach Water Quality (www.epd.gov.hk/epd/beach) or the beach hotline, 2511 6666.

Note 1: The Leisure and Cultural Services Department has resumed lifeguard services at 16 gazetted beaches, marked with an asterisk above, from April 16.

Note 2: Discovery Bay is a non-gazetted beach without lifeguard service.

[Appeal for information on missing man in Sha Tin \(with photo\)](#)

Police today (June 4) appealed to the public for information on a man who went missing in Sha Tin.

Tam Hop-hon, aged 74, went missing after he left his residence on Ma Lok Path in the small hours yesterday (June 3). His family made a report to Police on the same day.

He is about 1.65 metres tall, 65 kilograms in weight and of medium build. He has a square face with yellow complexion and short greyish-white hair. He was last seen wearing a white short-sleeved shirt, black shorts and black slippers.

Anyone who knows the whereabouts of the missing man or may have seen him is urged to contact the Regional Missing Person Unit of New Territories South on 3661 1173, 9757 4653 or email to rmpu-nts-2@police.gov.hk, or contact any police station.



Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Friday, Jun 4, 2021 is 100.6 (up 0.2 against yesterday's index).