

Four illegal workers jailed

Four illegal workers comprising one Indian worker and three Bangladeshi workers were jailed by Shatin Magistrates' Courts on May 14 and 15.

During a joint operation conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on January 13, enforcement officers raided a fish stall in Lau Fau Shan. A male Indian, aged 40, was arrested while working as an odd-job worker. 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 also arrested and the investigation is ongoing.

In addition, ImmD investigators received a referral from the Hong Kong Police Force to further investigate an illegal employment case in May. Enforcement officers arrested three male Bangladeshi workers, aged 31 to 40, who were conveying goods at a car park in Tai Po. Upon identity checking, the males produced for inspection recognisance forms issued by the ImmD, which prohibit them from taking employment. Further investigation revealed that they were non-refoulement claimants. An employer suspected of employing the illegal workers was also arrested and the investigation is ongoing.

The four illegal workers were charged at Shatin Magistrates' Courts on May 14 and 15 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 court proceedings, they were convicted for the charge and were each sentenced to 15 months' to 22 months and two weeks' 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 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.

[Monetary Authority announces countercyclical capital buffer ratio for Hong Kong](#)

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

The Monetary Authority announced today (May 17) that the countercyclical capital buffer (CCyB) ratio for Hong Kong remains unchanged at 1.0 per cent.

"While there have been some initial signs of economic recovery in Hong Kong, we are still in the midst of high uncertainty given the fluid pandemic situation globally." the Monetary Authority, Mr Eddie Yue, said. "It is therefore appropriate to keep the CCyB ratio unchanged and continue to monitor the situation for a few more quarters."

Further details of the decision may be found in the [Announcement of the CCyB to Authorized Institutions](#) on the Hong Kong Monetary Authority's website.

Background

In setting the CCyB ratio the Monetary Authority considered a series of quantitative indicators and qualitative information including an "indicative buffer guide" (which is a metric providing a guide for CCyB ratio based on

the gap between the ratio of credit to GDP and its long term trend, and between the ratio of residential property prices to rentals and its long term trend). The latest indicative buffer guide, calculated based on 2020 Q4 data, signals a CCyB ratio of 2.25 per cent. The projection based on all available data suggests that the indicative buffer guide would very likely signal a similar CCyB ratio when all relevant 2021 Q1 data become available.

Whilst the indicative buffer guide, as its name suggests, provides only a "guide" for CCyB decisions, the determination of the jurisdictional CCyB ratio for Hong Kong is not a mechanical exercise and, in addition to the indicative buffer guide, the Monetary Authority also reviewed a range of other reference indicators. The information drawn from all these sources suggests that there have been some initial signs of economic recovery in Hong Kong, but the economy is still in the midst of high uncertainty given the fluid pandemic situation globally. It is therefore appropriate to keep the CCyB ratio unchanged at 1.0% and continue to monitor the situation for a few more quarters.

The CCyB is an integral part of the Basel III regulatory capital framework and is being implemented in parallel by the Basel Committee member jurisdictions worldwide. The CCyB has been designed by the Basel Committee to increase the resilience of the banking sector in periods of excess credit growth. The banking sector can then act as a "shock absorber" in times of stress, rather than as an amplifier of risk to the broader economy.

The power to implement the CCyB in Hong Kong is provided by the Banking (Capital) Rules, which enable the Monetary Authority to announce a CCyB ratio for Hong Kong. The specific CCyB requirement applicable to a given Authorized Institution (AI) is expressed as a percentage of its CET1 capital to its total risk-weighted assets. Each AI's CCyB requirement may vary depending on the geographic mix of its private sector credit exposures and the CCyB applicable in each jurisdiction where it has such exposures.

[Update on cases of Legionnaires' disease](#)

The Centre for Health Protection (CHP) of the Department of Health today (May 17) reported the latest number of cases of Legionnaires' disease (LD), and stressed the importance of using and maintaining properly designed man-made water systems, adding that susceptible groups should strictly observe relevant precautions.

From May 9 to 15, two community-acquired LD cases were reported, including:

1. A female patient, aged 78 with underlying illnesses, who lives in 186 Po Tung Road, Sai Kung; and
2. A male patient, aged 83 with underlying illnesses, who lived in Mui Fong Apartments, Sai Ying Pun, and passed away on May 14.

"Epidemiological investigations are ongoing to identify potential sources of infection, high-risk exposure and clusters, if any," a spokesman for the CHP said.

As of May 15, 14 LD cases had been reported this year. In 2020 and 2019, there were 104 and 105 cases respectively.

"Men, people aged over 50, smokers, alcoholics and persons with weakened immunity are more susceptible to LD. Some situations may also increase the risk of infection including poor maintenance of water systems leading to stagnant water; living in areas with old water systems, cooling towers or fountains; using electric water heaters, whirlpools and spas or hot water spring spas; and recent stays in hotels or vessels," the spokesman said.

Legionellae are found in various environmental settings and grow well in warm water (20 to 45 degrees Celsius). They can be found in aqueous environments such as water tanks, hot and cold water systems, cooling towers, whirlpools and spas, water fountains and home apparatus which support breathing. People may become infected when they breathe in contaminated droplets (aerosols) and mist generated by artificial water systems, or when handling garden soil, compost and potting mixes.

Immunocompromised persons should:

- Use sterile or boiled water for drinking, tooth brushing and mouth rinsing;
- Avoid using humidifiers, or other mist- or aerosol-generating devices. A shower may also generate small aerosols; and
- If using humidifiers, or other mist- or aerosol-generating devices, fill the water tank with only sterile or cooled freshly boiled water, and not water directly from the tap. Also, clean and maintain humidifiers/devices regularly according to manufacturers' instructions. Never leave stagnant water in a humidifier/device. Empty the water tank, wipe all surfaces dry, and change the water daily.

The public should observe the health advice below:

- Observe personal hygiene;
- Do not smoke and avoid alcohol consumption;
- Strainers in water taps and shower heads should be inspected, cleaned, descaled and disinfected regularly or at a frequency recommended by the manufacturer;
- If a fresh-water plumbing system is properly maintained, it is not necessary to install domestic water filters. Use of water filters is not encouraged as clogging occurs easily, which can promote growth of micro-organisms. In case water filters are used, the pore size should be 0.2 micrometres (μm) and the filter needs to be changed periodically according to the manufacturer's recommendations;

- Drain and clean water tanks of buildings at least quarterly;
- Drain or purge for at least one minute infrequently used water outlets (e.g. water taps, shower heads and hot water outlets) and stagnant points of the pipework weekly or before use;
- Seek and follow doctors' professional advice regarding the use and maintenance of home respiratory devices and use only sterile water (not distilled or tap water) to clean and fill the reservoir. Clean and maintain the device regularly according to the manufacturer's instructions. After cleaning/disinfection, rinse the device with sterile water, cooled freshly boiled water or water filtered with 0.2 µm filters. Never leave stagnant water in the device. Empty the water tank, keep all surfaces dry, and change the water daily; and
- When handling garden soil, compost and potting mixes:
 1. Wear gloves and a face mask;
 2. Water gardens and compost gently using low pressure;
 3. Open composted potting mixes slowly and make sure the opening is directed away from the face;
 4. Wet the soil to reduce dust when potting plants; and
 5. Avoid working in poorly ventilated places such as enclosed greenhouses.

The public may visit the CHP's [LD page](#), the [Code of Practice for Prevention of LD](#) and the [Housekeeping Guidelines for Cold and Hot Water Systems for Building Management](#) of the Prevention of LD Committee, and the CHP's [risk-based strategy](#) for prevention and control of LD.

[HAD to open temporary night heat shelters](#)

The Home Affairs Department will open 19 temporary night heat shelters tonight (May 17) for people in need of the service.

The shelters will be open from 10.30pm until 8am tomorrow.

For further information, please call the department's hotline before midnight on 2572 8427.

The 19 night heat shelters are located at:

Hong Kong Districts:

Central and Western –
Sai Ying Pun Community Complex Community Hall
3/F, Sai Ying Pun Community Complex

2 High Street, Sai Ying Pun

Eastern –

Causeway Bay Community Centre
3/F, 7 Fook Yum Road, Causeway Bay

Southern –

Wah Kwai Community Centre
Wah Kwai Estate, Kellett Bay

Wan Chai –

Wan Chai Activities Centre
LG/F, Wan Chai Market, 258 Queen's Road East, Wan Chai

Kowloon Districts:

Kowloon City –

Hung Hom Community Hall
1/F, Kowloon City Government Offices
42 Bailey Street, Hung Hom

Kwun Tong –

Lam Tin (West) Estate Community Centre
71 Kai Tin Road, Lam Tin

Sham Shui Po –

Shek Kip Mei Community Hall
G/F, Block 42, Shek Kip Mei Estate, Sham Shui Po

Wong Tai Sin –

Tsz Wan Shan (South) Estate Community Centre
45 Wan Wah Street, Tsz Wan Shan

Yau Tsim Mong –

Henry G Leong Yaumatei Community Centre
60 Public Square Street, Yau Ma Tei

New Territories Districts:

Islands –

Tung Chung North Park (Zone B) Activity Room
29 Man Tung Road, Tung Chung

Kwai Tsing –

Kwai Shing Community Hall
Podium, Block 6, Kwai Shing West Estate, Kwai Chung

North –

Cheung Wah Community Hall

Cheung Wah Estate, Fanling

Sai Kung –
King Lam Neighbourhood Community Centre
King Lam Estate, Tseung Kwan O

Sha Tin –
Lung Hang Estate Community Centre
Lung Hang Estate, Sha Tin

Tai Po –
Tai Po Community Centre
2 Heung Sze Wui Street, Tai Po

Tsuen Wan –
Lei Muk Shue Community Hall
G/F, Hong Shue House, Lei Muk Shue Estate, Tsuen Wan

Tuen Mun –
Butterfly Bay Community Centre
Butterfly Estate (near Tip Sum House), Tuen Mun

Yuen Long –
Long Ping Community Hall
Long Ping Estate, Yuen Long

Yuen Long –
Tin Yiu Community Centre
Tin Yiu Estate, Tin Shui Wai

The temporary night heat shelters will resume their functions as either community centres or community halls in the daytime for hire by the local community and cannot continue to be open as heat shelters. People may choose to take refuge from the heat during the daytime in the common areas in any of the 22 designated community centres or community halls. Their opening hours are from 9am to 10pm. For the addresses of the community centres and community halls, please browse the following document: www.had.gov.hk/file_manager/en/documents/public_services/emergency_services/List_CH_CC_Day_E.pdf.

Public hospitals daily update on COVID-19 cases

The following is issued on behalf of the Hospital Authority:

As at 9am today (May 17), six COVID-19 confirmed patients were discharged from hospital in the last 24 hours. So far, a total of 11 531 patients with confirmed or probable infection have been discharged.

At present, there are 616 negative pressure rooms in public hospitals with 1 155 negative pressure beds activated. A total of 53 confirmed patients are currently hospitalised in 15 public hospitals and the North Lantau Hospital Hong Kong Infection Control Centre, among which two patients are in critical condition, one is in serious condition and the remaining 50 patients are in stable condition.

The Hospital Authority will maintain close contact with the Centre for Health Protection to monitor the latest developments and to inform the public and healthcare workers on the latest information in a timely manner.

The case numbers of the discharged, critical and serious patients are as follows:

Discharged	11707, 11766, 11804, 11810, 11816, 11825
Critical	6794, 9907
Serious	10358