

# Illegal worker jailed

A Nepali illegal worker holding a recognisance form was jailed by Shatin Magistrates' Courts on April 23.

During an anti-illegal worker operation conducted on April 21, Immigration Department (ImmD) investigators raided a vegetable stall in Wong Tai Sin. A male Nepali, aged 41, was arrested while working as a cleaning 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.

The illegal worker was charged at Shatin Magistrates' Courts on April 23 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. He 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, 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.

---

## **Designated flights under HK-Singapore Air Travel Bubble to begin on May 26**

The Governments of the Hong Kong Special Administrative Region and Singapore today (April 26) announced that designated flights under the bilateral Air Travel Bubble (ATB) arrangement will begin on May 26, resuming cross-border air travel in a gradual and orderly manner amidst stabilised epidemic situations of the two places.

"With gradual stabilisation of the fourth wave of the epidemic in Hong Kong, we have been engaging in active discussions with Singapore on the re-launch of the ATB. The two governments have reached consensus on the latest arrangement and will put in place more stringent public health protocols in response to the latest epidemic development. Our goal remains striking a right balance between public health and travel convenience so that the public will rest assured while maintaining certainty," the Secretary for Commerce and Economic Development, Mr Edward Yau, said.

"The re-launch of the ATB not only meets the aspirations of the people and business communities on cross-border travel, but also signifies that gradual resumption of cross-border travel is achievable through mutual collaborations among different places. We will continue to maintain communication with the Singapore Government and closely monitor the epidemic development of both places to ensure the smooth launch of the ATB," Mr Yau said.

"I am happy that Hong Kong got the COVID-19 situation under control. It has been a long few months, but the conditions are now ripe again to re-launch the ATB. Both sides will need to stay very vigilant in the next one month, so that we can launch the first flights smoothly. It is a significant ATB between two aviation and financial services hubs in Asia," said the Minister for Transport of the Republic of Singapore, Mr Ong Ye Kung.

Riding on the original ATB arrangement, the two governments will impose more stringent measures as follows –

(1) Travel history prior to departure: Under the original requirement, ATB travellers should have no travel history to any place other than Singapore or

Hong Kong in the 14 days prior to departure. In view of the spread of a mutant strain of COVID-19 in different places at varying degrees and the possibility of a very small portion of infected persons with an incubation period of more than 14 days, there is a new requirement that the respective compulsory quarantine periods in Hong Kong or Singapore arising from the travellers' last visit outside Hong Kong or Singapore would not count towards that 14-day period;

(2) Mechanism to suspend or resume: Under the original mechanism, the ATB would be suspended for two weeks if the seven-day moving average of the daily number of unlinked local COVID-19 cases (the 7DMA figure) is more than five for either Singapore or Hong Kong, and can resume if the 7DMA figure reported on the last day of the two-week suspension period for both places do not exceed five. To address potential fluctuations of the epidemic situation, a new requirement is introduced so that the ATB can resume only after fulfilling the original threshold and subsequently having three consecutive days with the daily number of unlinked local cases for both places not exceeding three, and the 7DMA figure on the third day for both places do not exceed five. This can help ensure that the epidemic is under a stabilised and downward trend; and

(3) Enhanced contact tracing: According to the original arrangement, ATB travellers departing from Hong Kong to Singapore are required to download, register and use Singapore's TraceTogether mobile application. With the increasing use of Hong Kong's LeaveHomeSafe (LHS) mobile application and its wide application in different premises, there is a new requirement that ATB travellers departing from Singapore to Hong Kong are required to download and use the LHS application, and the relevant records have to be retained for 31 days after departure from Hong Kong.

Moreover, in order to encourage Hong Kong citizens to get vaccinated as soon as possible for better self-protection against COVID-19 when travelling, Hong Kong residents travelling under the ATB can only take designated flights to fly to Singapore at least 14 days after they have had two doses of COVID-19 vaccine.

Apart from the above additional requirements, the original ATB arrangement remains largely unchanged, including the requirements that ATB travellers must have tested negative for COVID-19 both before departure and upon arrival, travel on designated flights, etc. Upon compliance with all the requirements, ATB travellers would then be free from any restrictions to their travel itineraries and compulsory quarantine. Relevant details are set out at the Annex.

The airlines concerned will announce reservation details of air tickets for designated flights under the ATB later today. For other detailed arrangements and the latest information on the ATB, travellers may visit the dedicated website later today at [www.tourism.gov.hk/travelbubble](http://www.tourism.gov.hk/travelbubble).

The ATB arrangement between Hong Kong and Singapore was agreed in November last year, and designated flights were originally scheduled to

begin in the same month. However, the ATB launch was deferred in view of the epidemic situation in Hong Kong. With the gradual stabilisation of Hong Kong's epidemic situation since mid-February and satisfactory epidemic control in Singapore all along, the two governments consider that now is a suitable time to re-launch the ATB. The two sides will continue to closely monitor the epidemic development of both places prior to the inaugural flights on May 26.

---

## **Labour Department to hold occupational health public talks**

The Labour Department (LD) will hold a public talk entitled "First aid in the workplace" on May 3 (Monday). The talk will introduce basic first aid knowledge and explain how to assist and handle injured employees in workplace accidents through case illustrations. It will be held at 3.30pm in the Lecture Theatre, Hong Kong Central Library, 66 Causeway Road, Causeway Bay.

The LD will hold another talk entitled "Prevention of upper limb disorders" on May 17 (Monday). The talk will introduce the causes and preventive measures of upper limb disorders to enhance employees' awareness of the issues. Demonstrations and practice of workplace exercises will be included. It will be held at 3.30pm at the Lecture Hall of the Hong Kong Space Museum, 10 Salisbury Road, Tsim Sha Tsui.

Both talks will be given in Cantonese by the LD's occupational health nurse. Admission is free. For enquiries or registration, please call 2852 4040. Appropriate infection control measures taking into account the latest epidemic development will be adopted at the venues.

---

## **Firing practice for May 2021**

Firing practice will take place at two military sites, namely the San Wai/Tai Ling Firing Range and the Tsing Shan Firing Range, next month (May).

Red flags or red lamps will be hoisted at the firing areas before and during firing practice. For their safety, people are advised not to enter the firing area.

Following are the dates and times for the firing practice sessions in May 2021:

San Wai/Tai Ling Firing Range

---

Date	Time
May 3 (Monday)	8am-9pm
May 4 (Tuesday)	8am-9pm
May 5 (Wednesday)	8am-9pm
May 6 (Thursday)	8am-9pm
May 7 (Friday)	8am-9pm
May 8 (Saturday)	8am-9pm
May 10 (Monday)	8am-9pm
May 11 (Tuesday)	8am-9pm
May 12 (Wednesday)	8am-9pm
May 13 (Thursday)	8am-9pm
May 14 (Friday)	8am-9pm
May 15 (Saturday)	8am-9pm
May 17 (Monday)	8am-9pm
May 18 (Tuesday)	8am-9pm
May 20 (Thursday)	8am-9pm
May 21 (Friday)	8am-9pm
May 22 (Saturday)	8am-9pm
May 24 (Monday)	8am-9pm
May 25 (Tuesday)	8am-9pm
May 26 (Wednesday)	8am-9pm
May 27 (Thursday)	8am-9pm
May 28 (Friday)	8am-9pm
May 29 (Saturday)	8am-9pm
May 31 (Monday)	8am-9pm

Tsing Shan Firing Range

---

Date	Time
------	------

May 3 (Monday)	8am-9pm
May 4 (Tuesday)	8am-9pm
May 5 (Wednesday)	8am-9pm
May 6 (Thursday)	8am-9pm
May 7 (Friday)	8am-9pm
May 8 (Saturday)	8am-9pm
May 10 (Monday)	8am-9pm
May 11 (Tuesday)	8am-9pm
May 12 (Wednesday)	8am-9pm
May 13 (Thursday)	8am-9pm
May 14 (Friday)	8am-9pm
May 15 (Saturday)	8am-9pm
May 17 (Monday)	8am-9pm
May 18 (Tuesday)	8am-9pm
May 20 (Thursday)	8am-9pm
May 21 (Friday)	8am-9pm
May 22 (Saturday)	8am-9pm
May 24 (Monday)	8am-9pm
May 25 (Tuesday)	8am-9pm
May 26 (Wednesday)	8am-9pm
May 27 (Thursday)	8am-9pm
May 28 (Friday)	8am-9pm
May 29 (Saturday)	8am-9pm
May 31 (Monday)	8am-9pm

---

## [Red flags hoisted at several beaches](#)

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 (April 26) that due to big waves, red flags have been hoisted at Stanley Main Beach, Shek O Beach and Big Wave Bay Beach in Southern District, Hong Kong Island; Cheung Chau Tung Wan Beach in Islands District; and Silverstrand Beach and Clear Water Bay Second Beach in Sai Kung District. Beach-goers are advised not to swim at these beaches.