

Government announces details of Subsidy Scheme for Securities Industry under Anti-epidemic Fund

The Financial Services and the Treasury Bureau (FSTB) today (May 18) announced that the Subsidy Scheme for the Securities Industry under the second round of the Anti-epidemic Fund will be launched and open for application on May 25 to support small and medium-sized intermediaries and licensed individuals in the securities industry.

The Secretary for Financial Services and the Treasury, Mr Christopher Hui, said, "Under the COVID-19 pandemic, small and medium-sized securities intermediaries and brokers mainly serving retail customers have been adversely affected to a certain extent. The Government will provide special subsidies under the second round of the Anti-epidemic Fund to alleviate their operating burden and pressure."

Details of the Scheme are as follows:

Exchange Participants

Category B and Category C participants of the Stock Exchange of Hong Kong (SEHK) and/or participants of the Hong Kong Futures Exchange (HKFE) as at March 31, 2020, and still in operation at the time of application are eligible to receive a one-off subsidy of \$50,000 per company. Category A SEHK participants (i.e. securities firms ranked in the top 14 by market turnover) are not eligible for any subsidy even if they are HKFE participants.

Securities and Futures Commission (SFC) licensees

Individuals licensed with the SFC (i.e. Responsible Officer or Licensed Representative) as at March 31, 2020, are eligible to receive a one-off cash subsidy of \$2,000 per person.

The FSTB has appointed the Hong Kong Securities and Investment Institute (HKSI Institute) to disburse the subsidies. The Scheme will be open for online or paper applications from May 25 to September 30, 2020. Applicants are only required to submit basic identification information, the SFC Central Entity number and bank account information. Details of the application procedures are available at the HKSI Institute's website (www.hksi.org) for preview.

Hong Kong resident employer and two illegal workers jailed

A Hong Kong resident employer and two Vietnamese illegal workers were jailed by Shatin Magistrates' Courts on May 15.

During operation "Twilight" conducted on July 8, 2019, enforcement officers raided a restaurant in Tsuen Wan. Seven illegal workers were arrested for working as odd-job workers. Two Hong Kong resident employers of the seven illegal workers were also arrested.

The illegal workers were jailed by Shatin Magistrates' Courts earlier. One of the Hong Kong resident employers was charged at Shatin Magistrates' Courts on May 15 for four counts of being an employer of a person who was not lawfully employable as he did not take all practicable steps to ascertain whether the applicant was lawfully employable prior to employment. He pleaded guilty to the charges and was sentenced to two months' imprisonment for each count with parts of the sentences to run consecutively, making a total of two months and six weeks' imprisonment.

In addition, during an anti-illegal worker operation conducted on May 13, Immigration Department (ImmD) investigators raided a restaurant in Sheung Wan. Two female Vietnamese illegal workers, aged 35 and 48, were arrested while working as an odd-job worker and a dish-washing worker respectively. An employer suspected of employing the illegal workers was also arrested and investigation is ongoing.

The two illegal workers were charged at Shatin Magistrates' Courts on May 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. They pleaded guilty to the charge and were each sentenced to 15 months' imprisonment. Meanwhile, they were also charged with one count of using a false instrument. They were sentenced to 15 months' imprisonment. All sentences are to run concurrently for a total of 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. Under the prevailing laws, it is an offence to make, possess or use false instruments. Upon conviction, offenders are liable to a maximum penalty of 14 years' imprisonment.

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 screenings 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.

[Unconscious person in custody dies in hospital](#)

A person in custody was found unconscious in Siu Lam Psychiatric Centre and died in a public hospital today (May 18).

The 67-year-old male person in custody was suffering from diabetes mellitus and hypertension, and required continuous medical care and follow-up at the institution hospital and a public hospital. At 1.22am today, a correctional officer found him unconscious on his patient bed in the institution hospital. First aid treatment was immediately applied and an ambulance was called to send him to a public hospital for further treatment. His condition deteriorated and he was certified dead at 3.01am today.

The case has been reported to the Police. A death inquest will be held by the Coroner's Court.

The person in custody was convicted for the offence of wounding with intent and detained under a hospital order for treatment in 1979.

Labour Department's public occupational health talks cancelled

To continue efforts in maintaining social distancing and minimise the risk of infection, the Labour Department announced today (May 18) that the following public talks have been cancelled. Enrolled participants will be informed of the cancellations.

May 21: First aid in the workplace (Activity Room I, G/F, Hong Kong Central Library)

May 27: Manual handling operations and prevention of back injuries (Lecture Hall, Hong Kong Space Museum)

Missing man in Chai Wan located

A man who went missing in Chai Wan has been located.

Chen Ming-kwai, aged 50, went missing after he was last seen on Ngoi Man Street on August 8, 2019 afternoon. His family made a report to Police on August 12.

The man was located on Hoi Yu Street this morning (May 18). He sustained no injuries and no suspicious circumstances were detected.