

## Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Tuesday, June 19, 2018 is 100.7 (up 0.4 against last Saturday's index).

The effective exchange rate index for the Hong Kong dollar on Saturday, June 16, 2018 was 100.3 (up 0.1 against last Friday's index).

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## Update on cluster of Vancomycin Resistant Enterococci cases in Tuen Mun Hospital

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on a cluster of Vancomycin Resistant Enterococci (VRE) carriers in a female orthopaedic and traumatology ward, the spokesperson for Tuen Mun Hospital made the following update today (June 19):

In accordance with the prevailing infection control guidelines, the hospital has performed contact tracing and four more patients (aged 80 to 99) were confirmed as VRE carrier without clinical symptoms. They are hospitalised and are in a stable condition.

The hospital will continue the enhanced infection control measures and closely monitor the situation of the ward. The cases have been reported to the Hospital Authority Head Office and the Centre for Health Protection for necessary follow-up.

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## Three illegal workers jailed

Three Pakistani illegal workers holding recognisance forms were jailed at Shatin Magistrates' Courts on June 15.

During operation "Twilight" held on May 7, Immigration Department (ImmD) investigators conducted a raid in Tai Wai. A male Pakistani illegal worker, aged 29, was arrested. When intercepted he was conveying vegetables. 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, ImmD investigators received referrals from the Hong Kong Police Force to further investigate two illegal employment cases in February and June. Enforcement officers arrested two male Pakistani workers, aged 31 and 32, selling wallets in Central and conveying goods in Shatin respectively. Upon identity checking, they produced for inspection recognisance forms issued by the ImmD, which prohibit them from taking employment. Further investigation revealed that they were non-refoulement claimants.

The three illegal workers were charged at Shatin Magistrates' Courts 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 were sentenced to 15 months' imprisonment to 22 months and 2 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 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 officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of

TIP elements, such as threat 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 interference, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

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## **Two renovation contractors of Sam Shing Commercial Centre in Tuen Mun convicted for illegally carrying out renovation works on holidays**

Renovation contractors of Sam Shing Commercial Centre in Tuen Mun were found carrying out works illegally on public holidays at the shopping centre. The two contractors concerned, Sunlight Electric Limited and Arco Decoration Limited, were fined a total of \$20,000 by Fanling Magistrates' Courts on June 12 and today (June 19) respectively for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) received a public complaint in November last year about the noise nuisance generated by renovation works at Sam Shing Commercial Centre. During blitz inspections conducted by EPD officers, it was found that the two contractors concerned did not possess a construction noise permit (CNP) issued by the EPD and they carried out works on holidays illegally. After investigation and evidence gathering, the EPD initiated prosecution against the contractors concerned in accordance with the NCO.

The NCO aims to protect the public from disturbance of rest and to minimise noise nuisance. An EPD spokesman stressed that construction and renovation contractors should schedule works for the daytime of non-general holidays as far as possible to minimise disturbance to nearby residents. If the construction work has to be conducted during the restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), the contractor has to obtain prior approval from the EPD. Contractors must also implement noise mitigation measures to minimise noise nuisance as per the requirement of the CNP. Otherwise, it constitutes an offence. First-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 may be imposed on second or subsequent convictions.

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## Person in charge of construction site at Shan Ha Tsuen in Yuen Long convicted for mud and dust dispersion and illegal disposal of construction waste (with photo)

Site formation work at Shan Ha Tsuen in Yuen Long caused dust dispersion, which affected nearby residents, and construction waste was disposed of illegally. The person in charge of the work was fined \$15,000 at Fanling Magistrates' Courts today (June 19) for contravening the Air Pollution Control (Construction Dust) Regulation and the Waste Disposal Ordinance (WDO).

The Environmental Protection Department (EPD) received a report from a member of the public last November about mud from a construction site at Shan Ha Tsuen in Yuen Long being carried to a public road by dump trucks. Investigation by EPD staff found that there was bulldozing activity with the use of an excavator and the wheels of dump trucks were not washed before leaving the site, which caused dust dispersion. Construction waste was also found illegally deposited on nearby government land. Upon evidence gathering, the EPD initiated prosecution against the person in charge of the work in accordance with the Regulation and the WDO.

The spokesman said that site formation is classified as notifiable work and contractors are required to notify the EPD in accordance with the statutory requirements and adopt dust emission control measures, including the provision of wheel-washing facilities at the entrances and exits of construction sites, so as to prevent silt from vehicles polluting the environment. According to the Regulation, anyone who fails to notify the EPD before the commencement of notifiable works commits an offence and is liable to a fine of \$25,000. Anyone who conducts construction works without adopting the measures stipulated by the regulation to prevent the dispersion of dust is liable to a fine of \$50,000. Furthermore, under the WDO, it is an offence for anyone to dispose of construction waste on government land. Once convicted, offenders are liable to a maximum fine of \$200,000 and six months' imprisonment.

