

## Several works contractors of Redhill Peninsula in Southern District convicted for illegally disposing of construction waste continuously

Three works contractors of Redhill Peninsula and their drivers, who illegally disposed of construction waste at Tai Tam Road in Southern District, were convicted by Eastern Magistrates' Courts on May 14, May 21 and today (June 4) for contravening the Waste Disposal Ordinance (WDO). They were fined a total of \$22,500.

The Environmental Protection Department (EPD) received reports from members of the public that construction waste was illegally deposited in the vicinity of Redhill Peninsula continuously. The EPD stepped up surveillance to monitor the district in last October and November and intercepted three dump trucks, from which construction waste had been deposited at a public lay-by area on Tai Tam Road. Upon investigation and evidence collection, it was confirmed that the construction waste originated from multiple works contractors of Redhill Peninsula. The offenders involved were subsequently prosecuted in accordance with the WDO.

In addition, two other works contractors of Redhill Peninsula were also convicted for illegal disposal of construction waste at Pak Pat Shan Road in January and April this year. The EPD proactively followed up with the person-in-charge of Redhill Peninsula's property management company and the chairperson of the incorporated owners of the estate. The department also urged the property management company to strengthen its management of renovation contractors, which included requiring the contractors to provide disposal records of construction waste of each truck, so as to ensure the construction waste generated from Redhill Peninsula would not be illegally disposed of.

An EPD spokesman reminded property owners, owners' corporations and property management companies that they have the responsibility to urge their renovation contractors to handle construction waste properly in accordance with the law, in order to avoid illegal disposal of the waste either on roads or in public places. Under the WDO, it is an offence to dispose of waste in a public place or on government land. First-time offenders are liable to a maximum fine of \$200,000 and six months' imprisonment.

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## Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Monday, June 4, 2018 is 99.8 down 0.1 against last Saturday's index.

The effective exchange rate index for the Hong Kong dollar on Saturday, June 2, 2018 is 99.9 up 0.1 against last Friday's index.

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## Red flag hoisted at Cheung Chau Tung Wan Beach

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 (June 4) that due to big waves, the red flag has been hoisted at Cheung Chau Tung Wan Beach in Islands District. Beach-goers are advised not to swim at the beach.

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## Land Registry releases statistics for May

The Land Registry today (June 4) released its statistics for May 2018.

Land registration

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\* The number of sale and purchase agreements for all building units received for registration in May was 7,788 (-10.9 per cent compared with April but +3.3 per cent compared with May 2017)

\* The 12-month moving average for May was 7,207 (0.3 per cent above the 12-month moving average for April but 1.1 per cent below that for May 2017)

\* The total consideration for sale and purchase agreements in May was \$63.5 billion (-18.4 per cent compared with April and -4.9 per cent compared with

May 2017)

\* Among the sale and purchase agreements, 5,522 were for residential units (-16.9 per cent compared with April and -3.7 per cent compared with May 2017)

\* The total consideration for sale and purchase agreements in respect of residential units was \$52.2 billion (-15.6 per cent compared with April and -2.6 per cent compared with May 2017)

Statistics on sales of residential units do not include sale and purchase agreements relating to sales of units under the Home Ownership Scheme, the Private Sector Participation Scheme and the Tenants Purchase Scheme unless the premium of the unit concerned has been paid after the sale restriction period.

Figures on sale and purchase agreements received for the past 12 months, the year-on-year rate of change and breakdown figures on residential sales have also been released.

As deeds may not be lodged with the Land Registry until up to 30 days after the transaction, these statistics generally relate to land transactions in the previous month.

#### Land search

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\* The number of searches of land registers made by the public in May was 502,357 (+13.1 per cent compared with April and +9.3 per cent compared with May 2017)

The statistics cover searches made at the counter, through the self-service terminals and via the Integrated Registration Information System Online Services.

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## Two illegal workers jailed

Two illegal workers, comprising one Indonesian and one Vietnamese, were jailed at Shatin and Tuen Mun Magistrates' Courts on June 1 and 2 respectively.

During a joint operation conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on March 7, ImmD investigators raided a restaurant in Mong Kok. One female Indonesian illegal worker, aged 35, was arrested. When intercepted she was washing dishes. Upon identity checking, she produced for inspection a recognisance form issued by the ImmD, which prohibits her from taking employment. Further investigation revealed that she was a non-refoulement claimant. One employer suspected of

employing the illegal worker was arrested and the investigation is ongoing.

Moreover, during operation "Twilight" conducted on May 31, ImmD investigators raided a restaurant in Tuen Mun. A female Vietnamese illegal worker, aged 54, was arrested. When intercepted she was washing dishes. Upon identity checking, she produced for inspection a recognisance form issued by the ImmD, which prohibits her from taking employment. Further investigation revealed that she was a non-refoulement claimant. In addition, she was also suspected of using and being in possession of a forged identity card.

The two illegal workers were charged at Shatin and Tuen Mun Magistrates' Courts on June 1 and 2 respectively 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 22 months and two weeks' imprisonment and 15 months' imprisonment respectively. In addition, one of them was also charged with using a forged Hong Kong identity card and was sentenced to 15 months' imprisonment. All her sentences are to run concurrently, making 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.

The spokesman also warned that it is an offence to use or possess a forged Hong Kong identity card or an identity card relating to other person. Offenders are liable to prosecution and a maximum penalty of a \$100,000 fine and up to 10 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 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.