

## Three illegal workers jailed

Three illegal workers comprising two Indonesians and a Pakistani were jailed by Shatin Magistrates' Courts on October 19.

During operation "Twilight" on July 3, Immigration Department (ImmD) investigators raided a restaurant in Yuen Long. Two female Indonesian illegal workers, aged 34 and 43, were arrested. When intercepted they were working as odd-job workers. 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. An employer suspected of employing the illegal workers was arrested and the legal proceedings are ongoing.

In addition, ImmD investigators received a referral from the Hong Kong Police Force to further investigate an illegal employment case in September. Enforcement officers arrested a male Pakistani worker, aged 32, conveying goods in Kowloon Bay. Upon identity checking, he was found to be a holder of a recognisance form issued by ImmD, which prohibits him from taking employment, and further investigation revealed that he was a non-refoulement claimant. An employer suspected of employing the illegal worker was arrested and the investigation is ongoing.

The three illegal workers were charged at Shatin Magistrates' Courts on October 19 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 trial, the two Indonesian illegal workers were sentenced to 18 months' imprisonment while the Pakistani illegal worker 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 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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## Appointments to the West Kowloon Cultural District Authority Board

The Government today (October 22) announced appointments by the Chief Executive to the Board of the West Kowloon Cultural District Authority (WKCDA) for a two-year term from October 23, 2018 to October 22, 2020.

The list of appointees is as follows:

Mr Ronald Arculli (Vice-Chairman)  
Mr Benjamin Cha Yiu-chung\*  
Mr Bernard Charnwut Chan  
Mr Chan Chi-chiu\*  
Mr Henry Fan Hung-ling\*  
Mr Glenn Fok\*  
Mr Wilson Fung Ying-wai  
Mr Chris Ip Ngo-tung  
Dr Kan Tai-keung  
Mr Leo Kung Lin-cheng  
Ms Rose Lee Wai-mun\*  
Dr Lo Wai-kwok  
Ms Dee Poon Chu-ying\*  
Ms Winnie Tam Wan-chi

Mr Wan Man-yee

Secretary for Home Affairs or alternate representative

Secretary for Development or alternate representative

Secretary for Financial Services and the Treasury or alternate representative

(\*new appointee)

A Government spokesman said that the 15 non-official members, with their wealth of experience and expertise in different sectors, including arts and culture, engineering, surveying, business and finance, law and community service, would provide needed knowledge and valuable advice to the Board to discharge its statutory duties and to oversee the development and operation of the WKCD.

"I would like to thank the six outgoing members, Dr Victor Lo Chung-wing, Mr Ma Fung-kwok, Mr Philip Tsai Wing-chung, Dr Adrian Cheng Chi-kong, Dr Fu Yuning and Ms Anita Fung Yuen-mei, for their invaluable contribution to the work of the Board, and I look forward to their continual support for the WKCD project in other capacities," said the Secretary for Home Affairs Mr Lau Kong-wah.

The WKCD Ordinance (Cap. 601) provides that the Board is the governing and executive body of the WKCD. It is responsible for the planning, development, operation and maintenance of the arts and cultural facilities and related facilities in the WKCD.

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## [Twenty-three building plans approved in August](#)

The Buildings Department approved 23 building plans in August, with six on Hong Kong Island, five in Kowloon and 12 in the New Territories.

Of the approved plans, 11 were for apartment and apartment/commercial developments, eight were for commercial developments, one was for factory and industrial developments, and three were for community services developments.

In the same month, consent was given for works to start on 14 building projects which, when completed, will provide 79 934 square metres of gross floor area for domestic use involving 1 017 units, and 93 433 sq m of gross floor area for non-domestic use. The department has received notification of commencement of works for eight building projects.

The department also issued 23 occupation permits, with ten on Hong Kong Island, four in Kowloon and nine in the New Territories.

Of the buildings certified for occupation, the gross floor area for

domestic use was 117 894 sq m involving 2 414 units, and 104 003 sq m was for non-domestic use.

The declared cost of new buildings completed in August totalled about \$7.2 billion.

In addition, five demolition consents involving five building structures were issued.

The department received 2 863 reports about unauthorised building works (UBWs) in August and issued 1 155 removal orders on UBWs.

The full version of the Monthly Digest for August can be viewed on the Buildings Department's homepage ([www.bd.gov.hk](http://www.bd.gov.hk)).

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## **Film Archive to hold free screening of "Emperor Zhengde's Night Visit to the Dragon and Phoenix Inn" in support of World Day for Audiovisual Heritage (with photo)**

In support of World Day for Audiovisual Heritage, the Hong Kong Film Archive (HKFA) of the Leisure and Cultural Services Department will present a free screening of "Emperor Zhengde's Night Visit to the Dragon and Phoenix Inn" (1958) at Piazza C of the Hong Kong Cultural Centre at 7pm on October 27 (Saturday). The film stars Yam Kim-fai, Lai Yee, Fung Wong Nui, Chan Kam-tong, Tam Lan-hing, Lee Hoi-chuen and Yam Bing-yee.

"Emperor Zhengde's Night Visit to the Dragon and Phoenix Inn", one of the treasures in the HKFA's collection, is the first film with the digital reconstruction and restoration procedures completed solely by the HKFA. The original colour negatives, a black-and-white print and other materials were transferred to the HKFA by descendants of Lee Gee-hing of Man Li Film Company in 1994. Since parts of the original colour negatives and the soundtrack were damaged, the film cannot be screened in its original colour version.

With advanced technology the HKFA conservators digitised the soundtracks of the black-and-white print and some edited-out film before synchronising the audio with the colour visuals from the negatives. In this colour version, the picture and sound quality were improved with digital restoration techniques. The HKFA made the effort to restore the movie's original appearance from 60 years ago in order to share its achievements in film conservation and restoration through the screening.

"Emperor Zhengde's Night Visit to the Dragon and Phoenix Inn" is an opera film adapted by famed writer-director Wong Hok-sing from a folk tale. When travelling in disguise, Emperor Zhengde (played by Yam Kim-fai) falls in love with Phoenix (played by Lai Yee) at the Dragon and Phoenix Inn. The Empress (played by Fung Wong Nui) becomes jealous and attempts to hurt Phoenix.

The film was shot in Eastmancolor, which was new in Hong Kong at that time. The process was fully utilised by producer, cinematographer and colour technique consultant Chiu Shu-sun to make the movie colourful and eye-catching.

The film is in Cantonese with Chinese and English subtitles.

Admission is free and will start at 6.15pm. Limited space will be available on a first-come, first-served basis. Audience members are encouraged to bring their own seating mats. For programme enquiries, please call 2739 2139 or visit [www.filmarchive.gov.hk/en\\_US/web/hkfa/programmesandexhibitions/2018unesco/index.html](http://www.filmarchive.gov.hk/en_US/web/hkfa/programmesandexhibitions/2018unesco/index.html).

In 2005, the United Nations Education, Scientific and Cultural Organization designated October 27 of every year as World Day for Audiovisual Heritage. It promotes awareness of the importance of preserving audio-visual documents from the past, which play an integral role in recording local and regional cultures.



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## [CE to visit Beijing and Hebei](#)

The Chief Executive, Mrs Carrie Lam, will visit Beijing and Hebei from October 23 to 25. The Financial Secretary, Mr Paul Chan; the Secretary for Commerce and Economic Development, Mr Edward Yau; the Secretary for

Constitutional and Mainland Affairs, Mr Patrick Nip; and the Director of the Chief Executive's Office, Mr Chan Kwok-ki, will accompany Mrs Lam on the visit.

Mrs Lam will depart for Beijing in the evening on October 23. She will attend the 4th Hong Kong/Beijing Co-operation Conference and the opening ceremony of the 22nd Beijing-Hong Kong Economic Cooperation Symposium the next day. While in Beijing, she will call on the central ministries and meet with municipal leaders.

The Hong Kong/Beijing Co-operation Conference, formerly known as the Hong Kong-Beijing Economic and Trade Co-operation Conference, was established in 2004 and three plenary sessions have been held. During Mrs Lam's meeting with the Secretary of the CPC Beijing Municipal Committee, Mr Cai Qi, and the Mayor of Beijing, Mr Chen Jining, in Beijing at the beginning of this year, both sides agreed to hold another plenary session as soon as possible to further co-operation between the two places in various aspects such as economic and trade, livelihood and social affairs.

The Beijing-Hong Kong Economic Cooperation Symposium has been held annually since 1997 and the two cities alternate to host the symposium. The Chief Executive also attended the symposium in Hong Kong last year. This year's symposium, with the Belt and Road Initiative as the theme, will feature a series of activities on the development and further opening up of the Belt and Road Initiative, technology and cultural innovation, major works projects and city management.

Mrs Lam will then go to Hebei where she will meet with leaders of Hebei Province and conduct a visit on October 25. She will return to Hong Kong in the evening.

During Mrs Lam's absence, the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, will be the Acting Chief Executive.