

# Hong Kong resident jailed for illegal transfer of identity card relating to another person and money laundering

One Hong Kong resident (defendant) was arrested and prosecuted by the Immigration Department (ImmD) and was sentenced to 15 months' imprisonment at the Shatin Magistrates' Court today (November 18) for dealing with property known or believed to represent proceeds of an indictable offence (money laundering) and transferring an identity card to another person.

The ImmD launched an anti-illegal worker operation and arrested a number of overstaying foreign domestic helpers (FDHs) working as cleaners in the same restaurant. After in-depth investigation, it was discovered that the arrested FDHs had all used others' identity cards during job seeking. They would also borrow the rightful holders' bank accounts for receiving salaries. The rightful holders would provide their ATM cards for the FDHs to withdraw the salaries every month in return for a reward of around HK\$2,000.

In the course of investigation, the foreign spouse of one of the identity card holders, who was a holder of recognizance form that prohibited him from taking any employment, was found to have taken up illegal employment using another person's identity card. The rightful holder of the said identity card, the defendant, was later arrested. Under caution, the defendant admitted to have knowingly transferred his identity card to a recognizance form holder to impersonate him during job seeking while providing his bank account to the recognizance holder for receiving salary with the account.

The defendant was later charged with money laundering and transferring an identity card to another person. He pleaded guilty to the charges today at the Shatin Magistrates' Court and was sentenced to 15 months' imprisonment.

As of today, over 20 persons have been apprehended, and the amount of salaries processed is around \$2.5 million. The five illegal workers involved have been imprisoned for 12 to 15 months. One other identity card rightful holder was also sentenced to 36 months' imprisonment upon conviction of eight charges, including money laundering, conspiracy to use others' identity card, and transferring an identity card to another person. The case is still under investigation, and the ImmD does not rule out the possibility of further prosecutions.

"Money laundering is a serious offence. A person commits the offence of money laundering if he deals with any property, including money, which he knows or has reasonable grounds to believe to be proceeds of indictable offence. Offenders are liable upon conviction to the maximum penalty of a \$5,000,000 fine and 14-year imprisonment. Under the laws of Hong Kong, any person who without lawful authority or reasonable excuse transfers to another

person an identity card commits an offence. It is also an offence to use or have in his custody or possession an identity card which relates to another person. Offenders are liable upon conviction to the maximum penalty of a fine of \$100,000 and imprisonment for 10 years," an ImmD spokesman warned.

"Under the laws of Hong Kong, it is an offence to make a false representation to Immigration Officers. Offenders are liable to prosecution and, upon conviction, the maximum penalty of a fine of \$150,000 and imprisonment for 14 years," the spokesman reiterated.

The ImmD has always been concerned about similar modus operandi and will continue to take stringent enforcement actions against any related crimes. The ImmD reminds all employers to take all practicable steps to ensure the candidate is lawfully employable during recruitment. Employers shall check the candidates' information and portraits carefully when inspecting the candidates' identity cards. If there exists any doubts on a person's identity or the identity card the person possessing, one may report the incident to the ImmD.