

## Mainland male jailed for making false representation and other offences

A Mainland male was charged at the Sha Tin Magistrates' Courts with making false representation to an Immigration Department (ImmD) staff member, breaching the condition of stay and failing to register and apply for an identity card, and was sentenced to four months' imprisonment and fined \$800 on May 31.

The 39-year-old defendant was granted entry to work in Hong Kong as an imported worker. Subsequently, the contract was prematurely terminated but the defendant did not depart Hong Kong within 14 days after the contract was terminated. The defendant was intercepted when he presented himself for departure clearance at a control point on May 26, during which the defendant claimed to the ImmD staff that he had no idea about the termination of his contract. The ImmD staff cast doubt on his explanation and thus began an investigation against the defendant.

In the course of the investigation, the defendant admitted under caution that he was well aware of the termination of his contract and he was required to leave Hong Kong within 14 days after the termination, but he did not depart before the limitation of stay expired because he wished to sightsee in Hong Kong. Moreover, records revealed that the defendant failed to register and apply for an identity card. The defendant was subsequently charged with the offences of making false representation to ImmD staff, breaching the condition of stay and failing to register and apply for an identity card. The defendant pleaded guilty to the charges and was sentenced to a total of four months' imprisonment and fined \$800 by the Sha Tin Magistrates' Courts on May 31.

An ImmD spokesman said, "Under the laws of Hong Kong, any person who makes false representation to an Immigration officer commits an offence. Offenders are liable to prosecution and, upon conviction, subject to the maximum penalty of a fine of \$150,000 and imprisonment for 14 years."

The spokesman warned, "Any person who contravenes a condition of stay in force in respect of him shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties."

Under the Registration of Persons Ordinance, all Hong Kong residents aged 11 or over (including those who have been permitted to stay in Hong Kong for more than 180 days) are required to register for an identity card within 30 days of his entering Hong Kong, except those who are exempted or excluded. Offenders are liable to prosecution and, upon conviction, subject to the

maximum penalty of a fine at level 3 and imprisonment for one year.