

Mainlander jailed for making false representation, making and using false instruments

â€A male Mainlander charged with two counts of making false instruments, two counts of using false instruments and one count of making false representation to an Immigration Department (ImmD) staff member was sentenced to a total of 30 months' imprisonment yesterday (January 5) at the Shatin Magistrates' Court.

The 26-year-old defendant submitted an application for extension of stay to the ImmD in June 2020 and claimed that he was still under the employment of a local company with employment proof submitted. Upon inspection, doubt was cast on the authenticity of the submitted documents and the defendant was further investigated.

In the course of the investigation, the defendant admitted under caution that he was no longer employed by the company. As he wished to continue to stay in Hong Kong, he forged the employment proof and made false representation to the ImmD in order to have his application approved. The defendant was subsequently charged with the offences of making and using false instruments and making false representation to Immigration staff upon the application for extension of stay. At the trial, the defendant was convicted and sentenced to a total of 30 months' imprisonment by the Shatin Magistrates' Court yesterday.

"Under the laws of Hong Kong, any person who makes, uses or has in his custody a false instrument commits an offence and is liable to prosecution and, upon conviction, subject to imprisonment for 14 years. Moreover, 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. Aiders and abettors are also liable to prosecution and penalty," an Immigration spokesman said.