

14 persons arrested during anti-illegal worker operations (with photo)

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations codenamed "Twilight" and joint operations with the Hong Kong Police Force codenamed "Champion" and "Windsand" for four consecutive days from February 19 to yesterday (February 22). A total of 12 suspected illegal workers and two suspected employers were arrested.

During the anti-illegal worker operations, ImmD Task Force officers raided 15 target locations including bars, a guest house, premises under renovation, restaurants and retail shops. Nine suspected illegal workers and two suspected employers were arrested. The arrested suspected illegal workers comprised nine women, aged 28 to 54. Among them, seven women were holders of recognisance forms, which prohibit them from taking any employment. In addition, one woman was suspected of using and being in possession of a forged Hong Kong identity card.

During operation "Champion", enforcement officers raided 40 target locations in Western district. Three suspected illegal workers were arrested. The arrested suspected illegal workers comprised three men, aged 26 to 55.

An ImmD spokesman said, "Any person who contravenes a condition of stay in force in respect of him or her 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."

The spokesman warned, "As stipulated in section 38AA of the Immigration Ordinance, an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land is 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. Under the prevailing laws, it is an offence to use or possess a forged Hong Kong identity card or a Hong Kong identity card related to another person. Offenders are liable to prosecution and upon conviction face a maximum fine of \$100,000 and up to 10 years' imprisonment."

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. Under the Immigration Ordinance, the maximum penalty for an employer employing a person who is not lawfully employable, i.e. an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land, has been significantly increased from a fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment to

reflect the gravity of such offences. The director, manager, secretary, partner, etc, of the company concerned may also bear criminal liability. 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. Offenders are liable upon conviction to a maximum fine of \$150,000 and to imprisonment for one year. In that connection, the spokesman would like to remind all employers not to defy the law by employing illegal workers. The ImmD will continue to take resolute enforcement action to combat such offences.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct an 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 ImmD officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threats 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 intervention, medical services, counselling, shelter or temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments immediately.



Relaxation of Mortgage arrangements for Subsidised Sale Flats in HOS Secondary Market Scheme

The following is issued on behalf of the Hong Kong Housing Authority:

The Hong Kong Housing Authority (HA) will extend the maximum mortgage default guarantee period and repayment period regarding the subsidised sale flats (SSFs) sold in the HOS Secondary Market Scheme (SMS) on March 1, 2024, (the launch date). The arrangements will be applicable to all new mortgage loans drawn down on or after the launch date to finance the purchase of Home Ownership Scheme (HOS)/Green Form Subsidised Home Ownership Scheme (GSH)/Tenants Purchase Scheme (TPS) flats transacted in the SMS.

As announced in the 2023 Policy Address, the HA Subsidised Housing Committee earlier endorsed on November 17, 2023, the relaxation of the mortgage arrangements for SSFs by extending the maximum mortgage default guarantee period and mortgage repayment period under the Deeds of Guarantee being provided by the HA to enable purchasers of SSFs to obtain mortgage loans from banks and authorised financial institutions participating in the provision of mortgage loans for such flats (participating financial institutions).

"The relevant relaxation of arrangements in respect of the primary market has been implemented earlier. In respect of the SMS, starting from March 1, the maximum mortgage default guarantee period will be extended from 30 years to 50 years for HOS/GSH flats; and from 25 years to 50 years for TPS flats. For the first 40 years, the HA will provide a mortgage default guarantee to participating financial institutions for a mortgage loan up to 95 per cent and 90 per cent of the assessed value or purchase price of the flat (whichever is the lower) respectively for Green Form (GF) and White Form (WF) applicants. From 40 years onwards to 50 years, the mortgage default guarantee provided to participating financial institutions for mortgage loans will be up to 80 per cent of the assessed value or purchase price of the flat (whichever is the lower). In case the loan-to-value (LTV) ratio required is above 80 per cent, the purchaser of an SSF could check with the participating financial institutions whether he/she needs to apply for a mortgage loan under the Mortgage Insurance Programme (MIP) of the HKMC Insurance Limited (HKMCI). To this end, the HA has reached an agreement with the HKMCI that the latter will allow SSF purchasers in the SMS to apply for a mortgage loan under the MIP to obtain mortgage loans up to an LTV ratio of 95 per cent for GF applicants and 90 per cent for WF applicants," a spokesman for the HA said.

Meanwhile, the maximum mortgage repayment period for HOS/GSH/TPS flats sold under the SMS will be extended from 25 years to 30 years.

If purchasers of SSFs would like to apply for a mortgage loan under the MIP of the HKMCI, they may submit applications to participating financial institutions starting from March 1, 2024. Highlights of the MIP are set out at the Annex. Details of the MIP will be uploaded on the HKMCI's website on March 1, 2024

(www.hkmc.com.hk/eng/our_business/mortgage_insurance_programme.html). For further queries, please contact any participating financial institutions or call the HKMCI at 2536 0136.

Qualifying standards for environment-friendly commercial vehicles to remain unchanged from April 2024 to March 2025

The Environmental Protection Department (EPD) today (February 23) announced that the qualifying standards (QS), first registration tax concession rates and their concession caps for environment-friendly commercial vehicles (EFCV) will remain unchanged for the period from April 1, 2024, to March 31, 2025, inclusive.

To improve roadside air quality and safeguard public health, the Government has been offering tax incentives since April 1, 2008, to encourage commercial vehicle owners to choose EFCVs with exhaust emissions that outperform the prevailing statutory emission standards. The EPD reviews the QS of EFCV models annually in the light of vehicle technological advancements, market availability and the prevailing statutory emission standards for the first registered vehicles.

The EPD regularly updates the list of EFCV models as new models enter the local market. Details of the tax concession scheme for EFCVs are available at www.epd.gov.hk/epd/english/environmentinhk/air/prob_solutions/environment_friendly_commercial_vehicles.html.

Term of non-permanent CFA judge

extended

The following is issued on behalf of the Judiciary:

The Chief Executive has accepted the recommendation of the Chief Justice of the Court of Final Appeal to extend the term of office of the Right Honourable the Lord Neuberger of Abbotsbury, GBS, as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal for a period of three years commencing March 1, 2024.

The Hong Kong Court of Final Appeal Ordinance provides for a list of non-permanent Hong Kong judges and a list of judges from other common law jurisdictions. The term of appointment of such judges is three years. That term may be extended for one or more periods of three years by the Chief Executive acting in accordance with the recommendation of the Chief Justice.

Inspection of aquatic products imported from Japan

In response to the Japanese Government's plan to discharge nuclear-contaminated water at the Fukushima Nuclear Power Station, the Director of Food and Environmental Hygiene issued a Food Safety Order which prohibits all aquatic products, sea salt and seaweeds originating from the 10 metropolis/prefectures, namely Tokyo, Fukushima, Ibaraki, Miyagi, Chiba, Gunma, Tochigi, Niigata, Nagano and Saitama, from being imported into and supplied in Hong Kong.

For other Japanese aquatic products, sea salt and seaweeds that are not prohibited from being imported into Hong Kong, the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department will conduct comprehensive radiological tests to verify that the radiation levels of these products do not exceed the guideline levels before they are allowed to be supplied in the market.

As the discharge of nuclear-contaminated water is unprecedented and will continue for 30 years or more, the Government will closely monitor and step up the testing arrangements. Should anomalies be detected, the Government does not preclude further tightening the scope of the import ban.

From noon on February 22 to noon today (February 23), the CFS conducted tests on the radiological levels of 224 food samples imported from Japan, which were of the "aquatic and related products, seaweeds and sea salt" category. No sample was found to have exceeded the safety limit. Details can

be found on the CFS's thematic website titled "Control Measures on Foods Imported from Japan"

(www.cfs.gov.hk/english/programme/programme_rafs/programme_rafs_fc_01_30_Nuclear_Event_and_Food_Safety.html).

The Agriculture, Fisheries and Conservation Department (AFCD) has also tested 52 samples of local catch for radiological levels. All the samples passed the tests. Details can be found on the AFCD's website (www.afcd.gov.hk/english/fisheries/Radiological_testing/Radiological_Test.html).

The Hong Kong Observatory (HKO) has also enhanced the environmental monitoring of the local waters. No anomaly has been detected so far. For details, please refer to the HKO's website (www.hko.gov.hk/en/radiation/monitoring/seawater.html).

From August 24 to noon today, the CFS and the AFCD have conducted tests on the radiological levels of 32 168 samples of food imported from Japan (including 21 572 samples of aquatic and related products, seaweeds and sea salt) and 9 024 samples of local catch respectively. All the samples passed the tests.