

# Mainland-Hong Kong Joint Operation against illegal immigration

The Immigration Department (ImmD) mounted a joint operation codenamed "Mungoshunt-3 (2nd stage)" with the Hong Kong Police Force and Guangdong Provincial authorities to combat non-ethnic Chinese illegal immigrants for two consecutive days on November 28 and 29. During the second stage of the operation, a total of 78 persons were arrested in Hong Kong and Guangdong Province.

Officers from ImmD and the Hong Kong Police Force conducted territory-wide anti-illegal immigrant operation and raided the suspected hideouts of illegal immigrants. The ImmD also mounted a series of territory-wide anti-illegal worker operations to step up enforcement actions against non-ethnic Chinese illegal immigrants. In addition, to combat illegal immigrants sneaking into Hong Kong by sea, Marine Police collaborated with the Mainland authorities to step up maritime patrol and interception of suspicious vessels.

During the operation, the ImmD joined the Hong Kong Police Force to conduct sudden raids at over 60 target locations and intercepted 29 vessels and 452 persons, successfully seizing one vessel and arresting 52 persons. Fifteen male and six female illegal immigrants, consisting of two Mainlander, four Bangladeshi, two Pakistani and seven Vietnamese men, aged 20 to 56, and one Mainlander and five Vietnamese women, aged 25 to 36, were arrested. For the arrested illegal immigrants, two Mainlander men aged 31 and 32 were also arrested for "aiding and abetting others to land in Hong Kong unlawfully and remain in Hong Kong". During the anti-illegal worker operation, six Mainlanders and 18 non-ethnic Chinese were arrested for the breach of recognizance's condition, taking up unapproved employment and overstaying in Hong Kong respectively. The arrested Mainlanders consisted of four men and two women, age 30 to 57, while the 18 arrested non-ethnic Chinese consisted of seven men and 11 women, age 23 to 47, among which eight were holders of recognizance forms issued by the ImmD, which prohibit them from taking up employment. The majority of the non-ethnic Chinese arrested in the anti-illegal worker operations were primarily those who had either entered Hong Kong illegally or overstayed. During the operation, seven suspected employers were arrested, consisting of four men and three women, age 41 to 66.

Mainland authorities from Guangdong Province stated that 26 persons, including 10 arrangers and 16 non-ethnic Chinese, who intended to sneak into Hong Kong illegally have been arrested since November 25. A significant decline was observed.

An ImmD spokesman said, "As stipulated in the Immigration Ordinance, 'Arranging passage to Hong Kong of unauthorized entrants' and 'Assisting unauthorized entrant to remain' are serious offences. Offenders arranging passage to Hong Kong of unauthorized entrants face a maximum fine of

\$5,000,000 and up to 14 years' imprisonment while offenders assisting unauthorized entrant to remain face a maximum fine of \$500,000 and up to 10 years' imprisonment. The ImmD would continue to collaborate with the Hong Kong Police Force and relevant departments to step up enforcement actions and conduct joint operations to combat illegal immigration activities."

The 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. 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.

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## [China Manned Space delegation concludes Hong Kong visit](#)

The China Manned Space delegation ended its four-day visit to Hong Kong this afternoon (December 1). The delegation leader, Mr Lin Xiqiang, expressed the delegation's heartfelt thanks to the Hong Kong Special Administrative Region (HKSAR) Government and Hong Kong people before departing.

The Chief Executive, Mr John Lee, hosted a farewell ceremony for the delegation at Government House before their departure. Mr Lee presented to Mr Lin a photo album portraying the delegation's visit to Hong Kong.

At the farewell ceremony, Mr Lee expressed his sincere gratitude to the delegation for accepting the invitation to visit Hong Kong, which allowed Hong Kong citizens to experience the country's determination to realise the dream of space, and feel proud of the country's extraordinary achievements in aerospace technology. The visit also helped sow three seeds of strengthening national pride, exploring science and technology and inspiring people in the community to follow their dreams. Mr Lee said Hong Kong people, himself included, all hope that the dream of a local astronaut can come true, which could inject Hong Kong's presence into the nation's aerospace system, towards contributing to building the country into one which stands tall in science and technology.

Mr Lin said in the ceremony that the China Manned Space Agency will follow the plan to recruit the fourth batch of astronauts, with a view to obtaining a result by year end to address concerns from Hong Kong people. In addition, the Agency will foster exchanges with Hong Kong's education and technology sectors. He pointed out that the Chief Executive had just likened the impacts of the delegation's visit on Hong Kong's youth as sowing three seeds. The delegation sincerely hoped that these three seeds could sprout, blossom and yield fruits in the hearts of youth, as they will be the new

force to build Hong Kong into an international innovation and technology hub. Mr Lin also wished that under the leadership of Mr Lee, the HKSAR Government will usher in a brighter future for Hong Kong.

Deputy Director of the Liaison Office of the Central People's Government in the HKSAR Ms Lu Xinning; Deputy Commissioner of the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR Mr Fang Jianming; and the Political Commissar of the Chinese People's Liberation Army Hong Kong Garrison, Navy Rear Admiral Lai Ruxin, attended the farewell ceremony. HKSAR Government officials also attended, including the Chief Secretary for Administration, Mr Chan Kwok-ki; the Financial Secretary, Mr Paul Chan; the Deputy Chief Secretary for Administration, Mr Cheuk Wing-hing; the Deputy Financial Secretary, Mr Michael Wong; the Secretary for Culture, Sports and Tourism, Mr Kevin Yeung; the Secretary for Education, Dr Choi Yuk-lin; the Secretary for Innovation, Technology and Industry, Professor Sun Dong; and the Secretary for Home and Youth Affairs, Miss Alice Mak.

During the four-day visit, the China Manned Space delegation attended various activities and met members of the public as well as people from different sectors for exchanges, including the innovation and technology sector, as well as teachers and students from tertiary, secondary and primary schools. Furthermore, the delegation attended a variety show to mark Hong Kong's welcoming of the China Manned Space delegation and officiated at the opening of the China Manned Space Exhibition to share with Hong Kong people the joy of the distinguished development of China Manned Space Program.

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## **Bars/restaurant premises convicted for aiding and abetting smoking offences**

Operators and their associated staff of five bars/restaurant premises were mentioned at the Kowloon City Magistrates' Courts today (December 1) for aiding and abetting another person of waterpipe smoking in a no-smoking area, displaying smoking product advertisement related to waterpipe, or failing to display prescribed signs or notices as stipulated in relevant ordinances. Three bars/restaurant premises were convicted and the fine for each bar/restaurant premises ranged from \$6,000 to \$15,600. The case of the remaining two bars/restaurant premises was adjourned.

The Tobacco and Alcohol Control Office (TACO) of the Department of Health (DH) conducted a joint operation with the Police against illegal waterpipe smoking activities in no-smoking areas in Tsim Sha Tsui in May this year. During the operation, a total of 19 fixed penalty notices were issued to persons illegally smoking waterpipes at five bars/restaurant premises. Prosecutions were also made against operators and their associated

staff of the bars/restaurant premises who contravened the relevant ordinances and regulations.

In accordance with the Smoking (Public Health) Ordinance (Cap. 371) (the Ordinance) and the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600), any person who conducts a smoking act in a statutory no smoking area commits an offence and is liable to a fixed penalty of \$1,500. In addition, under the Criminal Procedure Ordinance (Cap. 221), any person who aids, abets, counsels or procures the commission by another person of any offence shall be guilty of the like offence. A spokesman for the DH urged venue managers of no smoking areas to refrain from assisting any person in breaching the smoking ban.

Moreover, the Ordinance also prohibits any person from displaying or distributing smoking product advertisement. Any person who offers for sale, or promotes the sale, purchase, smoking or use of, conventional smoking products, or sells or supplies intoxicating liquor in a face-to-face distribution at a place in the course of business, shall comply with the requirement of displaying relevant prescribed signs or notices, as stipulated in the Ordinance and the Dutiable Commodities (Liquor) Regulations (Cap. 109B).

The spokesman stressed that the TACO will follow up and investigate every complaint about illegal smoking and will conduct inspections and take enforcement actions in the venues concerned. It will also conduct joint inspections and enforcement actions with other law enforcement agencies from time to time with a view to enhancing the effectiveness of law enforcement. The DH will continue to closely monitor and to take stringent enforcement actions against illegal waterpipe smoking.

Due to deeper inhalations and a longer smoking session, waterpipe users usually inhale more toxins than they would when smoking cigarettes. For more information on the hazards of waterpipe smoking, please visit [www.livetobaccofree.hk/pdfs/waterpipe\\_leaflet\\_new.pdf](http://www.livetobaccofree.hk/pdfs/waterpipe_leaflet_new.pdf). The spokesman cautions against waterpipe smoking or the use of other smoking products. Smokers should quit smoking as early as possible for their own health and that of others.

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## **New arrangements for enrolment to LCSD's recreation and sports programmes**

To tie in with the launch of SmartPLAY, members of the public are reminded to take note of the new arrangements for enrolment to recreation and sports programmes offered by the Leisure and Cultural Services Department

(LCSD).

For the Recreation and Sports (R&S) programmes to be held in January 2024 onwards, users can submit an online balloting application within the first seven days of each month for the programmes to be held by the District Leisure Services Offices (DLSOs) in 18 districts, water sports centres, the Tuen Mun Recreation and Sports Centre as well as the Green Campaign Section in the following month. As regards the arrangements of sports competitions to be held in February 2024 or later, users only need to submit one online balloting application from the eighth to the 14th days in every month to enrol in sports competitions to be held two months later. It saves a lot of time on filling out different application forms and submissions. Applicants can amend their selected items in the application forms anytime and anywhere before the submission deadline if and when required. The arrangements for balloting, payment and remaining places for competitions is similar to that of the training courses, recreation activities and sports competitions (please refer to the Annex for details). For the R&S programmes to be held by different districts, the public can visit the LCSD and SmartPLAY websites or approach the respective organising offices for further details.

In respect of balloting applications for all R&S programmes, each user can submit one online balloting application per month for various training courses and recreation activities or sports competitions. Each online application can select up to 10 training courses and recreation activities/10 sports competitions, and a maximum of three training courses and recreation activities/three sports competitions can be allocated. It can provide more users with the opportunity to participate in recreational and sports activities and cultivate exercise habits. The new system offers more efficient, convenient and user-friendly services to members of the public. Applicants can enrol in sports and recreation programmes organised by the 18 districts through mobile apps, the Internet or smart self-service stations installed across leisure venues within a specific period, without the hassles of applying by post or queuing at booking counters in the early morning for popular programmes. Other enhanced functions include convenient searching functions with greater flexibility, access to real-time programme information, notifications of successful applications by email and instant viewing of enrolment records.

In addition, priority balloting arrangement for "new applicants" that apply to Fitness (Multi-Gym) Training Courses will be extended to all training courses as well as recreation activities (except those activities that accept walk-in enrolments only or tailor-made programmes for persons with disabilities). "New applicants" (those who have not enrolled in the same type and level of training courses or recreation activities in the past 12 months) will be given a priority in balloting and place allocation. The remaining places, if any, will be allocated to those who are "non-new applicants". Successful applicants will receive emails as well as notifications through SmartPLAY, while electronic payments or confirmations should be made through SmartPLAY within the designated period. The system will not inform successful applicants by mail. The public are advised to pay attention to the ballot result via the system. Any remaining places of R&S

programmes after balloting and completed payment/confirmation by successful applicants will be open for enrolment on a first-come, first-served basis to all applicants. Meanwhile, applications will be accepted only if the training courses and recreation activities that a user has applied for on a first-come, first-served basis or submitted a balloting application for did not overlap with that of the programmes he/she has successfully enrolled in.

The LCSD reminds the public that all people must register with the new system and complete an identity authentication process before using SmartPLAY to enrol in R&S programmes and book leisure facilities. The LCSD has provided 375 Smart Self-service Stations at around 240 leisure venues (including DLSOs in various districts). Members of the public who have yet to be registered can submit their registration, and complete identity authentication and account activation procedures at these Smart Self-service Stations. A dedicated website and a mobile app are also provided for user registration. If users complete their registration through "iAM Smart", they can have their SmartPLAY accounts instantly activated.

For more information on recreation and sports programmes, please visit SmartPLAY website ([www.smartplay.lcsd.gov.hk/programme/home](http://www.smartplay.lcsd.gov.hk/programme/home)).

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## **District Council Ordinary Election** **poll cards mailed to about 4.33** **million electors**

â€‹The 2023 District Council Ordinary Election will be held on December 10 (Sunday). The Registration and Electoral Office (REO) has mailed poll cards to about 4.33 million registered electors to inform them of where they should cast their votes on the polling day.

"Electors should have received their poll cards. Electors can log in to the Online Voter Information Enquiry System ([vr.gov.hk](http://vr.gov.hk)) if they have not yet received their poll cards to check whether they are registered electors and their designated polling stations. They can also call the election hotline 2891 1001 for enquiries," a spokesman of the REO said today (December 1).

District Council geographical constituency (DCGC) electors will be allocated to ordinary polling stations in the vicinity of their registered addresses. The polling hours of ordinary polling stations will be from 8.30am to 10.30pm (14 hours in total).

District Committees constituency (DCC) electors will be assigned to the polling stations of the DCCs to which they belong. The polling hours will be from 8.30am to 2.30pm (six hours in total). The REO will remind DCC electors

on the envelope of the poll cards issued to them that the poll for the DCC and DCGC will take place at two different polling stations with different polling hours.

"Electors may only cast their votes at the designated polling stations as specified on their poll cards. They are advised to note the addresses of the designated polling stations on their poll cards to ensure that they go to the correct polling stations. However, electors who have registered to vote at the near boundary polling stations (NBPSs) may ignore the polling station information printed on the poll cards if they have received the notification of registration result sent to them by the REO via SMS and/or email," the spokesman said.

In addition to the poll card, the electoral mail sent to each elector by the REO also includes the printed copy of the introduction to candidates in his/her constituency, a location map of the designated polling station, a voting procedures guide, as well as a leaflet on clean election. The above-mentioned introduction to candidates, the location map of the polling station and the clean elections leaflet can also be viewed on the election website ([www.elections.gov.hk/dc2023/eng/pollinfo.html](http://www.elections.gov.hk/dc2023/eng/pollinfo.html)).

"The voting process is very simple. Electors may only cast their votes at the designated polling stations as specified on their poll cards/ the NBPS (if applicable). An elector must show the original copy of his/her Hong Kong identity card at the ballot paper issuing desk. The polling staff will scan the elector's Hong Kong identity card with an Electronic Poll Register (EPR) system tablet and then issue the ballot paper. The elector may check his/her name, partial Hong Kong identity card number and the constituency to which he/she belongs as shown on the tablet of the ballot paper issuing desk during the ballot paper issuance process.

"The EPR system will be adopted at most polling stations, but the printed copy of the final register will be used for issuing ballot papers at dedicated polling stations and the polling stations with difficulties in installation and technical support due to remoteness or unstable network coverage," the spokesman added.

"For DCGCs, electors must use the chop provided by the polling station to stamp a tick in the circle opposite the name of the candidate of their choice on the ballot paper inside a voting compartment by themselves, and then insert the unfolded ballot paper into the ballot box with the marked side facing down. Please note that each elector can only select one candidate to stamp a tick on the ballot paper (viz. the ballot paper can only have one tick), otherwise the ballot paper will be deemed as invalid.

"For DCCs, electors must use the black pen provided in the polling station to fill in the ovals opposite the names of the candidates of their choice inside a voting compartment by themselves. They must vote for no more and no less than the number of vacancies for that DCC, otherwise the ballot paper will be deemed as invalid. The ballot paper checking system will be set up in DCC polling stations for electors to check whether the number of



candidates marked on the ballot paper is equal to the number of seats to be returned for the constituency. The ballot paper checking system will neither record nor count the electors' choices on the ballot papers. After marking a ballot paper, the elector should insert the unfolded ballot paper into the ballot box with the marked side facing down.

"The ballot is autonomous and secret. An elector must mark the ballot paper on his/her own in the voting compartment. If in need, an elector may request the Presiding Officer (PRO) or the PRO's deputy to mark the ballot paper on his/her behalf according to his/her voting preference in the presence of one polling staff as a witness. It is an offence for any elector to disturb others, use electronic devices for communication, take photographs, or make video or audio recordings at a polling station."

To ensure that electors understand the polling procedures, the REO has produced a set of TV and radio Announcements in the Public Interest which have been uploaded onto the election website ([www.elections.gov.hk/dc2023/eng/publicity.html](http://www.elections.gov.hk/dc2023/eng/publicity.html)) for electors' reference.

Information about the election is available on the election website ([www.elections.gov.hk](http://www.elections.gov.hk)). For enquiries, please call the election hotline (2891 1001).