

Public urged to stay alert to WhatsApp messages purported to be sent by SCED

A spokesman for the Commerce and Economic Development Bureau (CEDB) today (May 20) appealed to members of the public to stay alert to fraudulent WhatsApp messages purported to be sent by the Secretary for Commerce and Economic Development (SCED).

The spokesman stressed that CEDB and SCED have no connection with the fraudulent messages, and has reported the case to the Police. Members of the public are reminded to stay alert to suspicious messages and not to disclose any personal information.

Government further promotes adoption of Smart Site Safety System (with photos)

The Development Bureau (DEVB) announced today (May 20) that the Smart Site Safety System Labelling Scheme (4S Labelling Scheme) and a series of relevant measures will be jointly launched by the DEVB and the Construction Industry Council (CIC) to drive a wider adoption of 4S in the industry for providing a safe working environment for site personnel.

Speaking at the launching ceremony of the Labelling Scheme, the Secretary for Development, Ms Bernadette Linn, said the Government has been striving to speed up the adoption of technologies for site safety and to promote the full adoption of 4S in recent years. Currently, all capital works contracts with a contract sum exceeding \$30 million have fully adopted 4S. The Government has also subsidised private works projects to widely adopt 4S through the Construction Innovation and Technology Fund (CITF) and provides the latest information and support on relevant training and equipment through the CIC. However, adoption of 4S at private worksites remains relatively low. In this connection, the Government will roll out three new measures to promote and facilitate a wide adoption of 4S in the industry.

The Buildings Department (BD) will introduce mandatory measure starting from July 1. Conditions will be imposed under the Buildings Ordinance requiring the adoption of 4S to provide qualified supervision of building works when granting the first approval or major revisions of superstructure plans of private development projects. For building works with estimated cost exceeding \$30 million and involving the use of mobile plants and tower cranes, registered contractors are required to adopt relevant 4S alert

systems.

Under the 4S Labelling Scheme jointly launched by the DEVB and the CIC, applications can be submitted to the CIC. After on-site inspection and evaluation of proper usage of 4S, the CIC will approve the application and issue the labels. The issued label will be placed in a conspicuous place around the construction sites for identification and ease of monitoring. The list of worksites with labels will also be uploaded to the CIC's website, with a view to encouraging more worksites to adopt 4S. It is expected that around 500 worksites (including public works and private works), representing more than 60 per cent of the total number of construction sites at present, will participate in the scheme and labels will be issued to the first batch of around 100 worksites in July this year and the approval will be largely completed by the end of this year.

Regarding subsidising the application of 4S in private works projects, the CITF has increased the amount of funding available to each applicant for 4S from \$6 million to \$7.5 million from April 1, 2023. Premised on this basis, the scope of support of the CITF will be extended to cover the relevant additional expenses in various aspects of adopting 4S, including upgrading the network capacity, additional manpower to be employed for maintenance and technical support, helping applicants obtain quotations for commonly used 4S products in advance from suppliers etc. arising from the use of 4S. To further support the industry to adopt 4S, the DEVB and the CIC have launched respective packages of 4S products for different types and scales of private works projects.

Representatives attending the launching ceremony of the 4S Labelling Scheme included members of the Legislative Council, government departments, statutory bodies, developers' associations, professional bodies, contractors and subcontractors' associations, and construction trade unions. Sharing the view that 4S can effectively enhance site safety, they expressed support for the DEVB and the CIC in promoting a wide adoption of 4S within the industry on all fronts.

Following the launching ceremony, representatives from the DEVB, the CIC, and the BD conducted a sharing session to brief the industry on the details of the new support measures for 4S.

For details of the 4S Labelling Scheme, please visit the following website (www.cic.hk/4s-labelling/en/home).



New FEHD enforcement operation “CLEARSKY” tackles dripping air conditioners (with photos)

A spokesman for the Food and Environmental Hygiene Department (FEHD) said today (May 20) that the department has launched a pilot enforcement operation, codenamed "CLEARSKY", across various districts in the recent days. The operation has achieved significant results by proactively enhancing inspections to target buildings with dripping air conditioners, complemented by education and publicity efforts.

From May 3 to 16, the FEHD conducted a number of large-scale operations in the Eastern, Central and Western, Yau Tsim, Sham Shui Po, Tsuen Wan and Yuen Long Districts. The FEHD inspected a total of 64 private buildings and housing estates in these districts and issued 182 nuisance notices to owners or occupiers of premises with dripping air conditioners that caused environmental hygiene nuisances, requiring them to abate the nuisances within a specified period. During the operations, FEHD staff also distributed promotional leaflets to occupiers of 139 flats and reminded them to take proactive measures to prevent air conditioners from dripping.

The spokesman said, "Operation 'CLEARSKY' adopts a new enforcement mode. Rather than handling problems at individual flats, the FEHD identified buildings in districts with frequent dripping air conditioners according to past experience and records. Enhanced inspections are carried out proactively to the target buildings, and enforcement actions are taken on a number of flats with water dripping in the same building simultaneously. These efforts

aim to enhance the effectiveness and mitigate the nuisance caused to the public."

The operation is planned before the onset of summer. The FEHD first conducted a territory-wide publicity and education work from April 26 to May 2. This included distributing promotional leaflets with property management agents and local community members, as well as displaying posters and banners to remind the public to properly address the issue of dripping air conditioners and not to cause nuisance to others. Enforcement actions were then launched on May 3.

The spokesman said, "The FEHD will later assess the effectiveness of the pilot enforcement operation, and consider extending the operation to other suitable districts and buildings with more serious dripping problems."

In accordance with the Public Health and Municipal Services Ordinance (Cap. 132), if a person allows his air conditioner to discharge water in such a manner as to be a hygiene nuisance to others, the FEHD may issue a Nuisance Notice to require him to abate the nuisance within a specified period. A person who fails to comply shall be guilty of an offence and may be prosecuted. Upon conviction, offenders are liable to a maximum penalty of a fine of \$10,000, as well as a daily fine of \$200 as long as the nuisance continues.

The spokesman calls on members of the public to check their air conditioners regularly. If water dripping is detected, they should expeditiously repair them and not cause nuisance to others, or affect public health and environmental hygiene. For more information, please refer to the leaflet on the FEHD website (www.fehd.gov.hk/english/pleasant_environment/library/aircon/CheckMaintainAC.pdf).





10 persons arrested during anti-illegal worker operation

The Immigration Department (ImmD) mounted a territory-wide anti-illegal worker operation codenamed "Swordfish" today (May 20). A total of seven suspected illegal workers and three suspected employers were arrested.

During the operation, ImmD investigators raided over 10 target locations including restaurants, a retail store, grocery shops and industrial buildings. The suspected illegal workers comprised one man and six women, aged 24 to 49. Among them, three persons were foreign domestic helpers, three persons were overstayers and one person was a holder of recognisance form, which prohibits him from taking up employment. Meanwhile, three men, aged 37 to 58, were suspected of employing the suspected illegal workers. ImmD investigators found the suspected illegal workers on the target locations performing different jobs, including dishwashing work, food processing and delivery.

"A helper should only perform domestic duties for the employer specified in the contract. The helper should not take up any other employment, including part-time domestic duties, with any other person. The employer should not require or allow the helper to carry out any work for any other person." an ImmD spokesman said.

The spokesman also said, "Any person who contravenes a condition of stay in force in respect of him/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."

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.

CFS finds malachite green in small snakehead and snakehead fish samples

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (May 20) announced that malachite green was found in a small snakehead fish sample and a snakehead fish sample. The CFS is following up on the incidents.

A CFS spokesman said, "The CFS collected the above-mentioned small snakehead sample and snakehead sample from a stall at the Cheung Sha Wan Wholesale Food Market for testing under its routine Food Surveillance Programme. The test results showed that both samples contained malachite green at levels of 3.2 parts per billion (ppb) and 2.3 ppb respectively."

The spokesman said that the CFS has informed the vendor concerned of the irregularities and instructed the vendor to stop sales of the affected products. The CFS is also tracing the sources and distribution of the products concerned.

Malachite green is a type of industrial dye and has been used for treating infections in fish. Currently, malachite green has been prohibited for use in food-producing animals in many countries. According to the Harmful Substances in Food Regulations (Cap. 132AF), no food sold in Hong Kong is allowed to contain malachite green. Offenders will be prosecuted and liable to a fine of \$50,000 and to imprisonment for six months upon conviction.

The CFS will continue to follow up on the incidents and take appropriate action. Investigations are ongoing.