

Three core members of syndicate arranging cross-boundary bogus marriages jailed for conspiracy to defraud

The Immigration Department (ImmD) smashed a syndicate arranging cross-boundary bogus marriages in a series of territory-wide operations codenamed "Flashspear" conducted since May 2016. A total of 86 Hong Kong and Mainland residents were arrested, including three core syndicate members who were Hong Kong permanent residents. The three core syndicate members, comprising two men and a woman, aged 24 to 63, were earlier convicted of the offences of conspiracy to defraud, and were jailed for 30 to 42 months at the District Court today (September 7).

An ImmD spokesman said that the department has been very concerned about non-Hong Kong residents obtaining residency by means of contracting bogus marriages with Hong Kong residents. After months of intelligence analysis and in-depth investigation, a syndicate was identified to have recruited young people to contract bogus marriages via social media websites and social networking mobile applications. The three core syndicate members were suspected of arranging for these young people to contract bogus marriages with Mainlanders so as to enable the bogus spouses to apply for "Tanqin" exit endorsements to visit Hong Kong, and eventually apply for a One-way Permit for settlement in Hong Kong. After months of planning, the ImmD mounted a series of operations and smashed this cross-boundary bogus marriage syndicate. In the course of the operations, investigators seized computers, mobile phones, notebooks, phonebooks and account books from the premises of the three core members. The syndicate was believed to have been operating for four years and involved in at least 66 bogus marriages.

"During the investigation, the Immigration Department arrested a total of 86 Hong Kong and Mainland residents (42 men and 44 women) aged 19 to 61. Apart from the three core syndicate members who were sentenced to imprisonment today, 19 arrestees were convicted of the offence of conspiracy to defraud. Of these 19 persons, 10 were sentenced to imprisonment of 11 to 18 months while nine are pending for sentence by court. The operation is ongoing and more prosecutions may be instituted. In addition, the relevant Mainland authorities have been notified about the cases of the Mainlanders," the spokesman said.

"The Immigration Department will continue to spare no effort in combating bogus marriages and other related illicit activities. For people who have obtained their residence in Hong Kong by fraudulent means, their Hong Kong identity card and residence status will be invalidated according to the laws of Hong Kong. They will also be subject to removal back to their place of origin," the spokesman said.

The spokesman urged the public not to defy the law by participating in activities related to bogus marriages anywhere and not to make a false oath before immigration officers for the purpose of procuring a marriage in Hong Kong. Those directing others to contract a bogus marriage may also be guilty of the offence of conspiracy to defraud.

Under the laws of Hong Kong, it is an offence to make false representation to Immigration Officers. Offenders are liable to prosecution and to a maximum fine of \$150,000 and imprisonment for 14 years. Aiders and abettors are also liable to prosecution and the same penalties.

Any person who for the purpose of procuring a marriage, or a certificate or license for marriage, knowingly and wilfully makes a false oath or makes or signs a false declaration shall be guilty of an offence and shall be liable to, upon conviction, imprisonment for seven years and a fine. Anyone who commits the offence of conspiracy to defraud is liable to prosecution and, upon conviction, the maximum penalty is imprisonment for 14 years.