

Illegal worker jailed

A Vietnamese illegal worker holding a recognisance form was jailed by Shatin Magistrates' Courts yesterday (December 2).

During a joint operation conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on July 27, investigators raided a cemetery in Tseung Kwan O. A Vietnamese male, aged 47, was arrested while working as a porter. Upon identity checking, the man produced for inspection a recognisance form issued by the ImmD, which prohibits him from taking employment. Further investigation revealed that he was a non-refoulement claimant.

The illegal worker was charged at Shatin Magistrates' Courts yesterday with taking employment while being a person in respect of whom a removal order or deportation order was in force. After trial, he was sentenced to 22 months and two weeks' imprisonment.

The ImmD spokesman warned that, 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 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 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, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments immediately.

[Tung Chung Swimming Pool temporarily closed](#)

Attention TV/radio announcers:

Please broadcast the following as soon as possible and repeat it at regular intervals:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (November 12) that Tung Chung Swimming Pool in Islands District has been temporarily closed for cleaning and superchlorination following the discovery of a small amount of vomit in the pool.

It will be reopened at 7pm today.

The department appeals to swimmers to be considerate and to keep the swimming pools clean. They are advised not to swim after a full meal and should use the toilet facilities if necessary before swimming.

[CHP investigates five additional](#)

confirmed cases of COVID-19

The Centre for Health Protection (CHP) of the Department of Health (DH) announced that as of 0.00am, October 27, the CHP was investigating five additional confirmed cases of coronavirus disease 2019 (COVID-19), taking the number of cases to 12 336 in Hong Kong so far (comprising 12 335 confirmed cases and one probable case).

The newly reported cases are imported cases. Two of the cases involved mutant strains while the viral load of one case is insufficient for a mutation test, and the mutation test results of the two remaining cases are pending. The patients comprise two males and three females, aged 10 to 77. All of them arrived in Hong Kong from Group A specified places (high-risk). One patient tested positive during quarantine and the remaining four tested positive under the "test-and-hold" arrangement upon arrival at the Temporary Specimen Collection Centre at Hong Kong International Airport.

Among the above-mentioned cases, case 12341 involves a 54-year-old male patient who lives at Graceful Mansion (Block H2), Siena Two, Discovery Bay. He is a cargo flight crew member. He left Hong Kong on October 21 for the United States and returned to Hong Kong on October 25 by flight CX075. His test conducted on October 19 in Hong Kong was negative. His specimen collected upon arrival in the Temporary Specimen Collection Centre at Hong Kong International Airport tested positive for COVID-19. He has been asymptomatic and received two doses of COVID-19 vaccination (Comirnaty) on March 10 and April 8 in Hong Kong. As a prudent measure, the places where he resided and visited in Hong Kong during the incubation period have been included in a compulsory testing notice. Specified persons who were present at the relevant venue at specified periods need to undergo compulsory testing on or before October 28.

A total of 58 cases have been reported in the past 14 days (October 13 to 26) and all of them are imported cases.

Moreover, as a passenger flight (EK384) operated by Emirates from Dubai, the United Arab Emirates, and Bangkok, Thailand, and arriving in Hong Kong on October 25 had three passengers confirmed to have COVID-19 by arrival testing, the DH thus invoked the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H) to prohibit the landing of passenger flights from Dubai and Bangkok operated by Emirates in Hong Kong from October 27 to November 9.

The CHP's epidemiological investigations and relevant contact tracing on the confirmed cases are ongoing. For case details and contact tracing information, please see the Annex or the list of buildings with confirmed cases of COVID-19 in the past 14 days and the latest local situation of COVID-19 available on the website "COVID-19 Thematic Website" (www.coronavirus.gov.hk). The DH has also been closely monitoring the mutant strains of SARS CoV-2 and has uploaded the relevant information on Variants of Concern (VOCs) and Variants of Interest (VOIs), based on whole genome

sequencing results, to the CHP's website (www.chp.gov.hk/en/statistics/data/10/641/100135/6973.html). The data will be updated regularly.

The spokesman for the CHP stressed, "The global situation of COVID-19 infection remains severe and there is a continuous increase in the number of cases involving mutant strains that carry higher transmissibility, and there are also reports of breakthrough infections in some vaccinated individuals. The CHP strongly urges members of the public to avoid all non-essential travel outside Hong Kong, in particular to specified places with high risk under the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H)."

The spokesman reminded, "If travel is unavoidable, the CHP highly recommends the public to be fully vaccinated with COVID-19 vaccines before their departure. They should avoid participating in non-essential mass gatherings or events held outside Hong Kong. They should continue to wear a surgical mask and maintain strict personal and environmental hygiene at all times. Parents are also urged to avoid taking unvaccinated children travelling."

The Government has launched the COVID-19 Vaccination Programme. Members of the public are encouraged to get vaccinated. Details of the programme can be found at the designated website (www.covidvaccine.gov.hk). Generally speaking, COVID-19 vaccination can prevent COVID-19 infection, and if infected, reduce the risk of severe disease and death from COVID-19.

The CHP called on members of the public to pay attention to their health condition, seek medical advice early and undergo COVID-19 nucleic acid testing as soon as possible if respiratory symptoms develop. They should also maintain strict personal and environmental hygiene at all times to protect themselves against infection and prevent the spread of the disease in the community. For more related health advice, please refer to the website www.coronavirus.gov.hk/eng/health-advice.html.

HAD to open temporary shelters

Attention duty announcers, radio and TV stations:

Please broadcast the following as soon as possible and repeat it at suitable intervals:

As the Tropical Cyclone Warning Signal No. 8 is issued, the Home Affairs Department will open temporary shelters for people in need of temporary accommodation.

For details, please contact the emergency hotline on 2572 8427.

Announcement by Office of the Communications Authority

Attention TV and radio duty announcers:

Please broadcast the following appeal from the Office of the Communications Authority immediately and repeat it at suitable intervals:

In view of the inclement weather, members of the public may be eager to contact relatives and friends by phone or through social media or instant messaging via broadband services. This can cause serious congestion in the telecommunications networks. If your phone calls cannot get through instantly, or if you experience very slow broadband services, please try again later to avoid placing a further burden on the networks. Please stay alert to TV and radio broadcasts for the latest news and information about weather conditions.