

Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents

Immigration Department
The Government of the
Hong Kong Special Administrative Region



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I. Introduction

This guidebook sets out the entry arrangements for persons who wish to enter the Hong Kong Special Administrative Region (hereafter “HKSAR”) for employment under the “Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents” (hereafter “the Scheme”)¹.

II. Eligibility Criteria

2. Persons who are the second generation of emigrated Chinese Hong Kong permanent residents from overseas may apply to return to work in the HKSAR under the Scheme.

3. Applicants under the Scheme will have to meet, apart from normal immigration requirements (see details in paragraph 18 below), the following criteria -

- (a) aged between 18 and 40 at the time of application;
- (b) born overseas (i.e. not in the Mainland, the HKSAR, the Macao Special Administrative Region (hereafter “SAR”) or Taiwan);
- (c) have at least one parent who is the holder of a valid Hong Kong Permanent Identity Card at the time of application and was a Chinese national² who had settled overseas at the time of the applicant’s birth;
- (d) have a good education background, normally a first degree, but in special circumstances, good technical qualifications, proven professional abilities and/or relevant experience and achievements supported by documentary evidence may also be accepted³;
- (e) proficient in written and spoken Chinese (Putonghua or Cantonese) or English; and

¹ This Scheme is not applicable to applicants who are nationals of Afghanistan, Cuba and Korea (Democratic People’s Republic of).

² “Chinese national” means a person of Chinese nationality under the Nationality Law of the People’s Republic of China, as implemented in the HKSAR pursuant to Article 18 of and Annex III to the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China and interpreted in accordance with the Explanations of Some Questions by the Standing Committee of the National People’s Congress Concerning the Implementation of the Nationality Law of the People’s Republic of China in the Hong Kong Special Administrative Region adopted at the 19th meeting of the Standing Committee of the National People’s Congress at the 8th National People’s Congress on 15 May 1996.

³ The academic level of claimed non-local academic qualifications shall be equivalent to the locally recognised standard of Bachelor’s, Master’s or Doctoral degrees. The Immigration Department may require applicant to have his / her claimed overseas academic qualifications assessed by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications at the applicant’s own expense, if necessary.

- (f) have sufficient financial means and are able to meet the living expenses for his/her (including his/her dependants, if any) maintenance and accommodation in the HKSAR without recourse to public funds.

4. If applicants are persons who are permitted to remain in the HKSAR under any of the talent admission schemes (whether as principal or dependant applicants) at the time of or within six months prior to submission of application, they are required to meet the eligibility criteria for both entry application (paragraph 3) and extension of stay application (paragraphs 11-14) (including having secured an offer of employment, or having established or joined in business in the HKSAR) under this Scheme. Information on the supporting documents required is detailed at Part IX(A) & (C) of this Guidebook.

5. Successful applicant under the Scheme will normally be granted an initial stay of 24 months on time limitation only without other conditions of stay. Such initial stay does not apply to persons as mentioned in paragraph 4 above (whether as principal or dependant applicants).

III. Application Procedures

Submission of Application

6. Applicants and the accompanying dependants can submit their applications and upload all supporting documents online with the relevant application fee paid via the designated GovHK website: www.gov.hk/en/residents/immigration/nonpermanent/secondgenerati onhkpr. **The application fee paid is non-refundable in any circumstance irrespective of the application result.** For individual dependant who wishes to join the applicant later and submit the application separately, please refer to the website of the Immigration Department (hereafter “ImmD”) at www.immd.gov.hk/eng/services/visas/residence_as_dependant.html. For a dependant under the age of 16, the application form must be signed by his/her parent or legal guardian.



Online Application
under the Scheme

Supporting Documents

7. Please refer to the checklist at **Part IX**.

IV. Travel Documentation Requirement

8. A visa/entry permit (in the form of “e-Visa”) will be issued upon successful application and payment of fees.

9. Upon immigration arrival clearance in the HKSAR, an “e-Visa” holder should present his/her valid travel document and the “e-Visa” saved on a personal

mobile device or printed on a sheet of A4 white paper, and scan the encrypted QR code on the “e-Visa” with the optical reader at an immigration counter.

V. Conditions of Stay

10. Applicants admitted under the Scheme will remain in the HKSAR on time limitation only without other conditions of stay. They are free to take up or change employment or to establish or join in business in the HKSAR during their permitted stay without the need to seek prior approval from the Director of Immigration.

VI. Extension of Stay

11. Persons admitted under the Scheme will normally be granted an initial stay of 24 months on time limitation only without other conditions of stay. They may apply for extension of stay in the HKSAR with the relevant application fee paid within three months before the expiry of their limit of stay. **The application fee paid is non-refundable in any circumstance irrespective of the application result.** While applicants are not required to have secured an offer of employment in the HKSAR upon application for entry under the Scheme, when applying for extension of stay, applicants are required to have secured an offer of employment (which is at a level commonly taken up by degree holders and the remuneration package of which is at market level). For those who have established or joined in business in the HKSAR, they are required to produce proof of their business. Successful applicants for extension of stay will normally be permitted to remain on time limitation only on the 3-3 year extension pattern without other conditions of stay.

12. Unless approved by the Director of Immigration under exceptional circumstances, persons subject to a limit of stay must depart Hong Kong before the expiry of their limit of stay, even if they have applied to the Director of Immigration for an extension of stay and the application is under processing. Breach of condition of stay (including overstaying) is a serious criminal offence. Offenders may be liable to prosecution and removal from Hong Kong.

13. Applicants should submit an application for extension of stay as early as possible within three months before their limit of stay expires, and in all circumstances, at least six weeks before their limit of stay expires. It normally takes about two to three weeks to finish processing an application upon receipt of all the required documents and the relevant application fee. The actual processing time is subject to the specific circumstances of individual applications and the number of applications received at the time. Please note that not all applications for extension of stay will necessarily be approved. Unless approved by the Director of Immigration under exceptional circumstances, applicants for an extension of stay must still depart Hong Kong before the expiry of their limit of stay while awaiting the application result.

14. Persons admitted under the Scheme who meet the criteria stipulated in the paragraph above, and fulfill the following criteria at the time of application for extension of stay may apply for assessment under the top-tier employment stream:

- (a) the applicant has been permitted to remain in the HKSAR under the Scheme for not less than two years; and
- (b) the applicant has an assessable income for salaries tax of not less than HK\$2 million in the previous year of assessment⁴.

Successful applicants will normally be granted an extension of stay on time limitation only without other conditions of stay for a period of six years.

VII. Entry of Dependants

15. Persons admitted or seeking admission under the Scheme may apply, under their sponsorship, to bring their spouse or the other party to a same-sex civil partnership, same-sex civil union, “same-sex marriage”, opposite-sex civil partnership or opposite-sex civil union entered into by him/her in accordance with the local law in force of the place of celebration and with such status being legally and officially recognised by the local authorities of the place of celebration⁵ and unmarried dependent children under the age of 18 to the HKSAR under the prevailing dependant policy. An application for admission of a dependant under the Scheme may be favourably considered if normal immigration requirements (see details in paragraph 18 below) and the following criteria are met:

- (a) there is reasonable proof of a genuine relationship between the dependant and the sponsor;
- (b) there is no known record to the detriment of the dependant; and
- (c) the sponsor is able to support the dependant’s living at a standard well above the subsistence level and provide him/her with suitable accommodation in the HKSAR.

⁴ Applicant should provide documentary proof of having an assessable income for salaries tax of not less than HK\$2 million in the previous year of assessment, e.g. notice of salaries tax assessment of the previous assessment year issued by the Inland Revenue Department or relevant tax documents.

⁵ For the avoidance of doubt, the terms “civil partnership” and “civil union” above mean a legal institution of a nature which is akin to spousal relationship in a marriage. The same-sex civil partnership, same-sex civil union, “same-sex marriage”, opposite-sex civil partnership and opposite-sex civil union entered into in accordance with laws outside Hong Kong are limited to only relationships which are legally and officially recognised in the places of celebration. Such relationships normally have the following features: (a) the entering into and dissolution of the relationship are governed by legislation of the place where it is entered into; (b) the relationship requires registration by the competent authority specified by the legislation of the place where it is entered into; (c) the registration is evidenced in a written instrument issued by the competent authority; and (d) parties to the relationship have a mutual commitment to a shared life akin to spouses to the exclusion of others on a permanent basis. Such relationships do not include de facto spouse, partners in cohabitation, fiancé/fiancée, etc.

16. This entry arrangement for dependant does not apply to:
- (a) former Mainland Chinese residents residing in the Macao SAR who have acquired residence in the Macao SAR through channels other than the One-way Permit Arrangements; and
 - (b) nationals of Afghanistan and Korea (Democratic People's Republic of).

17. The length of stay of such dependants will normally be linked to that of their sponsors. Any subsequent applications for extension of stay of such dependants will be considered only if the dependants continue to meet the eligibility criteria for entry for residence as dependants (including that there is no change in circumstances which would have otherwise resulted in loss of sponsorship for the applicant, e.g. change in marriage relationship between the dependent spouse and the sponsor, or death of sponsor) and the sponsor remains a bona fide Hong Kong resident living in the HKSAR. For a dependant under the age of 16, the application form must be signed by his/her parent or legal guardian. These dependants are not prohibited from taking up employment or studies in the HKSAR under the existing policy.

VIII. Other Information

18. In general, unless a person has the right of abode or right to land in the HKSAR, he/she requires a visa/entry permit to enter and work in the HKSAR. While each application is determined on its individual merits, an applicant should meet normal immigration requirements (such as holding a valid travel document with adequate returnability to his/her country of residence or citizenship; be of clear criminal record and raise no security or criminal concerns to the HKSAR; have no likelihood of becoming a burden on the HKSAR, etc.) as well as the relevant specific eligibility criteria detailed above before he/she may be considered for the grant of a visa/entry permit and subsequent extension of stay. It should be noted that the eligibility criteria may be subject to change from time to time without notice. Please check the ImmD's website at www.immd.gov.hk for up-to-date information.

Re-entry into the HKSAR

19. Non-permanent residents of the HKSAR, irrespective of their nationality and type of travel document held, do not require a re-entry visa/entry permit to enter the HKSAR provided that they return within the validity of their permitted limit of stay and that the circumstances upon which they have acquired their residential status remain unchanged.

Right of Abode

20. Persons admitted under this Scheme who have ordinarily resided in the HKSAR for a continuous period of not less than seven years may apply for the right of abode in the HKSAR in accordance with the law.

Payment of Fees

21. For the purpose of Schedule 2 of the Immigration Regulations (Cap.115A), the Scheme is a “specified scheme”. For entry visa/permit applications or change of condition of stay (including extension of limit of stay) applications made under a “specified scheme”, the principal applicant and each of his/her dependant(s) (if any) are required to pay a non-refundable application fee and the corresponding visa issuance fee. For more details on the fee structure, please visit the ImmD’s website at www.immd.gov.hk/eng/specifiedschemes.html.

22. Upon approval of the applications, the notification of the application result issued by the ImmD will include a webpage link for payment of the visa issuance fee. Payment of relevant fees could be made through the said webpage link or the GovHK website or the ImmD Mobile Application by credit card (VISA, Mastercard, UnionPay and JCB only), Payment by Phone Service (PPS), Faster Payment System (FPS) or Mainland e-Wallets (Alipay, WeChat Pay and UnionPay App only). After payment, applicants could instantly download or print the “e-Visa” by themselves.

Processing of Application

23. The ImmD will not be able to start processing the application unless all the required documents and the relevant application fee are received. As it will take time to process applications, applicants may regard their applications as being under process unless they have received a notification of application result from the ImmD.

24. All applications are processed and determined by the ImmD. Approval of applications is entirely discretionary and is subject to changes in government policies. The Director of Immigration reserves absolute discretion to refuse any application even if the application meets all eligibility criteria.

Warning

25. It is an offence to make false statements or representations to an immigration officer. A person who knowingly and wilfully makes a statement or gives information which he/she knows to be false or does not believe to be true shall be guilty of an offence under the Laws of Hong Kong and any such visa/entry permit issued or permission to enter or remain in the HKSAR granted shall have no effect.

Disclaimer

26. The information in this guidebook serves as reference only. The ImmD of the HKSAR is not responsible for any loss or damage whatsoever arising out of or in connection with any information in this guidebook. The ImmD reserves the right to omit, suspend or edit any information in this guidebook at any time in

its absolute discretion without giving any reason or prior notice. The ImmD further reserves the right to change the eligibility criteria and details of the arrangements set out above from time to time without prior notice.

Enquiries

27. For more information about the entry arrangements under the Scheme, please contact the ImmD by enquiry hotline at (852) 2824 6111, by fax at (852) 2877 7711, by email to enquiry@immd.gov.hk, or visit the ImmD's website at www.immd.gov.hk.

IX. Checklist of Documents to be Uploaded during Online Application

(A) Documents to be Uploaded by the Applicant for Entry Application

The applicant's recent photograph
The applicant's valid travel document containing personal particulars, date of issue, date of expiry and/or details of any re-entry visa held (if applicable)
The applicant's Hong Kong identity card (if any)
Evidence of the applicant's relationship with his/her Chinese Hong Kong permanent resident parent(s) e.g. applicant's birth certificate
Valid Hong Kong Permanent Identity Card of applicant's parent(s)
Proof of academic qualifications and relevant work experience
The applicant's financial standing e.g. bank statements, savings accounts passbooks, tax receipts and salary slips

(B) Documents to be Uploaded by Each Accompanying Dependant of an Applicant for Entry under the Scheme

The dependant's recent photograph
The dependant's valid travel document containing personal particulars, date of issue, date of expiry and/or details of any re-entry visa held (if applicable)
Evidence of the dependant's relationship with the applicant, e.g. marriage certificate, birth certificate and census record book
The dependant's Visit Permit for Residents of Macao SAR to Hong Kong SAR and Macao identity card <i>[for Macao SAR residents only]</i>
The dependant's household registration transcript in Taiwan and Taiwan identity card <i>[for Taiwan residents only]</i>

(C) *Forms and Documents to be Uploaded by the Applicant for Extension of Stay Application*

Forms/Documents Required	First-time extension	Subsequent extension
The applicant's valid travel document and, where applicable, his/her previous travel document page showing the latest visa/entry permit label/arrival stamp/landing slip/extension of stay label/"e-Visa" (if applicable) in the HKSAR	✓	✓
The applicant's Hong Kong identity card	✓	✓
Completed form ID 990B and supporting documents listed in Part VII(B) of the "Guidebook for Entry for Employment as Professionals in Hong Kong" [ID(E) 991]&	✓	✓ [^]
Documentary proof of the applicant having an assessable income for salaries tax of not less than HK\$2 million in the previous year of tax assessment, e.g. notice of salaries tax assessment of the previous tax assessment year issued by the Inland Revenue Department or relevant tax documents*	✓	✓

& Temporary application reference will be provided to the applicant after application submitted on the online system. The employing company will use this temporary reference and applicant's date of birth to retrieve the application on the online system to continue to fill out the online form and upload supporting documents to complete the rest of the application.

[^] Applicants without change of employment are only required to provide a supporting letter from the current employer stating the applicant's position, total monthly remuneration and period of employment.

* For extension of stay applications under the top-tier employment stream.

Important Notice:

1. Notwithstanding that the documents and information required have been furnished, applicants and accompanying dependant(s) may still be required to submit further supporting documents (including original documents) and information in connection with the application(s) when necessary.
2. Where a document is not in Chinese or English, it must be accompanied by a Chinese or English translation certified as a true translation by a sworn translator, court translator, authorised public translator, certified translator, expert translator or official translator.

