

# **IMMIGRATION GUIDELINES FOR ENTRY TO THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA**

## **INTRODUCTION**

This information leaflet prepared by the Immigration Department of the Hong Kong Special Administrative Region Government (hereafter "HKSARG") sets out the entry visa/permit requirements for persons wishing to enter the Hong Kong Special Administrative Region (hereafter "HKSAR") of the People's Republic of China. The information in this leaflet serves as reference only. The HKSAR immigration authorities have the right to refuse any application(s) even where the immigration requirements are met.

2. In general, unless a person has the right of abode or right to land in the HKSAR, he/she requires an entry visa/permit to work, study, establish or join in any business, take up residence or to stay in the HKSAR as a visitor longer than the allowed visa free period. 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 Hong Kong; etc.) as well as the relevant specific eligibility criteria detailed below before he/she may be considered for the grant of an entry visa/permit. It should be noted that the eligibility criteria may be subject to change from time to time.

## **VISIT or TRANSIT**

3. An application for an entry visa/permit to enter Hong Kong for a visit (leisure, social or business) or transit may be favourably considered if:

- (a) the applicant's bona fides are not in doubt;
- (b) the applicant has adequate funds to cover the duration of his/her stay without working; and
- (c) where the application is for a transit visa/permit, he/she holds an onward ticket to the place of his/her destination unless the destination is the Mainland of China or the Macao SAR.

## **GENERAL EMPLOYMENT POLICY - EMPLOYMENT AS PROFESSIONALS or ENTRY FOR INVESTMENT**

(Not applicable to persons admitted into Hong Kong for employment under the Immigration Arrangements for Non-local Graduates, Admission Scheme for Mainland Talents and Professionals, Supplementary Labour Scheme or as Foreign Domestic Helpers.)

4. An application for an entry visa/permit to enter Hong Kong for employment or investment may be favourably considered if:

- (a) there is no security objection and no known record of serious crime in respect of the applicant; and

- (b) the applicant has a good education background, normally a first degree in the relevant field, but in special circumstances, good technical qualifications, proven professional abilities and/or relevant experience and achievements supported by documentary evidence may also be adopted; and
- (c) the applicant has a confirmed offer of employment and is employed in a job relevant to his/her academic qualifications or working experience that cannot be readily taken up by the local work force; and
- (d) the remuneration package including income, accommodation, medical and other fringe benefits is broadly commensurate with the prevailing market level for professionals in Hong Kong; or
- (e) the applicant is in a position to make substantial contribution to the economy of Hong Kong.

5. Criteria to be considered include:

- (a) whether there is a genuine vacancy for an employee in Hong Kong;
- (b) what skills, knowledge and experience are needed for the job;
- (c) whether the terms and conditions of employment are comparable to those in the local market;
- (d) whether the applicant is suitably qualified and experienced relevant to the job; and
- (e) whether the job can be filled locally.

6. These entry arrangements do not apply to:

- (a) Chinese residents of the Mainland; and
- (b) nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

7. Overseas Chinese nationals holding PRC passports may apply to enter Hong Kong for employment under the above arrangement if:

- (a) the application is submitted from overseas;
- (b) the applicant has been residing overseas for at least one year immediately before the submission of application ("overseas" means countries or territories outside the Mainland, the Macao SAR and the HKSAR);
- (c) the applicant satisfies the criteria stipulated in paragraphs 4–5 and normal immigration requirements are met.

8. Persons admitted under this arrangement may bring in their spouses and unmarried dependent children under the age of 18. Please see paragraphs 45–50 below.

## **IMMIGRATION ARRANGEMENTS FOR NON-LOCAL GRADUATES**

9. Persons from outside the HKSAR who have obtained a degree or higher qualification in a full-time and locally-accredited programme in Hong Kong (hereafter "non-local graduates") may apply to stay/return and work in Hong Kong under the Immigration Arrangements for Non-local Graduates (hereafter "IANG").

10. Non-local graduates who submit applications to the Immigration Department within six months after the date of their graduation (i.e. the date shown on their graduation certificates) are classified as non-local fresh graduates. Non-local fresh graduates who wish to apply to stay and work in the HKSAR are not required to secure an offer of employment upon application. They may be granted 12 months' stay on time limitation without any other conditions of stay provided that normal immigration requirements are met.

11. Non-local graduates who submit applications after six months of the date of their graduation are classified as returning non-local graduates. Returning non-local graduates who wish to return to work in the HKSAR are required to secure an offer of employment upon application. Their applications will be favourably considered so long as the job is at a level commonly taken up by degree holders and the remuneration package is set at market level. They may be granted 12 months' stay on time limitation without any other conditions of stay provided that normal immigration requirements are met.

12. Persons admitted under the IANG are free to take up and change employment during their permitted stay in Hong Kong without the need to seek prior approval from the Director of Immigration.

13. This entry arrangement does not apply to nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

14. Persons admitted under the IANG may bring in their spouses and unmarried dependent children under the age of 18. Please see paragraphs 45–50 below.

## **EMPLOYMENT UNDER THE ADMISSION SCHEME FOR MAINLAND TALENTS AND PROFESSIONALS**

15. An application for an entry permit to enter Hong Kong for employment under the Admission Scheme for Mainland Talents and Professionals may be considered if:

- (a) there is no security objection and no known record of serious crime in respect of the applicant;
- (b) the applicant has a good education background, normally a first degree in the relevant field, but in special circumstances, good technical qualifications, proven professional abilities and/or relevant experience and achievements supported by documentary evidence may also be adopted;
- (c) there is a genuine job vacancy;
- (d) the applicant has a confirmed offer of employment and is employed in a job relevant to his academic qualifications or working experience that cannot be readily taken up by the local work force; and
- (e) the remuneration package including income, accommodation, medical and other fringe benefits is broadly commensurate with the prevailing market level for professionals in the HKSAR.

16. The Scheme has no sectoral restriction or quota being imposed. Apart from professionals in the commercial and financial fields, the Scheme is also applicable to talent and professionals in the arts, culture and sport sectors as well as those in the culinary profession with a view to enhancing Hong Kong's status as an Asian world city.

17. A Mainland resident who is currently working or studying in Hong Kong is required to return to the Mainland first to obtain a proper Exit-entry Permit for Travelling to and from Hong Kong and Macao (EEP) and a relevant exit endorsement before coming to Hong Kong for employment under the Scheme if his/her application is approved.

18. A person admitted under this Scheme for employment in Hong Kong may bring in his/her spouse and unmarried dependent children under the age of 18. Please see paragraphs 45-50 below.

19. Mainland residents visiting Hong Kong may not request for prolonging their limit of stay on grounds of having submitted applications under the Scheme.

## **EMPLOYMENT AS IMPORTED WORKERS**

20. Importation of labour to Hong Kong is operated under the Supplementary Labour Scheme (hereafter “SLS”) which allows employers with genuine difficulties in finding suitable employees locally to import workers from outside Hong Kong.

21. Workers imported under the SLS (hereafter “imported workers”) are restricted to those at the technician, craftsman, supervisor and experienced operative levels. Certain categories of jobs are excluded because of a plentiful supply in the local labour market. These jobs (the list is subject to change) include:

Sales Representative	Presser
Sales Assistant	Hair Stylist
Waiter/Waitress	Warehouse Keeper
Receptionist	Cutter
Cashier	Cutting Room Operative
Junior Cook	Inspection Operative
Food Processing Worker	Delivery Worker
Clerical Worker	Driver
Teller	Demolition Worker
Computer/Key Punch Operator	Mason
Telephone Operator	Spray Paint Worker
Linen Attendant	Drain Layer
Washer	Lcakage Worker

22. Employers intending to import workers under the SLS need to apply at the Application Office of the Labour Department, the HKSAR for approval-in-principle in the first place. Subject to the grant of approval-in-principle, an employer shall arrange for his/her prospective workers to submit an entry visa/permit application within three months from the date of the approval-in-principle. The approval-in-principle will automatically lapse if the entry visa/permit application is not submitted on time.

23. The criteria to be considered for employment entry visa/permit of the imported workers include:

- (a) whether the applicant is suitably qualified and experienced for the job in question;
- (b) whether the terms and conditions of employment are comparable to those in the local market;
- (c) whether the applicant will remain under the direct employment of the employer for a specific job or be contracted out to other companies or sub-contractors;

- (d) whether there is adverse record to the detriment of the applicant and the employer; and
- (e) whether the employer is financially capable of employing the applicant, providing him/her with suitable accommodation and of guaranteeing his/her maintenance and repatriation upon termination of his/her contract.

24. This entry arrangement does not apply to nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

25. Imported workers are not allowed to bring in their dependants.

### **EMPLOYMENT AS FOREIGN DOMESTIC HELPERS**

26. An application for an entry visa to enter Hong Kong for employment as a foreign domestic helper (hereafter "FDH") may be favourably considered if:

- (a) the bona fides of the applicant and the employer are not in doubt;
- (b) there is no known record to the detriment of the applicant and the employer;
- (c) the applicant has more than 2 years working experience as a domestic helper;
- (d) the employer is a bona fide resident in Hong Kong;
- (e) the employer is financially capable of employing the helper, providing him/her with suitable accommodation and of guaranteeing his/her maintenance and repatriation upon termination of his/her contract;
- (f) the salary offered is not below the minimum allowable wage in force at time of application;
- (g) the applicant and the employer enter into a standard employment contract which should have been notarised by the appropriate consulate in the HKSAR if so required by the relevant consulate; and
- (h) the applicant has been medically examined as to his/her fitness for employment as a domestic helper in Hong Kong.

27. FDHs are not permitted to take up any driving duties if they are allowed to enter or remain under the new standard employment contract which prohibits motor driving duties. However, individual employers who have a genuine need for their FDHs to perform driving duties incidental to and arising from domestic duties may apply for exceptional permission. All such applications are considered on their individual merits. Permission may be given if:

- (a) full justification of the need for and the specific details of driving service to be provided by his/her FDH incidental to and arising from any of the five broad categories of domestic duties is provided, namely household chores; cooking; looking after aged persons in the household; baby-sitting; and child-minding;
- (b) the ownership, description and registration number of the vehicle to be driven by his/her FDH are clearly stated and the vehicle concerned should be either a family saloon car or a mini-van of no more than eight seats;
- (c) where the vehicle is registered in the name of a company, a certificate from the company to the effect that the vehicle is provided for the personal and family use of the persons concerned;
- (d) the FDH must be a live-in helper; and

- (e) the FDH possesses a valid Hong Kong driving licence (an international driving licence and a temporary driving licence are not acceptable).

28. This entry arrangement does not apply to:

- (a) Chinese residents of the Mainland, Macao and Taiwan; and
- (b) nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

29. FDHs are not allowed to bring in their dependants.

## **TRAINING**

30. An application for an entry visa/permit to enter Hong Kong for a limited period (not more than 12 months) of training to acquire special skills and knowledge not available in the applicant's country/territory of domicile may be favourably considered if:

- (a) the bona fides of the applicant and the sponsoring company are satisfied;
- (b) there is a contract signed between the sponsoring company and the applicant;
- (c) the sponsoring company guarantees in writing the maintenance and repatriation of the applicant and that the applicant will receive training in the sponsor's premises until the end of the agreed period, after which the applicant will return to his/her place of residence;
- (d) the sponsoring company is a well-established company, capable of providing the proposed training;
- (e) the proposed duration and content of the training programme can be justified; and
- (f) there is no security objection and no known record of serious crime in respect of the applicant.

31. This entry arrangement does not apply to:

- (a) Chinese residents of the Mainland (other than Mainland employees and business associates of well-established and multinational companies based in Hong Kong); and
- (b) nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

32. Persons admitted under this arrangement may bring in their spouses and unmarried dependent children under the age of 18. Please see paragraphs 45–50 below.

## **WORKING HOLIDAY SCHEME**

33. At present the Working Holiday Scheme has three participating countries i.e. Australia, Ireland and New Zealand. The annual quota for Australia is 1000, while it is 100 and 200 for Ireland and New Zealand respectively. An application for working holiday visa from a national of the participating country will be favourably considered if the following criteria are met:

- (a) the applicant holds a valid national passport issued by the participating country and is ordinarily residing in that participating country;
- (b) the applicant's primary intention is to holiday in Hong Kong;
- (c) the applicant is aged between 18 and 30;
- (d) the applicant is able to produce financial proof of having an amount sufficient for his/her maintenance during the proposed stay in the HKSAR, e.g. bank statement, saving accounts passbook, etc.;
- (e) the applicant holds a return air ticket or financial proof of having sufficient funds to purchase a return air fare; and
- (f) the applicant agrees to hold medical and comprehensive hospitalisation and liability insurance to remain in force throughout his/her stay in the HKSAR (only applies to participants from Ireland and New Zealand).

34. The holder of a working holiday visa will be allowed to enter the HKSAR for a period of not more than 12 months and subject to normal immigration requirements being met. Applications for extension of stay will normally not be considered.

35. Participants of the Scheme are not permitted to engage in permanent employment and should not work for the same employer for more than three months during their stay in Hong Kong. Participants from Australia and New Zealand may enrol in study or training course(s) of not more than three months during their stay.

36. Participants will not be eligible to come to Hong Kong for any further working holiday under the same Scheme. Applications for entry as dependants of the participants of this Scheme will not be considered.

## EDUCATION

37. An application for an entry visa/permit to enter Hong Kong for education may be favourably considered if:

- (a) the applicant is admitted to a private school registered under the Education Ordinance Cap. 279 and Post Secondary Colleges Ordinance Cap. 320 (entry for study in public or aided schools is not permitted except for tertiary education);
- (b) the applicant is:
  - (i) between the age of 5 years and 8 months – 11 for primary education; and
  - (ii) below 20 for secondary school education;
- (c) the applicant holds a school acceptance letter to confirm that he/she has been accepted for a course of study.

38. This entry arrangement does not apply to:

- (a) Chinese residents of the Mainland and Taiwan;
- (b) former Mainland Chinese residents settled in Macao who were not settled there by 14 January 1979; and
- (c) nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

39. However, Mainland residents, Macao residents and Chinese residents of Taiwan may apply for entry to take up:

- (a) full-time studies in locally-accredited post-secondary programmes<sup>1</sup>; or
- (b) full-time exchange study programme for not more than one year at degree or above level; or
- (c) short-term studies, subject to the following conditions:
  - (i) the programme concerned is offered by Hong Kong higher education institutions with degree-awarding powers<sup>2</sup> (excluding their continuing and professional education arms); and
  - (ii) the cumulative duration of short-term studies taken up by any student should not exceed 180 days within any 12-month period.

In addition:

- (a) students other than from the Mainland may apply to take up part-time studies in locally-accredited taught post-graduate programmes;
- (b) Mainland students may apply to take up part-time studies in locally-accredited taught post-graduate programmes run by the University Grants Committee-Funded Institutions; and
- (c) Mainland students may also apply to attend secondary school level short-term exchange programmes approved by the Education Bureau up to a maximum period of not more than 2 weeks, if accompanied by Mainland teachers.

40. A student applicant is required to name a local sponsor who agrees to sign an undertaking to support and provide accommodation to the student. In addition, the sponsor is held responsible for the repatriation of the student where necessary. In processing student applications, the sponsor is required to produce proofs of financial standing and accommodation for this purpose.

41. If the student applicant is under the age of 18, one of the student applicant's parents should authorise the sponsor or his relative/friend to be the guardian of the applicant. A consent letter duly signed by both the guardian and one of the applicant's parents should be produced.

42. Persons admitted for studying in full-time undergraduate or post-graduate programmes in local degree-awarding institutions may bring in their spouses and unmarried dependent children under the age of 18. Please see paragraphs 45–50 below.

43. If the educational institution or student for any reasons terminates the studies before the completion of such study course, the educational institution should notify the Director of Immigration in writing of the date of termination of study within 7 days following the termination. The educational institution should also provide the Director of Immigration with copies of "Notification of Termination of Studies" (Form ID 977).

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<sup>1</sup> The agreement between the Mainland and Hong Kong on mutual recognition of degree awards in higher education is not applicable to sub-degree qualifications (i.e. associate degree, professional diploma and advanced diploma programmes). Mainland students may come to attend sub-degree level study programmes in Hong Kong since there is no restriction in the Mainland prohibiting them to pursue further studies at educational institutions outside the Mainland on a personal basis.

<sup>2</sup> They comprise the eight University Grants Committee-funded institutions, the Open University of Hong Kong, Hong Kong Shue Yan University, Chu Hai College of Higher Education and Hong Kong Academy for Performing Arts.

44. The restriction in respect of internship and part-time employment for non-local students has been relaxed from the 2008/09 academic year onwards. Non-local students of full-time locally-accredited programmes at degree level or above whose study period is not less than one academic year may take up internship subject to the following conditions;

- (a) the internships must be study/curriculum-related and be arranged or endorsed by the institutions they are studying in<sup>3</sup>;
- (b) the duration of the internship is up to one academic year, or one-third of the normal duration of the relevant full-time academic programme, whichever is the shorter<sup>4</sup>; and
- (c) there is no restriction on the nature of work, level of salary, location, number of working hours and employers.

Moreover, these students (excluding exchange students) may take up:

- (a) part-time on-campus employment<sup>5</sup> for not more than 20 hours per week<sup>6</sup> throughout the year; and
- (b) employment during the summer months from 1 June to 31 August (both dates inclusive) without any limit in relation to work hours and location.

## **RESIDENCE AS DEPENDANT**

45. For a sponsor who is a Hong Kong permanent resident or a resident who is not subject to a limit of stay (i.e. a resident with the right to land or on unconditional stay), the following dependants may apply to join him/her for residence in Hong Kong:

- (a) his/her spouse;
- (b) his/her unmarried dependent children under the age of 18; and
- (c) his/her parent aged 60 or above.

46. For a sponsor who has been admitted into Hong Kong to take up employment (as a professional, investor or for training) or study (in full-time undergraduate or post-graduate programmes in local degree-awarding institutions), or who is permitted to remain in Hong Kong as a capital investment entrant or an entrant under the Quality Migrant Admission Scheme, the following dependants may apply to join him/her for residence in Hong Kong:

- (a) his/her spouse; and
- (b) his/her unmarried dependent children under the age of 18.

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<sup>3</sup> The study/curriculum-related internship must be endorsed by designated officers of the relevant institution, not by individual offices, schools, faculties or faculty members.

<sup>4</sup> The internship cannot take place before a non-local student is officially registered with the institution and begins attending any scheduled classes of his/her registered programme in Hong Kong, or when the student concerned has fulfilled all the course/credit requirements for graduation (e.g. a student who has just finished his/her final year of study).

<sup>5</sup> The employment must take place within the campus of the institution (including only the campus of the institution which the non-local student is enrolling, and excluding the campus of any subsidiary and associated body of the relevant institution proper or its self-financing arms) where the non-local student is studying or, if the work location is outside campus of the institution, the employer is the institution itself.

<sup>6</sup> Students are not allowed to roll-over unused hours from one week to another.

47. Dependants of persons who have been admitted into Hong Kong to study are prohibited from taking up employment in Hong Kong unless they have obtained permission from the Director of Immigration.
48. An application for entry to take up residence as a dependant may be favourably considered if:
- (a) there is reasonable proof of a genuine relationship between the applicant and the sponsor;
  - (b) there is no known record to the detriment of the applicant; 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 Hong Kong.
49. This entry arrangement does not apply to:
- (a) Chinese residents of the Mainland (except for those whose sponsors have been admitted to take up employment as professionals or full-time tertiary study under schemes or arrangement, or whose sponsors have been admitted as entrants under the Capital Investment Entrant Scheme or the Quality Migrant Admission Scheme);
  - (b) 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 Scheme; and
  - (c) nationals of Afghanistan, Albania, Cuba and Korea (Democratic People's Republic of).
50. PRC passport holders who have obtained permanent residence in an overseas country may apply for entry as dependants. PRC passport holders who have resided overseas for not less than 1 year may apply for entry as dependants to join sponsors who have resided overseas for not less than 1 year and been admitted to take up employment in Hong Kong under paragraphs 7–14 or as entrants under the Quality Migrant Admission Scheme under paragraphs 55–59. They will also have to satisfy the criteria stipulated in paragraphs 45–48 and other normal immigration requirements.

## **CAPITAL INVESTMENT ENTRANT SCHEME**

51. An application for an entry visa/permit to enter Hong Kong for residence under the Capital Investment Entrant Scheme may be considered if:
- (a) the applicant is at the age of 18 or above when applying for entry under the Scheme;
  - (b) the applicant has net assets of not less than HK\$6.5 million to which he/she is absolutely beneficially entitled throughout the two years preceding his/her application;
  - (c) the applicant has invested within six months before submission of his/her application to the Immigration Department, or will invest within six months after the granting of approval in principle by the Immigration Department, not less than HK\$6.5 million in permissible investment asset classes (except Certificates of Deposit which must be invested within the latter period);
  - (d) the applicant has no adverse record both in Hong Kong and country/region of residence; and
  - (e) the applicant is able to demonstrate that he/she is capable of supporting and accommodating himself/herself and his/her dependants, if any, on his/her own without relying on any return on the permissible investment assets, employment or public assistance in Hong Kong.

52. Please refer to Form ID(E) 966 “Capital Investment Entrant Scheme” and Form ID(E) 968 “Rules for the Capital Investment Entrant Scheme” for details.

53. The Scheme is applicable to:

- (a) foreign nationals (except nationals of Afghanistan, Albania, Cuba and Democratic People’s Republic of Korea);
- (b) Macao Special Administrative Region residents;
- (c) Chinese nationals who have obtained permanent resident status in a foreign country;
- (d) stateless persons who have obtained permanent resident status in a foreign country with proven re-entry facilities; and
- (e) Taiwan residents.

54. Entrants admitted under this Scheme may bring in their spouses and unmarried dependent children under the age 18. Please see paragraphs 45–50 above.

#### **QUALITY MIGRANT ADMISSION SCHEME**

55. The Quality Migrant Admission Scheme is quota-based and operated on a points-based system. Applicants are required to fulfill a set of prerequisites before they can be awarded points under either one of the two points-based tests, namely the General Points Test (hereafter “GPT”) and the Achievement-based Points Test (hereafter “APT”), and compete for quota allocation with other applicants. Prerequisites under the Scheme are:

- (a) the applicant must be aged 18 or above when lodging an application under the Scheme;
- (b) the applicant must be able to demonstrate that he/she is capable of supporting and accommodating himself/herself and his/her dependants, if any, on his/her own financial resources without relying on public assistance during his/her stay in Hong Kong;
- (c) the applicant must have no criminal or adverse immigration record in Hong Kong or elsewhere;
- (d) the applicant must be proficient in written and spoken Chinese (Putonghua or Cantonese) or English; and
- (e) the applicant must have a good education background, normally a first degree from a recognized university or a tertiary educational institution. In special circumstances, good technical qualifications, proven professional abilities and/or experience and achievements supported by documentary evidence may be considered.

56. Selection exercise will be done on a regular basis for quota allocation to applicants. During each selection exercise, applications which satisfy both the prerequisites and the minimum passing mark under GPT or the one point-scoring factor under APT will be ranked according to scores awarded. High scoring applications will be short-listed for selection by a non-statutory Advisory Committee appointed by the Chief Executive of the HKSARG. The Advisory Committee, having considered the socio-economic needs of Hong Kong, the sectoral mix of the short-listed applicants and other relevant factors, will recommend to the Director of Immigration on how to best allocate the quota. Please refer to Form ID(E) 982 “Quality Migrant Admission Scheme Guidance Notes” for details.

57. An overseas Chinese national holding a PRC passport who submits an application from overseas and who has been residing overseas for at least one year immediately before submission of the application (“overseas” means countries or territories outside the Mainland, the Macao SAR and the HKSAR) may apply to come to Hong Kong for residence under the Scheme on strength of his/her valid PRC passport.

58. The Scheme is not applicable to nationals of Afghanistan, Albania, Cambodia, Cuba, Laos, Korea (Democratic People’s Republic of), Nepal and Vietnam.

59. Entrants admitted under this Scheme may bring their spouses and unmarried dependent children under the age of 18 to Hong Kong. Please see paragraphs 45–50 above.

### **RE-ENTRY INTO HONG KONG**

60. Non-permanent residents of the HKSAR, irrespective of their nationality and type of travel document held, do not require a re-entry visa to enter Hong Kong provided that they return within their valid limit of stay and that the circumstances upon which they have acquired their residential status remain unchanged. Non-permanent residents, if returning after a long absence of, say, 12 months or more, may be required to approach the Immigration Department Headquarters to have their residential status verified.

### **DISCLAIMER**

61. The Immigration Department of the HKSARG is not responsible for any loss or damage whatsoever arising out of or in connection with any information in this leaflet. The Immigration Department reserves the right to omit, suspend or edit all information in this leaflet at any time in its absolute discretion without giving any reason or prior notice.

### **ENQUIRIES**

62. If you wish to get more information, please contact the Immigration Department of the HKSAR on telephone (852) 2824 6111, by fax (852) 2877 7711; or through the Internet <http://www.immd.gov.hk/>

**Immigration Department  
The Government of the Hong Kong  
Special Administrative Region**



**Notice of Amendment to “Immigration Guidelines for Entry to the  
Hong Kong Special Administrative Region of the People’s Republic of China” ID 939A**

**Paragraphs 20 and 21 are combined and amended to read as:**

20. The Supplementary Labour Scheme (SLS) is implemented in Hong Kong to handle applications for importation of labour at technician level or below. Administered by the Labour Department of the HKSAR, it allows employers with genuine difficulties in finding suitable employees locally to import workers from outside Hong Kong.

**The first 4 lines & point (f) under paragraph 33 and paragraph 35 are amended to read as:**

**WORKING HOLIDAY SCHEME**

33. At present the Working Holiday Scheme has four participating countries i.e. Australia, Germany, Ireland and New Zealand. The annual quota for Australia and New Zealand is 1000 and 200 respectively, while it is 100 for Germany and Ireland. An application for working holiday visa from a national of the participating country will be favourably considered if the following criteria are met:

- (f) the applicant agrees to hold medical and comprehensive hospitalisation and liability insurance to remain in force throughout his/her stay in the HKSAR (only applies to participants from Germany, Ireland and New Zealand).

35. Participants of the Scheme are not permitted to engage in permanent employment and should not work for the same employer for more than three months during their stay in Hong Kong. Participants from Australia, Germany and New Zealand may enrol in study or training course(s) while the course duration should not be more than three months (for participants from Australia and New Zealand) and six months (for participants from Germany) respectively. [Remarks: Participants from Germany and New Zealand may only enrol in one study or training course.]

**Paragraphs 37, 40 and 43 are amended to read as:**

**STUDY**

37 An application for a visa/entry permit to enter the HKSAR for study may be favourably considered if:

- (a) the applicant:
  - (i) is admitted to a private school registered under the Education Ordinance (Cap. 279) or Post Secondary Colleges Ordinance (Cap. 320) (entry for study in public or aided schools is not permitted except for tertiary education);
  - (ii) takes up studies in a full-time locally-accredited post-secondary programme including short-term course, part-time locally-accredited taught postgraduate programme, or full-time exchange study programme for not more than one year at degree or above level; or
  - (iii) is enrolled in a course on the register of non-local higher education or professional courses as set up under the Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493);
- (b) the applicant is:
  - (i) from the age of 5 years and 8 months to 11 for primary education; or
  - (ii) below the age of 20 for secondary education;
- (c) the applicant holds a school acceptance letter to confirm that he/she has been accepted for a course of study; and
- (d) the applicant is able to meet the fees for the course, the living expenses for his/her maintenance and accommodation without working and without recourse to public funds.

40. To apply for entry for study, the student applicant should nominate a local sponsor. A local sponsor can either be the educational institution granting the acceptance or an individual. If the sponsor is an individual, he/she is required to sign an undertaking that he/she is prepared to provide financial support to the applicant during the applicant's period of study in Hong Kong. If the applicant is under the age of 18, his/her sponsor is required to sign an undertaking that he/she is prepared to provide accommodation to the applicant during the applicant's period of study in Hong Kong. In addition, the sponsor is held responsible for the repatriation of the applicant where necessary.

43. If the educational institution or student for any reasons terminates the studies before the completion of such study course, the educational institution should notify the Director of Immigration of the date of termination of study in writing or provide the Director of Immigration with completed "Notification of Termination of Studies" (ID 977) within 7 days following the termination.

Immigration Department  
The Government of the Hong Kong  
Special Administrative Region  
July 2009

Amendment Notice to ID939A (8/2008)