



Immigration Department
The Government of the Hong Kong Special Administrative Region

Guidebook for Entry under Special Scheme to
Import Care Workers for Residential Care Homes

CONTENTS

	<u>Paragraphs</u>
I. Introduction	1 – 5
II. Eligibility Criteria	6
III. Application Procedures	7 – 12
IV. Travel Documentation Requirement	13 – 14
V. Conditions of Stay	15 – 18
VI. Other Information	19 – 32
VII. Table of Forms and Documents to be Submitted	

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 as imported care workers under the Special Scheme to Import Care Workers for Residential Care Homes (hereafter “Special Scheme”).

2. The Government of the HKSAR implements the Special Scheme to handle applications for importation of care workers¹ for residential care homes (hereafter “RCHs”)². Administered by the Social Welfare Department (hereafter “SWD”) of the Government of the HKSAR, the Special Scheme allows operators of RCHs (hereafter “employers”) with genuine difficulties in recruiting suitable care workers locally to import care workers from outside the HKSAR.
3. Employers intending to import care workers under the Special Scheme need to first apply to the Contract Management Section of the SWD for quota(s)³. Upon the grant of quota(s), the employer shall arrange for his/her prospective care worker(s) to be imported to each submit a visa/entry permit application to the Immigration Department (hereafter “ImmD”) within the period specified in the Notice of Quota Approval (SWD-ICW-8). The quota will automatically lapse if no visa/entry permit application is submitted within the aforementioned period.
4. Imported care workers admitted under the Special Scheme are not allowed to bring in their dependants.
5. The entry arrangements of the Special Scheme do not apply to nationals of Afghanistan, Cuba, Laos, Korea (Democratic People’s Republic of), Nepal and Vietnam.

II. Eligibility Criteria

6. An application for a visa/entry permit to enter the HKSAR for employment as an imported care worker under the Special Scheme may be favourably considered if:
 - (a) the employer has been granted a quota for importing care worker by the Director of Social Welfare and the quota is still valid;
 - (b) the applicant is suitably qualified and experienced for the job of care worker;
 - (c) the terms and conditions of employment are comparable to those in the local market, including that the wage level of the applicant must be no less than the median monthly wage of care worker in Hong Kong;
 - (d) the applicant will remain under the direct employment of the same employer as a care worker as stipulated in the Standard Employment Contract (SWD-ICW-16) to perform specified duties in the specific RCH as stipulated in the Notice of Quota Approval (SWD-ICW-8) (including the Quota Details attached thereto) and the Standard Employment Contract (SWD-ICW-16), and will not be employed by other companies, organisations or sub-contractors;
 - (e) there is no adverse record to the detriment of the applicant or the employer; and

¹ A care worker is any person, other than an ancillary worker, a health worker or a nurse, employed by residential care homes (hereafter “RCHs”) to render personal care to their residents.

² RCHs refer to residential care homes for the elderly issued with licences under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459), residential care homes for persons with disabilities issued with licences under the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613), and scheduled nursing homes issued with letters of exemption for nursing home under the Private Healthcare Facilities Ordinance (Cap. 633).

³ For details of the application for quota for importation of care workers, please refer to the SWD’s website at www.swd.gov.hk.

- (f) the employer is financially capable of employing the applicant, providing him/her with suitable accommodation and guaranteeing his/her maintenance and repatriation upon termination of his/her contract.

III. Application Procedures

Application Forms

7. Applicant should complete the application form (ID 1028A). The employer should complete the application form (ID 1028B). The application forms can be obtained free of charge from the following offices:

- (a) ImmD Headquarters; and
- (b) Immigration Branch Offices.

The application forms can also be downloaded from the ImmD's website at www.immd.gov.hk.

Supporting Documents

8. Please refer to the table of forms and documents in Part VII.

Submission of Application

Online Submission

9. Applicants can submit their applications online and upload all supporting documents through the designated GovHK website at www.immd.gov.hk/applyiew_en.html.



Online Application for
the Special Scheme

Other Means of Submission

10. Applicants can also submit their completed application forms (i.e. ID 1028A & ID 1028B), and all supporting documents by post directly or through the employer in the HKSAR to the following address. All the forms must be duly completed and signed.

Receipt and Despatch Unit
G/F, Administration Tower
Immigration Headquarters
61 Po Yap Road
Tseung Kwan O, New Territories

Underpaid mail items will not be accepted by the ImmD. For proper delivery of your mail items, please ensure your mail items bear sufficient postage with return address before posting.

11. The employer shall enter into a Standard Employment Contract (SWD-ICW-16) with the applicant. The contract period will be for a maximum period as specified in Annex 1 to the Notice of Quota Approval (SWD-ICW-8a), with the longest being 24 months. The Standard Employment Contract (SWD-ICW-16) shall be completed in quadruplicate and submitted together with the application forms (ID 1028A and ID 1028B) to the ImmD. The Standard Employment Contract (SWD-ICW-16) can be obtained free of charge from the ImmD Headquarters or the Contract Management Section of the SWD.

Imported Care Workers from the Mainland

12. For Chinese residents of the Mainland wishing to come to work in the HKSAR under the Special Scheme, applications must be submitted to the ImmD through their prospective employers. Direct applications by Chinese residents of the Mainland will not be accepted. Furthermore, employers must recruit the imported workers through Mainland labour service enterprises. Mainland labour service enterprises mean enterprises approved by the relevant competent commerce department of the Mainland and acquired the business qualification for labour service cooperation with the HKSAR.

IV. Travel Documentation Requirement

Mainland residents

13. Upon approval of the application, the applicant will be issued with an entry permit (in the form of “e-Visa”). Successful applicant should obtain an Exit-entry Permit for Travelling to and from Hong Kong and Macao (hereafter “EEP”) and a relevant exit endorsement from the relevant Mainland authorities. Upon immigration arrival clearance in the HKSAR, the applicant holding an EEP bearing the relevant exit endorsement should also present 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.

Non-Mainland residents

14. Upon approval of the application, the applicant will be issued with a visa/entry permit (in the form of “e-Visa”). Upon immigration arrival clearance in the HKSAR, the applicant 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

15. The visa/entry permit for the imported care worker is normally granted for a period of 24 months or the full term of the employment contract, whichever is shorter.

16. After entry into the HKSAR, the imported care worker admitted on employment condition must remain under the direct employment of the same employer as a care worker and in the specific RCH as stipulated in the Standard Employment Contract (SWD-ICW-16) and cannot be employed by other companies, organisations or sub-contractors. Change of the employer, post or place of work is not permitted.

17. The imported care worker is required to return to his/her place of origin on completion or termination of his/her employment contract. If the contract is prematurely terminated, the imported care worker is permitted to remain in the HKSAR only for two weeks from the date of termination of contract or for the balance of permitted stay, whichever is the shorter period.

18. The imported care worker under the Special Scheme shall not be treated as ordinarily resident in Hong Kong during any period in which he/she remains in Hong Kong while employed as a contract worker, who is from outside Hong Kong in accordance with section 2(4)(a)(v) of Immigration Ordinance (Cap. 115). In other words, no person will acquire the right of abode in Hong Kong by virtue of his/her stay in Hong Kong as an imported care worker.

VI. Other Information

19. 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 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. It should be noted that the eligibility criteria may be subject to change from time to time without prior notice. Please check the ImmD's website at www.immd.gov.hk for up-to-date information.

Levy

20. Successful employers are required to pay the Employees Retraining Levy (hereafter "levy") that goes to the Employees Retraining Board for funding its provision of retraining courses and services for local workers, so as to encourage a larger latent labour force to receive training and enter into the employment market. The levy shall be payable in a lump sum in respect of each imported care worker, and the payment amount is HK\$400 multiplied by the number of months covered by the employment contract up to a maximum of 24 months. The employer shall pay the levy to the ImmD after the approval for the application for visa/entry permit for an imported care worker and before the issue of visa/entry permit by the ImmD. The levy paid is not refundable under any circumstances.

Termination of a Contract prior to its Expiry

21. The employer or the imported care worker may terminate the employment contract prior to its expiry by giving to the other party prior notice in writing or wages in lieu of notice as stipulated in the employment contract. The employer shall send a copy of the Notice of Termination of Employment Contract (SWD-ICW-18) to the Contract Management Section of the SWD (fax number: 3468 2002) and to the Admission of Labour Section of the ImmD (fax number: 3902 3167) within seven days before the date of termination. The employer may also submit the Notice of Termination of Employment Contract to the ImmD through the ImmD's online service system at www.gov.hk/en/residents/immigration/nonpermanent/terminatecontractorstudies.htm. If the contract is terminated without prior notice, the employer shall send a copy of the Notice of Termination of Employment Contract (SWD-ICW-18) to the above two departments within one working day after the termination. The Notice of Termination of Employment Contract should bear the name of the imported care worker in English and Chinese (if applicable), his/her Hong Kong identity card number, the date of termination, the application reference number of the ImmD, the LORCHE/LORCHD/PHF number of the RCH and the quota number. It should also indicate whether application for replacement of the imported care worker is required by the employer. The Notice of Termination of Employment Contract (SWD-ICW-18) can be downloaded from the SWD's website at www.swd.gov.hk. For details of application for replacement of imported care workers, please refer to paragraph 22 below.

Application for Replacement of Imported Care Workers

22. Upon approval of the application for replacement of the imported care worker by the SWD, a Notice of Application Result for Replacement of Imported Care Worker (SWD-ICW-18b) will be issued to the employer by the SWD. The employer shall arrange for his/her prospective care worker to be imported to submit a visa/entry permit application to the ImmD within the period specified in the concerned Notice (SWD-ICW-18b) by following the application procedures as stipulated in paragraphs 7 to 12 above.

Contract Renewal with Same Employer

23. Employers who wish to renew the employment contract with an existing imported care worker shall make a fresh application for quota to the Contract Management Section of the SWD. Upon the grant of the quota, the employer shall arrange for his/her imported care worker whose contract is to be renewed to submit a visa/entry permit application to the ImmD within the period specified in the Notice of Quota Approval (SWD-ICW-8) by following the application procedures as stipulated in paragraphs 7 to 12 above.

Extension of Stay

24. Where the validity of the imported care worker's travel document is shorter than the duration of the employment contract, a shorter limit of stay having regard to the validity of the travel document may be granted upon arrival of the imported care worker. After renewal of the imported care worker's travel document, an application should be made, within the limit of stay granted, for an extension of stay for completing the remaining period of the current contract, provided that the employer confirms to continue the employment of the imported care worker. Extension of stay will not normally be granted to the imported care worker upon completion or termination of his/her employment contract. A new application for a visa/ entry permit should be submitted for a new employment contract.

Re-entry into the HKSAR

25. Non-permanent residents of the HKSAR (including imported care workers admitted under the Special Scheme), 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 currency of their permitted limit of stay and that the circumstances upon which they have acquired their residential status remain unchanged.

Payment of Fees

26. Upon approval of the applications, the notification of the application result issued by the ImmD will include a webpage link for payment. Payment of relevant fees could be made through the said webpage link or the GovHK website or the ImmD Mobile Application by credit cards (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.

27. If the applicant or his/her authorised representative attend the relevant Immigration office in person to pay, the relevant fees could be settled by cash, EPS, Octopus, FPS, Mainland e-wallets (Alipay, WeChat Pay and UnionPay App only) or cheque. The cheque should be crossed, made payable to "The Government of the Hong Kong Special Administrative Region", properly dated and signed. After payment, the applicant or his/her authorised representative will be issued with an "e-Visa" printed on a sheet of A4 white paper on the spot. The applicant can then download or print the "e-Visa" through the GovHK website or the ImmD Mobile Application.

Processing Time

28. It normally takes six weeks to process a visa/entry permit application for employment as an imported care worker upon receipt of all the required documents. The ImmD will not be able to start processing the application unless all the required documents and information have been received. Please refrain from making enquiries about the progress of the application unless it is absolutely necessary, as it may delay the processing of the application.

29. All visa/entry permit 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

30. It is an offence to make false statements or representations to an immigration officer. To verify the authenticity of the information and documents submitted with a visa/ entry permit application, field visits may be conducted. 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

31. 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

32. For more information about the entry arrangements for imported care workers, 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.

VII. Table of Forms and Documents to be Submitted

(A) Forms and Documents to be Submitted by the Applicant

S/N	Forms/ Documents Required	Type of Application	
		Visa/Entry Permit (for a contract with a new employer/ contract renewal with the same employer/ replacement of an imported care worker)	Extension of Stay (for completion of the remaining period of the current contract)
1.	Application Form for Visa/ Entry Permit/ Extension of Stay under Special Scheme to Import Care Workers for Residential Care Homes (to be completed by the applicant) (ID 1028A)	✓	✓
2.	The applicant's recent photograph (affixed on page 1 of the application form ID 1028A)	✓	
3.	Copy of 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). For an applicant who is currently staying in the HKSAR, copy of his/her travel document page containing the latest arrival stamp/landing slip/extension of stay label/"e-Visa" (if applicable) in the HKSAR. A Chinese resident of the Mainland who has not been issued with a travel document may submit a copy of his/her People's Republic of China resident identity card.	✓	✓
4.	Copy of the applicant's Hong Kong identity card (if any)	✓	✓
5.	Copy of proof of academic qualifications and relevant work experience	✓	
6.	Declaration and Authorisation Form completed by the imported care worker (SWD-ICW-8b)	✓	
7.	Copy of the applicant's Macao identity card [<i>for Macao residents only</i>]	✓	✓
8.	Copy of the applicant's household registration in Taiwan and Taiwan identity card [<i>for Taiwan residents only</i>]	✓	✓

(B) Forms and Documents to be Submitted by the Employer

S/N	Forms/ Documents Required	Type of Application	
		Visa/Entry Permit (for a contract with a new employer/ contract renewal with the same employer/ replacement of an imported care worker)	Extension of Stay (for completion of the remaining period of the current contract)
1.	Application Form for Special Scheme to Import Care Workers for Residential Care Homes (to be completed by the employer) (ID 1028B)	✓	
2.	Four original copies of the standard employment contract (SWD-ICW-16) signed between the employer and the imported care worker	✓	
3.	Copy of the standard employment contract (SWD-ICW-16) signed between the employer and the imported care worker		✓
4.	Copy of the Business Registration Certificate/ Certificate of Incorporation	✓	
5.	Copy of the Licence of Residential Care Home for the Elderly/Licence of Residential Care Home for Persons with Disabilities/Letter of Exemption for Scheduled Nursing Home	✓	
6.	Joint Declaration Form on Importing Workers from the Mainland to Hong Kong Special Administrative Region (SWD-ICW-8g) [if the care worker to be imported is a Mainland resident] [<i>for a contract with a new employer / replacement of an imported care worker</i>]	✓	
7.	Copy of the Notice of Quota Approval (SWD-ICW-8) and its Annex 1: Quota Details (SWD-ICW-8a) issued by the SWD [<i>for a contract with a new employer / contract renewal with the same employer</i>] Copy of the Notice of Application Result for Replacement of Imported Care Worker (SWD-ICW-18b) issued by the SWD [<i>for replacement of an imported care worker</i>]	✓	
8.	Employer's supporting letter to confirm continuous employment (stating the job title, the RCH name, the total monthly remuneration and the period of employment of the imported care worker)		✓

Important Notice:

1. Notwithstanding that the documents and information required have been furnished, applicants and employers may still be required to submit further supporting documents and information in connection with the application 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.