



Immigration Department
The Government of
the Hong Kong Special Administrative Region

Notes for Guidance

Application for
Hong Kong
Permanent Identity Card
by a person
of the age of 18 or over
Resident Overseas

Notes for Guidance—

Application for Hong Kong Permanent Identity Card by a person of the age of 18 or over resident overseas

These notes provide detailed information on Hong Kong Permanent Identity Card (Paragraph I-VIII) and help you to complete the application form (Paragraph IX). Please read the following notes before completing Form ROP 143.

I. What is a Hong Kong Permanent Identity Card?

A Hong Kong Permanent Identity Card (PIC) is a type of identity card introduced in Hong Kong on 1 July 1987 which states that the holder has the right of abode in Hong Kong.

II. Why do I need a PIC if I am living abroad?

To ensure that Hong Kong Special Administrative Region (HKSAR) passports will be acceptable for the purpose of international travel and for return to the Hong Kong Special Administrative Region, the HKSAR passports will contain the following endorsement:

“The bearer of this passport is a Chinese citizen who holds a Hong Kong permanent identity card and has the right of abode in and the right to return to the Hong Kong Special Administrative Region.”

Except those who already have a PIC, all HKSAR passport applicants will have to apply for a PIC at the same time as they apply for a HKSAR passport.

Hong Kong residents living abroad are not required to apply for a PIC unless they apply for a HKSAR passport.

III. Who is eligible for a Hong Kong PIC issued overseas?

The following persons having the right of abode in HKSAR and are applying for the issue of a HKSAR passport are eligible if:

- (a) the person is a Chinese citizen born in Hong Kong before or after the establishment of the HKSAR; or
- (b) the person is a Chinese citizen who has ordinarily resided in Hong Kong for a continuous period of not less than 7 years before or after the establishment of the HKSAR; or
- (c) the person is a Chinese citizen born outside Hong Kong before or after the establishment of the HKSAR to a parent who, at the time

of birth of that person, was a Chinese citizen falling within category (a) or (b).

Chinese citizen

A Chinese citizen is a person of Chinese nationality under the Nationality Law of the People's Republic of China, as implemented in the HKSAR 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 (please refer to Appendix A).

All Hong Kong residents of Chinese descent who were born in Hong Kong or other parts of China, and others who fulfil the criteria for Chinese nationality laid down in the Nationality Law of the People's Republic of China, are Chinese citizens.

In respect of Hong Kong residents of Chinese descent who are also holding foreign passports, their position in the HKSAR will be as follows:

For persons settled in the HKSAR

Hong Kong residents of Chinese descent who were born in Hong Kong or other parts of China, or who fulfil the criteria of Chinese nationality in the Nationality Law of the People's Republic of China, are regarded as Chinese citizens notwithstanding that they hold or have held any foreign passports.

Those citizens holding foreign passports will have the option to declare a change of nationality with valid documentation to the HKSAR Immigration Department. Upon approval, they will no longer be regarded as Chinese citizen and can enjoy consular protection from the country of their declared nationality in the HKSAR. They will not be eligible for the HKSAR passport.

For persons settled abroad

Hong Kong residents (including former residents) of Chinese descent and who were born in Hong Kong or other parts of China, or who fulfil the criteria of the Chinese nationality in the Nationality Law of the People's Republic of China, with right of abode in foreign countries are regarded as Chinese citizens if they return to Hong Kong to settle, unless they make a declaration of change of nationality to the HKSAR Immigration Department and the declaration has been approved.

(Note: “Settled” means ordinarily resident in a place and not subject to any restriction on the period of stay.)

If you choose to remain in the HKSAR as a foreign national by making a declaration of change of nationality to the HKSAR Immigration Department and the declaration has been approved, you will not be eligible for a HKSAR passport because you are no longer a Chinese citizen.

HKSAR permanent resident

A permanent resident of the HKSAR is a person who belongs to a class or description of persons specified in Schedule 1 to the Immigration Ordinance (Cap. 115) (please refer to Appendix B).

A Chinese citizen is a HKSAR permanent resident if:—

- (a) he was born in Hong Kong before or after the establishment of the HKSAR;
- (b) he has ordinarily resided in Hong Kong for a continuous period of not less than seven years before or after the establishment of the HKSAR;
- (c) he was born outside Hong Kong before or after the establishment of the HKSAR to a parent who, at the time of birth of that person, was a Chinese citizen falling within category (a) or (b) above.

A Chinese citizen’s status as a permanent resident under category (c) above may only be established by his holding of:—

- (i) a valid travel document issued to him and of a valid certificate of entitlement also issued to him and affixed to such travel document;
- (ii) a valid HKSAR passport issued to him; or
- (iii) a valid Hong Kong permanent identity card issued to him.

If you are ordinarily resident in the Chinese Mainland, belonging to category (c) of persons above and without a certificate of entitlement or Hong Kong permanent identity card issued to you before, you are required to obtain a certificate of entitlement to establish your HKSAR permanent resident status before a Hong Kong permanent identity card may be issued to you.

Further information on how an application for certificate of entitlement may be made is contained in the “Guidance Notes—Application for Certificate of Entitlement to the Right of Abode in the Hong Kong Special Administrative Region (ID 881A)” obtainable from

any Chinese Embassy/Consulate-General or the HKSAR Immigration Department.

IV. How long is a PIC issued to a person overseas valid for?

A PIC issued to a person overseas will be valid as long as the holder stays abroad. The card must be renewed within 30 days after the holder's return to Hong Kong unless he/she is still under the age of 11.

V. What documents should be produced?

IF YOU ARE HOLDING A HONG KONG IDENTITY CARD, YOU SHOULD RETURN IT AT THE SAME TIME YOU SUBMIT YOUR APPLICATION.

Photocopies of the following documents should be produced if you are applying for Right of Abode (ROA) in Hong Kong by virtue of:

- (a) Birth in Hong Kong—
your birth certificate;
- (b) Having 7-year continuous ordinary residence in Hong Kong—
proof of 7-year continuous ordinary residence in Hong Kong e.g. school documents, employment proof, official receipts, bank statements, etc.;
- (c) Either parent's ROA in Hong Kong—
your birth certificate, Hong Kong PIC of either parent, evidence showing the time when the parent has acquired the ROA by birth or by residence in Hong Kong e.g. travel document, parents' marriage certificate if the parent who has the ROA in Hong Kong is the father.

Note : If your name is different from that on your birth certificate, documents such as deed poll, travel documents, adoption certificates, marriage or divorce certificates, etc. showing the change of name are required.

VI. Where to submit the application?

The application should be submitted to the nearest Chinese Embassy/Consulate-General by mail or in person.

VII. How long does it take to obtain a PIC from overseas?

Normally, it takes about 6-8 weeks, excluding the delivery time.

VIII. How much to pay for a PIC?

For first application — free of charge

For replacement of an identity card (Loss or destruction of a Smart Identity Card) — HK\$370 or US\$47.5

For replacement of an identity card (Damage or defacement of a Smart Identity Card) — HK\$370 or US\$47.5

For replacement of an identity card (Alteration of particulars on a Smart Identity Card) — HK\$460 or US\$59

Note: If the cheque or bank draft is not drawn on a bank in the HKSAR or not in HKSAR currency, an additional bank handling charge of HK\$100 or US\$13 is required.

(If application is made through the Chinese Embassy/Consulate-General, a fee will be payable for the transmission of the application. Details should be obtained from the office concerned)

IX. How to complete the application form (Form ROP 143)?

Before completing the application form, please read the statement of purpose provided at Appendix C.

Part A and Part B of the form may be completed in either English or Chinese, but it must be filled out in **BLACK** ink and in **BLOCK LETTERS**. Typewritten applications are also acceptable.

Part A

Item 1 & 1A — Left and Right thumbprints

You should impress your left and right thumbprints on the space provided for these items. In case one of your thumbs is missing, the finger nearest to that thumb should be used for fingerprint taking. If it is not possible to take any thumbprint of your thumbs, the fingerprints of two other fingers should be taken. In such circumstances, you should record on the application form which fingers have been used. The following points give you some ideas of the ways to impress an acceptable thumbprint:

- (i) Prepare an ink pad with black ink;
- (ii) Make sure that the ink-pad does not contain excessive ink which will blur the whole mark;
- (iii) Clean your thumb before taking an impression;
- (iv) Ink the thumb by rolling it lightly on the ink-pad from nail to nail. The flexure of the end joint must be just inside the edge of the pad;

- (v) Avoid letting the thumb slip or repeating the inking action which may result in a messy impression or an impression with dark patches;
- (vi) When the thumb has been inked, the same rolling operation should be repeated on the application form at the space provided for the thumbprint. Be sure to have the thumb completely rolled otherwise the impression may not include the whole of the ridge pattern for identification. A well impressed thumbprint usually appears in a rectangular shape.

Item 2 — Photograph

- (i) Two recent identical photographs of the size of 29 mm (width) × 35 mm (height) are required.
- (ii) It should be taken full face without a hat.
- (iii) The background shall be plain and of a light colour.
- (iv) The photographic paper used should be thin, unglazed, unmounted and of a type that can be firmly affixed to papers.

Item 3 — Identity card no.

Fill in the number of your Hong Kong identity card if you are holding or have held one. You do not have to complete this item if you have never held a Hong Kong identity card previously.

Item 4 — Date of last registration

This refers to the issue date of the Hong Kong identity card that you are now holding. You do not have to complete this item if you have never held a Hong Kong identity card previously.

Item 5 — Date of first registration

Only the month and year need be inserted. You do not have to complete this item if you have never held a Hong Kong identity card previously.

Item 6 — Surname in English

If you are holding or have held a Hong Kong identity card, you should use the surname on that identity card. In case this surname is different from that appearing on your application for a HKSAR passport as a result of change of marital status, you may use the latter in your application for a PIC and provide the documentary evidence, such as marriage certificate, divorce certificate, etc. Change of surname because of other reasons, such as by the execution of a deed poll, constitutes an amendment to the registered particulars and will only be considered on the production of

documentary evidence to the satisfaction of the Registration Officer and the payment of a prescribed fee (i.e.HK\$460 or US\$59).

Note: If the cheque or bank draft is not drawn on a bank in the HKSAR or not in HKSAR currency, an additional bank handling charge of HK\$100 or US\$13 is required.

If you have never held a Hong Kong identity card, you should use the same surname appearing on your application for HKSAR passport.

Item 7 — Other names in English

This should follow the general principles governing surname as mentioned in item 6 above.

Item 8 — Full name in Chinese (Surname first)

This should follow the general principles governing surname as mentioned in item 6 above.

Item 9 — All alias(es) (Chinese and English)

All aliases entered must be supported by documentary evidence unless they have been previously reported and registered.

Item 10 — Sex

Tick either “M” or “F” for male or female as appropriate.

Item 11 — Chinese commercial code no.

These refer to the Chinese commercial codes for your Chinese names. They appear on your Hong Kong identity card if you are holding one. If you do not have an identity card or do not know these numbers, just leave this item blank.

Item 12 — Date of birth

Fill in your date of birth according to Western reckoning. Where only the age is recorded on the old type Hong Kong identity card, you should fill in a year of birth equivalent to the recorded age.

Item 13 — Place of birth

If you were born in Hong Kong or Macau, just enter the place where you were born. In all other cases, fill in the name of the country where you were born.

Item 14 — Nationality

Insert your present nationality. Please refer to the explanation on Chinese nationality in Appendix A.

Item 15 — Marital status

Tick the appropriate box.

Item 16 — Residential address

Fill in your present overseas residential address and telephone number. To facilitate our future correspondence with you, please make sure that the address and telephone number put down are legible and up-to-date.

Item 17 — Profession/Occupation

Fill in your present profession/occupation.

Item 18 — Date of last departure from Hong Kong

Fill in the date of your last departure from Hong Kong.

Item 19 — Correspondence address

Fill in your correspondence address and telephone number if they are different from those of your residence.

Item 20 — Particulars of spouse

Fill in your spouse's name. If your spouse does not have a Chinese name and/or does not have a Hong Kong identity card, leave the appropriate box/boxes blank.

Item 21 — Particulars of parents

Give your parents' full name, identity card number and place of birth.

Item 22 — Was parents' marriage registered?

Tick 'yes' if their marriage was registered or tick 'no' if their marriage was not registered.

Part B — Declaration

This part must be completed and signed by you.

X. Enquiries

If you require more information, please contact the nearest Chinese Embassy/Consulate-General. You may also call (852) 2824 6111 or write to the Director of Immigration, Immigration Headquarters, 61 Po Yip Road, Tseung Kwan O, New Territories, Hong Kong by post, or fax to (852) 2877 7711 or through E-mail: enquiry@immd.gov.hk. Further information can also be obtained from the Hong Kong Immigration website: <http://www.immd.gov.hk/>.

Chinese Nationality

(I) Nationality Law of the People's Republic of China

(Adopted at the Third Session of the Fifth National People's Congress, promulgated by Order No. 8 of the Chairman of the Standing Committee of the National People's Congress and effective as of September 10, 1980)

Article 1 This law is applicable to the acquisition, loss and restoration of nationality of the People's Republic of China.

Article 2 The People's Republic of China is a unitary multinational state; persons belonging to any of the nationalities in China shall have Chinese nationality.

Article 3 The People's Republic of China does not recognise dual nationality for any Chinese national.

Article 4 Any person born in China whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality.

Article 5 Any person born abroad whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. But a person whose parents are both Chinese nationals and have both settled abroad, or one of whose parents is a Chinese national and has settled abroad, and who has acquired foreign nationality at birth shall not have Chinese nationality.

Article 6 Any person born in China whose parents are stateless or of uncertain nationality and have settled in China shall have Chinese nationality.

Article 7 Foreign nationals or stateless persons who are willing to abide by China's Constitution and laws and who meet one of the following conditions may be naturalised upon approval of their applications:

- (1) they are near relatives of Chinese nationals;
- (2) they have settled in China; or
- (3) they have other legitimate reasons.

Article 8 Any person who applies for naturalisation as a Chinese national shall acquire Chinese nationality upon approval of his application; a person whose application for naturalisation as a Chinese national has been approved shall not retain foreign nationality.

Article 9 Any Chinese national who has settled abroad and who has been naturalised as a foreign national or has acquired foreign nationality of his own free will shall automatically lose Chinese nationality.

Article 10 Chinese nationals who meet one of the following conditions may renounce Chinese nationality upon approval of their applications:

- (1) they are near relatives of foreign nationals;
- (2) they have settled abroad; or
- (3) they have other legitimate reasons.

Article 11 Any person who applies for renunciation of Chinese nationality shall lose Chinese nationality upon approval of his application.

Article 12 State functionaries and military personnel on active service shall not renounce Chinese nationality.

Article 13 Foreign nationals who once held Chinese nationality may apply for restoration of Chinese nationality if they have legitimate reasons; those whose applications for restoration of Chinese nationality have been approved shall not retain foreign nationality.

Article 14 Persons who wish to acquire, renounce or restore Chinese nationality, with the exception of cases provided for in Article 9, shall go through the formalities of application. Applications of persons under the age of 18 may be filed on their behalf by their parents or other legal representatives.

Article 15 Nationality applications at home shall be handled by the public security bureaus of the municipalities or counties where the applicants reside; nationality applications abroad shall be handled by China's diplomatic representative agencies and consular offices.

Article 16 Applications for naturalisation as Chinese nationals and for renunciation or restoration of Chinese nationality are subject to examination and approval by the Ministry of Public Security of the People's Republic of China. The Ministry of Public Security shall issue a certificate to any person whose application has been approved.

Article 17 The nationality status of persons who have acquired or lost Chinese nationality before the promulgation of this Law shall remain valid.

Article 18 This Law shall come into force as of the date of its promulgation.

(II) 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 Nineteenth Session of the Standing Committee of the Eighth National People's Congress on 15 May 1996)

According 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, the Nationality Law of the People's Republic of China shall be applied in the Hong Kong Special Administrative Region from 1 July 1997. Taking account of the historical background and the existing circumstances of Hong Kong, the Standing Committee gives the following explanations concerning the implementation in the Hong Kong Special Administrative Region of the Nationality Law of the People's Republic of China—

1. Where a Hong Kong resident is of Chinese descent and was born in the Chinese territories (including Hong Kong), or where a person satisfies the criteria laid down in the Nationality Law of the People's Republic of China for having Chinese nationality, he is a Chinese national.
2. All Hong Kong Chinese compatriots are Chinese nationals, whether or not they are holders of the "British Dependent Territories Citizens passport" or "British Nationals (Overseas) passport". With effect from 1 July 1997, Chinese nationals mentioned above may, for the purpose of travelling to other countries and territories, continue to use the valid travel documents issued by the Government of the United Kingdom. However, they shall not be entitled to British consular protection in the Hong Kong Special Administrative Region and other parts of the People's Republic of China on account of their holding the above mentioned British travel documents.
3. According to the Nationality Law of the People's Republic of China, the British Citizenship acquired by Chinese nationals in Hong Kong through the "British Nationality Selection Scheme" will not be recognised. They are still Chinese nationals and will not be entitled to British consular protection in the Hong Kong Special Administrative Region and other parts of the People's Republic of China.
4. Chinese nationals of the Hong Kong Special Administrative Region with right of abode in foreign countries may, for the purpose of travelling to other countries and territories, use the relevant

documents issued by the foreign governments. However, they will not be entitled to consular protection in the Hong Kong Special Administrative Region and other parts of the People's Republic of China on account of their holding the above mentioned documents.

5. If there is a change in the nationality of a Chinese national of the Hong Kong Special Administrative Region, he may, with valid documents in support, make a declaration at the authority of the Hong Kong Special Administrative Region responsible for nationality applications.
6. The Government of the Hong Kong Special Administrative Region is authorised to designate its Immigration Department as the authority of the Hong Kong Special Administrative Region responsible for nationality applications. The Immigration Department of the Hong Kong Special Administrative Region shall handle all nationality applications in accordance with the Nationality Law of the People's Republic of China and the foregoing provisions.

(This English translation text is prepared by Department of Justice, Government of the Hong Kong Special Administrative Region. It is for reference purposes and has no legislative effect.)

**Paragraph 2 of Schedule 1 to the
Immigration Ordinance (Cap. 115)**

2. Permanent resident of the Hong Kong Special Administrative Region

A person who is within one of the following categories is a permanent resident of the Hong Kong Special Administrative Region—

- (a) A Chinese citizen born in Hong Kong before or after the establishment of the Hong Kong Special Administrative Region.
- (b) A Chinese citizen who has ordinarily resided in Hong Kong for a continuous period of not less than 7 years before or after the establishment of the Hong Kong Special Administrative Region.
- (c) A person of Chinese nationality born outside Hong Kong before or after the establishment of the Hong Kong Special Administrative Region to a parent who, at the time of birth of that person, was a Chinese citizen falling within category (a) or (b).
- (d) A person not of Chinese nationality who has entered Hong Kong with a valid travel document, has ordinarily resided in Hong Kong for a continuous period of not less than 7 years and has taken Hong Kong as his place of permanent residence before or after the establishment of the Hong Kong Special Administrative Region.
- (e) A person under 21 years of age born in Hong Kong to a parent who is a permanent resident of the Hong Kong Special Administrative Region in category (d) before or after the establishment of the Hong Kong Special Administrative Region if at the time of his birth or at any later time before he attains 21 years of age, one of his parents has the right of abode in Hong Kong.
- (f) A person other than those residents in categories (a) to (e), who, before the establishment of the Hong Kong Special Administrative Region, had the right of abode in Hong Kong only.

Statement of Purpose

(I) Purpose of Collection

The personal data furnished in the application will be used by Immigration Department, the Government of the HKSAR for one or more of the following purposes:—

- (a) to process your application for registration and application for an identity card under the Registration of Persons Ordinance (Chapter 177) and its subsidiary Regulations;
- (b) to enable the Registrar of the High Court to compile a provisional list of jurors under the Jury Ordinance (Chapter 3);
- (c) to enable the Registration and Electoral Office to revise the electoral register;
- (d) to exercise the powers and carry out the duties under the Registration of Persons Ordinance (Chapter 177) and its subsidiary Regulations including disclosure of information as permitted in writing by Chief Secretary for Administration by virtue of section 11 of the Registration of Persons Ordinance;
- (e) to administer/enforce relevant provisions of the Immigration Ordinance (Chapter 115) and Immigration Service Ordinance (Chapter 331), and to assist in the enforcement of any other Ordinances and Regulations by other government bureaux and departments through carrying out immigration control duties;
- (f) to serve statistical and research purposes on the condition that the resulting statistics or results of the research will not be made available in a form which will identify the data subjects or any of them; and
- (g) for any other legitimate purposes as may be required, authorised or permitted by law.

The provision of personal data is obligatory for registration under the Registration of Persons Regulations (Chapter 177A). Any person who without reasonable excuse, fails to comply with the statutory requirement shall be guilty of offences under the Ordinance. In addition, if you do not provide sufficient information, we would not be able to process your application.

(II) Classes of Transferees

The personal data you provide may be disclosed to government bureaux, departments and other organisations for the purposes mentioned in paragraph (I) above.

(III) Access to Personal Data

You have a right to request access to and correction of your personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance (Chapter 486). Your right of access includes the right to obtain a copy of your personal data provided in this form subject to payment of a fee.

Enquiries concerning the personal data collected by means of this form, including making of access and corrections, should be addressed to:—

Executive Officer (Registration of Persons) Support
1st Floor, Administration Tower, Immigration Headquarters,
61 Po Yap Road,
Tseung Kwan O,
New Territories, Hong Kong
Tel : (852) 2829 3429

(IV) Enquiries

If you have any enquiry, please refer to the Immigration Department website: www.immd.gov.hk. You may also call our enquiry hotline at 2824 6111, or send your questions to our Information and Liaison Section by fax at 2877 7711 or e-mail at enquiry@immd.gov.hk.