



## Immigration

Hong Kong has established itself as one of the world's major destinations for tourists and business visitors. In 2007, passenger arrivals and departures totalled 217.9 million.

The Immigration Department is responsible for two main areas: for control of people moving into and out of Hong Kong by land, sea and air; and the documentation of local residents, including the processing of applications relating to the Chinese Nationality Law and claims to right of abode under the Basic Law (BL), the issue of travel documents and identity cards, and the registration of births, deaths and marriages.

**Immigration Control:** Hong Kong has all along adopted a liberal and open immigration policy. Nationals of about 170 countries and territories are allowed visa-free visits to Hong Kong for periods ranging from 7 to 180 days. Professionals and businessmen are welcome to work and invest in Hong Kong. While every effort is made to facilitate the entry of visitors and those who contribute to Hong Kong's development and prosperity, immigration controls are designed and operated to prevent the entry of undesirable persons. Immigration can have a direct or indirect effect on such fields as housing, trade, tourism, economy, education, employment, aviation, shipping, crime prevention and public order. All these factors have to be taken into account in the operation of controls.

Every visitor to Hong Kong must have adequate funds for the visit and an onward booking. Persons applying for permission to live, work or study in Hong Kong are required to obtain visas or entry permits before arrival.

After reunification, the BL provides the Hong Kong Special Administrative Region (HKSAR) Government with full autonomy on immigration control matters.

**Policies to Attract Talent and Capital:** Overseas professionals who possess special skills, knowledge or experience of value to and not readily available in Hong Kong, or who are in a position to make substantial contributions to the economy, may apply to work here under the General Employment Policy (GEP). Applicants must have a confirmed offer of employment, the remuneration package of which must be broadly commensurate with the prevailing market rate of Hong Kong. In 2007, 26 384 overseas professionals were admitted under the GEP.

The Admission Scheme for Mainland Talents and Professionals was implemented on July 15, 2003 with assessment criteria in line with those under the GEP. The objective of this scheme is to attract qualified Mainland talent and professionals to work in Hong Kong in order to meet local manpower needs and enhance Hong Kong's competitiveness in the globalised market. The scheme has no sectoral restrictions and allows intra-company transfer of senior managers and professionals. As at the end of 2007, 20 230 Mainland talent and professionals were admitted under the scheme.

The Quality Migrant Admission Scheme has been implemented since June 28, 2006. The scheme is quota-based and operated on a points-based system. It seeks to attract highly skilled or talented persons from the Mainland and overseas to settle in Hong Kong in order to enhance Hong Kong's economic competitiveness in the global market. Successful applicants are not required to secure an offer of local employment before taking up residence in Hong Kong. As at end of 2007, a total of 322 applicants were allocated quotas.

The Capital Investment Entrant Scheme has been implemented since October 27, 2003. The objective of the scheme is to facilitate the entry for residence by capital investment entrants, i.e. persons who make capital investment of not less than \$6.5 million in permissible investment assets in Hong Kong but would not be engaged in the running of any business here. Entrants under this scheme are normally allowed to make their choice of investments amongst permissible investment assets without the need to establish or join in a business. As at the end of 2007, 3 705 entrant applications were received. Of which, 2 160 applications were approved, including 1 800 for formal approval and 360 for approval-in-principle. The amount of investments made under the scheme totalled \$12.82 billion.

Persons admitted under the aforesaid policy and schemes may also apply to bring in their spouse and unmarried dependent children below the age of 18 under prevailing dependant policy.

**Facilitation of Passenger Movements:** In 2007, the total number of passengers moving into and out of Hong Kong was 217.9 million, an increase of 7.7 per cent compared with 202.2 million in 2006. The number of visitors travelling to Hong Kong increased from 25.25 million in 2006 to 28.17 million in 2007, increased by 11.6 per cent. This included 15.49 million from the Mainland and 2.24 million from Taiwan.

Lo Wu continues to be the busiest control point. In 2007, 95.06 million passengers passed through this control point. To further strengthen the economic relation between Hong Kong and the Pearl River Delta region, 24-hour clearance service for cross-boundary passengers was introduced at the Lok Ma Chau Control Point on January 27, 2003. The total passenger throughput there in 2007 was 48.06 million.

To enhance immigration clearance efficiency and overall passenger and vehicle throughput, the department introduced the Entry/Exit Processing and Records System at all control points in 2004, followed by the phased implementation of the Automated Passenger Clearance and Automated Vehicle Clearance Systems (collectively known as e-Channels) since December 2004. The e-Channels facilitate smart identity card holders who are Hong Kong permanent residents and Hong Kong Document of Identity holders aged 11 or above to perform self-service clearance at all control points. Since

September 2006, this service has been extended to holders of smart identity cards, who have the right to land or are on unconditional stay in Hong Kong and non-permanent residents who have been issued with a notification label with valid limit of stay. The department further extended the e-Channel services to cross boundary primary school students under the age of 11 and frequent travellers on December 18, 2007 and May 19, 2008 respectively. As at end June 2008, a total of 359 passenger e-Channels and 80 vehicular e-Channels had been installed.

**Right of Abode:** Under the law, Hong Kong permanent residents have the right of abode in the HKSAR. Article 24 of the BL sets out six categories of persons who are permanent residents of the HKSAR. On July 1, 1997, the Immigration Ordinance (Cap. 115) was amended to align the right of abode provisions with those in the BL.

The relevant provisions in the Immigration Ordinance were also amended to align with those in the BL whereby the Certificate of Entitlement Scheme was introduced on July 10, 1997. Under the scheme, a person's status as a Hong Kong permanent resident by descent can only be established by holding his valid travel document affixed with his certificate of entitlement.

The Registration of Persons Ordinance (Cap. 177) and subsidiary legislation provide for the issue of permanent identity cards to Hong Kong permanent residents. The permanent identity card contains a statement that the holder has the right of abode in Hong Kong.

**Passports and Identity Cards:** The department started to issue HKSAR Passport on July 1, 1997 and a total of 459 413 were issued in 2007. The HKSAR passport is technically advanced. Since February 5, 2007, the department has started to issue electronic passport with enhanced security features. With effect from December 22, 2007, applicants aged 18 or above may also apply for HKSAR passport via the Internet.

The department started to issue the smart identity cards on June 23, 2003 and the territory-wide identity card replacement exercise launched on August 18, 2003 was completed on March 31, 2007. Under the replacement exercise, the existing identity card holders (including permanent residents and temporary residents) were invited in groups, in accordance with their year of birth, to have their identity cards replaced within specified periods. Those who are not able to apply for new identity cards during the specified period due to absence from Hong Kong should apply within 30 days of their return to Hong Kong. All old identity cards issued before June 23, 2003 will be declared invalid by batches in accordance with the 'first apply, first invalidated' principle through the issue of Registration of Persons (Invalidation of Identity Cards) Order. By the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> invalidation orders issued in 2006 and 2007, old identity cards for people born in 1958 to 1969, 1943 to 1957 and 1970 to 1979 became invalid with effect from October 16, 2006, January 15, 2007 and September 17, 2007 respectively.

**Chinese Nationality Matters:** After the reunification, the department started to process applications relating to the Chinese Nationality Law. In 2007, a total of 52 applications were received for declaration of change of nationality, 1 567 for acquisition of Chinese nationality, 94 for renunciation of Chinese nationality and 18 for restoration of Chinese nationality.

**Assistance to Hong Kong Residents Outside Hong Kong:** Hong Kong residents outside Hong Kong in need of assistance (e.g. those who have lost travel documents, being involved in traffic accidents, being arrested or detained) may approach the Chinese diplomatic and consular missions overseas, the Immigration Sections of

the Office of the Government of the HKSAR in Beijing and the Economic and Trade Office of the Government of the HKSAR in Guangdong, or the Immigration Department in Hong Kong. In 2007, a total of 1 474 requests for assistance were received.

**Illegal Immigration:** In 2007, the number of Mainland illegal immigrants intercepted was 3 007, representing a decrease of 5.2 per cent when compared with 3 173 arrested in 2006. Some of the illegal immigrants came to Hong Kong to take up unlawful employment while some came here to meet their families and relatives. The number of Mainland pregnant illegal immigrants in 2007 was 47, which represented an increase of 27 per cent when compared with 37 in 2006.

**Vietnamese Migrants (formerly Vietnamese Boat People):** The Immigration Department is also tasked to handle all matters relating to Vietnamese refugees, migrants and illegal immigrants. These include the overseas resettlement of Vietnamese refugees and the repatriation of Vietnamese migrants and illegal immigrants.

On February 22, 2000, Hong Kong announced the implementation of the Widened Local Resettlement Scheme to allow Vietnamese refugees and eligible Vietnamese migrants still stranded in Hong Kong to apply for resettlement in Hong Kong. At the end of 2007, 1 386 Vietnamese refugees/migrants have been permitted to resettle in Hong Kong.

From 1975 to 2007, 143 714 refugees have been resettled overseas from Hong Kong.

During 2007, 631 Vietnamese illegal immigrants arrived in Hong Kong, compared with 598 who arrived in 2006 and 373 in 2005.

At the end of 2007, there were still 25 Vietnamese migrants and 451 Vietnamese illegal immigrants remaining in Hong Kong.

**Administration:** Since its formation in 1961, the Immigration Department has expanded from 73 uniformed and 128 civilian staff to the present establishment of 5 037 uniformed officers and 1 543 civilians as at September 1, 2008. Its size and range of responsibilities now bear little resemblance to the embryonic organisation of 1961.

The work is carried out by Immigration Headquarters in Wan Chai on Hong Kong Island, branch offices and registries located throughout Hong Kong, Kowloon and the New Territories; and from the 13 points of entry and departure. The 13 control points are located at the airport, the harbour, the River Trade Terminal, the Hong Kong-Macau Ferry Terminal, the China Ferry Terminal, the Tuen Mun Ferry Terminal, Lo Wu, Man Kam To, Sha Tau Kok, Lok Ma Chau, Lok Ma Chau Station of the MTR (in operation with effect from August 15, 2007), MTR Hung Hom Station for through trains to and from the Mainland, as well as the first control point with co-location facilities at Shenzhen Bay of Shekou, Shenzhen (in operation with effect from July 1, 2007).

In 2007, the Headquarters' Documents and Visa Control Divisions and branch offices collectively dealt with 1.6 million applications for such items as travel documents, visas and extensions of stay. 1.96 million enquiries were handled. The Enforcement Division conducted 58 203 investigations. 40 048 stops, 9 489 searches, 12 212 arrests and 13 256 detentions were made. 11 037 offenders were prosecuted.

In 2007, 579 666 applications for issue of identity cards (excluding 441 584 identity cards issued under the replacement exercise from January to March 2007) and 247 798 notifications for change of registered particulars were received. Furthermore, a total of 13 686 copies of Certificates of Registered Particulars were issued.

During 2007, the Births and Deaths Registry registered 70 445 births and 39 963 deaths while the Marriage Registry registered 47 433 marriages.

After the introduction of the Civil Celebrants of Marriages Scheme on April 21, 2006, it has brought greater convenience to the marrying parties in the choice of place and time for wedding. For the period from April 21, 2006 to December 31, 2007, 25 552 couples (represents 30.2% of the marriages celebrated in the same period) had their marriages celebrated through the civil celebrants.

The department is implementing an updated information systems strategy to enhance the business performance and to meet the growing demands for better services, pursuant to the recommendation of a consultancy review conducted in 1999. The strategy which comprises multiple IT projects is to be rolled out according to a structured programme for optimal synergy effects and scheduled to complete in 2009.

#### Annual Passenger Movements

	2001	2002	2003	2004	2005	2006	2007
Air	23 031 000	23 571 800	18 854 700	24 222 100	25 977 500	28 077 500	30 146 100
Land	106 644 700	117 644 100	115 524 700	135 863 600	143 865 200	150 780 900	161 175 700
Sea	20 045 800	20 997 800	18 658 200	21 429 600	21 573 800	23 337 300	26 532 100
Total	149 721 500	162 213 700	153 037 600	181 515 300	191 416 500	202 195 700	217 853 900

#### Population Statistics

	2001	2002	2003	2004	2005	2006	2007
Mid-year population#	6 714 300	6 744 100	6 730 800	6 783 500	6 813 200	6 857 100	6 925 900

#### Travel Documents in Circulation

	2001	2002	2003	2004	2005	2006	2007
HKSAR Passports	1 758 800	2 135 600	2 437 800	2 959 900	3 326 200	3 670 115	3 920 780
Documents of Identity	291 400	288 800	286 500	269 700	286 300	304 500	310 100
HKSAR Re-entry Permit	452 000	489 200	499 300	491 600	481 000	469 900	473 100

Note  
# The Population By-census conducted in July to August 2006 provides a benchmark for revising the population figures compiled since the 2001 Population Census. In the above table, population figures from 2001 to 2005 have been revised accordingly.