



## Immigration

Hong Kong has established itself as one of the world's major destinations for tourists and business visitors. In 2005, passenger arrivals and departures totalled 191.4 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 seven 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 keep increase in population from immigration within acceptable limits. 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.

Hong Kong remains a separate travel area after reunification with China. The Sino-British Joint Declaration on the Question of Hong Kong (JD) and the BL provide the Hong Kong Special Administrative Region (HKSAR) Government with full autonomy on immigration control matters. The JD and the BL also provide that entry into the HKSAR of persons from other parts of China shall continue to be regulated in accordance with the previous practice.

**Policies to Attract Capital and Talent:** 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 2005, 1 110 entrant applications, together with 1 916 related dependant applications were received. Of which, 750 entrant applications were approved, including 598 for formal approval and 152 for approval-in-principle. The amount of investments made under the scheme totalled \$4.33 billion.

The Admission Scheme for Mainland Talents and Professionals was implemented on July 15, 2003. The objective of this new scheme is to attract qualified Mainland talents and professionals to work in Hong Kong

in order to meet local manpower needs and enhance Hong Kong's competitiveness in the globalised market. This scheme has no sectoral restrictions and allows intra-company transfer of senior managers and professionals. It also caters for the entry of talents and professionals in the arts, culture and sports sectors as well as those in the culinary profession so as to enhance Hong Kong's status as an Asian world city. The applicants must possess skills and knowledge not readily available or in shortage locally. Admitted talents and professionals must be able to contribute to the operation of the firms and sectors concerned with a view to facilitating economic development in Hong Kong. As at the end of 2005, 9 124 talents and professionals were admitted under the scheme.

**Facilitation of Passenger Movements:** In 2005, the total number of passengers moving into and out of Hong Kong was 191.4 million, an increase of 5.5 per cent compared with 181.5 million in 2004. The number of visitors travelling to Hong Kong increased from 21.81 million in 2004 to 23.36 million in 2005, increased by 7.1 per cent. This included 12.54 million from the Mainland and 2.13 million from Taiwan.

Lo Wu continues to be the busiest control point. In 2005, 90.8 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. Since then, the passenger traffic there has been increasing continually with total passenger throughput in 2005 reaching 44.6 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. 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. Installation of all e-Channels (237 passenger e-Channels and 40 vehicular e-Channels) has been completed. The department is making active preparations for extending the e-Channel service further to other non-permanent residents later in 2006.

**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 437 790 were issued in 2005. The HKSAR passport is technically advanced. Since January 1, 2003, the security features of the passport have been further enhanced.

The department started to issue the smart identity cards on June 23, 2003 and to launch a territory-wide identity card replacement exercise on August 18, 2003. The replacement exercise will last for about four years and the existing identity card holders (including permanent residents and temporary residents) are 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.

**Chinese Nationality Matters:** After the reunification, the department started to process applications relating to the Chinese Nationality Law. In 2005, a total of 49 applications were received for declaration of change of nationality, 1 719 for acquisition of Chinese nationality, 74 for renunciation of Chinese nationality and 6 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 2005, a total of 4 201 requests for assistance were received.

**Illegal Immigration:** In 2005, the number of Mainland illegal immigrants intercepted was 2 191, representing a decrease of 24.4 per cent when compared with 2 899 arrested in 2004. 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 2005 was 45, which represented a decrease of 30.8 per cent when compared with 65 in 2004.

**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 2005, 1 385 Vietnamese refugees/migrants have been permitted to resettle in Hong Kong.

From 1975 to 2005, 143 714 refugees have been resettled overseas from Hong Kong.

During 2005, 373 Vietnamese illegal immigrants arrived in Hong Kong, compared with 164 who arrived in 2004 and 165 in 2003.

At the end of 2005, there were still 31 Vietnamese migrants and 324 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 4 646 uniformed officers and 1 538 civilians as at September 1, 2006. 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 10 points of entry and departure (the airport, the harbour, the River Trade Terminal, the Hong Kong-Macau Ferry Terminal, the China Ferry Terminal, Lo Wu, Man Kam To, Sha Tau Kok, Lok Ma Chau and the Kowloon Railway Station for through trains to and from the Mainland).

In 2005, the Headquarters' Documents and Visa Control Divisions and branch offices collectively dealt with 1.45 million applications for such items as travel documents, visas and extensions of stay. 2.5 million enquiries were handled. The Enforcement Division conducted 76 661 investigations. 38 954 stops, 8 848 searches, 19 219 arrests and 19 488 detentions were made. 18 369 offenders were prosecuted.

In 2005, the Registration of Persons Office received 501 470 applications for issue of identity cards (including replacement identity cards) and 232 211 notifications for change of registered particulars. Some 9 621 copies of Certificates of Registered Particulars were issued.

In 2005, the Smart Identity Card Centres received 1 516 538 applications under the identity card replacement exercise.

During 2005, the Births and Deaths Registry registered 57 175 births and 38 683 deaths while the Marriage Registry registered 43 033 marriages.

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 are to be rolled out in six years starting from 2001-2002 according to a structured programme for optimal synergy effects.

#### Annual Passenger Movements

	1999	2000	2001	2002	2003	2004	2005
Air	21 328 600	23 032 300	23 031 000	23 571 800	18 854 700	24 222 100	25 977 500
Land	90 276 600	101 716 700	106 644 700	117 644 100	115 524 700	135 863 600	143 865 200
Sea	17 463 900	19 270 300	20 045 800	20 997 800	18 658 200	21 429 600	21 573 800
Total	129 069 100	144 019 300	149 721 500	162 213 700	153 037 600	181 515 300	191 416 500

#### Population Statistics

	1999	2000	2001	2002	2003	2004	2005
Mid-year population#	6 606 500	6 665 000	6 724 900	6 773 200	6 803 100	6 882 600	6 935 900

#### Travel Documents in Circulation

	1999	2000	2001	2002	2003	2004	2005
HKSAR Passports	1 033 300	1 371 700	1 758 800	2 135 600	2 437 800	2 959 900	3 326 200
Documents of Identity	288 200	291 800	291 400	288 800	286 500	269 700	286 300
HKSAR Re-entry Permit	480 000	451 600	452 000	489 200	499 300	491 600	481 000

#### Note

# Figures revised in accordance with the 'resident population' approach adopted since August 2000 in place of the 'extended de facto' approach for compiling Hong Kong population figures.