

Guide to Hong Kong entry visas



Contents

Who requires an entry visa?	2
Categories of entry visa	2
Sponsorship	2
Policies regarding employment visa	3
How to apply for an employment visa (Non-PRC applicants)	3
Application after arrival in Hong Kong	4
Points to note for PRC applicants	4
Permitted business-related activities for visitors	4
Capital Investment Entrant Scheme	5
Hong Kong Identity Cards	5
Immigration Department details	5

Who requires an entry visa?

Every person who wishes to enter Hong Kong for the purpose of employment, investment, study, training or residence is required to obtain an entry visa before coming to Hong Kong unless he/she:

- is a Hong Kong permanent resident with a Hong Kong Permanent Identity Card; or
- has the right of abode in Hong Kong; or
- has the right of unconditional stay in Hong Kong; or
- has the right to land in Hong Kong.

Categories of entry visa

Entry visa for employment

- Permits employment in Hong Kong with a Hong Kong incorporated company, the Hong Kong branch of a foreign company, a representative office, an individual or a partnership.

Entry visa for investment

- Permits investment in a Hong Kong incorporated company, the Hong Kong branch of a foreign company, a sole proprietorship or a partnership.

Entry visa for study

- Permits study in Hong Kong at an institution approved by the Hong Kong Immigration Department.

Entry visa for training

- Permits entry to Hong Kong for the purpose of training.

Entry visa for residence as dependant

- Permits residence in Hong Kong and is usually granted to dependants of people coming to Hong Kong for employment, investment, study or training.

Sponsorship

Every applicant for an entry visa, irrespective of the category of visa, needs to have a sponsor. In the case of an application for an employment visa, the Immigration Department usually insists that the employer acts as the sponsor where the employer is a company. Otherwise, the sponsor may be an individual in which case the sponsor must have been a bona fide Hong Kong resident and acquainted with the applicant.

The sponsor must also undertake to assume responsibility for the applicant's repatriation to his/her original country of residency if, at the expiration of the stay granted by the Immigration Department, the applicant fails to leave Hong Kong. In addition, the sponsor must undertake to inform the Immigration Department of any change in the conditions of the applicant's stay in Hong Kong (e.g. cessation of the applicant's employment with the sponsor in Hong Kong).

Policies regarding employment visa

Under the existing immigration policy, a person seeking to enter Hong Kong for employment should possess a special skill, knowledge or experience of value to and not readily available in Hong Kong and that he/she is not filling a post which can be filled locally.

How to apply for an employment visa (Non-PRC applicants)

Generally, applications should be made through the sponsor prior to the applicant's arrival in Hong Kong such that the applicant can activate the approved work visa on arrival. The applicant needs to complete an application form (available from the Immigration Department) and submit it to the Immigration Department together with the following initial information/documents:

- copy of the applicant's travel document
- copy of the proposed employment contract with details of position, salary and benefits
- resume of the applicant and copies of supporting academic certificates (where applicable)
- employment references (where applicable).

The sponsor is also required to complete an application form, and submit the following information/documents:

- copy of its Business Registration Certificate
- copy of proof of financial standing (e.g. latest annual accounts and audit report)
- documents with details of company background such as business activities, mode of operation, background/connection of company, product ranges, sources and markets, etc. (supported with catalogues, brochures, etc.)
- detailed business plan (e.g. information on source of fund, estimated capital injection, nature/mode of business activities, expected turnover, sales volume, gross and net profit in the coming years, proposed creation of local job posts and office renting plans or copy of rental agreement etc.) in case of a company newly set up within 12 months.

The Immigration Department is also entitled to require further information and documents for the purpose of assessing the credibility of the application.

Where the applicant's family will also be coming to Hong Kong, each dependant family member may apply for a dependant visa which would enable the dependant to work or study in Hong Kong subject to the validity of the applicant's employment visa. Where possible, a dependant's dependant visa application should be submitted with the applicant's employment visa application.

As part of the application procedure, the dependant will be required to submit proof of his/her relationship with the applicant. In most cases, applicants for dependant visas are immediate family members of the applicant (i.e. legal spouse, unmarried child under the age of 18, the other party to a same-sex civil partnership, civil union or marriage or opposite-sex civil partnership or civil union with legal status). It is unlikely that a person who is dependent on but not legally related to an applicant will be able to successfully apply for a dependant visa but depending on the circumstances of each case, he/she may be granted a prolonged visitor's permit.

Application after arrival in Hong Kong

An application for employment visa may also be made after the applicant has arrived in Hong Kong but the applicant would be required to exit and re-enter Hong Kong to activate the employment visa.

It is important to note that the applicant cannot work in Hong Kong until an employment visa is obtained.

Points to note for PRC applicants

The Immigration Department operates a special admission scheme for applicants who are residents of Mainland China ("PRC"). PRC residents who wish to enter Hong Kong to work can apply for an employment visa under the Admission Scheme for Mainland Talents and Professionals. The application procedure and requirements are largely the same as those applicable to non-PRC applicants but PRC residents will also need to provide the following information/documents:

- copy of exit-entry permit ("EEP") (required instead of PRC passport);
- copy of PRC resident identity card; and
- letter of consent from the applicant's present working unit or relevant PRC authorities (enclosed under the application form).

If the application has been approved, the individual will then need to go to the PRC relevant authority (e.g. 戶籍所在地公安局出入境管理部門) to obtain an endorsement (赴港簽註) before he/ she comes to Hong Kong. The individual will need to retain both the visa label and his/her EEP with the endorsement for staying in Hong Kong.

However, if the individual is a PRC passport holder but has either (i) obtained permanent residence overseas, or (ii) been residing overseas for at least one year immediately before submitting an application for an employment visa and such application is submitted from overseas, the application for employment visa can be made under the same scheme as non-PRC applicants instead.

Permitted business-related activities for visitors

A person who enters Hong Kong as a visitor is not permitted to work. However, while on visitor status, the Immigration Department generally permits a person to engage in limited business related activities. These are confined to the following:

- concluding contracts or submitting tenders;
- examining or supervising the installation/packaging of goods or equipment;
- participating in exhibitions or trade fairs (except selling goods or supplying services direct to the general public, or constructing exhibition booths);
- settling compensation or other civil proceedings;
- participating in product orientation; and
- attending short-term seminars or other business meetings.

A person who enters Hong Kong as a visitor may also attend an event to deliver speech(es)/presentation(s) subject to the following limitation:

- he/she will not be remunerated for speaking/presenting at the event (other than provision of accommodation, passage, meals, etc. relating to the event, or the reimbursement of such expenses);
- the duration of the whole event should be no longer than seven days; and
- he/she can only attend one such event to deliver speech(es)/presentation(s) during each period of permitted stay.

However, businesses and individuals alike need to be extremely careful not to go beyond the scope of these activities while a person is still on visitor status. Otherwise, it would be a criminal offence for both the business and the individual.

Capital Investment Entrant Scheme

The Capital Investment Entrant Scheme aims to provide entry for residence in Hong Kong for individuals who are willing to make capital investment. However, the scheme has been suspended for new applications since 15 January 2015 until further notice.

Hong Kong Identity Cards

It is a requirement of Hong Kong law that a resident of Hong Kong must carry a Hong Kong Identity Card at all times. Applications for Identity Cards must be made in person at the Immigration Department within 30 days from activating the entry visa. Advance telephone or online bookings can be made.

Immigration Department details

Immigration Department forms can be obtained from the central office as well as the regional immigration offices located throughout Kowloon and the New Territories or from the website of the Immigration Department. Applications for entry visas should be submitted to the central office in Wan Chai. Business hours at the regional offices may vary from those at the central office.

The central office of the Immigration Department is located at the following address:

Immigration Tower, 7 Gloucester Road, Wan Chai, Hong Kong.

Tel: +852 2824 6111, Fax: +852 2877 7711

The opening hours are as follows:

Monday to Friday — 8:45am to 4:30pm; Saturday — 9:00am to 11:30am

Want to know more?

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