

C051-E

A Bill to Amend the Immigration Ordinance to provide that holders of a specified type of travel document issued by the Central People's Government are not to be treated as ordinarily resident in Hong Kong during the period in which they remain in Hong Kong.

Enacted by the Legislative Council.

1. Short title and commencement

(1) This Ordinance may be cited as the Immigration (Amendment) Ordinance 2001.

(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Security by notice published in the Gazette.

2. Interpretation

Section 2 of the Immigration Ordinance (Cap. 115) is amended---

(a) in subsection (1), by adding---

""prescribed Central People's Government travel document" (訂明的中央人民政府旅行證件) means a travel permit issued by the Central People's Government which on its cover is called "因公往來香港澳門特別行政區通行證" and which bears an endorsement stating that "持證人係國家公職人員，受委派在香港、澳門特別行政區工作。";";

(b) in subsection (4)(a), by adding---

"(ix) as a holder of a prescribed Central People's Government travel document; or".

Explanatory Memorandum

The Central People's Government issues a type of travel document to Mainland public officials who are directed to work in Hong Kong or Macao to perform their duties. Such documents bear an endorsement in Chinese stating the status of the holders and their purposes of stay. This Bill amends the Immigration Ordinance (Cap. 115) for the limited purpose of providing that holders of such documents are not to be treated as ordinarily resident in Hong Kong for the purposes of that Ordinance during their stay as such holders.