

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

香港添馬添美道 2 號

2 Tim Mei Avenue, Tamar, Hong Kong

本函檔號 Our Ref.: SBCR 5/2098/98

來函檔號 Your Ref.: CB2/PL/SE

By Email

29 December 2017

Clerk to the Legislative Council Panel on Security
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong
(Attn: Miss Betty MA)

Dear Miss MA,

Panel on Security

Letter from Hon Claudia MO

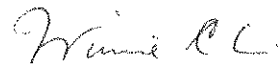
I refer to your letter dated 16 October 2017 which was attached with the letter from the Hon Claudia MO to the Chairman of the Legislative Council Panel on Security on 12 October 2017 and requested us to respond to the matters raised therein. Her letter concerns about a foreign national who was refused entry into Hong Kong and requests the Government to explain the guidelines and direction on the criteria for refusal of entry of different persons. Regarding the matters raised in the Hon MO's letter, our reply is as follows –

Since the return to China in 1997, the Hong Kong Special Administrative Region (“HKSAR”) has been implementing the principle of “One Country, Two Systems”, and exercising “Hong Kong people administering Hong Kong” and a high degree of autonomy in strict accordance with the Basic Law. The HKSAR Government exercises immigration controls on entry into, stay in and departure from Hong Kong by persons from foreign states and regions. The Immigration Department handles each case in accordance with the laws of the HKSAR and prevailing immigration policies.

Section 7(1) of the Immigration Ordinance (Cap. 115) provides that a person may not land in Hong Kong without the permission of an officer of the Immigration Department unless he enjoys the right of abode in Hong Kong, he has the right to land in Hong Kong, or he may land in Hong Kong without such permission by virtue of the Immigration Ordinance (such as members of crew of aircraft). Pursuant to section 4(1)(a) of the Immigration Ordinance, officers of the Immigration Department may examine any visitor on his arrival in Hong Kong. Sections 11(1) and 18 of the Immigration Ordinance respectively empower immigration officers to refuse entry and to effect removal of persons who have been refused entry.

In exercising immigration control, the Immigration Department handles each case in accordance with the laws of the HKSAR, and prevailing policies and procedures, and decides whether to allow or refuse entry after giving careful consideration to the individual circumstances of each case. The HKSAR Government will not comment on or disclose information relating to any individual case.

Yours sincerely,



(Winnie Chui)
for Secretary for Security

c.c. Director of Immigration (Attn: Mr TAI Chi-yuen)

Internal : PAS(S)E