

**Information note on application and verification procedures for
a Certificate of Entitlement**

We issued on 5 July 1999 an information note on “Application and verification procedures for Certificate of Entitlement” to the Subcommittee on Resolution under the Immigration Ordinance. The information note sets out the areas of discussion of the revised application procedure for a Certificate of Entitlement with the Bureau of Exit-entry Administration (BEEA) of the Ministry of Public Security.

2. On 12 July 1999, the Director of Immigration reached an agreement with the BEEA on all the arrangements set out in the information note.

3. For Members’ ease of reference, the information note is reproduced at Appendix A. A copy of the press release issued by the BEEA and Director of Immigration is at Appendix B.

Security Bureau

12 July 1999

**Information Note on Application
and Verification procedures for a Certificate of Entitlement**

The Director of Immigration and the relevant authorities of the Mainland have held discussions to settle the procedures of applying for a Certificate of Entitlement. It is expected that a consensus will be reached very soon. The main points of discussions on the application and verification procedures are as follows.

Submission of Application

Based on the re-linking of the Certificate of Entitlement and One-way Permit arrangements, an applicant who is residing in the Mainland has to submit his application to the relevant Public Security Bureau Office in the district where he is residing and has household registration. The applicant has to complete in duplicate the One-way permit application form which is specifically designed for persons of Chinese nationality born in the Mainland to parents who are permanent residents of the Hong Kong Special Administrative Region. One copy of the form will be used as the application form for a Certificate of Entitlement. It will be sent to the Hong Kong Immigration Department for processing. The Public Security Bureau Offices will accept applications from children born out of wedlock. When the applicant submits an application, he should furnish supporting documents which include his identification documents, proofs that one of his parents falls within the categories of persons under Article 24(2)(1) or 24(2)(2) of the Basic Law. Regarding the proof of parentage relationship of illegitimate children, undergoing a DNA test may be required. Because of the complications of the technical arrangement, experts from both sides will further discuss to work out the details.

Preliminary Verification and Referral of Application

As before, the Public Security Bureau Offices will continue to verify the personal particulars of the applicants, after confirmation of the applicants' identities and relationship with their parents, the duplicate "One-way Permit cum Certificate of Entitlement" application form will be sent to the Hong Kong Immigration Department by batches for processing through designated channels. The despatch will be handled by the Bureau

of Exit-Entry Administration in Beijing and Public Security Bureau Offices in Guangdong and Fujian Provinces. The Hong Kong Immigration Department will continue to maintain close contacts with the relevant Public Security Bureau Offices on the despatch of applications to Hong Kong for processing.

Verification and Assessment of Eligibility for Right of Abode

Upon receipt of the applications referred by the Public Security Bureau Offices, staff of the Hong Kong Immigration Department will verify the applications in an orderly manner. Based on the information provided by the Public Security Bureau Offices and the records being kept by the Hong Kong Immigration Department, the eligibility of the applicants will be assessed in accordance with Article 24(2)(3) of the Basic Law. If there is doubt or inconsistent information found in the application, the Hong Kong Immigration Department will seek assistance from the relevant Public Security Bureau Offices to conduct investigation and the applicant will also be requested to submit further supporting documents. When eligibility is confirmed, the Hong Kong Immigration Department will issue a Certificate of Entitlement.

Control and Record Maintenance

There are adequate control measures to ensure the security of the whole verification process. All application records are stored in a secured and computerised system. The Certificates of Entitlement which have security features will be printed. Photocopies of all printed Certificates of Entitlement will be kept by the Hong Kong Immigration Department for records purpose.

Issuing Procedures and Entry Arrangement

As the Certificate of Entitlement is an important document, the Hong Kong Immigration Department will despatch them to the Mainland authorities through the established channel. The certificates will be sealed and delivered to the Mainland authorities through the Border Liaison Channel. When the Public Security Bureau Office issues the One-way Permit to the applicant, the Certificate of Entitlement will also be affixed to the One-way Permit so that the applicant can come to Hong Kong for settlement with the two documents.

The staff of the Hong Kong Immigration Department will examine the One-way Permit and the Certificate of Entitlement when the holder arrives at Lowu Control Point. When the person is satisfied to be the rightful holder of the certificates and no irregularities are found, he will be allowed for entry.

Security Bureau

6 July 1999