



Immigration policy for family migration in selected places

IN13/19-20

1. Introduction

1.1 Family migration is an important and one of the most common forms of international migration. Nearly 40% of all permanent migration to the Organisation for Economic Co-operation and Development ("OECD") member nations were for family reasons such as reunifying with their family members.¹ In Hong Kong, there are currently two main channels for Hong Kong permanent residents to bring their non-local family members to Hong Kong for family reunion. The first one is through the quota-based One-way Permit Scheme ("OWPS")² which is for Chinese citizens on the Mainland (referred as Mainland residents below) to join their family for settlement in Hong Kong and the other is through applying for the dependant visa/entry permit which is for non-Mainland residents to join their family and reside in Hong Kong.

1.2 OWPS remains the largest source of family migrants.³ Since 1997, more than one million Mainland residents have migrated and settled in Hong Kong for family reunion via OWPS. These family migrants have been the biggest contributor to Hong Kong's net population growth and now

¹ It consists of primarily the admission to a foreign place of immigrants who seek to form a family through marriage, accompany family members admitted to the place, and reunite with family members already settling in the place. It also includes international adoption. See OECD (2017).

² The official name of One-way Permit is "Permit for Proceeding to Hong Kong and Macau" which is issued by the Exit and Entry Administration Office of the Public Security Bureau at the applicants' places of household registration on the Mainland. The Mainland's household registration system was introduced in 1958 under the Regulations on Household Registration of the People's Republic of China (中華人民共和國戶口登記條例) as a means of population registration and control of internal migration. It regulates the relocation of place of residence of the inhabitants from one city to another and determines their access to socioeconomic benefits and opportunities in the host city. The system has never covered the Special Administrative Regions including Hong Kong.

³ Family migrants in the Hong Kong context refer to individuals who migrate to Hong Kong for residence either for family reunion or accompanying their family members.

account for 13% of Hong Kong's population.⁴ While OWPS has helped Hong Kong fulfill its international obligations for family protection,⁵ there are concerns that OWPS may pose challenges on Hong Kong's population and social planning, in view that there are no financial conditions imposed while the Hong Kong Government has limited participation in the approval process.

1.3 At the request of Hon Claudia Mo, the Research Office has conducted this study to examine overseas family migration policy, particularly in relation to family reunion.⁶ Since internal migration is generally **not regulated** in overseas jurisdictions, the study mainly examined the policy on international migration, with a focus on the admission aspects. This information note will first review the relevant policy in Hong Kong, followed by an overview of the global trend on the relevant immigration policy, and then the relevant experiences of two selected places, Australia and the United States ("US"). The former has in recent years adopted a more restrictive approach towards family immigration and resorted to economic means to prioritize applications for certain types of family visas. The US appears to be the most generous place to family immigrants as it receives the world's largest number of these immigrants. Despite this massive intake, the US immigration laws contain some restrictive provisions regarding the admissibility of immigrants and the government has in recent years further tightened up certain requirements. After a discussion over the two places, **Appendix I** provides a summary of the relevant policy features of Hong Kong, Australia and the US.

⁴ The accumulative new arrivals between 2009 and 2018 accounted for 87% of the accumulative net population growth in Hong Kong during the same period.

⁵ The Universal Declaration of Human Rights and International Covenant on Civil and Political Rights have provisions on protection of family, without explicitly referring to family reunion.

⁶ This information note uses the term family reunion/reunification in a broad sense, i.e. the bringing together of split family members together regardless of their origins, as the term is not defined in the Immigration Ordinance (Cap. 115).

2. Admission policy for family migrants of Hong Kong

2.1 After the reunification with the Mainland, Hong Kong was granted autonomy under the Basic Law on immigration control (出入境管制) matters.⁷ Also provided in the Basic Law is that Mainland residents' entry into Hong Kong will require prior approval from the Mainland authorities, regardless of the nature of entry or duration of the stay.⁸ Under the Immigration Ordinance (Cap. 115), people who have come to Hong Kong and fulfilled the requirement of seven years of continuous ordinary residence in Hong Kong, among other requirements,⁹ may apply for Hong Kong permanent resident status.¹⁰

2.2 Against the above, the Government has formulated various admission schemes¹¹ (入境計劃) to facilitate entry of talents or professionals for study, work, investment or residence in Hong Kong. Most of these admission schemes allow the entrant (i.e. the principal scheme applicant) to apply to bring along their dependants including spouse and unmarried children under the age of 18 to Hong Kong as accompanying family members. These applicants have to demonstrate that they can financially support their dependants and provide suitable accommodation to them. The allowed length of stay of the dependants will normally be linked to that of the entrant's. After seven years of continuous ordinary residence, the entrant and their dependants may apply for permanent resident status in accordance with the law.¹² In 2018, a total of 18 308 dependant visas and permits were

⁷ See Article 154 of the Basic Law which allows Hong Kong to apply "immigration controls" for "persons from foreign states and region".

⁸ This includes the Two-way Permit, which, formally known as Exit-Entry Permit for Travelling to and from Hong Kong and Macau, is the travel document required to travel to and from Hong Kong. To enter Hong Kong, a Mainland resident must also apply for an exit endorsement that specifies the maximum time and duration of stay within a specified period.

⁹ Article 24 of the Basic Law defines Hong Kong permanent resident. Apart from the residency rule, those who are born in Hong Kong and to Chinese citizens, and those born in Hong Kong to Hong Kong permanent residents who are non-Chinese citizens are also entitled to the permanent resident status.

¹⁰ All entrants admitted into Hong Kong, except foreign domestic helpers, imported labour under the Supplementary Labour Scheme, are eligible to become permanent residents.

¹¹ In this information note, all schemes that allow the entry of an individual into Hong Kong regardless of the limit of stay are referred as admission schemes, in order to distinguish them from cross-national immigration in overseas jurisdictions.

¹² A Hong Kong permanent resident is entitled to the right of abode which allows the right to land and be free from deportation, obtain a HKSAR passport (for Chinese citizens only), and other related rights such as the right to vote.

issued to dependants of the entrants under seven major admission schemes.¹³ They accounted for 70% of all 26 083 dependants admitted into Hong Kong.¹⁴

2.3 For **Hong Kong permanent residents** who wish to bring in their non-local family members to Hong Kong, there are currently two separate channels for their eligible relatives to apply for residence in Hong Kong:

- (a) **OWPS**: This scheme exclusively caters for family reunion with family members who are Mainland residents. It is the largest source of family migrants in Hong Kong. Currently, there are six eligible groups: (i) **spouse and their children under 18** of Hong Kong residents; (ii) **children aged 18-59** of Hong Kong residents who are aged over 60 and have no children in Hong Kong; (iii) **parents aged over 60** who have no children on the Mainland and have to be supported by their children over 18 in Hong Kong; (iv) **children under 18** who have to be supported by their parents in Hong Kong;¹⁵ (v) holders of **Certificate of Entitlement** born to a parent who has become permanent residents of Hong Kong at the time of their birth; and (vi) those who have to settle in Hong Kong due to **special circumstances**. One-way Permit holders must also meet the seven-year residency requirement to become Hong Kong permanent resident. Under Article 22 of the Basic Law, approval is required from the Mainland authorities for Mainland residents to enter Hong Kong. Therefore, the application, approval and issuance of One-Way Permits are the remit of the Mainland authorities, and there is a daily quota of 150, which add up to an annual quota of 54 750; and

¹³ These schemes are General Employment Scheme, Admission Scheme for Mainland Talents and Professionals, Quality Migrant Admission Scheme, Technology Talent Admission Scheme, Capital Investment Entrant Scheme, Immigration Arrangement for Non-local Graduates, and Admission Scheme for the Second Generation of Hong Kong Permanent Residents. Mainland residents may also be admitted as dependants into Hong Kong under some of these schemes.

¹⁴ The figure of 26 083 represents all dependants (excluding those under OWPS) admitted into Hong Kong in 2018. Apart from dependants admitted via the seven admission schemes, it also included non-local dependants of non-local students (e.g. from the Mainland) of tertiary education institutions and non-local dependants of Hong Kong permanent residents admitted under dependant visa/entry permit. Among all these dependants admitted, Mainland residents accounted for 36% and are the biggest single origin.

¹⁵ According to the rules approved by the State Council in December 1986, applicants under OWPS are required to provide the permanent residence proof of their relatives in Hong Kong. See 《中國公民因私事往來香港地區或者澳門地區的暫行管理辦法》.

(b) **Dependant visa/entry permit:** This visa/permit policy primarily caters for non-Mainland residents. Under this policy, the dependants must be either **spouse/partner, unmarried children under 18 or parents aged 60 or above** of the sponsor.¹⁶ According to the Immigration Department, an application may be favourably considered if the sponsor of the dependant is able to support the dependant's living at a standard well above the subsistence level and provide suitable housing.¹⁷ The applicant should also meet the normal requirement that there was "no likelihood of becoming a burden on HKSAR".¹⁸ Unlike OWPS, applications for dependant visa/entry permit are processed and approved by the Hong Kong Government. The length of stay is limited, with extension allowed. Dependants may apply for Hong Kong permanent residency status after seven years of continuous residency. There is no quota for this visa/permit.

2.4 In 2019, there were 39 060 One-way Permit holders settling in Hong Kong (**Appendix II**). Yet it is unclear about the number of visas issued to dependants who are non-Mainland residents or foreign nationals¹⁹ while there is also a lack of data of these dependants' socio-economic characteristics. Public discussion over the admission of these dependants also appears very limited, probably because sponsors in this category have to demonstrate their financial ability to support the dependants, which somehow has eased some people's concern over the likelihood of them becoming Hong Kong's burden.

2.5 In contrast, OWPS persistently draws public concerns, likely because it imposes no similar financial requirement as in the case for dependant visa, while Hong Kong could not participate in the screening and selection of the migrants. Under OWPS, all applications are filed personally by the Mainland residents seeking resettlement and their Hong Kong family members to

¹⁶ Apart from Hong Kong permanent residents, those who have a right to land in Hong Kong, and those who are allowed an unconditional stay (e.g. entrants under the Capital Investment Entrant Scheme who have ordinarily resided in Hong Kong for over seven years but do not apply for Hong Kong permanent resident status) can also apply to bring their dependants to Hong Kong.

¹⁷ The Immigration Department does not publish further information on the required level of income and the quality of accommodation.

¹⁸ The Immigration Department does not define the meaning of "no likelihood of becoming a burden on HKSAR". See Immigration Department (2019a).

¹⁹ The Immigration Department is not able to provide detailed data on the composition of dependant visas, according to its reply to an enquiry from the Research Office.

the public security units in their respective place of residence on the Mainland.²⁰ In processing the applications, the Immigration Department of Hong Kong facilitates at the case level, including assisting in verifying the supporting documents submitted by the applicants and their claimed relationship with relatives in Hong Kong, and also help investigate cases involving obtaining One-way Permits by illegal means.²¹ The Immigration Department can also convey cases worth discretionary treatment to the Mainland authorities, such as Mainland widowed mothers of minor children in Hong Kong who are not eligible under OWPS.

2.6 The present arrangements of OWPS are indeed a product of historical development of immigration policy and control spanning over decades.²² The arrangement had been in place before the signing of the Sino-British Joint Declaration in 1984 and was preserved as a "**present practice**" in the Joint Declaration.²³ All along, the daily quota has been determined by the Central Government after consulting the Hong Kong Special Administrative Region. The quota stood at 75 after 1982, and was raised to 105 in 1993, and then to the present level of 150 since 1995.²⁴

2.7 Since May 1997, a point-based system has been in use by the Mainland authorities which accord a score for applicants based on separation time for couples and the age of dependent children or parents. Every year, the National Immigration Bureau announces a minimum score for different eligible groups.²⁵ If they secure the minimum scores, they can then line up for the permits, with those having higher score given priority in the queue.

²⁰ The number of applications filed to the Mainland authorities is not clear as such information is not published.

²¹ There are concerns over bogus marriage or other irregularities relating to OWPS. For further information about marriage fraud prevention, see Legislative Council Secretariat (2019).

²² In the early 1950s, the Mainland authorities began to exercise exit control over immigrants entering into Hong Kong. Following a huge population influx into Hong Kong in the 1960s and 1970s, OWPS with a daily admission quota was officially agreed between the Mainland and Hong Kong authorities in the early 1980s. The framework of OWPS has largely been unchanged since then, except some amendments to the quota allocation.

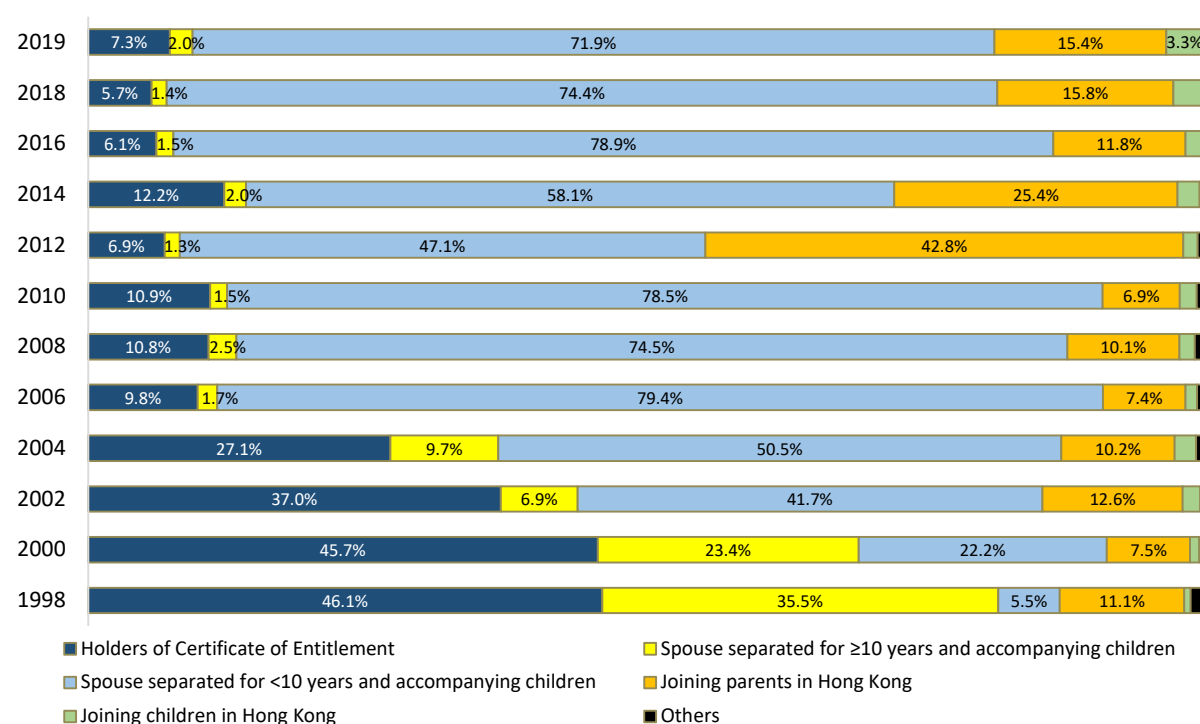
²³ It is stated in the Sino-British Joint Declaration that "Entry into the Hong Kong Special Administrative Region of persons from other parts of China shall continue to be regulated in accordance with the present practice". See Constitutional and Mainland Affairs Bureau (2007).

²⁴ See Official Record of Proceedings, 30 April 1997.

²⁵ The minimum score is determined and announced by the National Immigration Bureau each year. Currently, the minimum score is 146.1 for reunion with spouse. Under the point system, the applicant will earn 0.1 point for each day separating from his or her spouse. In other words, eligible applicants will have to wait at least four years before being issued a permit.

Since 1997, there have been over 1.07 million arrivals under OWPS. The composition of the categories of One-way Permit holders has changed significantly. In 1998, the largest group was those persons holding Certificate of Entitlement, followed by spouse separated for 10 years or over and their accompanying children. However, spouse separated for less than 10 years has become the largest group since the early 2000s and constituted nearly 72% in 2019 (**Figure 1**).

Figure 1 — Proportion of different categories of OWP holders



Sources: Security Bureau and Immigration Department.

2.8 Government surveys found that the overall education level of OWPS new arrivals has improved markedly in recent years.²⁶ However, the proportion of these new arrivals who have attained post-secondary/university education (24.9%) remained below Hong Kong's population average of 33.1% in 2018. Similarly, the median household income of family with new arrivals from the Mainland in 2018 stood at HK\$12,200, which was far below

²⁶ Nearly 25% of new arrivals from the Mainland completed post-secondary or university education in 2019, compared to just 5.3% two decades ago. See Home Affairs Department (2019).

the population average of HK\$28 000.²⁷ In terms of housing, the proportion of new arrivals living in public rental housing and private housing was 47% and 47.3%, as opposed to the population average of 30.5% and 68.6% respectively.

2.9 However, there has not been evidence to suggest that these demographic and socio-economic traits of the Mainland new arrivals have increased their likelihood to rely on welfare benefits. One possible indicator is the overall number of cases of Comprehensive Social Security Allowance ("CSSA") involving recipients having resided for less than seven years in Hong Kong.²⁸ Yet these cases have in fact been decreasing over the years (See Appendix II), while the share of total CSSA expenditure remained steady at around 4% in recent years.²⁹

2.10 The Government has emphasized that OWPS new arrivals have helped fill the gaps of the **manpower shortage** in Hong Kong. Without them, the population might have possibly shrunk.³⁰ Strictly for family reunion, OWPS is also essential as cross border marriages make up about one-third of local marriages and has no sign of decline in the long run.³¹ While OWPS is the remit of the Mainland authorities and there is no plan to change the operation, the Government had conveyed and exchanged views with the Mainland authorities which have led to some **adjustments** to the system, such as allowing over-age children to join parents in Hong Kong and extending the age limit of accompanying children from 14 to 18.³² In view of the concerns that new arrivals might create population pressure and stretch

²⁷ The new arrivals' median household income figure comes from the Home Affairs Department surveys, while the overall median household income figure is from the Census and Statistics Department.

²⁸ The Research Office has written to the Social Welfare Department to enquire if data on CSSA recipients who resettled from the Mainland and have resided for less than seven years are available. The department replied that they did not have such data.

²⁹ The Court of Final Appeal quashed in December 2013 the seven-year residence requirement for CSSA application imposed in 2004, and since then the old one-year residence requirement was restored. After this ruling, the total CSSA expenditure on new arrivals rose by 41% from HK\$582 million in 2013-2014 to HK\$823 million in 2014-2015, while its percentage share in such expenditure rose from 3% to 4%. Although it further rose to HK\$949 million, HK\$939 million and then HK\$885 million in the next three fiscal years, the percentage share stayed fairly stable at 4.1%-4.3%. See GovHK (2011) and (2019b), and Census and Statistics Department (2012).

³⁰ See 《局長網誌：誇大數字是惡意，還是創意？》，2018年10月28日。

³¹ The number of registered marriages with either the groom or bride being a Mainland resident stood at 43 520 and accounted for about 36.7% of all registered marriages in Hong Kong in 2018.

³² The Government has also been discussing with the Mainland authorities on establishing a "return mechanism" allowing new arrivals under OWPS to keep their Mainland residency. See 《削單程證動議否決 港府稱返回機制適時公布》，明報，2019年3月22日。

various resources available to the local population, there have been suggestions of **adjusting the admission quota**³³, incorporating **additional criteria or conditions** in OWPS, such as a test of financial self-sufficiency or earning similar to the requirements of bringing dependants to Hong Kong under dependant visa and/or various admission schemes.³⁴

3. Overseas trend of family migration policy

3.1 Family reunion is often regarded by some people as a basic human right under international conventions. According to OECD, the choices of family migration policy adopted in different places are usually a **balance and trade-offs** between "overlapping and competing objectives". These objectives include respect for the right of family life, timeliness of family reunification, and coverage of extended family members on the one hand, and the need to ensure immigration programme integrity from fraud, improve social integration of new immigrants, and the economic stability of family on the other.³⁵

3.2 Having said that, the general trend of family migration is that it has become more conditional in some form or another. More restrictive criteria may be founded on the belief that immigrants are supposed to be self-sufficient and should not burden the host community when they arrive, in spite of its important value in providing emotional support and care to the immigrant family. Although family migration still constitutes about 40% of all permanent migration to OECD countries, its importance has declined relative to migration of talents and temporary workers to fill economic needs.

³³ Recently, a Hong Kong delegate to the Chinese People's Political Consultative Conference suggested cutting the quota by a half to relieve friction between Hong Kong and the Mainland, and pressures on public resources. However, the Chief Executive of HKSAR has dismissed the suggestion as it would send a wrong signal that OWPS was to be blamed for the ongoing social problems. See SCMP (2020) and 《行政長官於行政會議前會見傳媒開場發言和答問內容》，政府新聞處，2020年1月14日。

³⁴ See Official Record of Proceedings, 8 January 2014, and 21 March 2019.

³⁵ See OECD (2017).

3.3 Among the traditional immigrant nations, **Canada** is among the first to gradually tilt towards skilled immigrants for boosting the economic sectors. In 2017, family reunification immigrants accounted for less than one-third of total immigrants while the rest were from other point-based skill/employment programmes.³⁶ Yet, family reunion is still ingrained as a major objective of the Immigration and Refugee Protection Act and it remains forthcoming in admitting **parents/grandparents** of the sponsors for permanent residence, one of the less favoured groups of immigrants. To cater for the high demand, the admission places for them have been increased by four times between 2015 and 2019, and now stand at about 21 000 annually. Having said that, the sponsors for this group must also undertake to be financially responsible for them for 20 years, which is longer than other traditional immigrant nations.

3.4 In **New Zealand**, the government has put in place a **biannual planning target/quota** under each of its immigration streams. In 2016, the overall quota for family migration was halved from 5 500 to 2 000 a year and the application for parent residence visa was even suspended, leading to criticism of being inhuman to separate family members. Application for parent visa was resumed in February 2020 following a change of government, but an annual cap of 1 000 was introduced which was much less than the number of cases approved before the suspension, while the financial requirement for the sponsors was also raised.³⁷

3.5 **Germany** is the country which receives the largest number of immigrants among the Member States of the European Union. Generally, a residence permit holder can apply to bring their spouse, children and parents to Germany. However, there are various requirements to meet. Apart from **financial support and sufficient living space**, the German authority has also introduced a **language skill requirement** since 2007. Unless exempted, a spouse/partner must have attained the basic level of German language before a visa is issued, while any children over 16 years must have to demonstrate his ability to integrate and adapt.³⁸ That pre-departure language requirement has been under criticism because it had effectively raised the bar for family reunification under the banner for better integration

³⁶ This is compared to 40% of all immigrants being family-based immigrants in 1987. In 2017, two-thirds of the 82 000 immigrants admitted under the Family Class Sponsorship Programme, were spouse/partners and children. See Immigration, Refugees and Citizenship Canada (2020).

³⁷ It has also removed the option of including parent's guaranteed lifetime income or funds as part of the financial strength of the sponsor, which was previously allowed. See Unite (2019).

³⁸ See German Federal Office for Migration and Refugees (2017).

for immigrants.³⁹ A similar language requirement is also adopted in the **United Kingdom** ("UK").⁴⁰ In addition to that, the UK has also imposed a **Health Insurance Surcharge** for bringing spouse as dependant into the UK.⁴¹

3.6 In **Sweden**, which scored the best in the Migration Integration Index in 2015, had not imposed any financial and housing requirement for family reunion until 2010 after a change of government. In recent years, Sweden has devoted resources and placed emphasis in **social and economic integration** of immigrants following the influx of people seeking protection in Europe. Based on the notion that early intervention promotes better integration, they have also made **mandatory** for immigrants taking necessary training and education courses after arrival.⁴²

4. Family migration policy in Australia

4.1 Australia is regarded as a traditional immigrant nation with a long history of admitting immigrants to propel its economic and social development. Since 1985, more than 4.2 million people have settled in Australia through its annual Migration Program, and foreign-born persons already accounted for 29% of its 25 million population in 2018. Immigrants admitted under that Migration Program are permanent residents who could become a citizen after meeting the requirements specified in the Australian Citizenship Act 2007 including at least four years of residence in Australia.

4.2 Under the Migration Act 1958 and its regulations,⁴³ the Australian Government through its annual permanent Migration Program sets **immigration target/ceiling** levels for different visa classes for each fiscal year

³⁹ See Groenendijk (2011) and Federal Office for Migration and Refugees (2015).

⁴⁰ It has even imposed a post-entry language test on partner and parent immigrants from non-European Economic Area within 30 months after their arrival. Failure to pass the test may result in their permit not extended beyond the 30 months. Those who are seeking permanent settlement, they also have to pass the "Life in the UK" test.

⁴¹ See European Commission (2017) and GOV.UK (2020).

⁴² See Ugland (2018).

⁴³ There is no control over internal migration within Australia and there is also no specific household or personal registration requirement at local authority. However, new residents are advised to notify the authorities such as the tax authority of the change of their address. Most of such migration is believed to be driven by employment. As to the provision of welfares, since most of the social security payments and services are funded by the Commonwealth government, the inter-state difference in such provision could be small.

beginning 1 July, according to the priorities and economic and political considerations of the government of the day.⁴⁴ The Migration Program comprises three immigration streams (excluding asylum seekers) namely (a) skill, (b) family, and (c) special eligibility (e.g. for permanent residents returning to Australia). The **family stream** mainly caters for Australian permanent residents or citizens to reunite with their overseas family members. Although the **skill stream** is primarily designed to fill shortages in the labour market, it is considered an entitlement for the skill immigrants to bring along their "members of family unit"⁴⁵ when they move to Australia. These dependants are normally only required to meet the health and character requirements.

4.3 The family stream was once the largest source of immigrants, accounting for nearly 80% in the mid-1980s. Yet the skill stream rose to importance gradually as it could relieve skill shortages in Australia and is considered to be more contributory to the economy. By the late 1990s, the skill stream has already surpassed the family stream as the largest source.⁴⁶ In 2013, the Australian government committed that no less than two-thirds of the Migration Program be made of the skill stream. Since then, the family stream share has further diminished to about 30%. Below are the salient features of the family stream of the Migration Program:

- (a) **Annually reviewed immigration quota**⁴⁷: The ceilings and composition of the Migration Program including the family stream is determined by the federal government following consultation with the business sector, states and territories and the public each year, gauging their expectations and needs for

⁴⁴ See Parliament of Australia (2010).

⁴⁵ Family members of skill immigrants are counted towards the quota under the skill stream. The "member of family units" is defined in the Migration Regulations 1994, which includes spouse/partner, and dependent child who is either under 18, aged from 18 to 23 who is financially dependent or aged over 23 who has disabilities. In 2018-2019, these dependants accounted for 53% of all the 59 000 immigrants under that skill stream. See Department of Home Affairs (2019).

⁴⁶ Driving the shift was the growing concern over the findings at that time that a third of new immigrants were dependent on welfare as their main income source, and what the government said "high and sustained level of unemployment" in the family stream. See Parliament of Australia (2013).

⁴⁷ The migration ceiling does not take into account New Zealand citizens who are allowed to stay and work indefinitely in Australia under the automatically granted Special Category Visa upon arrival. However, these New Zealand citizens are still required to meet the necessary requirements if they want to acquire a formal permanent resident status or citizenship in Australia and enjoy certain social benefits.

the Program. Starting from 2019-2020, the federal government has lowered the overall ceiling to 160 000, the lowest for at least 10 years, and 16% below the peak of 190 000 in 2012-2013, in a bid to reduce the pressure on the infrastructure and environmental quality at local levels.⁴⁸ In 2020-2021, the family stream accounts for 30% or 47 732 places of the whole Migration Program (**Appendix III**);

- (b) **Categories of family visas:** The Migration Program provides different types of family visas. Eligible relatives are (i) spouse/partner, (ii) parents, (iii) dependent child and (iv) other relatives of Australian permanent residents or citizens. About **80%** of the annual ceiling of the family stream is allocated to **spouse/partner**.⁴⁹ Only **15%** is assigned to **parents** who have to satisfy more restrictive eligibility criteria such as a balance of family test.⁵⁰ The remaining quota is for "other relatives" class including carers, aged dependent relatives, and remaining relatives.⁵¹ There is no cap for dependent child visa,⁵² and hence it is not included in the overall family stream ceiling. The government estimates that at least 3 350 places are available in 2019-2020;
- (c) **Financial barriers imposed:** The Australian government requires family sponsors in Australia to provide an **Assurance of Support** ("AoS").⁵³ AoS is a legal agreement entered with the Australian authority that the assurer will support financially the persons settling in Australia.⁵⁴ Currently, AoS is **mandatory** for parent

⁴⁸ Indeed, the quota ceiling set for 2018-2019 was not used up, with the actual allocation 15% below the ceiling for the skill stream, and 18% for the family stream. See Department of Home Affairs (2020a).

⁴⁹ The applicant for a partner visa must apply for a provisional visa first while waiting for the grant of a permanent visa. The sponsor must not be sponsoring another partner and could not be a sponsored partner within the past five years and has not sponsored for more than two partners before.

⁵⁰ The test requires that the parent has at least half of his children or more children living in Australia than in elsewhere.

⁵¹ Applicants may also apply to bring their own family members along too.

⁵² If they are adult children, they must be under the age of 25 and financially dependent on the sponsoring parents or a full-time student and unmarried at the time of lodging application.

⁵³ The assurer may also be any eligible Australian resident or organization. See Services Australia (2020) and Department of Social Services (2018).

⁵⁴ Since 1912, sponsors of immigrants were required to provide for the maintenance of sponsored migrants to avoid their becoming a charge on the state.

visa, and visas for other relatives like remaining relatives or aged dependent relatives.⁵⁵ For instance, AoS for a parent visa must come from an eligible assurer who has met the income requirement tied to the thresholds of specified benefits such as unemployment benefits and low-income family benefit payments,⁵⁶ and has to provide a bank guarantee of up to A\$10,000 (HK\$54,400) for 10 years. The assurer's bank guarantee will be used to reimburse the authorities any public income support received by the sponsored immigrant. The assurer may also be sued by the authorities for the debt due to the benefits paid to the assuree during the assurance period.

In addition, the Australian government has introduced a **user-pay visa scheme for parents**, known as **contributory parent visa**, since 2003. The rationale behind this visa scheme is founded on views that the cost of parent migration was much higher than others and therefore these migrants should contribute to their social welfare costs. The scheme forms a separate queue and quota from the ordinary parent visa and has become a major part of parent visa. In 2019-2020, about 83% of the parent visa quotas belong to contributory parent visa, while the remaining 17% to ordinary parent visa. In addition to securing AoS, the contributory parent visa applicant is also required to pay a hefty **visa charge** of A\$47,755 (HK\$260,000),⁵⁷ which is over seven times of the cost of an ordinary parent visa. However, the scheme had been criticized as too restrictive, and ignoring the intangible contribution of parents in family care; and

⁵⁵ For other visas such as child visa, it is discretionary and decided by the Department of Home Affairs on a case by case basis.

⁵⁶ It is tied to the level of cut off rate of Jobseeker Payment, an unemployment benefit for adult, and the base rate of the Family Tax Benefit, a payment that helps families with the cost for raising children. For instance, a sponsor for a parent under the contributory parent visa scheme is required to have an annual income of about A\$31,343 (HK\$170,600), which appears to be among the lower band of average household income in Australia.

⁵⁷ When the contributory visa was introduced in 2002, the charge was set at A\$26,745 (HK\$113,666) which comprised a A\$25,000 (HK\$106,250) health services charge and a A\$1,745 (HK\$7,416) fee for overseas applicants. The subsequent charge was adjusted annually according to a contributory parent visa composite index which takes into account changes in the age pension and health care expenditure. See Australian Government Actuary (2019).

- (d) **Other admission requirements:** Some visa applicants, like partner visa, and parents and aged dependent relatives visa, are required to satisfy the **health requirement**. In the assessment, the applicant must not have a health condition that is likely to become a "significant cost" to Australia in the next 10 years. The "significant cost" is quantified by making reference to per capita data of health and community service costs, which now stands at A\$49,000 (HK\$266,600). The five most common conditions that will reach this amount are intellectual impairment, HIV infection, functional impairment, renal disease or failure and cancer.⁵⁸

Observed outcomes

4.4 As outlined above, the Australian policy towards family reunification has become increasingly restrictive, amid a downsizing trend of its overall immigration. Nonetheless, the demand for immigration visa has remained high. For example, the backlog of the contributory parent visa, despite the visa's hefty cost, has grown by 100% to nearly 50 000 between 2014-2015 and 2018-2019, though the annual planned ceiling has remained the same, while the backlog of ordinary parent visa also remained at a high level of 52 000. In view of the continued demand, the Australian government has, instead of raising the number of permanent visa quotas for parents, resorted to introducing a new **temporary parent visa scheme** in 2018, allowing parents to stay for three or five years, subject to a visa charge of up to A\$10,000 (HK\$54,400). That visa can be granted as fast as within four months, compared to a waiting period of at least seven years and over 40 years for a contributory and ordinary parent visa respectively.

4.5 On the other hand, since 2018, the Australian government has also drastically **raised the AoS minimum income levels** by over 90% for sponsoring non-spouse adults.⁵⁹ The change was partly backed by the Treasury's findings over the fiscal impacts of different categories of immigrants, which showed that the positive fiscal contribution of partner immigrants had partially been offset by the negative fiscal impacts of parent immigrants.⁶⁰ While its effect

⁵⁸ See Department of Home Affairs (2020b). However, unlike the skill stream, there is no language requirement for the family stream.

⁵⁹ See Parliament of Australia (2018).

⁶⁰ See The Treasury and Department of Home Affairs (2018).

remains to be seen, raising the AoS income requirement was seen as a move to discourage some low income families from sponsoring parents and other dependent relatives to move to Australia.

4.6 Apart from altering the range of family immigration schemes and strengthening admission requirements, the Australian government has recently further tightened up its welfare policy for new immigrants, in an attempt to **reduce the welfare incentives for immigration**.⁶¹ Under the changes introduced since January 2019, the minimum waiting period for certain social security benefits such as paid parental leave and carer allowance have been further extended from three years to four years. The change was expected to result in an annual saving of A\$1.3 billion (HK\$ 7 billion).⁶²

5. Family migration policy in the United States

5.1 Like Australia, the US also has a long history of admitting immigrants. The number of immigrants in the country has been kept increasing after the Second World War and has now reached nearly 45 million as at 2018, accounting for 13.7% of its population. In 2019, about 1 million people were granted lawful permanent resident ("LPR") status (also known as green cards), which has been on a slight decline trend since 2016. Among these LPRs, 44% were new arrivals and 56% had already been in the country as temporary immigrants.⁶³ LPRs can become US citizens if they meet the requirements like five-year residence period and demonstrate basic English skills and taking an oath of allegiance.

⁶¹ Since 1997, all new arrivals have been required to observe a minimum waiting period before becoming eligible for social benefits.

⁶² However, it was criticized as "creating an underclass of migrants", forcing those needy, especially children, into hardship and poverty. See The Guardian (2018).

⁶³ Overseas applications for immigration visas are handled by the Department of State's overseas consular posts, while applications filed within the US are handled by the Department of Homeland Security. For temporary immigrants admitted as LPR, a majority are reportedly those holding temporary work visas.

5.2 The number of permanent immigrant intake is limited by caps set out in the Immigration and Nationality Act ("INA") which also stipulates four major components of immigration: (a) **family unification**, (b) **employment**, (c) **diversity** visa by lottery, and (d) **humanitarian**. Currently, the total annual cap, last revised in 1990, stands at 675 000. The largest component of it has all along been the family-sponsored immigrants since INA was overhauled in 1965 which abolished the long-standing policy of immigration based on national origins and gave priority to immigrants with relatives living permanently in the US. As a result, the family stream has been the largest immigration class, capped at 480 000 places and accounting for **over 70%** of the overall cap.⁶⁴ This level of intake renders the US the largest family immigrant taker among the OECD nations. Compared with Australia, the employment-based immigrants of the US account for a rather small share of immigration, whose number is currently capped at 140 000 or 21% a year. Immigrants admitted under the employment stream may bring their spouse and/or child to the US.⁶⁵

5.3 The US has been running a rather complex quota system for family unification since 1965.⁶⁶ The system comprises two queues, based on the residence status and types of relatives, namely, (a) **immediate relatives of US citizens**, and (b) **family preference immigrants**. Below are the noteworthy features of the system:

- (a) **Eligibility:** Under INA, the priorities of visa issuance are given to immediate relatives of US citizens. These are (i) spouse, (ii) unmarried children under age 21, and (iii) parents of US citizens. The lower-priority queue, namely family preference immigrants, is for (i) US citizens' adult children and siblings, and

⁶⁴ The US Congress raised the family-based immigrant limit from 280 000 to 480 000 through the Immigration Act of 1990. The diversity visa lottery immigrant component has a cap of 55 000 while the refugees and asylum seekers do not have a cap. Apart from the overall cap, INA also provides a country-based ceiling in order to diversify the source of immigrants.

⁶⁵ Similar to Australia, family members accompanying the employment-based immigrants to the US are also counted as part of the quotas for the employment stream. In 2018, they accounted for 52% of all the 138 000 employment-based immigrants admitted.

⁶⁶ There is no control on internal migration within the US as well as no household or personal registration requirement at federal level. Yet, at the state level, residents will usually have to notify state authorities of their home address when they apply for local driving licences. Those receiving social security benefits are obliged to report the new address to the Social Security Office. Though the benefits are federally-funded, state governments have flexibility to provide supplementary security income with its own funding or block federal grant. However, there are studies suggesting that internal migration is driven by differences in state income levels rather than state benefits.

(ii) permanent residents' spouse and children of any age. These arrangements mean US **citizens** can bring more types of relatives than **permanent residents**. However, unlike Australia, the US does not provide a scheme for bringing grandparents as aged dependent relatives and other dependent relatives;

(b) **Immigration caps:** The cap for each broad immigrant categories is stipulated in INA but they are considered as "permeable" caps which can be exceeded in certain circumstances. As said above, for the family stream, the cap is 480 000 annually, last revised in 1990.⁶⁷ Despite this overall cap, there is **no numerical limit** set for immediate relatives of US citizens (see [Appendix IV](#)). However, to ensure a fairer visa allocation to the family preference queue, there is a **floor number** for this category, at 226 000 a year.⁶⁸ Indeed, in the past two decades, the overall immigration level has often exceeded the 480 000 cap, due to fluctuations in the admission of immediate relatives of US citizens. In 2018-2019, there were over 709 000 family immigrants admitted as LPR. As at November 2019, there were over 2 million applicants under various family preference categories;

(c) **Public charge ground of inadmissibility policy:** Despite its generous immigrant intake, self-sufficiency is the basic principle embedded in the US immigration law. The US has long had a policy of public charge inadmissibility,⁶⁹ refusing admission of immigrants who are "likely at any time to become a public charge", which, according to the latest rule effective since February 2020, means more likely than not in the future to receive "one or more public benefits for more than 12 months in any 36-month period".⁷⁰ Based on that policy, the US immigration authorities would review a "totality of circumstances" in determining whether a prospective immigrant

⁶⁷ Any unused quotas in the employment stream in the prior year can also be added to the family stream, and vice versa.

⁶⁸ For family preference immigrants, the number is broadly determined by subtracting the number of visas issued to immediate relatives of US citizens in the prior year from the cap of 480 000.

⁶⁹ The policy, introduced in the early 19th century, is embedded in INA which affirms that the "availability of public benefits [=should not constitute an incentive to immigration]" to the US.

⁷⁰ The policy change has already come into force since 24 February 2020. It is expected to have greater impact on those who are already in the US and are applying for green cards there.

is admissible by considering factors like age, health, family status, assets, resources and financial status, education and skills. In 2018-2019, there were over 20 900 visa refusals based on public charge initially, up by 546% from 2016-2017, and 315% from 2017-2018 following stricter admission scrutiny,⁷¹ and

- (d) **Affidavit of support:** Similar to Australia, sponsors of immigrants are required to sign a legal undertaking with the US authority that the sponsor will reimburse the immigrants' receipt of public benefits.⁷² The undertaking forms one of the positive factors for the authority to determine inadmissibility based on the public charge ground. The sponsor must meet an income requirement calculated as annual household (including the immigrant member) income of at least 125% of the federal poverty line.⁷³ This financial responsibility to support the immigrant will last until either the immigrant becomes a US citizen or has worked for a total of 10 years.⁷⁴ With this undertaking, either the authority or the sponsored immigrant may sue the sponsors for failing to meet the obligation.

Observed outcomes

5.4 Immigration issues have been very contentious and often politically-charged in the US. The debates have been centred around if and how much the family immigrants contribute to the economy, or the other way round, how much they burden and cost to the society.⁷⁵ While the immigration system has successfully reunited tens of thousands of distant families over the years, it is considered excessively tilting towards family

⁷¹ See Department of State (2019b).

⁷² The requirement of affidavit of support was introduced since the 1930s.

⁷³ For a household of four members, the level is US\$32,750 (HK\$255,450). If the income rule is not met, the sponsor may include cash assets which must be at least five times of the difference between the income requirement and the household income. The sponsor may also enlist the help of others as joint sponsors if the financial resources are still insufficient.

⁷⁴ INA requires the supported immigrant to accumulate a total of 40 quarters (each quarter equal to three calendar months) of work. This level is the minimum requirement to be eligible for social security retirement benefits in the US.

⁷⁵ See Center on Budget and Policy Priorities (2019).

reunification with its scope extending too far beyond nuclear family.⁷⁶ The so-called self-perpetuating "**chain migration**"⁷⁷ of family immigrants has been blamed as the primary source of low-skilled immigration, which the Department of Homeland Security has denounced as a cause of depressing wage and reducing job opportunities for low-skilled American workers,⁷⁸ in spite of the fact that immigrants were found to be more economically active than that of native-born.⁷⁹

5.5 Some have attributed this to the lack of **education or skill requirements** in family immigration, leading to concerns over the quality of immigrants and their likelihood of relying on public benefits. Yet, US population data showed that younger migrants in general had similar university education level as those born in the US.⁸⁰ However, there is no sufficient data available to assess if the restrictions and conditions applied on family immigration have a direct association with the likelihood of them seeking public benefits after the minimum-stay period. Reportedly, there have been few government actions to obtain reimbursements for the benefits and cases of sponsored immigrants suing their sponsors.⁸¹

5.6 Having said that, the US has in place a **public charge ground of inadmissibility policy** as mentioned above, which have to certain extent screened out those who likely count on public benefits after immigration. Recently, it has taken a tougher stance by defining clearly "public charge", and spelling out the positive factors that would be weighed heavily in considering whether the immigrant would become a public charge. Earlier in October 2019, the Trump administration even released a proclamation announcing a suspension of entry of future immigrants who will financially burden the healthcare system, which is being legally challenged.⁸² While these measures aim to control the quality of immigrants and ease the burden

⁷⁶ The US Commission on Immigration Reform, formed by the US Congress in 1990 to examine the US's immigration policy, concluded in 1995 that it was time to shift priorities and recommended focusing on uniting the nuclear families and attracting skilled workers.

⁷⁷ Some academic research had found that every initial immigrant subsequently sponsored on average just 3.45 new immigrants, but the multiplier varies by immigrant origins.

⁷⁸ See Department of Homeland Security (2018).

⁷⁹ In 2018, the labour force participation rate of foreign-born adults was 65.7%, higher than the rate of 62.3% for the native born, according to the U.S. Bureau of Labour Statistics. See Center on Budget and Policy Priorities (2019).

⁸⁰ See Pew Research Centre (2018).

⁸¹ See Immigrant Resource Center (2018).

⁸² They have to prove that they are covered by approved insurance plan or have the financial resources to cover the reasonably foreseeable medical cost. See The White House (2019). However, the policy is being challenged at court and hence suspended for now.

on public resources, they have been criticized as unfair to new immigrants, making poor immigrants more difficult to reunite with family, and further restricting their upward mobility in the long term.

6. Concluding remarks

6.1 Under the Basic Law, Hong Kong has a unique status and has autonomy in formulating and enforcing its immigration controls. It has introduced various admission schemes for entry of non-local people to work, study, investment or residence, and these entrants may also bring their family members to Hong Kong. For Hong Kong permanent residents who wish to bring in their non-local dependants to Hong Kong, they may apply under OWPS if their dependants are Mainland residents, and via dependant visa/entry permit if their dependants are non-Mainland residents. The scopes of eligible family members of both schemes are similar but OWPS for Mainland residents does not require any financial or housing requirement, which have raised concerns of some people over whether it will impose burden on the public resources and affect Hong Kong's population planning.

6.2 Compared against Australia's and the US's immigration schemes for family reunion⁸³, the scope of OWPS and dependant visa/entry permit in Hong Kong appear to be narrower as only close and immediate family members (spouse, minor children and parents) are allowed for admission. While there have been calls for the Hong Kong Government to discuss with the Mainland authorities on imposing certain financial criteria in OWPS, there is little data to suggest that the financial requirements so imposed on sponsors in the selected places (which is 125% of the poverty line in the US, and linked to the thresholds for certain social benefits in Australia) have a direct effect on immigrants' tendency to rely on welfare benefits. However, Australia has raised the financial requirements for parent immigration considering the potential higher burden arising from ageing, and has even introduced a temporary visa allowing a stay of several years for parents joining their children as an alternative. The US will screen out those who are likely to become a public burden under its inadmissibility policy. Both places have also set a minimum wait-period for accessing social benefits with a view to reducing the welfare incentive for immigration.

⁸³ The schemes in Australia and the US cover cross-country migration only. There is no control over internal migration in both places.

Family migration policy in Hong Kong, Australia, and the United States

		Hong Kong		Australia	The United States
Policy					
Scheme for family reunion		<ul style="list-style-type: none">One-way Permit Scheme for Mainland residents.	<ul style="list-style-type: none">Dependant visas/entry permits for non-Mainland residents.	<ul style="list-style-type: none">Migration Program (family stream).⁽¹⁾	<ul style="list-style-type: none">Family-sponsored immigration.⁽¹⁾
Legal framework		<ul style="list-style-type: none">The Basic Law stipulates that Mainland residents must seek Mainland authorities' approval.	<ul style="list-style-type: none">The Basic Law allows Hong Kong to apply immigration control.Immigration Ordinance.	<ul style="list-style-type: none">Migration Act 1958.	<ul style="list-style-type: none">Immigration and Nationality Act.
Status of the admitted immigrant		<ul style="list-style-type: none">Resident.	<ul style="list-style-type: none">Resident.	<ul style="list-style-type: none">Permanent resident.	<ul style="list-style-type: none">Lawful permanent resident.
Admission quota/ceiling (places)		<ul style="list-style-type: none">54 750 a year (daily 150 places).	<ul style="list-style-type: none">No quota.	<ul style="list-style-type: none">2019-2020: 47 700 and on-demand child places.	<ul style="list-style-type: none">480 000 a year.
Annual review of quota		<ul style="list-style-type: none">Quota remained at 150 since 1995.	<ul style="list-style-type: none">Not applicable.	<ul style="list-style-type: none">Annual review of migration levels.	<ul style="list-style-type: none">Ceiling fixed by legislation.
Percentage share of all permanent migrants		<ul style="list-style-type: none">Not applicable.		<ul style="list-style-type: none">About 30 % (annual ceiling).	<ul style="list-style-type: none">About 70% (annual ceiling).
Eligible family members	Spouse	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.
	Partner (same sex)	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.
	Children	<ul style="list-style-type: none">Yes (under 18).	<ul style="list-style-type: none">Yes (under 18).	<ul style="list-style-type: none">Yes (under 18).	<ul style="list-style-type: none">Yes (under 21).
	Parents	<ul style="list-style-type: none">Yes (aged over 60 without children on the Mainland).	<ul style="list-style-type: none">Yes (aged 60 or above).	<ul style="list-style-type: none">Yes (contributory and non-contributory).	<ul style="list-style-type: none">Yes (only for US citizens).

Note: (1) The programmes apply to cross-country migration only. There is no control over internal migration in both Australia and the United States.

Family migration policy in Hong Kong, Australia, and the United States

		Hong Kong		Australia	The United States
Policy (cont'd)					
Scheme for family reunion		<ul style="list-style-type: none">One-way Permit Scheme for Mainland residents.	<ul style="list-style-type: none">Dependant visas/entry permits for non-Mainland residents.	<ul style="list-style-type: none">Migration Program (family stream).⁽¹⁾	<ul style="list-style-type: none">Family-sponsored immigration.⁽¹⁾
Eligible family members	Adult children	<ul style="list-style-type: none">Yes (with dependent parents in Hong Kong, and certificate of entitlement holders).	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">Unmarried and over 18 and under 25 and studying full time, or over 18 with a disability.	<ul style="list-style-type: none">Yes (married or unmarried, depending on the visa queue).
	Grandparents	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">Aged dependent relatives over 65 who are financially dependent on the sponsor.	<ul style="list-style-type: none">No.
	Other relatives	<ul style="list-style-type: none">Discretion under special circumstances.	<ul style="list-style-type: none">Not applicable.	<ul style="list-style-type: none">Yes (such remaining relatives, orphans and carers).	<ul style="list-style-type: none">Yes (siblings of US citizens).
Application process		<ul style="list-style-type: none">Filed by both the applicant and the Hong Kong family member to the relevant Mainland authority.	<ul style="list-style-type: none">Applications filed by the applicant to the Immigration Department.	<ul style="list-style-type: none">Filed by the applicant to the immigration authorities.	<ul style="list-style-type: none">Petition filed by an eligible sponsor to bring a family member and then application for visa by the applicant.
Vetting considerations		<ul style="list-style-type: none">Eligible and genuine relationships.A point system based on years of separation and the nature of family relationship.	<ul style="list-style-type: none">Eligible and genuine relationships.Not likely to become a burden.	<ul style="list-style-type: none">Eligible and genuine relationships.Assurance of support, if required.	<ul style="list-style-type: none">Eligible and genuine relationships.Public charge admissibility ground.Affidavit of support.

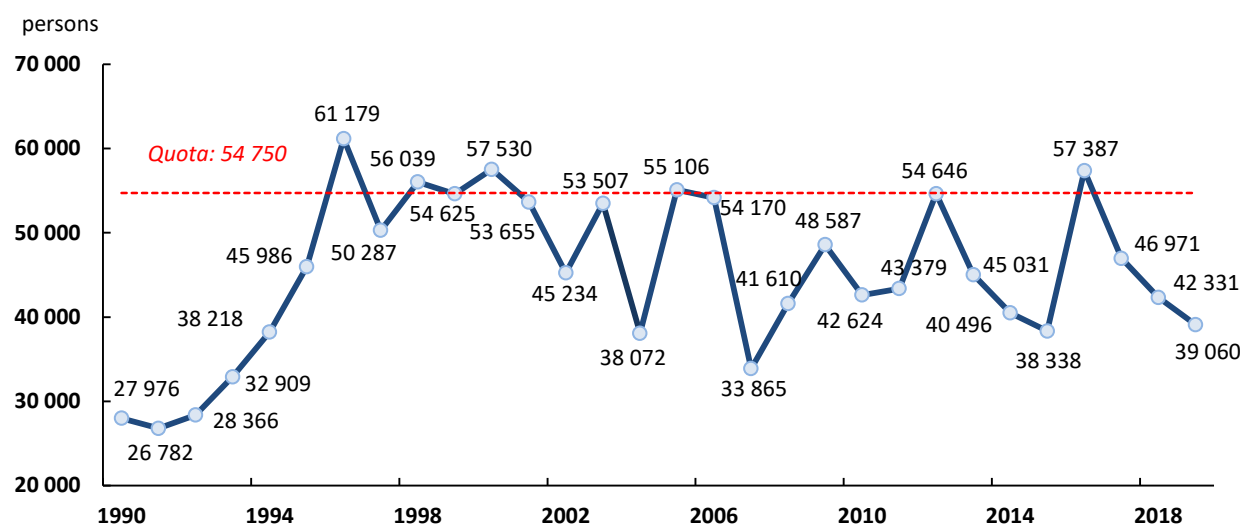
Note: (1) The programmes apply to cross-country migration only. There is no control over internal migration in both Australia and the United States.

Family migration policy in Hong Kong, Australia, and the United States

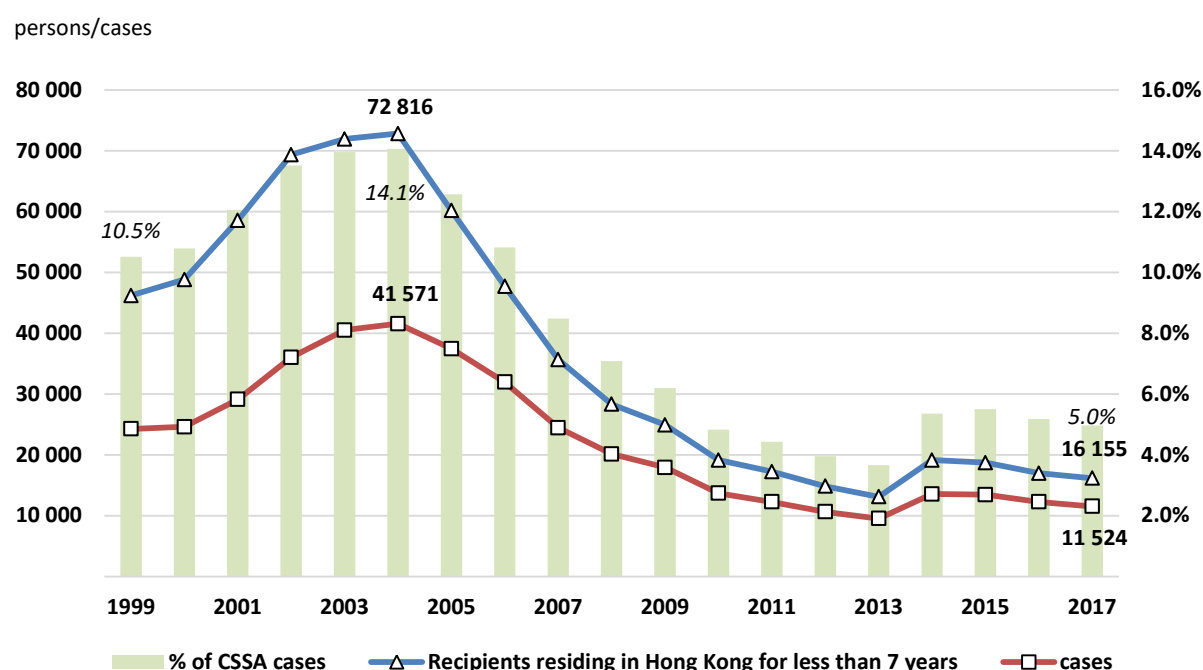
	Hong Kong		Australia	The United States
Sponsor requirements				
Scheme for family reunion	<ul style="list-style-type: none">One-way Permit Scheme for Mainland residents.	<ul style="list-style-type: none">Dependant visas/entry permits for non-Mainland residents.	<ul style="list-style-type: none">Migration Program (family stream).⁽¹⁾	<ul style="list-style-type: none">Family-sponsored immigration.⁽¹⁾
Whether a sponsor is required	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.	<ul style="list-style-type: none">Yes.
Eligibility of sponsor	<ul style="list-style-type: none">Not applicable.	<ul style="list-style-type: none">Hong Kong permanent resident or those allowed unconditional stay.	<ul style="list-style-type: none">Age at or above 21, either citizen or permanent resident.Income requirement (for providing affidavit of support).	<ul style="list-style-type: none">Aged at least 18, either citizen or permanent resident.Income requirement (for providing affidavit of support).
Financial undertaking by sponsor	<ul style="list-style-type: none">Not applicable.	<ul style="list-style-type: none">Income requirement (details not specified).	<ul style="list-style-type: none">Assurance of support (mandatory or discretionary).For up to a period of 10 years.	<ul style="list-style-type: none">Affidavit of support.Undertaking until the immigrant becomes a citizen or has worked for 10 years.
Accommodation requirement	<ul style="list-style-type: none">Not applicable.	<ul style="list-style-type: none">Housing requirement (details not specified).	<ul style="list-style-type: none">No.	<ul style="list-style-type: none">No.
Other requirements of the sponsored relatives				
Language requirement	<ul style="list-style-type: none">No.		<ul style="list-style-type: none">No.	<ul style="list-style-type: none">No.
Health requirement	<ul style="list-style-type: none">No.		<ul style="list-style-type: none">Yes. Applicants must not have significant health cost to Australia.	<ul style="list-style-type: none">Yes. Medical examination by a designated doctor.

Note: (1) The programmes apply to cross-country migration only. There is no control over internal migration in both Australia and the United States.

Annual number of One-way Permit holders entering Hong Kong during 1990-2019



Number of Comprehensive Social Security Allowance ("CSSA") cases/ recipients residing in Hong Kong for less than seven years



Note: The Court of Final Appeal quashed in December 2013 the seven-year residency requirement for CSSA application imposed since 2004 and since then the old one-year residence requirement was restored.

Source: Census and Statistics Department.

Australia's Migration Program planning level (2019-2020)

Stream and Category	Planning levels
(1) Skill Stream	
Employer Sponsored	30 000
Skilled Independent	16 652
Regional	25 000
State/Territory Nominated	24 968
Business Innovation & Investment program	6 862
Global Talent	5 000
Distinguished Talent	200
Skill Total	108 682
(2) Family Stream	
Partner	39 799
Parent	7 371
Contributory	6 096
Non-contributory	1 275
Other Family	562
Family Total	47 732
(3) Special Eligibility	236
(4) Child (estimate; not subject to a ceiling)	3 350
TOTAL	160 000

Source: Department of Home Affairs, Australia.

**Annual immigration limits
under the Immigration and Nationality Act of the United States**

Annual numerical limits			
(A) Family-Sponsored Immigrants			480 000
(1) Immediate Relatives of US Citizens:		Unlimited	
(2) Family Preference Immigrants:		226 000	
1st Preference:	<i>Unmarried sons and daughters of US citizens + unused 4th Preference visas</i>	23 400	
2nd Preference (a):	<i>Spouses and minor children of lawful permanent residents</i>	87 900	
2nd Preference (b):	<i>Unmarried sons and daughters of lawful permanent residents + unused 1st Preference visas</i>	26 300	
3rd Preference:	<i>Married children of US citizens + unused 1st and 2nd Preference visas</i>	23 400	
4th Preference:	<i>Siblings of adult U.S. citizens + unused 1st, 2nd, & 3rd Preference visas</i>	65 000	
(B) Employment-Based Preference Immigrants			140 000
(C) Diversity Visa Lottery Immigrants			55 000
(D) Refugees and Asylees			Unlimited
TOTAL			675 000

Source: Congressional Research Service.

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