

For Information

Legislative Council House Committee Subcommittee to Study Issues Relating to Mainland-HKSAR Families

Immigration Arrangements for Entry of Mainland Residents

Mainland authorities exercise exit control. Mainland residents seeking to leave the Mainland must obtain prior approval from the relevant Mainland authorities. Moreover, the Basic Law of the HKSAR stipulates that “for entry into the Hong Kong Special Administrative Region, people from other parts of China must apply for approval” (Paragraph 4 of Article 22). The following sets out the immigration arrangements for the entry of Mainland residents into Hong Kong.

One Way Permit

2. Mainland residents who wish to settle in Hong Kong must apply for a One Way Permit (OWP) from the Exit and Entry Administration Offices of the Public Security Bureau of the Mainland where their household registrations are kept. The main purpose of the OWP Scheme implemented by the Mainland authorities is to enable Mainland residents to apply for entry into Hong Kong in an orderly manner for family reunion. The daily quota of OWP used to be 75 in 1982, which was increased to 105 in 1993 and further to 150 in 1995. Among the daily quota of 150 places set by the Mainland authorities, 60 are allocated to persons holding Certificates of Entitlement (CoE)¹; 30 to spouses separated for 10 years or above (long-separated spouses) and their accompanying children; and 60 to other categories of applicants, which include spouses separated for less than 10 years and their accompanying children, unsupported children who need to join their relatives in Hong Kong (unsupported children), persons coming to Hong Kong to take care of their unsupported aged parents, and unsupported elderly people coming to join their relatives in Hong Kong.

¹ Persons claiming right of abode under paragraph 2(c) of Schedule 1 to the Immigration Ordinance are required to submit applications for CoE to the Immigration Department via the Exit and Entry Administration Offices of the Public Security Bureau where their household registrations are kept, in accordance with the procedures prescribed in the Government gazette notice promulgated on 16 July 1999. Mainland residents who are issued with a CoE and have it affixed onto a OWP can enter Hong Kong to exercise their right of abode.

3. The Mainland authorities have since May 1997 applied the “Points System” to access and determine the eligibility of applicants and the order in which they may settle in Hong Kong according to objective criteria. Except for CoE holders, the main considerations in examining and approving OWP applications include the separation time and the age of the applicants or their Hong Kong relatives. The Mainland authorities have from time to time refined the system, including:

- Since 2001, the unused places under the sub-quota for long-separated spouses have been allocated to spouses separated for a shorter period and their accompanying children. With effect from October of the same year, Mainland children adopted by Hong Kong residents can apply for OWP; and the age limit for OWP applications of unsupported children was relaxed from 14 to 18;
- In 2003, the age limit for OWP applications of accompanying children of separated spouses was relaxed from 14 to 18. The restriction that only one accompanying child was allowed was also discarded;
- In 2005, the “eligibility points” for OWP applications of separated spouses in Guangdong were relaxed. Their waiting time was shortened to five years, as in line with that of other provinces and cities²; and
- In 2009, the “eligibility points” for OWP applications of separated spouses were relaxed again, thereby further shortening their waiting time to four years.

Since the reunification, over 570 000 Mainland residents have entered Hong Kong on the strength of OWP. The relevant statistics are at Annex.

² Before 2005, separated spouses in Guangdong had to meet a higher level of “eligibility points” due to the larger number of applicants there. Generally, their waiting time was six and a half years or above (vis-à-vis around five years for those in others provinces and cities).

Exit-Entry Permit

4. Apart from entering Hong Kong for settlement on the strength of OWP, Mainland residents can apply for an Exit-Entry Permit (EEP) (commonly known as “Two Way Permit”) from the Exit and Entry Administration Offices of the Public Security Bureau of the Mainland for entering Hong Kong. Their limits of stay in Hong Kong depend on the type of exit endorsements they hold. For example, the endorsement for “visiting relatives” is good for single journey or multiple journeys to Hong Kong within three months (holders of the former may stay for up to 14 days, whilst those of the latter may stay in Hong Kong and make multiple trips between Hong Kong and the Mainland within 90 days from the date of their first landing). In 2008, the number of visitor-arrivals from the Mainland on the strength of the endorsement for “visiting relatives” was about 1.95 million.

5. In addition to visiting Hong Kong on the strength of the endorsement for “group visit”, residents of 49 Mainland cities at present can apply for the endorsement for “individual visit”³ under the Individual Visit Scheme introduced in July 2003. In 2008, the numbers of visitor-arrivals from the Mainland on the strength of the endorsements for “group visit” and “individual visit” were about 1.34 million and 9.62 million respectively. Besides, about 1.59 million visitor-arrivals from the Mainland on the strength of the endorsement for “business visit” were recorded in the same year.

6. Mainland residents who wish to come to Hong Kong for work or study are required to meet the eligibility criteria (such as requirements on academic or professional qualifications) under the Admission Scheme for Mainland Talents and Professionals or relevant schemes, and first submit their entry applications to the Hong Kong Immigration Department (ImmD). Upon approval of the applications, they need to apply for the relevant exit endorsement from the Exit and Entry Administration Offices of the Public Security Bureau of the Mainland. In 2008, the numbers of Mainland residents approved for entry into Hong Kong on the strength of student or work permits were about 7 500 and 7 000 respectively.

³ Including 21 cities in Guangdong Province and other 28 cities in the Mainland (Beijing, Shanghai, Fuzhou, Xiamen, Quanzhou, Nanjing, Suzhou, Wuxi, Hangzhou, Ningbo, Taizhou, Chongqing, Tianjin, Shenyang, Dalian, Chengdu, Jinan, Nanning, Nanchang, Changsha, Haikou, Guiyang, Kunming, Shijiazhuang, Zhengzhou, Changchun, Hefei and Wuhan).

Vetting and Approval Procedures

7. The assessment of applications for and the issue of OWPs, EEPs and exit endorsements are processed by the Mainland authorities in accordance with the laws, policies and regulations of the Mainland and fall outside the remit of the HKSAR Government. However, the HKSAR Government from time to time exchanges views with the Mainland authorities and reflects to the latter the views of various sectors in Hong Kong, including the suggestion for the Mainland authorities to consider allowing more Mainland adult children in need to come to Hong Kong through the OWP Scheme. ImmD will also offer appropriate assistance if necessary, such as reflecting the exceptional circumstances of individual cases to the Mainland authorities.

8. Regarding the entry of Mainland residents, apart from the consideration to facilitate family reunion, we must uphold effective immigration control and pay due regard to the overall impact on the Hong Kong society arising from any policy change. The HKSAR Government considers that the relevant arrangements have been suitably adjusted in the light of changes in circumstances, and no significant change is required at this stage.

Security Bureau
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Number of New Arrivals of OWP Holders *

Categories	July- Dec 1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total	
CoE holders (60 places)	10,545 (57)	25,818 (71)	24,260 (66)	26,275 (72)	29,296 (80)	16,731 (46)	13,350 (37)	10,314 (28)	7,062 (19)	5,325 (15)	4,487 (12)	4,490 (12)	177,953 (42)	
Spouses separated for 10 years or above and their accompanying children (30 places)	Spouses	9,804 (53)	16,774 (46)	16,559 (45)	13,093 (36)	3,129 (9)	2,846 (8)	4,149 (11)	2,909 (8)	1,497 (4)	684 (2)	582 (2)	731 (2)	72,757 (17)
	Children	1,472 (8)	3,114 (9)	1,212 (3)	371 (1)	200 (1)	264 (1)	818 (2)	773 (2)	489 (1)	261 (1)	241 (1)	310 (1)	9,525 (2)
Other Categories (60 places)														
(a) Spouses separated for less than 10 years and their accompanying children	Spouses	3,743 (20)	2,737 (7)	5,619 (15)	12,349 (34)	14,914 (41)	17,420 (48)	25,507 (70)	17,486 (48)	31,487 (86)	27,739 (76)	17,541 (48)	22,571 (62)	199,113 (47)
	Children	432 (2)	363 (1)	395 (1)	443 (1)	931 (3)	1,426 (4)	2,757 (8)	1,723 (5)	9,864 (27)	15,260 (42)	6,387 (17)	8,413 (23)	48,394 (12)
(b) Others ^	3,399 (18)	7,233 (20)	6,580 (18)	4,999 (14)	5,185 (14)	6,547 (18)	6,926 (19)	4,867 (13)	4,707 (13)	4,901 (13)	4,627 (13)	5,095 (14)	65,066 (15)	
Total	29,395 (160)	56,039 (154)	54,625 (150)	57,530 (157)	53,655 (147)	45,234 (124)	53,507 (147)	38,072 (104)	55,106 (151)	54,170 (148)	33,865 (93)	41,610 (114)	572,808 (136)	

Remark :

* The above statistics are compiled from the information collected by the Immigration Department from all OWP holders when they first enter Hong Kong via the Lo Wu Control Point.

() Average figure per day; less than one is counted as one.

^ The majority (over 80%) of them came to Hong Kong to join their parents.