

立法會
Legislative Council

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Tel : 3919 3300

Date : 8 March 2019

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 20 March 2019

**Motion on
“Reforming the immigration and admission policies”**

Hon Gary FAN has given notice to move the attached motion on “Reforming the immigration and admission policies” at the Council meeting of 20 March 2019. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion on
“Reforming the immigration and admission policies”
to be moved by Hon Gary FAN**

Wording of the Motion

That between mid-1997 and end 2017, there had been an annual average entry of 48 300 One-way Permit (‘OWP’) holders into Hong Kong, giving a cumulative inflow of 990 000 people; moreover, between 2013 and 2017, an annual average of some 53 500 non-local professionals were allowed to work and settle in Hong Kong under three major talent admission schemes; as there have been strong views in the Hong Kong community in recent years, expressing concern that the persistent increase in Hong Kong’s population has created a heavy burden on public services and facilities in Hong Kong, and that some of the entrants have committed immigration frauds (including concealing overseas assets, using false identities, forging documents, engaging in bogus marriages) to obtain right of abode and social welfare, this Council urges the SAR Government to reform the immigration and admission policies by adhering to the principle of ‘putting Hong Kong people first’ and taking into account the local carrying capacity; specific measures include:

- (1) establishing a dual vetting and approval mechanism for OWP in accordance with Articles 22 and 154 of the Basic Law and the Immigration Ordinance whereby the SAR Government can exercise the power to vet and approve entry for immigration and taking back the initiative in the policy on OWP, so as to serve properly the gatekeeping role on the population policy of Hong Kong;
- (2) striving for reducing OWP quota by half to 75 per day and reviewing the quota for various talent admission schemes, so as to alleviate the burden on public healthcare services, subsidized housing, social welfare and educational resources posed by an increasing number of immigrants and entrants in the future, so that priority can be accorded to meeting the needs of the Hong Kong people in the allocation of public resources in Hong Kong;
- (3) reforming the OWP application system to make it on a par with the dependents system of various talent admission schemes by incorporating the approval conditions on financial means, to be complemented by a points system, so as to make early identification and selection of

immigrants having long-term means to live at a standard well above the subsistence level to settle in Hong Kong;

- (4) negotiating with the relevant departments of Mainland China in respect of the OWP system for a study on the introduction of a 'return mechanism' to allow people coming to Hong Kong on OWPs to temporarily retain their household registration in the Mainland and return to Mainland China for resettlement if they cannot adapt to the life in Hong Kong;
- (5) regarding people who are granted the right of abode in Hong Kong through various talent admission schemes and the OWP system, stepping up investigation into their overseas assets if they apply for social welfare and subsidized housing in Hong Kong, so as to plug the loopholes in the existing policy;
- (6) stepping up efforts in combating cross-boundary bogus marriages by, among others, drawing reference from the practice of the United Kingdom, extending the period for the issue of a Certificate of Registrar of Marriages if the Registrar of Marriages has reasonable suspicions of non-local people planning to get married in Hong Kong engaging in bogus marriages, so that government departments can have more time to conduct investigations and take enforcement actions to prevent fraudsters from obtaining through bogus marriages the requisite documents to apply for settlement in Hong Kong, and the Immigration Department should compile statistics on the number of bogus marriages in Hong Kong annually; and
- (7) stepping up efforts against immigration frauds at the local and international levels by, drawing reference from the practices of the United Kingdom and Australia, establishing an inter-departmental dedicated team to tackle organized immigration crime to carry out, focusing on applications suspected of using false identities, forging documents, making false statements, etc., strict verification of supporting documents, and participating in the global cooperation on immigration fraud prevention.