

香港特別行政區政府  
保安局



The Government of the  
Hong Kong Special Administrative Region  
Security Bureau

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**By Email**

6 February 2020

Miss Betty Ma  
Clerk to Panel on Security  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Miss Ma,

**Panel on Security**

**Joint letter from Hon Alvin YEUNG, Dr Hon KWOK Ka-ki,  
Hon Dennis KWOK, Hon Tanya CHAN and Hon Jeremy TAM**

I refer to your letter dated 16 January 2020 attaching a joint letter dated 13 January 2020 to the Chairman of the Panel on Security of the Legislative Council from The Hon Alvin YEUNG, Dr Hon KWOK Ka-ki, Hon Dennis KWOK, Hon Tanya CHAN and Hon Jeremy TAM and requesting us to respond to the issue raised therein. The joint letter mentioned that a foreigner was refused entry into Hong Kong and we were asked to give an account of the incident. Regarding the issue, our reply is as follows:

Under Article 154 (2) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the Government of the Hong Kong Special Administrative Region of the People's Republic of China (Government of the HKSAR) exercises immigration control on entry into, stay in and departure from Hong Kong by persons from foreign states and regions. Pursuant to section 7(1) of the Immigration Ordinance (Chapter 115 of the Laws of Hong Kong), a

person may not land in Hong Kong without the permission of the Immigration Department unless the person enjoys the right of abode in Hong Kong, has the right to land in Hong Kong, or may land in Hong Kong without such permission by virtue of the Immigration Ordinance (such as being a member of the crew of an aircraft). The Government of the HKSAR will not comment on individual entry case or make public any information concerning individual cases.

In handling each entry case, the Immigration Department decides whether to allow entry after giving due consideration to the actual circumstances of each case, having regard to the prevailing HKSAR laws and policies as applicable. Pursuant to section (4)(1)(a) of the Immigration Ordinance, officers of the Immigration Department may examine any visitor on his/her arrival in Hong Kong to verify his/her identity and consider whether he/she meets the normal immigration requirements, such as whether he/she possesses a valid travel document, whether he/she possesses a valid visa or endorsement that corresponds to his/her purpose of entry, whether he/she has the arrangements and facilities to return to his/her place of domicile, whether he/she has sufficient funds for the proposed stay, whether he/she has any known adverse records, his/her purpose of entry, etc. Section 11(1) of the Immigration Ordinance authorises officers of the Immigration Department to refuse to give visitors permission to land in Hong Kong after examination. A visitor holding an entry visa/permit or being eligible for visa-free facilitation is not guaranteed that he/she will be automatically allowed to enter Hong Kong upon arrival. If an individual visitor has been allowed entry in the past, it does not necessarily mean that he or she will automatically be allowed entry again.

It is the responsibility of the Government of the HKSAR to uphold effective immigration control in Hong Kong and refuse entry of certain individuals when circumstances so warrant. The powers and duties of the Immigration Department in exercising immigration control are comparable to those of the relevant authorities of other governments elsewhere.

In 2019, there were a total of near 56 million visitor arrivals in Hong Kong from around the world, while some 50 000 visitor arrivals were refused entry into Hong Kong during the same period. An individual case does not have any bearing on the overall policy of the Government of the HKSAR to welcome and facilitate visitors to come to Hong Kong. Hong Kong is a free and open society which subscribes to the rule of law. We will continue to welcome visitors from around the world to Hong Kong and make every effort to facilitate their entries and exits while duly exercising immigration control.

Yours sincerely,



( Winnie Chui )  
for Secretary for Security

c.c. Director of Immigration (Attn: Ms Sally Cheung)

Internal  
Principal Assistant Secretary for Security E