

Admission of Talents Scheme

Introduction

- Since March this year, the Secretary for Security has chaired an inter-departmental Task Force to review our immigration policy on entry for employment with a view to removing existing hurdles to the admission of talents, in particular those from the Mainland. Following consultation with the Mainland authorities, we have finalized our scheme.
- Persons targeted by the scheme will be those who must be able to contribute to enhancing the competitiveness of our economy as a manufacturing or services centre, particularly in knowledge-intensive, high value-added activities.

Eligibility Criteria

- These talents must possess outstanding qualifications and expertise or skills not readily available in Hong Kong. They should not be those for filling conventional technical, managerial/executive or professional posts which can be readily filled by the indigenous workforce. They should be the best and the brightest.
- Specifically, these talents will have to satisfy the following eligibility criteria for admission –

- (a) in terms of **academic qualifications**, an applicant should have a good education background, normally a PhD in a relevant field from reputable institutes, or he is able to produce documentary evidence on his extraordinary abilities or achievements, e.g. publications, research studies or experience which are not readily available locally.
- (b) on **working experience**, the applicants should have proven research experience in relevant areas with reputable institutes, or proven working experience in relevant areas with reputable firms.
- (c) as regards their **employment**, an applicant's admission shall be contingent on a confirmed offer of employment. The applicant should be employed in a job relevant to his academic qualifications or abilities; and
- (d) on **remuneration**, prospective employers should provide a reasonable package including income, accommodation and other fringe benefits commensurate with market rate.

Scope

- The scheme brings about major relaxation in entry for employment to residents in the Mainland; other Mainland residents who are living overseas; Macau residents; and nationals of certain former Soviet Bloc countries (Bulgaria, Romania and Mongolia) currently subject to restrictions on entry for employment, provided that they meet the eligibility criteria under the scheme. The scheme will also

be applicable to outstanding Mainland postgraduates research graduates in Hong Kong so that, if considered qualified, they may remain in Hong Kong for employment. Their academic achievements will have to be verified through specific recommendations by their heads of departments/faculties. Before they will be able to remain in Hong Kong for employment, they have to return to the Mainland to obtain proper exit approval.

- The admission under the talents scheme will be quota-free and non-sector specific. We consider that it would be best to leave companies to decide whether they need to bring in talents to drive growth in technology or knowledge-intensive activities and if so, the number of talents they need.
- Examples of the broad technology areas highlighted by the Commission of Innovation and Technology as especially relevant to Hong Kong include –
 - (a) where improved technology will help enhance Hong Kong existing strengths, e.g. information and communications technologies, electronics, advanced manufacturing technologies, product design, packaging design and supply-chain management;
 - (b) where Hong Kong's position relative to the Mainland offers distinct competitive advantages, for example, health food and pharmaceuticals based on Chinese medicine and Chinese language based software;

- (c) where Hong Kong may exploit emerging or new technologies to create synergy with existing industrial clusters, e.g. multimedia technology for information and entertainment industries, materials technology for textile and garment, plastics, as well as metal and construction industries; and
 - (d) where Hong Kong already has considerable expertise in the application of high or new technology, or where it may develop technical competence to solve its problems, e.g. civil engineering, telecommunications, and environmental technology.
- The above are examples, not an exhaustive list, for Hong Kong's requirements for outstanding talents would evolve with time.

Entry Arrangements and Conditions of Stay

- The talents admitted will be allowed to bring in their spouses and unmarried children aged below 21. This is in line with the existing policy on entry for employment for foreign nationals. The talents and their family members will be admitted initially for one year, extendable for 2, 2, and 3 years in line with the pattern of extension of stay applicable to foreign nationals admitted for employment. After completing ordinary residence of a continuous period of seven years, they will be eligible for right of abode.
- The talents will normally not be allowed to change jobs within the first year of admission. This restriction will be lifted afterwards as long as they remain employed or self-employed in a field

commensurate with their outstanding abilities or expertise/experience.

Application Procedures and Selection Committee

- A Selection Committee comprising official and non-official members will be set up to advise the Director of Immigration the merits of the applications in the light of the eligibility criteria and comments from relevant government departments.
- The companies, acting as sponsors, will be required to submit direct applications to the Immigration Department on behalf of the talents. The companies will also recruit the talents direct rather than through any designated agents in the Mainland. This streamlined application procedure will shorten the time required for bringing in talents.
- Mainland talents, including those eligible research postgraduate students, should submit their applications together with letters of consent from their existing employers agreeing to release them to work for the prospective employers in Hong Kong. Successful applicants will be issued with an entry permit by the Immigration Department. With the entry permit, the talents may apply for an exit approval from the Public Security Bureau in the Mainland.

Security Bureau

October 1999