

Chapter 20

Population and Immigration

Hong Kong continues to be a big attraction for business people and tourists. Its drawing power is highlighted in the ever-growing number of people moving in and out of the city, which almost topped 218 million in 2007, about 8 per cent up on 2006. Hong Kong's open and dynamic business environment, stability and security, and its world-class tourism facilities and unique attractions make it a compelling place to come to.

The provisional figure for Hong Kong's population at the end of 2007 was 6 963 100, or 0.8 per cent up on the previous year. This was due to 30 700 more births than deaths and a net inflow of 22 900 residents. The population's average annual growth rate from 2002 to 2007 was 0.7 per cent.

The birth rate¹ in 2007 was estimated to be the same as that of 2006, at 10 per 1 000, but higher than the seven per 1 000 recorded in each of the years between 2002 and 2004 and eight per 1 000 in 2005. There was little change in the death rate which was about five to six per 1 000.

The under-15 age group shrank from 16 per cent in mid-2002 to 13 per cent in mid-2007, while the 65 and over age group grew from 12 per cent in mid-2002 to 13 per cent in mid-2007. Correspondingly, the population's median age rose from 37.5 years to 39.9 years during the same period.

The overall dependency ratio of people aged under 15 and those aged 65 and over, to the working age group of people aged between 15 and 64, dropped from 378 per 1 000 in mid-2002 to 349 per 1 000 in mid-2007. This was attributable to a decline in the number of children under 15, which more than offset an increase in the number of old people, aged 65 and over in the same period.

Immigration Department

The Hong Kong Special Administrative Region (HKSAR) is a separate travel area with autonomy over its immigration policy. In accordance with the Basic Law, the

¹ The birth rate refers to the number of known live births occurring in a calendar year per thousand mid-year population.

HKSAR Government exercises immigration controls over entry into, stays in and departure from the HKSAR by people from foreign states and regions. The Basic Law also sets out the regulations for entry into the HKSAR of people from the Mainland.

Apart from controlling the movement of people into and out of the HKSAR, the Immigration Department provides a wide range of services to local residents, including the issuance of HKSAR passports and other travel documents, visas and identity cards, the handling of nationality and residency matters, and the registration of births, deaths and marriages. To enhance these services, the Immigration Department formulated an updated Information System Strategy to take advantage of advanced information technology to enable the department to meet growing public demand for quality service at lower cost and in a more responsive manner.

Where practicable, the department has been conducting business electronically to meet the needs of a fast-moving, fast developing city. The department is also responsible for guarding against the entry of undesirable persons to maintain Hong Kong's prosperity and stability, and for facilitating the entry of people from around the world who come and contribute to the development of Hong Kong.

Immigration Control

The HKSAR welcomes visitors and adopts a liberal visa policy. People from about 170 countries and territories can enter the HKSAR visa-free for visits lasting between seven and 180 days. The number of people entering and leaving Hong Kong in 2007 nearly topped the 218 million mark, 7.9 per cent up on the number for 2006. Over 161 million people travelled by land, mostly from the Mainland.

The passenger e-Channels have been introduced in phases at all control points since late 2004 for use by eligible Hong Kong residents holding smart identity cards, and extended to cross-boundary primary school students under the age of 11 in December 2007. Since April 2005, vehicular e-Channels had also been progressively installed at vehicular control points to facilitate eligible cross-boundary drivers to make use of smart identity cards for automated clearance.

Legal Immigration

The Mainland is the major contributor to Hong Kong's immigrant population. During the year, about 34 000 mainlanders joined their families in Hong Kong under the One-way Permit Scheme, which imposes a daily quota of 150.

Right of Abode

Article 24 of the Basic Law states that permanent residents of Hong Kong, regardless of their nationalities, have the right of abode in the HKSAR, and may obtain permanent identity cards.

Certificate of Entitlement Scheme

Under Article 24(2)(3) of the Basic Law, persons of Chinese nationality born outside Hong Kong of Hong Kong permanent residents are entitled to be permanent residents of the HKSAR with right of abode. The Immigration Ordinance stipulates that in order for a person to qualify for the right of abode under Article 24(2)(3) of

the Basic Law, at least one of his or her natural parents must be a Chinese citizen who has the right of abode at the time of birth of that person.

The Government introduced the Certificate of Entitlement Scheme on July 10, 1997, under which a person's status as a permanent resident of the HKSAR under Article 24(2)(3) of the Basic Law can be established only by holding a valid travel document such as a One-way Permit with a valid certificate of entitlement affixed to it. This arrangement enables systematic verification of right of abode claims and ensures orderly entry. Between July 1, 1997 and the end of 2007, some 173 400 certificate of entitlement holders entered Hong Kong from the Mainland.

Quality Migrant Admission Scheme

The Quality Migrant Admission Scheme launched on June 28, 2006 seeks to enhance Hong Kong's pool of human capital. Under it, talented people from the Mainland and overseas who meet specified criteria will be allowed to settle in Hong Kong without first securing an offer of local employment. The scheme is quota-based with an annual quota of 1 000. Applicants may choose to be assessed under either one of two point-based tests: the General Points Test and the Achievement-based Points Test. Selections are conducted on a regular basis to allocate quotas to the most meritorious applicants. An advisory committee comprising official and non-official members appointed by the Chief Executive advises the Director of Immigration on the selection of applicants.

As at end of 2007, a total of 1 214 applications had been received. Of the 451 applications short-listed for further comment by the advisory committee, 322 were allocated quotas and 212 of them were issued with visas or entry permits to live and work in Hong Kong. Among the 322 applicants who were allocated quota, 87 per cent chose to be assessed under the General Points Test and the remaining 13 per cent under the Achievement-based Points Test. The successful applicants came from a wide range of professions or sectors, such as financial services, art and sports.

Capital Investment Entrant Scheme

The Capital Investment Entrant Scheme was launched in October 2003. Its objective is to facilitate the entry for residence of people who make capital investments in Hong Kong but who would not, in the context of the scheme, be engaged in running any business here. The new capital brought in by them contributes to Hong Kong's economic development. The scheme is applicable generally to foreign nationals, Macao Special Administrative Region (SAR) residents, Chinese nationals who have obtained permanent resident status in a foreign country, stateless people who have obtained permanent resident status in a foreign country with proven re-entry facilities, and residents of Taiwan. Successful applicants are required to invest in Hong Kong not less than \$6.5 million in real estate or permissible financial assets, such as equities, debt securities, certificates of deposits, subordinated debt and other eligible Collective Investment Schemes.

By end of 2007, a total of 3 705 applications had been received and 1 800 had been granted formal approval. Another 360 applicants, having been granted approval

in principle, will be given formal approval, subject to their investments in the manner prescribed under the scheme. The 1 800 entrants, with formal approval, invested a total of \$12.82 billion.

Entry for Employment

Hong Kong maintains an open and liberal policy towards entry into the city for employment. There is no sectoral restriction or quota under the admission arrangements. People with special skills, knowledge or experience of value to and not readily available in Hong Kong, or who are in a position to make substantial contributions to the economy, are welcome. Having ordinarily resided in Hong Kong for a continuous period of not less than seven years, they may apply to become permanent residents. During the year, 32 459 professionals and people with technical, administrative or managerial skills or expertise in other fields were admitted for employment. Over 200 000 non-local talents and professionals came to work in Hong Kong via various admission arrangements since the reunification of Hong Kong with China in 1997.

Employment of Non-Local Students

On October 26, 2007, the Government announced that from the 2008-09 academic year onwards, non-local students of full-time locally-accredited programmes at degree level or above may take up part-time on-campus jobs for not more than 20 hours a week, study/curriculum-related internships and summer jobs. After graduating, they may stay for one year in Hong Kong without any restriction to take up employment. Those who had previously obtained a degree or higher qualification in a full-time locally-accredited programme in Hong Kong may also return to work in Hong Kong so long as the job is at a level commonly taken up by degree holders and offers a market rate remuneration package.

Entry of Dependants

Overseas spouses, unmarried dependent children under the age of 18 and dependent parents aged 60 or above of Hong Kong permanent residents, or of those who are not subject to a limit of stay may apply to enter Hong Kong as dependants. People who are admitted under the Quality Migrant Admission Scheme, the Capital Investment Entrant Scheme, those admitted to take up professional employment and those admitted to study in full-time undergraduate or post-graduate programmes in local institutions with degree-awarding powers, may also sponsor their spouses and unmarried dependent children under the age of 18 to apply to enter Hong Kong as dependants.

Illegal Immigration

The HKSAR keeps a close watch on illegal immigrants. About eight Mainland illegal immigrants were arrested each day in 2007, 11 per cent down on the figure for 2006. The number of Vietnamese illegal immigrants arrested in 2007 was 631, an increase of 5.5 per cent up on 2006.

The Government maintains close liaison with the Mainland and overseas governments on matters relating to population movements and irregular migration.

During the year, representatives from the HKSAR law enforcement agencies participated in a number of international/regional conferences and workshops held in Thailand, Macao SAR, Cambodia, Mexico and Japan respectively.

Emigration

The estimated number of people who emigrated from Hong Kong in 2007 was 9 900, most of whom went to the United States (3 700), Australia (3 200) and Canada (1 100).

Personal Documentation

Travel Documents

The Immigration Department started to issue the HKSAR electronic passport (HKSAR e-Passport) on February 5 2007. The HKSAR e-Passport is embedded with a contactless integrated chip containing the holder's personal data and facial image as the biometric identifiers in accordance with the standards specified by the International Civil Aviation Organisation. The passport contains other improved anti-forgery features, further enhancing its security. Issuance of the HKSAR passport is controlled strictly by the Immigration Department. All passports are prepared centrally by the Immigration Department in Hong Kong. The HKSAR Passports are issued only to Hong Kong permanent residents who are Chinese citizens having the right of abode in the HKSAR and are holding Hong Kong permanent identity cards.

Applications can be made by post or in person. Those from overseas can be sent to the Immigration Department through Chinese diplomatic or consular missions. Since December 22, 2007, applicants, aged 18 or above, were able to submit their applications online via the Internet. During the year, 538 723 HKSAR passport applications (including e-Passport) were received, including 6 964 from overseas.

The HKSAR Passports Appeal Board handles appeals against rejections of applications for HKSAR passports. It received 13 (7 overseas and 6 local) appeals in 2007.

The Immigration Department continued to lobby for visa-free access for HKSAR passport holders. Fiji agreed in 2007 to grant visa-free access to holders of HKSAR passport. By year-end, a total of 135 countries and territories had granted or agreed to grant visa-free access or visa-on-arrival to HKSAR passport holders.

Other travel documents issued by the Immigration Department include Documents of Identity for Visa Purposes (Doc/Is) and Re-entry Permits (REPs). Doc/Is are issued for international travel. They are also issued to Hong Kong residents who are not eligible for the HKSAR passport and who are unable to obtain a national passport or travel document of any other countries or territories. REPs are issued to Hong Kong residents for travelling to the Mainland and Macao. During the year, 34 839 Doc/Is and 112 136 REPs were issued.

Identity Cards

The Immigration Department also issues identity cards to Hong Kong residents. There are two types of identity cards: the Hong Kong Permanent Identity Card issued

to residents who have the right of abode in Hong Kong, and the Hong Kong Identity Card issued to residents who do not have that right.

Except those who are required to obtain Certificates of Entitlement, people who claim to have the right of abode in the HKSAR must apply for verification of their eligibility for a permanent identity card. In 2007, 61 428 applications were received and 46 189 were approved.

Smart Identity Card

The Immigration Department introduced the smart identity card to Hong Kong residents in June 2003. The card employs state-of-the-art technologies and is more fraud-resistant. The cardholder's personal particulars are engraved on the card by laser, and templates of the holder's thumbprints and facial image are stored in a chip embedded in the card and protected by sophisticated cryptographic techniques. The smart identity cards enable the Immigration Department to use the fingerprint recognition technology to authenticate the cardholders' identity by automated means quickly and enables cardholders to enjoy the convenience of self-service immigration clearance via the e-Channels.

The territory-wide arrangement for replacing the old identity cards with the smart identity cards was completed by the end of March 2007. A total of 5 384 164 smart identity cards were issued.

Nationality Matters

The Immigration Department is authorised by the Central People's Government to handle Chinese nationality applications from Hong Kong residents. Applications can be made either by post or in person. Overseas applications can be made through the nearest Chinese diplomatic or consular mission. Chinese nationals of the HKSAR who want to be treated as foreign nationals in the HKSAR must make a declaration of change of nationality to the Immigration Department. During the year, the Immigration Department received 52 applications for declaration of change of nationality, 1 567 applications for naturalisation as Chinese nationals, 94 applications for renunciation of Chinese nationality and 18 applications for restoration of Chinese nationality.

Assistance to Hong Kong Residents Outside Hong Kong

The Assistance to Hong Kong Residents Unit of the Immigration Department works closely with the Security Bureau, Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, Chinese diplomatic and consular missions in overseas countries, the Office of the HKSAR Government in Beijing, the Hong Kong Economic and Trade Office in Guangdong and other government departments to provide practical assistance to Hong Kong residents in distress outside Hong Kong. During the year, 1 474 such requests were handled.

Marriages

Marriage registration in Hong Kong is governed by the Marriage Ordinance. All marriages contracted under the ordinance involve the voluntary union for life of one man and one woman to the exclusion of all others. There is no residential or nationality requirement for marrying parties but neither of them can be under the age of 16.

The Registrar of Marriages should be given at least 15 days' notice of an intended marriage which must take place within three months from that date. Other than solemnising the marriages at one of the five marriage registries, or at any of the 262 licensed places of public worship, couples may engage a civil celebrant to celebrate their marriages at any place in Hong Kong. In 2007, 28 121 marriages were celebrated in marriage registries, 2 579 in licensed places of public worship, and 16 728 by civil celebrants.

An appointment to give notice of intended marriage to the Registrar of Marriages can be made through the internet or the Interactive Voice Response System. In 2007, over 99 per cent of parties who filed their marriage notices on the first day of the notice-giving period did it through the appointment system.

The Registrar of Marriages is also responsible for issuing Certificates of Absence of Marriage Records. During the year, 14 225 such certificates were issued.

Births and Deaths

Birth and death registrations in Hong Kong are governed by the Births and Deaths Registration Ordinance. Parents must register the birth of their child in Hong Kong with the Registrar of Births and Deaths within 42 days during which registration is free of charge. A fee is charged if the birth is registered after 42 days. Registering a child 12 months after birth requires a registrar's consent. During the year, 51 births required the consent. There are four district birth registries providing birth registration service.

Deaths from natural causes should be registered by relatives within 24 hours. Hong Kong has three death registries providing free service. Death may also be registered at one of the 15 designated police stations in the New Territories and outlying islands.

During the year, 70 394 live births and 39 963 deaths were registered.

Establishment

The Immigration Department had 5 035 disciplined staff at the end of the year compared with 4 658 in 2006, and 1 554 civilian staff compared with 1 534 the previous year.

Websites

Security Bureau: www.sb.gov.hk

Immigration Department: www.immd.gov.hk

Census and Statistics Department: www.censtatd.gov.hk