

Chapter 20

Population and Immigration

Hong Kong, with its world-class tourism facilities, infrastructure and open business environment, continues to attract huge numbers of visitors and businessmen from around the world. In 2008, Hong Kong's Immigration Department handled close to 223 million entry and exit movements at land and sea boundary points and Hong Kong International Airport.

The provisional figure for the population of Hong Kong at the end of 2008 was 7 008 900, or 0.8 per cent up on the previous year. This was due to 37 400 more births than deaths and a net inflow of 18 700 residents. Over the period 2003-2008, the average annual growth rate of the population was 0.7 per cent.

The birth rate¹ in 2008 was estimated at 11 per 1 000, higher than the 10 per 1 000 in 2007. This was attributable to an increase in the number of children born in Hong Kong to local and Mainland women during the year. There was little change in the death rate² which was about five to six per 1 000.

The under-15 age group shrank from 15 per cent in mid-2003 to 13 per cent in mid-2008, while the 65 and over age group grew from 12 per cent in mid-2003 to 13 per cent in mid-2008. Correspondingly, the population's median age rose from 38.1 years to 40.3 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 375 per 1 000 in mid-2003 to 343 per 1 000 in mid-2008. 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.

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

² The death rate refers to the number of known deaths occurring in a calendar year per thousand mid-year population.

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 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 contains provisions regulating the entry of people from the Mainland into the HKSAR.

Apart from upholding immigration control to maintain Hong Kong's prosperity and stability, the Immigration Department provides a wide range of services to local residents, including issuing HKSAR passports and other travel documents, visas and identity cards; handling nationality and residency matters; and registering births, deaths and marriages. The department enhanced these services through the use of advanced information technology to meet growing public demand for quality service more efficiently and in a more timely manner.

The Immigration Department had 5 036 disciplined staff and 1 535 civilian staff at the end of the year.

Immigration Control

Hong Kong welcomes visitors and adopts a liberal visa policy. People from about 170 countries and territories can enter Hong Kong visa-free lasting between seven and 180 days. The number of people entering and leaving Hong Kong in 2008 nearly topped the 223 million mark, 2.3 per cent up on the previous year. Over 166 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 were extended to cross-boundary primary school students under the age of 11 in December 2007. Since May 2008, visitors aged 18 or above holding valid HKSAR Travel Passes, Asia-Pacific Economic Co-operation Business Travel Cards with the economy code 'HKG' or Hong Kong International Airport Frequent Visitor Cards and have enrolled with the department may also enjoy e-Channel facilities. Vehicular e-Channels have also been installed at all 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 41 600 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, people 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 2008, some 176 500 certificate of entitlement holders entered Hong Kong from the Mainland.

Quality Migrant Admission Scheme

The Quality Migrant Admission Scheme launched in June 2006 seeks to enhance Hong Kong's pool of human capital. Under the scheme, talented people in any area can apply to enter and settle in Hong Kong without first securing an offer of local employment. To cast a wider net for quality migrants, the Government completed a review and improved the scheme by relaxing various restrictions and prerequisites with effect from January 2008. Key enhancements include lifting the age limit so that potential candidates aged 51 or above are eligible to apply, and adjusting the marking scheme to make it possible for younger degree-holders with less working experience to meet the passing mark for further assessment. As at the end of 2008, 886 places had been allotted under the scheme to applicants from a wide range of professions, ranging from the commercial sectors to the arts and sports.

Capital Investment Entrant Scheme

The Capital Investment Entrant Scheme was launched in October 2003. Its objective is to facilitate the entry of people who make capital investments in Hong Kong but would not engage in the running of the business. The scheme is applicable generally to foreign nationals, residents of the Macao Special Administrative Region (SAR), Chinese nationals who have obtained permanent resident status in a foreign country, 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 or debt securities.

By the end of 2008, a total of 3 347 applicants had been granted formal approval under the scheme. They invested a total of \$23.8 billion, about \$7.1 million per applicant on average.

Entry for Employment as Professionals

Hong Kong maintains an open and liberal policy towards entry into the city for employment as professionals. 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. Since the reunification of Hong Kong with China in 1997, over 230 000 non-local talents and professionals have been admitted to Hong Kong via various admission arrangements to work in the city.

Employment of Non-Local Students

Since May 19, 2008, non-local students of full-time locally-accredited programmes at degree level or above have been allowed to take up summer jobs, study or curriculum-related internships and part-time on-campus jobs. Upon graduation, they may apply to stay for one year in Hong Kong to take up employment freely. Those who had previously obtained a degree or higher qualification in a full-time locally-accredited programme in Hong Kong may also apply to return to Hong Kong for employment as long as the job they have secured is at a level commonly taken up by degree-holders and is remunerated at market rates.

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 or the Capital Investment Entrant Scheme, or admitted to take up professional employment or 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 immigration activities. About 2 370 Mainland illegal immigrants were arrested in 2008, 21 per cent less than in 2007. The number of Vietnamese illegal immigrants arrested was 653, or 3 per cent more than in 2007.

The Immigration Department maintains close liaison with the Mainland and overseas governments on matters relating to population movements and irregular migration. During the year, representatives from the Immigration Department participated in international and regional conferences and workshops held in Malaysia, Australia and Japan.

Emigration

The estimated number of emigrants from Hong Kong was 9 100 in 2008, most of whom went to the United States (3 700), Australia (2 500) and Canada (1 300).

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. Issuance of the HKSAR passport is controlled strictly by the Immigration Department. 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. Eligible applicants aged 18 or above may submit their applications through the internet or through the self-service kiosks which were installed in August at the Headquarters and Immigration branch offices. During the year, 504 404 HKSAR passport applications were received, including 6 715 from overseas.

The HKSAR Passports Appeal Board handles appeals against rejections of applications for HKSAR passports. It received five (two overseas and three local) appeals in 2008.

The Immigration Department continued to lobby for greater immigration convenience such as visa-free access for HKSAR passport holders. The Dominican Republic agreed in 2008 to grant visa-free access to holders of HKSAR passport. By year-end, a total of 136 countries and territories had granted 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 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, 43 882 Doc/Is and 110 004 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 2008, 54 085 applications were received and 45 895 were approved.

Smart Identity Card

The Immigration Department introduced the smart identity card for Hong Kong residents in June 2003. The card employs state-of-the-art technologies and is highly 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 enable cardholders to enjoy the convenience of self-service immigration clearance via the e-Channels. In 2008, a total of 576 732 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 65 applications for declaration of change of nationality, 1 541 applications for naturalisation as Chinese nationals, 94 applications for renunciation of Chinese nationality and eight 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, the 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, 2 315 such requests were handled.

The great majority of these requests relate to the closure of the international airport in Bangkok in late November/early December 2008, which affected a large number of travellers including many Hong Kong residents. The Government is reviewing the mechanism to assist Hong Kong residents overseas, in the light of the experience gained from this incident.

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 then take place within three months of the notice. Other than solemnising the marriages at one of the five marriage registries or any of the 261 licensed places of public worship, couples may engage a civil celebrant to celebrate their marriages at any place in Hong Kong. In 2008, 25 965 marriages were celebrated in marriage registries, 2 792 in licensed places of public worship, and 18 508 by civil celebrants.

An appointment to give notice of intended marriage to the Registrar of Marriages can be made through the Internet or telephone booking system.

The Registrar of Marriages is also responsible for issuing Certificates of Absence of Marriage Records. During the year, 11 978 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 children in Hong Kong with the Registrar of Births and Deaths within 42 days of the birth. Registration is free of charge during the period. A fee is charged if the birth is registered after 42 days. Registration later than 12 months after birth requires the registrar's consent.

There are four district birth registries providing birth registration service. Since November 3, 2008, parents of newborn babies can make appointments for birth registration through the Internet/telephone booking system.

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, 78 752 live births and 41 530 deaths were registered.

Websites

Security Bureau: www.sb.gov.hk

Immigration Department: www.immd.gov.hk

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