

Chapter 20

Population and Immigration

Hong Kong is an enticing place. This is reflected in the continuously large number of visitors and businessmen coming to the city for short and long stays. In 2009, the Immigration Department handled some 223 million inbound and outbound movements. The strong draw is due largely to the city's world-class tourism facilities, a liberal visa policy, excellent infrastructure, open business environment and strategic location in China and Southeast Asia.

The provisional figure for the population of Hong Kong at the end of 2009 was 7 026 400, or 0.5 per cent up on the previous year. This was due to 41 900 more births than deaths and a net outflow of 4 400 residents. Over the period 2004-2009, the average annual growth rate of the population was 0.7 per cent.

The birth rate¹ in 2009 was estimated at 12 per 1 000, higher than the 11 per 1 000 in 2008. This was attributable to an increase in the number of children born in Hong Kong to 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-2004 to 12 per cent in mid-2009, while the 65 and over age group grew from 12 per cent in mid-2004 to 13 per cent in mid-2009. Correspondingly, the population's median age rose from 38.6 years to 40.7 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 368 per 1 000 in mid-2004 to 337 per 1 000 in mid-2009. 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 of China.

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 5 077 disciplined staff and 1 461 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 for stays of between seven and 180 days. The number of people entering and leaving Hong Kong in 2009 nearly topped the 223 million mark, 0.06 per cent up on the previous year. Over 170 million arrived by land, mostly from the Mainland.

An electronic system, e-Channel, is installed at boundary crossings to provide automated clearance for Hong Kong residents. Cross-boundary primary school children under the age of 11 are now also using the service as are vehicles for which e-Channels are provided at vehicular control points. Frequent visitors may apply to use the service which was extended to Macao's permanent residents in December this year.

Legal Immigration

The Mainland is the major contributor to Hong Kong's immigrant population. During the year, about 49 000 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 Hong Kong residents, 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 2009, some 181 500 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 it, talented people may apply to enter and settle in Hong Kong without first securing an offer of local employment. At the end of 2009, a quota of 1 479 applications had been allotted. These are approved in principle subject to further assessment and applicants' acceptance of the offer made under the scheme.

Capital Investment Entrant Scheme

The Capital Investment Entrant Scheme was launched in October 2003. Its aim is to facilitate the entry of people who make capital investments in Hong Kong but would not engage in the running of the business. 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. Since March 16, 2009, applicants were allowed to hire a Certified Public Accountant (Practising), who must be a member of the Hong Kong Institute of Certified Public Accountants, to issue a report to demonstrate that they meet the assets requirement.

By the end of 2009, a total of 5 953 applicants had been granted formal approval under the scheme. They invested a total of \$42.1 billion, or about an average of \$7.1 million per applicant.

Entry for Employment as Professionals

Hong Kong maintains an open and liberal policy towards entry into the city for employment as professionals. 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 contribution to the economy, are welcome. Since the reunification of Hong Kong with China in 1997, over 260 000 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 graduating from a full-time locally-accredited programme at degree level or above have been permitted to apply to remain in Hong Kong for one year to take up employment. Those who graduated from such a programme before that date may also apply to return to Hong Kong for

employment provided the job they have secured is at a level commonly taken up by degree-holders and is remunerated at market rates.

Entry of Dependants

Hong Kong permanent residents or residents who are not subject to a limit of stay may sponsor their spouse, unmarried dependent children under the age of 18 and dependent parents aged 60 or above 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 spouse 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. 1 890 Mainland illegal immigrants were arrested during the year, 20 per cent less than in 2008. The number of Vietnamese illegal immigrants arrested was 447, or 32 per cent less than in 2008.

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 Indonesia, Japan, the Philippines and Thailand.

Emigration

The estimated number of emigrants from Hong Kong was 7 200 in 2009, most of whom went to the United States (2 800), Australia (1 900) and Canada (700).

Personal Documentation

Travel Documents

The Immigration Department started issuing HKSAR electronic passports (HKSAR e-Passport) on February 5, 2007. It 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 passports are issued only to Hong Kong permanent residents who are Chinese citizens with the right of abode in the HKSAR and who hold 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 at the Immigration Department's headquarters or its branch offices. Since November 30, 2009, eligible applicants aged 11-17 have also been able to submit their applications through the internet.

During the year, 471 620 HKSAR passport applications were received, including 6 209 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 2009.

The Immigration Department continued lobbying for greater immigration convenience such as visa-free access for HKSAR passport holders. Bosnia and Herzegovina, Guam, Macedonia and Russia agreed in 2009 to grant visa-free access to holders of HKSAR passport. By year-end, 140 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 issued to Hong Kong residents who are not eligible for the HKSAR passport and are unable to obtain a passport or travel document of any other country or territory. REPs are issued to Hong Kong residents to travel to the Mainland and Macao. During the year, 51 647 Doc/Is and 114 350 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 2009, a total of 57 876 applications were received and 42 748 were approved.

Smart Identity Card

The Immigration Department introduced the smart identity card in June 2003. The card employs state-of-the-art technologies and is highly fraud-resistant.

The smart identity cards enable the Immigration Department to use the fingerprint recognition technology to authenticate the cardholders' identity and enable cardholders to enjoy self-service immigration clearance via the e-Channels. In 2009, a total of 551 382 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 missions. 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 94 applications for declaration of change of

nationality, 1 295 applications for naturalisation as Chinese nationals, 76 applications for renunciation of Chinese nationality and nine applications for restoration of Chinese nationality.

Assistance to Hong Kong Residents Outside Hong Kong

The Assistance to Hong Kong Residents Unit (AHU) 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, 1 519 such requests were handled.

The Outbound Travel Alert System was launched on October 20, 2009 to help people better understand the risk to personal safety in travelling to 60 destinations that are popular to Hong Kong travellers. The system uses three coloured codes: Amber, Red and Black, to differentiate the levels of risk.

The Immigration Department has strengthened the staff training and equipment of the AHU and is improving the '1868' hotline services for enhancing the assistance to Hong Kong residents overseas. In addition, a new service will be introduced for Hong Kong residents to provide the AHU via the internet with details of their itinerary and contacts. The proposed enhancements will be implemented in phases starting from 2010.

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 259 licensed places of public worship, couples may engage a civil celebrant to celebrate their marriage at any place in Hong Kong. In 2009, a total of 26 275 marriages were celebrated in marriage registries, 2 823 in licensed places of public worship, and 21 979 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. Since September 21, 2009, parties having made an appointment to give notice of intended marriage may submit the information required for registration of marriage through the internet.

The Registrar of Marriages is also responsible for issuing Certificates of Absence of Marriage Records. During the year, 14 204 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 were able to make appointments for birth registration through the internet or a 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, 82 906 live births and 41 034 deaths were registered.

Websites

Security Bureau: www.sb.gov.hk

Immigration Department: www.immd.gov.hk

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